

State of Iowa
1984

JOURNAL OF THE HOUSE

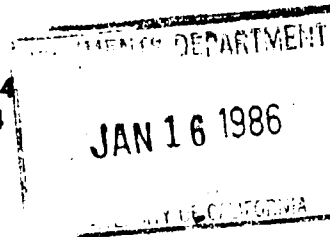
**1984
REGULAR SESSION
SEVENTIETH
GENERAL ASSEMBLY**

**Convened January 9, 1984
Adjourned April 20, 1984**

**Volume II
April 2 - April 20**

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

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JOURNAL OF THE HOUSE

Eighty-fifth Calendar Day – Fifty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 2, 1984

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

Prayer was offered by Reverend Bob Evans, pastor of the Christian Church, Logan.

The Journal of Friday, March 30, 1984 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Osterberg of Linn, for the morning, on request of Pavich of Pottawattamie; Knapp of Dubuque, until his arrival, on request of Connolly of Dubuque; Lageschulte of Bremer, until his arrival, on request of Pellett of Cass.

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, 1984, amended and passed the following bill in, which the concurrence of the Senate was asked:

House File, 405, a bill for an act relating to the qualifications for certified public accountants.

Also: That the Senate has on March 30, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 558, 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 human services.

Also: That the Senate has on March 30, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 580, a bill for an act relating to the authority of licensing boards under the continuing education chapter.

1984

Also: That the Senate has on March 30, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2048, a bill for an act relating to conservation easements.

Also: That the Senate has on March 30, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2187, a bill for an act to increase the filing or recording fee collected by the county recorder.

Also: That the Senate has on March 30, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2189, a bill for an act creating a commission on children, youth, and families and providing its purpose and duties.

Also: That the Senate has on March 30, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2247, a bill for an act relating to the reimbursement of law enforcement officer training costs incurred by cities or counties.

Also: That the Senate has on March 29, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2306, a bill for an act permitting the conservation commission to alter or restrict the taking of wildlife.

Also: That the Senate has on March 30, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2387, a bill for an act relating to the authority of the department of water, air and waste management over public water supply systems.

Also: That the Senate has on March 30, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2391, a bill for an act relating to license fees, inspection fees, and other fees charged by the commerce commission under chapters 542 and 543.

Also: That the Senate has on March 29, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2433, a bill for an act amending Iowa's unemployment compensation law.

Also: That the Senate has on March 29, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2436, a bill for an act relating to the licensure and operation of a hospice program.

Also: That the Senate has on March 30, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2459, a bill for an act allowing a vendor to charge for reasonable attorneys fees in the forfeiture of a real estate contract.

Also: That the Senate has on March 30, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2478, a bill for an act relating to the administration of special assessments and other property tax laws.

Also: That the Senate has on March 29, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2491, a bill for an act relating to public utilities by providing for an income tax checkoff for the low income home energy assistance program.

Also: That the Senate has on March 29, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2501, a bill for an act relating to the supervision, rehabilitation, and liquidation of insurance companies and providing penalties.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 2331, a bill for an act relating to the filing of refund claims resulting from the carryback of net operating losses or net capital losses for tax years ending on or before December 31, 1978 for personal and corporate and franchise tax purposes, 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. 2331)

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 | Hermann | Hoffmann-Bright |
| Holveck | Hughes | Hummel | Koenigs |
| Krewson | Lloyd-Jones | Lonergan | Maulsby |
| McIntee | McKean | Menke | Muhlbauer |
| Mullins | Norland | O'Kane | Ollie |
| 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 | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Varn | Welden |
| Woods | Zimmerman | Mr. Speaker | |

The nays were, 3:

| | | |
|----------|--------|--------|
| Branstad | Hanson | Renken |
|----------|--------|--------|

Absent or not voting, 6:

| | | | |
|--------|-----------|-------|-------------|
| Jay | Jochum | Knapp | Lageschulte |
| Miller | Osterberg | | |

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

House File 2326, a bill for an act to eliminate the county auditor's annual property valuation and tax report to the department of revenue, 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. 2326)

The ayes were, 90:

| | | | |
|----------|----------|-----------|----------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | 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 | Koenigs |
| Krewson | Lloyd-Jones | Loneragan | Maulsby |
| McIntee | McKean | Menke | Muhlbauer |
| Mullins | Norland | O'Kane | Ollie |
| Oxley | Parker | Paulin | Pavich |
| Peick | Pellett | Poncy | 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, 3:

| | | |
|--------|--------|---------|
| Chiodo | Renaud | Running |
|--------|--------|---------|

Absent or not voting, 7:

| | | | |
|-------------|--------|-----------|-------|
| Copenhaver | Jay | Jochum | Knapp |
| Lageschulte | Miller | Osterberg | |

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

HOUSE FILE 2481 DEFERRED

Norland of Worth asked and received unanimous consent that House File 2481 be deferred and that the bill retain its place on the calendar.

SENATE FILE 2069 SUBSTITUTED FOR HOUSE FILE 2321

Pavich of Pottawattamie asked and received unanimous consent to substitute Senate File 2069 for House File 2321.

Senate File 2069, a bill for an act relating to the exemption certificate furnished by the state, its agencies, and political subdivisions of the state for the delivery of tax-exempt motor fuel, 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. 2069)

The ayes were, 94:

| | | | |
|------------------|------------------|------------|-------------|
| 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 |
| Groninga | Gronstal | Groth | Gruhn |
| Halvorson, R. A. | Halvorson, R. N. | Hammond | Handorf |
| Hanson | Harbor | Haverland | Hermann |
| Hoffmann-Bright | Holveck | Hughes | Hummel |
| Joehum | Koenigs | Krewson | Lloyd-Jones |
| Loneragan | Mausby | McIntee | McKean |
| Menke | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poney | Renaud | Renken | Rensink |
| Rosenberg | Royer | Running | Schnekloth |
| Schroeder | Sherzan | Shultz | 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:

| | | | |
|------------|-----------|-------|-------------|
| Copenhaver | Jay | Knapp | Lageschulte |
| Miller | Osterberg | | |

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

House File 2510, a bill for an act relating to the definition and taxation of real property within a self-supported municipal improvement district, 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. 2510)

The ayes were, 90:

| | | | |
|------------------|------------------|------------|-------------|
| 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 | Harbor | Haverland | Hermann |
| Hoffmann-Bright | Holveck | Hughes | Hummel |
| Jochum | Koenigs | Krewson | Lloyd-Jones |
| Lonergan | McIntee | McKean | Menke |
| Muhlbauer | Mullins | Norland | O'Kane |
| Ollie | 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 | Varn | Woods |
| Zimmerman | Mr. Speaker | | |

The nays were, 5:

| | | | |
|--------|---------|-----------|------------|
| Corey | Maulsby | Schroeder | Van Maanen |
| Welden | | | |

Absent or not voting, 5:

| | | | |
|-----------|-------|-------------|--------|
| Jay | Knapp | Lageschulte | Miller |
| Osterberg | | | |

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

House File 2508, a bill for an act relating to the licensing and regulation of mobile homes and mobile home parks, and authorizing the imposition of fines for violations, was taken up for consideration.

Spear of Lee asked and received unanimous consent to temporarily defer action on amendment H—6021.

Spear of Lee offered the following amendment H—6020 filed by him:

H-6020

- 1 Amend House File 2508 as follows:
- 2 1. Page 1, line 30, by inserting after the word
- 3 "triennially" the words and figure "and may charge
- 4 an inspection fee as provided in section 135F.2".

The following amendment H-6034, to amendment H-6020, filed by Spear of Lee from the floor was adopted by unanimous consent:

H-6034

- 1 Amend amendment H-6020 to House File 2508 as follows:
- 2 1. Page 1, line 3, by striking the word "may" and
- 3 inserting in lieu thereof the word "shall".

On motion by Spear of Lee, amendment H-6020, as amended, was adopted.

Pavich of Pottawattamie in the chair at 10:47 a.m.

Spear of Lee offered the following amendment H-6023 filed by him and moved its adoption:

H-6023

- 1 Amend House File 2508 as follows:
- 2 1. Page 2, line 4, by striking the words "and
- 3 accessible to humans".
- 4 2. Page 2, lines 15 and 16, by striking the words
- 5 "which is accessible to humans".

Amendment H-6023 was adopted.

Spear of Lee offered the following amendment H-6016 filed by him and moved its adoption:

H-6016

- 1 Amend House File 2508 as follows:
- 2 1. Page 2, line 7, by inserting after the word
- 3 "natural" the words "or propane".

Amendment H-6016 was adopted.

Spear of Lee offered the following amendment H-6019 filed by him and moved its adoption:

H-6019

- 1 Amend House File 2508 as follows:
- 2 1. Page 2, line 17, by striking the word
- 3 "physical".
- 4 2. Page 2, lines 17 and 18, by striking the words
- 5 "rodents and" and inserting in lieu thereof the words
- 6 "rats, mice and other".

Amendment H-6019 was adopted.

Spear of Lee offered the following amendment H-6018 filed by him and moved its adoption:

H-6018

- 1 Amend House File 2508 as follows:
- 2 1. Page 2, line 28, by inserting after the word
- 3 "dollars" the words "for each inspection or
- 4 investigation".

Amendment H-6018 was adopted.

Spear of Lee offered the following amendment H-6025 filed by him and moved its adoption:

H-6025

- 1 Amend House File 2508 as follows:
- 2 1. Page 3, line 16, by inserting after the words
- 3 "recreational mobile" the word "home".

Amendment H-6025 was adopted.

McKean of Jones offered the following amendment H-5885 filed by him and moved its adoption:

H-5885

- 1 Amend House File 2508 as follows:
- 2 1. By striking page 3, line 13 through page 4,
- 3 line 5 and inserting in lieu thereof the following:
- 4 "Sec. 5. Section 135D.2, Code 1983, is amended
- 5 by striking the section and inserting in lieu thereof
- 6 the following:
- 7 135D.2 CITY OR COUNTY PREEMPTION - ANNUAL LICENSE.
- 8 1. If a city or county enacts an ordinance to
- 9 license and regulate mobile home parks within its

10 jurisdiction as authorized under chapter 135F, sections
 11 135D.2 through 135D.21 shall not apply within the
 12 city or county. When a city or county enacts an
 13 ordinance to regulate and license mobile home parks
 14 as provided in chapter 135F, the state department
 15 of health shall transfer the regulation and licensing
 16 of mobile home parks to the city or county on January
 17 1 following enactment of the ordinance.

18 2. A person shall not establish, maintain, conduct
 19 or operate a mobile home park within this state without
 20 first obtaining an annual license from the state
 21 department of health. The annual license shall be
 22 issued for the calendar year applied for and shall
 23 expire at midnight on December 31 of the year. Any
 24 mobile home park located in more than one municipality
 25 shall be dealt with as two separate mobile home parks."

Amendment H—5885 lost.

Spear of Lee offered the following amendment H—6021, (temporarily deferred) filed by him and moved its adoption:

H—6021

1 Amend House File 2508 as follows:
 2 1. Page 1, line 6, by inserting after the figure
 3 "135F.4." the following: "A mobile home park located
 4 in more than one city or county shall be dealt with
 5 as two separate mobile home parks."

Amendment H—6021 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. 2508)

The ayes were, 83:

| | | | |
|----------|---------|------------------|------------------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| Branstad | Buhr | Carl | Carter |
| Chapman | Chiodo | Cochran | Connolly |
| Connors | Cooper | Corey | Daggett |
| Davitt | 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 | Koenigs | Lageschulte |
| Lloyd-Jones | Lonergan | Maulsby | McIntee |
| Menke | Muhlbauer | Norland | O'Kane |
| Ollie | Oxley | Parker | Peick |
| Pellett | Poney | Renaud | Renken |
| Rensink | Rosenberg | Royer | Schneklath |
| Schroeder | Sherzan | Shoultz | Skow |
| Spear | Stromer | Stueland | Sturgeon |
| Sullivan | Swartz | Swearingen | Tabor |
| Tofte | Van Camp | Van Gerpen | Varn |
| Woods | Zimmerman | Mr. Speaker (Pavich) | |

The nays were, 13:

| | | | |
|-----------------|---------|----------|------------|
| Carpenter | Clark | De Groot | Harbor |
| Hoffmann-Bright | Krewson | McKean | Mullins |
| Paulin | Running | Torrence | Van Maanen |
| Welden | | | |

Absent or not voting, 4:

| | | | |
|------------|-------|--------|-----------|
| Copenhaver | Knapp | Miller | Osterberg |
|------------|-------|--------|-----------|

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

SENATE AMENDMENTS CONSIDERED

Arnould of Scott called up for consideration **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, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-5479 to the House amendment:

H-5479

- 1 Amend the House amendment S-5111 to Senate File
- 2 190 as amended, passed and reprinted by the Senate.
- 3 as follows:
- 4 1. Page 1, by inserting before line 3 the
- 5 following:
- 6 "1. Page 1, line 9, by inserting after the word
- 7 "pension" the words ", health or other"."
- 8 2. Page 1, by striking lines 6 and 7 and inserting
- 9 in lieu thereof the following:
- 10 "3. Page 1, line 16, by striking the word

11 "persons." and inserting in lieu thereof the words
 12 "full-time persons. The leave of absence granted
 13 by this section need not exceed six years. The leave
 14 of absence granted by this section does not apply
 15 to an elective office held by the employee prior to
 16 the election."

The motion prevailed and the House concurred in the Senate amendment H-5479 to the House amendment.

Arnould of Scott 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. 190)

The ayes 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 |
| Hughes | Jay | Jochum | Koenigs |
| Krewson | Lloyd-Jones | Lonergan | Muhlbauer |
| Norland | O'Kane | Ollie | Oxley |
| Parker | Petek | Poncy | Renaud |
| Rosenberg | Running | Sherzan | Shoultz |
| Skow | Spear | Sturgeon | Sullivan |
| Swartz | Tabor | Varn | Woods |
| Zimmerman | Mr. Speaker (Pavich) | | |

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 | Lageschulte | Maulsby | McIntee |
| McKean | Menke | Mullins | Paulin |
| Pellet | Renken | Rensink | Royer |
| Schneklath | Schroeder | Stromer | Stueland |
| Swearingen | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | |

Absent or not voting, 3:

| | | |
|-------|--------|-----------|
| Knapp | Miller | Osterberg |
|-------|--------|-----------|

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

IMMEDIATE MESSAGE

(House File 2511)

Norland of Worth asked and received unanimous consent to immediately message House File 2511 to the Senate.

Muhlbauer of Crawford called up for consideration **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, amended by the Senate, and moved that the House concur in the following Senate amendment H—5108:

H—5108

- 1 Amend House File 508 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 2, by striking lines 27 and 28 and
- 4 inserting in lieu thereof the words "dollars, such
- 5 the audit".

The motion prevailed and the House concurred in the Senate amendment H—5108.

Muhlbauer of Crawford 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. 508)

The ayes were, 97:

| | | | |
|----------|------------------|------------------|------------|
| Anderson | Arnould | Avenson | Baxter |
| 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 |
| Loergan | Maulsby | McIntee | McKean |
| Menke | 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 | Sullivan |
| Swartz | Swearingen | Tabor | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Varn | Welden | Woods | Zimmerman |
| Mr. Speaker (Pavich) | | | |

The nays were, none.

Absent or not voting, 3:

Bennett Miller Osterberg

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

Running of Linn called up for consideration **House File 169**, a bill for an act establishing a time limit for completion of audits of units of local government, amended by the Senate, and moved that the House concur in the following Senate amendment H-5225:

H-5225

- 1 Amend House File 169 as amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 4, by striking the words "one
- 4 year" and inserting in lieu thereof the words "fifteen
- 5 months".
- 6 2. Page 1, line 6, by striking the words "one
- 7 year" and inserting in lieu thereof the words "fifteen-
- 8 month".
- 9 3. Page 1, line 14, by striking the words "one
- 10 year" and inserting in lieu thereof the words "fifteen
- 11 months".
- 12 4. Page 1, line 17, by striking the words "one
- 13 year" and inserting in lieu thereof the words "fifteen-
- 14 month".

The motion prevailed and the House concurred in the Senate amendment H-5225.

Halvorson of Webster in the chair at 11:24 a.m.

Running 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. 169)

The ayes were, 84:

| | | | |
|-------------|------------------|-----------|--|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| Branstad | Buhr | Carl | Carpenter |
| Carter | Chapman | Chiodo | Clark |
| Cochran | Connolly | Connors | Corey |
| Daggett | Davitt | De Groot | Diemer |
| Fey | Groninga | Gronstal | Groth |
| Gruhn | Halvorson, R. A. | Hammond | Hanson |
| Harbor | Haverland | Hermann | Hoffmann-Bright |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lageschulte |
| Lloyd-Jones | Loneragan | McIntee | McKean |
| Menke | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Oxley | Parker |
| Peick | Pellett | Poncy | Renaud |
| Rensink | Rosenberg | Royer | Running |
| Schneklath | Schroeder | Sherzan | Shoultz |
| Skow | Spear | Stromer | Stueland |
| Sturgeon | Sullivan | Swartz | Swearingen |
| Tabar | Torrence | Van Camp | Van Gerpen |
| Varn | Woods | Zimmerman | Mr. Speaker (Halvorson of Webster) |

The nays were, 9:

| | | | |
|------------|---------|---------|--------|
| Cooper | Grandia | Handorf | Hummel |
| Maulsby | Paulin | Renken | Tofte |
| Van Maanen | | | |

Absent or not voting, 7:

| | | | |
|------------|---------|---------|--------|
| Copenhaver | Doderer | Fogarty | Miller |
| Osterberg | Pavich | Welden | |

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

Pavich of Pottawattamie called up for consideration **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, amended by the Senate, and moved that the House concur in the following Senate amendment H-5476:

H-5476

- 1 Amend House File 257 as amended, passed and re-
- 2 printed by the House as follows:
- 3 1. By striking page 4, line 27 through page 5,
- 4 line 6.

The motion prevailed and the House concurred in the Senate amendment H-5476.

Pavich 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. 257)

The ayes were, 95:

| | | | |
|------------------|-------------|-----------|-----------------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| Branstad | Buhr | Carl | Carpenter |
| Carter | Chapman | Chiodo | Clark |
| Cochran | Connolly | Connors | Cooper |
| Corey | Daggett | 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 | Loneragan | Maulsby |
| McIntee | McKean | Menke | Muhlbauer |
| Mullins | Norland | O'Kane | Ollie |
| Oxley | Parker | Paulin | Pavich |
| Peick | Pellett | Poncy | Renaud |
| Renken | Rensink | Rosenberg | Royer |
| Running | Schneklath | Sherzan | Shoultz |
| Skow | Spear | Stromer | Stueland |
| Sturgeon | Sullivan | Swartz | Swearingen |
| Tabor | Tofte | Torrence | Van Camp |

Van Gerpen
Woods

Van Maanen
Zimmerman

Varn
Mr. Speaker
(Halvorson of
Webster)

Welden

The nays were, none.

Absent or not voting, 5:

Copenhaver
Schroeder

Davitt

Miller

Osterberg

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

Arnould of Scott called up for consideration **House File 2219**, a bill for an act to provide that an eligible elector residing in a precinct may register to vote at the polling place on election day, amended by the Senate amendment H—5860 as follows:

H—5860

- 1 Amend House File 2219 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 17, by inserting after the word
- 4 "precinct." the words "A qualified elector shall not
- 5 prove the residency of more than one eligible elector
- 6 unless the eligible electors are related by blood
- 7 or marriage."
- 8 2. Page 2, by inserting after line 15 the
- 9 following:
- 10 "Sec. 2. Section 49.77, Code Supplement 1983,
- 11 is amended by adding the following new subsection:
- 12 **NEW SUBSECTION. 5.** A person whose name does not
- 13 appear on the election register of the precinct who
- 14 registers under section 1 of this Act shall be allowed
- 15 to cast a ballot and the precinct election official
- 16 is not under a duty to require that the ballot be
- 17 cast under section 49.81."
- 18 3. Amend the title, line 3, by inserting after
- 19 the word "day" the words ", and subjecting violators
- 20 to a penalty as provided by law".

Schroeder of Pottawattamie asked and received unanimous consent that House File 2219 be temporarily deferred and that the bill retain its place on the calendar.

(Senate amendment H—5860 pending.)

HOUSE FILE 540 DEFERRED

Stromer of Hancock asked and received unanimous consent that House File 540 be temporarily deferred and that the bill retain its place on the calendar.

Connors of Polk called up for consideration **House File 2067**, a bill for an act establishing an age limit for participants in amateur boxing, amended by the Senate, and moved that the House concur in the following Senate amendment H - 5909:

H-5909

- 1 Amend House File 2067 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 4, by inserting after the word
- 4 "contest" the words "unless each contestant
- 5 participating in the contest is over the age of
- 6 thirty".

The motion prevailed and the House concurred in the Senate amendment H - 5909.

Connors 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. 2067)

The ayes were, 94:

| | | | |
|------------------|-----------|-----------------|-------------|
| Anderson | Arnould | Avenson | 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 | Gronstal | Groth | Gruhn |
| Halvorson, R. A. | Handorf | Hanson | Harbor |
| Haverland | Hermann | Hoffmann-Bright | Holveck |
| Hughes | Hummel | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lageschulte |
| Lloyd-Jones | Loneragan | Maulsby | McIntee |
| McKean | Menke | Muhlbauer | Mullins |
| Norland | O'Kane | Ollie | Oxley |

| | | | |
|------------|--|----------|------------|
| Parker | Paulin | Pavich | Peick |
| Pellett | Pony | 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 | Weiden | Woods |
| Zimmerman | Mr. Speaker (Halvorson of Webster) | | |

The nays were, 4:

| | | | |
|--------|----------|---------|----------|
| Carter | Groninga | Hammond | Torrence |
|--------|----------|---------|----------|

Absent or not voting, 2:

| | |
|--------|-----------|
| Miller | Osterberg |
|--------|-----------|

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 11:44 a.m.

Chido of Polk called up for consideration **House File 2414**, a bill for an act relating to credit union reciprocity, par value of shares, deposits, investments, powers, membership, and reserves, amended by the Senate, and moved that the House concur in the following Senate amendment H—5960:

H—5960

- 1 Amend House File 2414 as passed by the House as
- 2 follows:
- 3 1. Page 1, by striking lines 1 through 6.
- 4 2. Title page, line 1, by striking the words
- 5 "credit union reciprocity," and inserting in lieu
- 6 thereof the words "a credit union's".

The motion prevailed and the House concurred in the Senate amendment H—5960.

Chido 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. 2414)

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 |
| Loergeran | Maulsby | McIntee | McKean |
| Menke | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poncy | Renaud | Renken | Rensink |
| Rosenberg | Royer | Running | Schneklath |
| 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:

Miller Osterberg

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

MOTION TO OVERRIDE GOVERNOR'S VETO LOST

Norland of Worth called up for consideration the motion to reconsider by Sherzan of Polk filed on March 23, 1984 on **House File 2031**, a bill for an act stipulating collective bargaining representation for employees of a district board of correctional services, as vetoed by the Governor on March 16, 1984.

Sherzan of Polk moved that the House on reconsideration agree to pass House File 2031, the objections of the Governor to the contrary notwithstanding.

Rule 76 was invoked.

On the question "Shall the House on reconsideration pass the bill, the objections of the Governor to the contrary notwithstanding?" (H.F. 2031)

The ayes 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 | Hanson | Holveck | Hughes |
| Jay | Jochum | Knapp | Koenigs |
| Krewson | Lloyd-Jones | Loneragan | 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 | |

The nays were, 38:

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

Absent or not voting, 3:

| | | |
|-----------|--------|-----------|
| Haverland | Miller | Osterberg |
|-----------|--------|-----------|

The motion having failed to receive a two-thirds majority was declared to have lost and the Governor's veto was sustained.

SENATE AMENDMENT CONSIDERED

Connors of Polk called up for consideration **House File 540**, a bill for an act relating to chapter 91A, amended by the Senate amendment H-5912 as follows:

H-5912

1 Amend House File 540, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking page 1, line 26 through page 2,
4 line 4 and inserting in lieu thereof the following:
5 "NEW SUBSECTION. 7. A farm labor contractor who
6 contracts with a person engaged in the production
7 of seed or feed grains to remove genetically deviant
8 plants or corn tassels or to hand pollinate plants
9 shall file with the commissioner a bond of at least
10 twenty thousand dollars on behalf of the person engaged
11 in the production of seed or feed grains, with a
12 corporate surety approved by the commissioner, securing
13 the payment of all wages due the employees of the
14 farm labor contractor. The total and aggregate
15 liability of the surety on the bond is limited to
16 the amount specified in the bond. If the bond is
17 not filed as required or if the farm labor contractor
18 fails to pay all wages due the employees of the farm
19 labor contractor, the person engaged in the production
20 of seed or feed grains shall be liable to the employees
21 for wages not paid by the farm labor contractor."

Surgeon of Woodbury offered the following amendment H-5992, to the Senate amendment H-5912, filed by him and moved its adoption:

H-5992

1 Amend amendment H-5912 to House File 540 as amended,
2 passed and reprinted by the House, as follows:
3 1. Page 1, line 7, by inserting after the word
4 "remove" the words "unwanted or".

Amendment H-5992 was adopted.

On motion by Connors of Polk, the House concurred in the Senate amendment H-5912, as amended.

Connors 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. 540)

The ayes were, 73:

| | | | |
|------------------|----------|-----------|------------------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Buhr | Carl | Carpenter |
| Carter | Chapman | Chiodo | Clark |
| Cochran | Connolly | Connors | Cooper |
| Copenhaver | Corey | Davitt | Diemer |
| Doderer | Fey | Fogarty | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. A. |
| Halvorson, R. N. | Hammond | Hanson | Hermann |
| Hoffmann-Bright | Holveck | Hughes | Jay |
| Jochum | Knapp | Koenigs | Krewson |
| Lloyd-Jones | Lonergan | McIntee | Muhlbauer |
| Norland | O'Kane | Oxley | Parker |
| Paulin | Pavich | Peick | Poncy |
| Renaud | Rensink | Rosenberg | Royer |
| Running | Shoultz | Skow | Spear |
| Stromer | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Tofte | Van Camp |
| Van Gerpen | Varn | Woods | Zimmerman |
| Mr. Speaker | | | |

The nays were, 22:

| | | | |
|------------|-------------|----------|----------|
| Anderson | Bennett | Branstad | Daggett |
| De Groot | Grandia | Handorf | Harbor |
| Hummel | Lageschulte | Maulsby | McKean |
| Menke | Mullins | Pellet | Renken |
| Schnekloth | Schroeder | Stueland | Torrence |
| Van Maanen | Welden | | |

Absent or not voting, 5:

| | | | |
|-----------|--------|-------|-----------|
| Haverland | Miller | Ollie | Osterberg |
| Sherzan | | | |

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 12:14 p.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened, Connors of Polk in the chair.

MOTION TO RECONSIDER WITHDRAWN (Senate File 2082)

Sherzan of Polk asked and received unanimous consent to withdraw the motion to reconsider Senate File 2082, a bill for an act relating to the confidentiality of Iowa department of corrections records and providing a penalty, filed by him on March 26, 1984.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 2, 1984. Had I been present, I would have voted "aye" on House Files 2326, 2331 and 2510; and Senate File 2069.

JAY of Appanoose

PRESENTATION OF VISITORS

Skow of Guthrie presented to the House twenty-six students from various foreign countries attending many schools throughout Iowa under the Youth for Understanding International Student Exchange.

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

Sixty-four fifth grade students from State Center Elementary School, State Center, accompanied by Pat Maxwell and Carol Eddy. By Black of Jasper and Handorf of Marshall.

Thirty-five seventh and eighth grade students from Arnolds Park Junior High School, Arnolds Park, accompanied by Mildred Anderson and Mrs. Burns. By Gruhn of Dickinson.

One hundred sixty-four 4-H Club members from Howard, Winneshiek and Allamakee Counties, accompanied by Nancy Rash. By Tofte of Winneshiek, Koenigs of Mitchell and Halvorson of Clayton.

COMMUNICATION FROM SECRETARY OF STATE

March 30, 1984

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

Dear Mr. O'Hern:

I hereby certify that House File 2347 was published in the Hawk Eye, Burlington, Iowa on March 14, 1984 and in the Diamond Trail News, Sully, Iowa on March 21, 1984.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

- | | |
|---------|--|
| 1984-21 | John F. Kennedy High School Boys Basketball Team, Cedar Rapids, Iowa — 1984 State 3-A Championship. |
| 1984-22 | Floyd Beaver, Grinnell, Iowa — for twenty years of service as Mayor of Grinnell. |
| 1984-23 | Newman Knights Boys Basketball Team, Mason City, Iowa — participant in State Boys Basketball Tournament. |

JOSEPH O'HERN
Chief Clerk of the House

AMENDMENTS FILED

| | | |
|--------|-----------|------------------|
| H—6026 | H.F. 2491 | Senate Amendment |
| H—6027 | H.F. 2436 | Senate Amendment |
| H—6028 | H.F. 2433 | Senate Amendment |
| H—6029 | H.F. 2306 | Senate Amendment |
| H—6030 | H.F. 2478 | Senate Amendment |
| H—6031 | H.F. 2459 | Senate Amendment |

| | | | |
|--------|------|------|----------------------------|
| H-6032 | H.F. | 2247 | Senate Amendment |
| H-6033 | H.F. | 2189 | Senate Amendment |
| H-6035 | H.F. | 558 | Senate Amendment |
| H-6036 | H.F. | 405 | Senate Amendment |
| H-6037 | S.F. | 2215 | Hughes of Union |
| H-6038 | S.F. | 2289 | Chiodo of Polk |
| H-6039 | S.F. | 32 | Schroeder of Pottawattamie |
| H-6040 | H.F. | 2219 | Schroeder of Pottawattamie |
| H-6041 | H.F. | 2468 | Schroeder of Pottawattamie |
| H-6042 | H.F. | 2509 | Schnekloth of Scott |

On motion by Norland of Worth, the House adjourned at 3:30 p.m., until 9:00 a.m., Tuesday, April 3, 1984.

JOURNAL OF THE HOUSE

Eighty-sixth Calendar Day—Fifty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 3, 1984

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

Prayer was offered by Reverend Andrew Zylstra, pastor of the Christian Reformed Church, Cedar.

The Journal of Monday, April 2, 1984 was approved.

PETITION FILED

The following petition was received and placed on file:

By Corey of Louisa, from Washington County Supervisors of the 55th District, favoring that the legislature continue funding the plan for the state to take over the court expenses from the counties according to the timetable in the Code of Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Miller of Woodbury on request of Rensink of Sioux.

INTRODUCTION OF BILL

House File 2517, by Hanson, a bill for an act to legalize proceedings by the city council of the city of Ryan, Iowa relating to the sale of certain property.

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 April 2, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2428, a bill for an act relating to mortgage redemption periods.

Also: That the Senate has on April 2, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2466, a bill for an act relating to the definition of public accommodation and extending the time for bringing an action under the Iowa civil rights law.

K. MARIE THAYER, Secretary

REREFERRED TO COMMITTEE

Norland of Worth asked and received unanimous consent to remove the following bills from the regular calendar and rerefer them to the committees listed:

| | | |
|------|------|-------------------------------|
| S.F. | 7 | State Government |
| S.F. | 19 | Education |
| S.F. | 432 | Judiciary and Law Enforcement |
| S.F. | 491 | Judiciary and Law Enforcement |
| S.F. | 2099 | State Government |
| S.F. | 2252 | Human Resources |
| S.F. | 2280 | State Government |

MOTION TO RECONSIDER WITHDRAWN (Senate File 2188)

Stromer of Hancock asked and received unanimous consent to withdraw the motion to reconsider Senate File 2188, a bill for an act relating to the period of time in which a motor vehicle dealer must apply for a title certificate for a foreign registered vehicle acquired for resale, filed by him on March 30, 1984.

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 2507, a bill for an act relating to the penalties for certain taxes including cigarette and tobacco taxes, state motor vehicle fuel taxes, freight line and equipment car mileage taxes, income taxes, withholding taxes, franchise taxes, inheritance and estate taxes, sales and use taxes, and generation skipping transfer taxes, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2507)

The ayes were, 97:

| | | | |
|------------------|------------------|-------------|------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Clark | Cochran | Connolly |
| Connors | Cooper | Copenhagen | 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 | Loneragan |
| Maulsby | McIntee | McKean | Menke |
| Muhlbauer | Mullins | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poncy | Renaud | Renken | Rensink |
| Rosenberg | Royer | Running | Schnekloth |
| Sherzan | Shultz | 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:

Schroeder

Absent or not voting, 2:

Chiodo

Miller

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

House File 2513, a bill for an act relating to the requirement of a minimum nexus in at least one other state before an Iowa domiciled corporation may apportion its net income within and without the state for purposes of the corporate income tax and removing the

special provision relating to apportionment of the net income of a farm corporation for purposes of the corporate income tax, with a retroactive effective date, 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. 2513)

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 | Haverland | Hermann | Hoffmann-Bright |
| Holveck | Hughes | Hummel | Jay |
| Jochum | Knapp | Koenigs | Krewson |
| Lageschulte | Lloyd-Jones | Loneragan | Maulsby |
| McIntee | McKean | Menke | 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 |
| Woods | Zimmerman | Mr. Speaker | |

The nays were, none.

Absent or not voting, 5:

| | | | |
|--------|--------|--------|-------------|
| Chiodo | Harbor | Miller | Schneklloth |
| Welden | | | |

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

House File 2503, a bill for an act relating to the taxation of engraving, photography, retouching, printing, and binding under the state sales, services, and use tax, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2503)

The ayes were, 95:

| | | | |
|------------------|-------------|-------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| 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 |
| Lageschulte | Lloyd-Jones | Lonergan | McIntee |
| McKean | Menke | Muhlbauer | Mullins |
| Norland | O'Kane | Ollie | Osterberg |
| Oxley | Parker | Paulin | Pavich |
| Peick | Pellett | Poncy | Renaud |
| Renken | Rensink | Rosenberg | Royer |
| Running | Schneklath | 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:

Schroeder

Absent or not voting, 4:

| | | | | |
|--------|---|--------|---------|--------|
| Carter | — | Chiodo | Maulsby | Miller |
|--------|---|--------|---------|--------|

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

House File 2516, a bill for an act to provide funding for the removal or encapsulation of asbestos by school districts, was taken up for consideration.

Daggett of Taylor offered the following amendment H-6043 filed by him from the floor:

H-6043

1 Amend House File 2516 as follows:
2 1. Page 1, by striking lines 1 through 6 and
3 inserting in lieu thereof the following:
4 "Section 1. NEW SECTION. 297.37 FUNDING OF
5 ASBESTOS REMOVAL OR ENCAPSULATION. The board of
6 directors may raise funds to pay the actual cost of
7 removal or encapsulation of asbestos existing in its
8 school buildings by certification of a combination
9 of an enrichment property tax and a school district
10 income surtax as provided in section 442.14. The
11 board shall determine the amount needed to pay the
12 removal or encapsulation costs and submit the
13 proposition for voter approval. If approved by a
14 majority of those voting on the proposition; the
15 combination of taxes shall be certified and levied
16 as provided in sections 442.14 through 442.20, but
17 the amount of funding shall not exceed the actual
18 cost of removal or encapsulation of the existing
19 asbestos or the maximum amount which may be raised
20 by levy of the combination of the taxes for three
21 consecutive school years as determined under section
22 442.14, subsections 3 and 4, whichever amount is
23 less."

Norland of Worth asked and received unanimous consent that House File 2516 be temporarily deferred and that the bill retain its place on the calendar.

(Amendment H-6043 pending.)

House File 2444, a bill for an act to provide that the taxable value of a building shall not be increased where the dollar amount of normal and necessary repairs to the building does not exceed two thousand five hundred dollars, 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. 2444)

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 |
| Loneragan | Maulsby | McIntee | McKean |
| Menke | 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, 2:

Miller Peick

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

House File 2512, a bill for an act relating to the exemption from the state sales, services, and use tax for sales by trade shops to printers and making the exemption retroactive to July 1, 1971, was taken up for consideration.

The following amendment H—6047 filed by Doderer of Johnson from the floor was adopted by unanimous consent:

H—6047

- 1 Amend House File 2512 as follows:
- 2 1. Page 1, line 11, by striking the word
- 3 "including" and inserting in lieu thereof the
- 4 word "including."

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. 2512)

The ayes were, 88:

| | | | |
|-----------|------------|------------------|------------------|
| 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 | 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 |
| Loneragan | McIntee | McKean | Menke |
| Muhlbauer | Mullins | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Pavich | Peick | Poncy | Renaud |
| Rensink | Rosenberg | Royer | Running |
| 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, 11:

| | | | |
|------------|-----------|------------|--------|
| Anderson | Branstad | Grandia | Hummel |
| Maulsby | Paulin | Pellet | Renken |
| Schneklath | Schroeder | Van Maanen | |

Absent or not voting, 1:

Miller

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

House File 2515, a bill for an act relating to the tort liability of municipal governments by allowing self-insured cities to levy additional taxes to cover the cost of tort liability and allowing municipal taxpayers to serve as jurors in cases where the municipality is a defendant, was taken up for consideration.

O'Kane of Woodbury offered the following amendment H—5990 filed by him and moved its adoption:

H—5990

- 1 Amend House File 2515 as follows:
- 2 1. Page 1, by striking lines 7 through 13.
- 3 2. Amend the title, by striking lines 3 through
- 4 5 and inserting in lieu thereof the words "cover the
- 5 cost of tort liability."

Amendment H—5990 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. 2515)

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 |
| 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 | Muhlbauer |
| Mullins | Norland | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Paulin |
| Pavich | Peick | Pellett | Poncy |
| Renaud | Renken | Rensink | Rosenberg |
| Royer | Running | 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, 4:

| | | | |
|---------|--------|------------|-----------|
| Grandia | Hummel | Schnekloth | Schroeder |
|---------|--------|------------|-----------|

Absent or not voting, 2:

Miller

Sullivan

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

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 2507, 2513, 2503, 2444, 2512 and 2515.

MOTION TO RECONSIDER WITHDRAWN (Senate Joint Resolution 9)

Schroeder of Pottawattamie asked and received unanimous consent to withdraw the motion to reconsider 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, filed by him on March 26, 1984.

IMMEDIATE MESSAGE (Senate Joint Resolution 9)

Norland of Worth asked and received unanimous consent to immediately message Senate Joint Resolution 9 to the Senate.

SENATE AMENDMENT CONSIDERED

Cooper of Lucas called up for consideration **House File 48**, a bill for an act authorizing counties to contract with certified public accountants to audit their financial records and transactions, amended by the Senate amendment H-5165 as follows:

H-5165

- 1 Amend House File 48 as amended, passed and reprinted
- 2 by the House as follows:
- 3 1. Page 1, by striking line 10 and inserting in
- 4 lieu thereof the following: "or employ, under rules
- 5 promulgated by the auditor of state, certified or
- 6 registered public accountants, certified".

7 2. Page 1, by inserting after line 21 the
8 following:

9 "The auditor of state shall have the authority
10 to review the audit workpapers prepared by a certified
11 public accountant in the performance of the annual
12 examination of a county, provided that, except where
13 the public interest requires otherwise, no more than
14 one such review shall be made in any three-year period
15 so long as only one certified public accountant
16 performs the examination of the county during that
17 period. All actual and necessary expenses incurred
18 by the auditor of state in the performance of the
19 review shall be reimbursed by the certified public
20 accountant whose workpapers are subject to the review,
21 provided that the amount reimbursed shall not exceed
22 the greater of one thousand dollars or ten percent
23 of the fee collected by the accountant from the county
24 to conduct the examination."

Schroeder of Pottawattamie offered amendment H—5729, to the Senate amendment H—5165, filed by him and requested division as follows:

H—5729

1 Amend the amendment H—5165 to House File 48 as
2 amended, passed, and reprinted by the House as
3 follows:

H—5729A

4 1. Page 1, by striking lines 12 through 17 and
5 inserting in lieu thereof the following: "examination
6 of a county. All actual and necessary expenses
7 incurred".

H—5729B

8 2. Page 1, by striking lines 19 through 21 and
9 inserting in lieu thereof the following: "review shall
10 be reimbursed by the county whose audit is subject to
11 review, but the amount reimbursed shall not exceed".

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—5729A.

Schroeder of Pottawattamie moved the adoption of amendment H—5729B, to the Senate amendment H—5165.

A non-record roll call was requested.

The ayes were 23, nays 47.

Amendment H—5729B lost.

Norland of Worth asked and received unanimous consent that House File 48 be deferred and that the bill retain its place on the calendar.

(Senate amendment H—5165 pending.)

MOTIONS TO RECONSIDER WITHDRAWN (Senate File 2268)

Sherzan of Polk and Krewson of Polk asked and received unanimous consent to withdraw the motions to reconsider Senate File 2268, a bill for an act providing for the mandatory assignment of a person's income when the person is delinquent in paying court-ordered support and providing a penalty, filed by them on March 27, 1984, placing out of order amendment H—5998 filed by Connors, et al., on March 29, 1984.

INTRODUCTION OF BILL

House File 2518, by committee on appropriations, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies.

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

On motion by Norland of Worth, the House was recessed at 10:38 a.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, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2062, a bill for an act providing for a moratorium on certain disconnections of gas and electricity by regulated public utilities from November 1 to April 1 for residents age sixty or over and making civil penalties applicable.

Also: That the Senate has on March 27, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2068, a bill for an act requiring certain public utilities to include in each of their ads a listing of the percentage of the ad's expenses which are to be charged to customers and the percentage which are to be charged to the stockholders.

Also: That the Senate has on April 3, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2110, a bill for an act relating to the regulation of radiation machines and radioactive materials.

Also: That the Senate has on April 2, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2180, a bill for an act relating to vehicle requirements by allowing a county treasurer to transfer title by operation of law in the county of the new owner's residence.

Also: That the Senate has on April 2, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2334, a bill for an act relating to the definition of burglary and attempted burglary.

Also: That the Senate has on April 2, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2340, a bill for an act relating to the investigations and findings of a complaint filed against a health care facility.

Also: That the Senate has on March 28, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2394, a bill for an act relating to the licensure of dietitians and nutritionists.

Also: That the Senate has on April 2, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2465, a bill for an act relating to the discharge of seriously mentally impaired persons who have been involuntarily hospitalized in connection with a criminal conviction or unresolved criminal charge or pursuant to an acquittal due to insanity or diminished responsibility.

Also: That the Senate has on April 3, 1984, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 2262, a bill for an act relating to health insurance by requiring that coverage for educational programs for diabetes be offered.

K. MARIE THAYER, Secretary

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy members present, thirty absent.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Maulsby of Calhoun, until his arrival, on request of De Groot of Lyon.

CONSIDERATION OF BILLS

Ways and Means Calendar

The House resumed consideration of **House File 2516**, a bill for an act to provide funding for the removal or encapsulation of asbestos by school districts, (temporarily deferred) and amendment H-6043 (found on page 1579 of the House Journal).

Daggett of Taylor asked and received unanimous consent to withdraw amendment H-6043.

Daggett of Taylor offered the following amendment H-6063 filed by him from the floor and moved its adoption:

H-6063

- 1 Amend House File 2516 as follows:
- 2 1. Page 1, by inserting after line 10 the
- 3 following:
- 4 "Sec. . NEW SECTION. 297.37 FUNDING OF
- 5 ASBESTOS REMOVAL OR ENCAPSULATION.
- 6 1. In lieu of certification of a tax as provided
- 7 in section 279.43, the board of directors may raise
- 8 funds to pay the actual cost of removal or
- 9 encapsulation of asbestos existing in its school
- 10 buildings by certification of a combination of an

11 enrichment property tax and a school district income
 12 surtax as provided in section 442.14. The board shall
 13 determine the amount needed to pay the removal or
 14 encapsulation costs and submit the proposition for
 15 voter approval. If approved by a majority of those
 16 voting on the proposition, the combination of taxes
 17 shall be certified and levied as provided in sections
 18 442.14 through 442.20, but the amount of funding shall
 19 not exceed the actual cost of removal or encapsulation
 20 of the existing asbestos or the maximum amount which
 21 may be raised by levy of the combination of the taxes
 22 for three consecutive school years as determined under
 23 section 442.14, subsections 3 and 4, whichever amount
 24 is less.

25 2. The amount raised under subsection 1 is in
 26 addition to any additional enrichment amount raised
 27 as provided in sections 422.14 through 442.20 for
 28 educational programs.

29 3. This section is repealed effective July 1,
 30 1989."

Roll call was requested by Daggett of Taylor and Corey of
 Louisa.

Rule 76 was invoked.

On the question "Shall amendment H-6063 be adopted?"

The ayes were, 48:

| | | | |
|-------------|------------|------------------|-----------|
| Anderson | Bennett | Black | Branstad |
| Carpenter | Clark | Corey | Daggett |
| Davitt | De Groot | Diemer | Fogarty |
| Grandia | Groninga | Halvorson, R. A. | Handorf |
| Hanson | Harbor | Hoffmann-Bright | Hummel |
| Lageschulte | Lonergan | Maulsby | McIntee |
| McKean | Menke | Muhlbauer | Mullins |
| Norland | Paulin | Pellet | Renken |
| Rensink | Royer | Schnekloth | Schroeder |
| Skow | Spear | Stromer | Stueland |
| Swearingen | Tabor | Tofte | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Welden |

The nays were, 50:

| | | | |
|---------|------------|------------------|----------|
| Arnould | Baxter | Blanshan | Brammer |
| Buhr | Carl | Carter | Chapman |
| Chiodo | Cochran | Connolly | Connors |
| Cooper | Copenhaver | Fey | Gronstal |
| Groth | Gruhn | Halvorson, R. N. | Hammond |

| | | | |
|-----------|-------------|---------|-----------|
| Haverland | Hermann | Holveck | Hughes |
| Jay | Jochum | Knapp | Koenigs |
| Krewson | Lloyd-Jones | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Pavich |
| Peick | Poncy | Renaud | Rosenberg |
| Running | Sherzan | Shoultz | Sturgeon |
| Sullivan | Swartz | Varn | Woods |
| Zimmerman | Mr. Speaker | | |

Absent or not voting, 2:

Doderer Miller

Amendment H — 6063 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?" (H.F. 2516)

The ayes were, 70:

| | | | |
|------------------|-------------|----------|------------------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | 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 |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lageschulte |
| Lloyd-Jones | McIntee | McKean | Muhlbauer |
| Norland | O'Kane | Ollie | Osterberg |
| Oxley | Parker | Paulin | Pavich |
| Peick | Poncy | Renaud | Rosenberg |
| Running | Sherzan | Shoultz | Skow |
| Spear | Sturgeon | Sullivan | Swartz |
| Tabor | Tofte | Varn | Woods |
| Zimmerman | Mr. Speaker | | |

The nays were, 29:

| | | | |
|----------|-----------------|----------|------------|
| Anderson | Bennett | Branstad | Corey |
| Daggett | Grandia | Handorf | Harbor |
| Hermann | Hoffmann-Bright | Hummel | Loneragan |
| Maulsby | Menke | Mullins | Pellett |
| Renken | Rensink | Royer | Schneklott |

Schroeder
Torrence
Welden

Stromer
Van Camp

Stueland
Van Gerpen

Swearingen
Van Maanen

Absent or not voting, 1:

Miller

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 189**, a bill for an act requiring state banks, private banks and state savings and loan associations to acquire and maintain account insurance on their deposits, amended by the Senate, and moved that the House concur in the following Senate amendment H—5355:

H—5355

- 1 Amend House File 189 as amended, passed, and
- 2 reprinted as follows:
- 3 1. Page 1, line 13, by inserting after the words
- 4 "purpose of" the word "determining".
- 5 2. Page 1, line 33, by inserting after the words
- 6 "purpose of" the word "determining".
- 7 3. Page 2, line 5, by striking the word "A" and
- 8 inserting in lieu thereof the word "An".
- 9 4. Page 2, line 16, by inserting after the words
- 10 "purpose of" the word "determining".
- 11 5. Page 3, line 3, by inserting after the word
- 12 "loan" the word "association".
- 13 6. Page 3, line 4, by inserting after the word
- 14 "loan" the word "association".

The motion prevailed and the House concurred in the Senate amendment H—5355.

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. 189)

The ayes were, 98:

Anderson
Black

Arnould
Blanshan

Baxter
Brammer

Bennett
Branstad

| | | | |
|------------------|------------------|-------------|------------|
| Bohr | 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. 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 |
| Muhlbauer | Mullins | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poney | Renaud | Renken | Rensink |
| Rosenberg | Royer | Running | Schneklath |
| 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:

Gruhn Miller

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

Knapp of Dubuque called up for consideration **House File 2234**, a bill for an act requiring repair or replacement of a new motor vehicle which does not conform to express warranties, amended by the Senate, and moved that the House concur in the following Senate amendment H-5910:

H-5910

- 1 Amend House File 2234 as amended, passed and re-
- 2 printed by the House as follows:
- 3 1. Page 3, by inserting after line 19 the fol-
- 4 lowing:
- 5 "8. All new cars sold in this state shall have
- 6 affixed thereto in writing at the time of delivery of
- 7 the new car to the purchaser the following state-
- 8 ment: "The purchaser of this new car is protected under the
- 9 warranty provisions of House File 2234. For further
- 10 information contact the Consumer Protection Division
- 11 of the Iowa Attorney General's Office." "

The motion prevailed and the House concurred in the Senate amendment H—5910.

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. 2234)

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 | Loneragan |
| Maulsby | McIntee | McKean | Menke |
| Muhlbauer | Mullins | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| 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, 1:

Paulin

Absent or not voting, 4:

| | | | |
|---------|--------|---------|----------|
| Hammond | Miller | Shoultz | Sturgeon |
|---------|--------|---------|----------|

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

Shoultz of Black Hawk called up for consideration **House File 2426**, a bill for an act relating to the study of the feasibility of a state-owned hazardous waste treatment and resource recovery facility, amended by the Senate, and moved that the House concur in the following Senate amendment H-5968:

H-5968

- 1 Amend House File 2426 as follows:
- 2 1. By striking page 1, line 33 through page 2,
- 3 line 1, and inserting in lieu thereof the following:
- 4 "under this section to any person except the state
- 5 or a state agency. This section does not authorize
- 6 the state to own or operate a hazardous waste treatment
- 7 or disposal facility and the state shall not own or
- 8 operate such a facility for the treatment and disposal
- 9 of hazardous wastes other than those generated by
- 10 the state. The".

The motion prevailed and the House concurred in the Senate amendment H-5968.

Shoultz 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.

On the question "Shall the bill pass?" (H.F. 2426)

The ayes were, 92:

| | | | |
|------------------|-----------|------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Cooper | Copenhagen | 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 | Koepigs | Krewson | Lageschulte |
| Lloyd-Jones | Loneragan | Maulsby | McIntee |
| McKean | Menke | Muhlbauer | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| 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 |
| Weiden | Woods | Zimmerman | Mr. Speaker |

The nays were, 2:

| | |
|--------|-----------|
| Hummel | Schroeder |
|--------|-----------|

Absent or not voting, 6:

| | | | |
|---------|----------|--------|---------|
| Connors | Doderer | Miller | Mullins |
| Parker | Sturgeon | | |

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

Halvorson of Clayton in the chair at 3:55 p.m.

McIntee of Black Hawk called up for consideration **House File 2463**, a bill for an act relating to the priority of construction mortgage liens, amended by the Senate, and moved that the House concur in the following Senate amendment H—5967:

H—5967

- 1 Amend House File 2463 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 13, by inserting after the words
- 4 "made to" the word "directly".

The motion prevailed and the House concurred in the Senate amendment H—5967.

McIntee 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.

On the question "Shall the bill pass?" (H.F. 2463)

The ayes were, 93:

| | | | |
|----------|---------|----------|-----------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| Branstad | Buhr | Carl | Carpenter |

| | | | |
|--|-----------|------------|-----------------|
| Carter | Chapman | Chiodo | Clark |
| Cochran | Connolly | Connors | Cooper |
| Copenhaver | Corey | Daggett | Davitt |
| Diemer | Fey | Fogarty | Grandia |
| Groninga | Gronstal | Groth | Gruhn |
| Halvorson, R. N. | Hammond | Handorf | Hanson |
| Harbor | Haverland | Hermann | Hoffmann-Bright |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lageschulte |
| Lloyd-Jones | Loneragan | Maulsby | McIntee |
| McKean | Menke | Muhlbauer | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellett | Poncy | Renaud | Renken |
| Rensink | Rosenberg | Royer | Running |
| Schroeder | Sherzan | Shultz | Skow |
| Spear | Stromer | Stueland | Sturgeon |
| Sullivan | Swartz | Swearingen | Tabor |
| Tofte | Torrence | Van Camp | Van Gerpen |
| Varn | Welden | Woods | Zimmerman |
| Mr. Speaker (Halvorson of Clayton) | | | |

The nays were, 4:

| | | | |
|----------|--------|------------|------------|
| De Groot | Hummel | Schnekloth | Van Maanen |
|----------|--------|------------|------------|

Absent or not voting, 3:

| | | |
|---------|--------|---------|
| Doderer | Miller | Mullins |
|---------|--------|---------|

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

Arnould of Scott called up for consideration **House File 2468**, a bill for an act relating to the election laws by providing a method for challenging nomination petitions, eliminating the requirement for notarization of absentee ballots, allowing the mailing of certain absentee ballots, regulating the office hours of the county commissioner of elections, revising delivery of registration forms and changes in registration, requiring identification of political advertisers, providing for assistance to certain voters and making certain technical corrections to the voting laws and providing penalties and effective dates, amended by the Senate amendment H-5959 as follows:

H-5959

1 Amend House File 2468 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 7, lines 30 and 31, by striking the words
4 "confined to a residence by a physical disability
5 or illness."

6 2. Page 8, lines 8 and 9, by striking the words
7 "confined to a residence by a physical disability
8 or illness."

9 3. Page 10, lines 21 and 22, by striking the words
10 "confined to a residence by a physical disability
11 or illness, or".

Schroeder of Pottawattamie offered the following amendment
H-6041, to the Senate amendment H-5959, filed by him:

H-6041

1 Amend the Senate amendment H-5959 to House File,
2 2468 as amended, passed and reprinted as follows:

3 1. Page 1, by inserting after line 2 the following:

4 " . Page 1, by inserting before line 1 the
5 following:

6 "Sec. 50. Section 43.11, Code 1983, is amended
7 by adding the following new unnumbered paragraph:
8 NEW UNNUMBERED PARAGRAPH. For purposes of
9 subsections 1 and 2, nomination papers which are
10 mailed and postmarked at least twenty-four hours
11 before the five o'clock p.m. deadline specified in
12 subsections 1 or 2, as appropriate, and are received
13 not later than thirty days after the appropriate
14 deadline shall be considered as having been filed
15 before the appropriate deadline." "

16 2. Page 1, by inserting after line 11 the
17 following:

18 " . Page 12, line 27, by inserting after the
19 word "Iowa." the words and figures "Section 50 of
20 this Act is retroactive to March 26, 1984."

21 . Title page, line 1, by inserting after the
22 word "providing" the words "that nomination papers
23 are considered to have been filed on time if they
24 have been mailed and postmarked before the appropriate
25 deadline."

26 . By numbering, renumbering and correcting
27 internal references as necessary."

Arnould of Scott rose on a point of order that amendment
H-6041 was not germane.

The Speaker ruled the point well taken and amendment H-6041 not germane.

Schroeder of Pottawattamie asked for unanimous consent to consider amendment H-6041.

Objection was raised.

On motion by Arnould of Scott, the House concurred in the Senate amendment H-5959.

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. 2468)

The ayes were, 85:

| | | | |
|--|-------------|-----------|------------------|
| Anderson | Arnould | Avenson | Baxter |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Connors | Cooper | Copenhaver |
| Corey | Daggett | Davitt | De Groot |
| Diemer | Fey | Fogarty | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. N. |
| Hammond | Handorf | Hanson | Harbor |
| Haverland | Hermann | Holveck | Hughes |
| Jay | Jochum | Knapp | Koenigs |
| Lageschulte | Lloyd-Jones | Loneragan | McIntee |
| McKean | Menke | Muhlbauer | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Pavich | Peick | Poncy |
| Renaud | Rensink | Rosenberg | Royer |
| Running | Schneklath | Sherzan | Shultz |
| Skow | Spear | Stromer | Stueland |
| Sturgeon | Sullivan | Swartz | Swearingen |
| Tabor | Tofte | Van Camp | Van Gerpen |
| Varn | Welden | Woods | Zimmerman |
| Mr. Speaker (Halvorson of Clayton) | | | |

The nays were, 10:

| | | | |
|----------|------------|--------|-----------|
| Bennett | Grandia | Hummel | Maulsby |
| Paulin | Pellett | Renken | Schroeder |
| Torrence | Van Maanen | | |

Absent or not voting, 5:

| | | | |
|---------|-----------------|---------|--------|
| Doderer | Hoffmann-Bright | Krewson | Miller |
| Mullins | | | |

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

Chiodo of Polk called up for consideration **House File 2415**, a bill for an act providing for the creation of a home equity line of credit and priority of advances under mortgages securing the home equity line of credit, amended by the Senate, and moved that the House concur in the following Senate amendment H-6007:

H-6007

- 1 . Amend House File 2415 as follows:
- 2 1. Page 1, by striking lines 20 through 35 and
- 3 inserting in lieu thereof the following:
- 4 "2. Except as provided in this section, a home
- 5 equity line of credit is subject to chapter 537.
- 6 However, sections 537.2307, 537.2402, and 537.2510
- 7 do not apply.
- 8 3. A lender may collect in connection with
- 9 establishing or renewing a home equity line of credit
- 10 the costs listed in section 535.8, subsection 2,
- 11 paragraph "b", charges for insurance as described
- 12 in section 537.2501, subsection 2, and a loan pro-
- 13 cessing fee as agreed between the borrower and the
- 14 lender, and annually may collect an account maintenance
- 15 fee of not more than fifteen dollars. Fees collected
- 16 under this subsection shall be disregarded for purposes
- 17 of determining the maximum charge permitted by
- 18 subsection 4.
- 19 4. The interest rate on a home equity line of
- 20 credit shall not exceed one and three-quarters percent
- 21 per month.
- 22 5. Real estate which is the consumer's principal
- 23 dwelling shall not be subject to foreclosure when
- 24 the balance secured is \$2000 or less."
- 25 2. Renumber as necessary.

The motion prevailed and the House concurred in the Senate amendment H-6007.

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

On the question "Shall the bill pass?" (H.F. 2415)

The ayes were, 63:

| | | | |
|-----------------|-------------|--|------------|
| Anderson | Arnould | Avenson | Baxter |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carter | Chiodo | Clark |
| Cochran | Connolly | Connors | Cooper |
| Copenhaver | Daggett | Davitt | De Groot |
| Diemer | Fey | Fogarty | Groninga |
| Gronstal | Groth | Hanson | Haverland |
| Hoffmann-Bright | Hughes | Jochem | Knapp |
| Koenigs | Lageschulte | Lloyd-Jones | McIntee |
| Muhlbauer | Norland | O'Kane | Ollie |
| Parker | Pavich | Poney | Renken |
| Rensink | Royer | Schneklath | Schroeder |
| Sherzan | Skow | Spear | Stueland |
| Sturgeon | Sullivan | Swartz | Swearingen |
| Tabor | Van Camp | Van Gerpen | Van Maanen |
| Varn | Woods | Mr. Speaker (Halvorson of Clayton) | |

The nays were, 32:

| | | | |
|-----------|----------|------------------|-----------|
| Bennett | Carl | Carpenter | Chapman |
| Corey | Grandia | Halvorson, R. N. | Hammond |
| Handorf | Harbor | Hermann | Holveck |
| Hummel | Jay | Loneragan | Maulsby |
| McKean | Menke | Osterberg | Oxley |
| Paulin | Peick | Pellett | Renaud |
| Rosenberg | Running | Shoultz | Stromer |
| Tofte | Torrence | Welden | Zimmerman |

Absent or not voting, 5:

| | | | |
|---------|-------|---------|--------|
| Doderer | Gruhn | Krewson | Miller |
| Mullins | | | |

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 2439**, a bill for an act relating to pari-mutuel betting by requiring certain information from an applicant for a racing license or an occupational license, requiring the fingerprinting of an applicant, permitting warrantless searches of an applicant or an applicant's property,

authorizing the state racing commission to require employees to provide certain information and to authorize employees to expel certain people from racetrack facilities, prohibiting the use or possession of certain devices or techniques to stimulate or depress a horse or dog, permitting the disclosure of confidential information to the state racing commission, setting fees for applications, and providing for penalties, amended by the Senate amendment H—6006 as follows:

H—6006

- 1 Amend House File 2439 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 11, by striking the words "social
- 4 security number,".
- 5 2. Page 2, line 20, by striking the word "finger-
- 6 prints,".
- 7 3. By striking page 2, line 31 through page 3,
- 8 line 4.
- 9 4. Page 3, line 6, by striking the word
- 10 "subsection" and inserting in lieu thereof the word
- 11 "subsections".
- 12 5. Page 3, by striking lines 18 through 25.
- 13 6. Page 3, by striking lines 26 through 32.
- 14 7. Page 3, by inserting after line 32 the following
- 15 new subsection:
- 16 "NEW SUBSECTION. 6. A person commits a serious
- 17 misdemeanor if the person has in the person's
- 18 possession within the confines of a racetrack, stable,
- 19 shed, building or grounds, or within the confines
- 20 of a stable, shed, building or grounds where a horse
- 21 or dog is kept which is eligible to race over a
- 22 racetrack licensed under this chapter, an appliance
- 23 other than the ordinary whip or spur which can be
- 24 used for the purpose of stimulating or depressing
- 25 a horse or dog or affecting its speed at any time."
- 26 8. Title page, by striking lines 4 and 5 and
- 27 inserting in lieu thereof the following: "an
- 28 applicant, authorizing the".
- 29 9. Renumber as necessary.

Jay of Appanoose offered the following amendment H—6064, to the Senate amendment H—6006, filed by him from the floor and moved its adoption:

H—6064

- 1 Amend the amendment H—6006 to House File 2439 as
- 2 amended, passed, and reprinted by the House as follows:
- 3 1. Page 1, by striking lines 3 through 8.
- 4 2. By renumbering as necessary.

Amendment H—6064 was adopted.

On motion by Jay of Appanoose, the House concurred in the Senate amendment H—6006, as amended.

Jay of Appanoose 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. 2439)

The ayes were, 91:

| | | | |
|------------------|------------|--|-----------------|
| 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. N. | Hammond | Handorf | Hanson |
| Harbor | Haverland | Hermann | Hoffmann-Bright |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lageschulte |
| Lloyd-Jones | Loneragan | McIntee | McKean |
| Menke | Muhlbauer | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Poncy |
| Renaud | Renken | Rensink | Rosenberg |
| Boyer | 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 (Halvorson of Clayton) | |

The nays were, 5:

| | | | |
|------------|--------|---------|---------|
| Anderson | Hummel | Maulsby | Pellett |
| Schnekloth | | | |

Absent or not voting, 4:

| | | | |
|---------|--------|---------|---------|
| Doderer | Miller | Mullins | Stromer |
|---------|--------|---------|---------|

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

Hammond of Story called up for consideration **House File 2467**, a bill for an act relating to administrative procedures for the establishment, determination, and collection of certain child support debts, amended by the Senate, and moved that the House concur in the following Senate amendment H—6012:

H-6012

1 Amend House File 2467, as passed by the House,
2 as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. NEW SECTION. 252C.1 DEFINITIONS.
6 As used in this chapter, unless the context otherwise
7 requires:

8 1. "Caretaker" means a parent, relative, guardian,
9 or another person who is responsible for paying foster
10 care costs pursuant to chapter 234 or whose needs
11 are included in an assistance payment made pursuant
12 to chapter 239.

13 2. "Court order" means a judgment or order of
14 a court of this state or another state requiring the
15 payment of a set or determinable amount of monetary
16 support.

17 3. "Department" means the department of human
18 services.

19 4. "Dependent child" means a person who meets
20 the eligibility criteria established in chapter 234
21 or 239 and whose support is required by chapter 234,
22 239, 252A, 598, or 675.

23 5. "Director" means the director of the child
24 support recovery unit of the department of human
25 services, or the director's designee.

26 6. "Public assistance" means foster care costs
27 paid by the department pursuant to chapter 234 or
28 assistance provided pursuant to chapter 239.

29 7. "Responsible person" means a parent, relative,
30 guardian, or another person legally liable for the
31 support of a child or a child's caretaker.

32 Sec. 2. NEW SECTION. 252C.2 ASSIGNMENT - CREATION
33 OF SUPPORT DEBT - SUBROGATION.

34 1. By accepting public assistance for or on behalf
35 of a dependent child or a dependent child's caretaker,
36 the recipient is deemed to have made an assignment
37 to the department of any and all right, title, and
38 interest in any support obligation and arrearages
39 owed to or for the child or caretaker up to the amount
40 of public assistance paid for or on behalf of the
41 child or caretaker.

42 2. The payment of public assistance to or for
43 the benefit of a dependent child or a dependent child's
44 caretaker creates a support debt due and owing to
45 the department by the responsible person in an amount
46 equal to the public assistance payment, except that
47 the support debt is limited to the amount of a support
48 obligation established by court order or by the
49 director. If a court order has not been entered,
50 the director may establish a support debt in an amount

Page 2

1 determined to be consistent with the debtor's ability
2 to pay and the needs of the dependent child, both
3 as to amounts accrued and accruing, and with the
4 schedule of minimum support guidelines in section
5 252C.10. However, a support debt is not created in
6 favor of the department against a responsible person
7 for the period during which the responsible person
8 is a recipient on the person's own behalf of public
9 assistance for the benefit of the dependent child
10 or the dependent child's caretaker.

11 3. The provision of child support collection or
12 paternity determination services under chapter 252B
13 to an individual, even though the individual is
14 ineligible for public assistance, creates a support
15 debt due and owing to the individual or the
16 individual's child or ward by the responsible person
17 in the amount of a support obligation established
18 by court order or by the director. If a court order
19 has not been entered, the director may establish a
20 support debt in favor of the individual or the
21 individual's child or ward and against the responsible
22 person, in an amount determined to be consistent with
23 the responsible person's ability to pay and the needs
24 of the dependent child, both as to amounts accrued
25 and accruing, and with the schedule of minimum support
26 guidelines in section 252C.10.

27 4. The department is subrogated to the rights
28 of a dependent child or a dependent child's caretaker
29 to bring a court action or to execute an administrative
30 remedy for the collection of support. The director
31 may petition an appropriate court for modification
32 of a court order on the same grounds as a party to
33 the court order can petition the court for
34 modification.

35 **Sec. 3. NEW SECTION. 252C.3 NOTICE OF SUPPORT**
36 **DEBT - ADMINISTRATIVE HEARING, DETERMINATION, AND**
37 **ORDER.**

38 1. In the absence of a court order, the director
39 may issue a notice establishing and demanding payment
40 of an accrued or accruing support debt due and owed
41 to the department or an individual under section
42 252C.2. The notice shall be served upon the
43 responsible person in accordance with the rules of
44 civil procedure. The notice shall include all of
45 the following:

- 46 a. The amount of any monthly public assistance
47 creating a support debt.
- 48 b. A computation of the support debt.
- 49 c. The name of a public assistance recipient and
50 the name of the dependent child or caretaker for whom

Page 3

- 1 the public assistance is paid.
2 d. A demand for immediate payment of the support
3 debt.
4 e. (1) A statement that if the responsible person
5 desires to discuss the amount of support that the
6 responsible person should be required to pay, the
7 responsible person may, within ten days after being
8 served, contact the office of the child support
9 recovery unit which sent the notice and request a
10 negotiation conference.
11 (2) A statement that if a negotiation conference
12 is requested, then the responsible person shall have
13 ten days from the date set for the negotiation
14 conference or twenty days from the date of service
15 of the original notice, whichever is later, to send
16 a request for a hearing to the office of the child
17 support recovery unit which issued the notice.
18 (3) A statement that after the holding of the
19 negotiation conference, the director may issue a new
20 notice and finding of financial responsibility to
21 be sent to the responsible person by regular mail
22 addressed to the responsible person's last known
23 address, or if applicable, to the last known address
24 of the responsible person's attorney.
25 (4) A statement that if the director issues a
26 new notice and finding of financial responsibility,
27 then the responsible person shall have ten days from
28 the date of issuance of the new notice or twenty days
29 from the date of service of the original notice,
30 whichever is later, to send a request for a hearing
31 to the office of the child support recovery unit which
32 issued the notice.
33 f. A statement that if the responsible person
34 objects to all or any part of the notice or finding
35 of financial responsibility and no negotiation
36 conference is requested, then within twenty days of
37 the date of service, the responsible person shall
38 send to the office of the child support recovery unit
39 which issued the notice a written response setting
40 forth any objections and requesting a hearing.
41 g. A statement that if a timely written request
42 for a hearing is received by the office of the child
43 support recovery unit which issued the notice, the
44 responsible person shall have the right to a hearing
45 to be held in district court; and that if no timely
46 written response is received, the director may enter
47 an order in accordance with the notice and finding
48 of financial responsibility.
49 h. A statement that, as soon as the order is
50 entered, the property of the responsible person is

Page 4

1 subject to collection action, including but not limited
2 to wage withholding, garnishment, attachment of a
3 lien, and execution.

4 i. A statement that the responsible person shall
5 notify the director of any change of address or
6 employment.

7 j. A statement that if the responsible person
8 has any questions, the responsible person should
9 telephone or visit an office of the child support
10 recovery unit or consult an attorney.

11 k. Such other information as the director finds
12 appropriate.

13 2. The time limitations for requesting a hearing
14 in subsection 1 may be extended by the director.

15 3. If a timely written response setting forth
16 objections and requesting a hearing is received by
17 the appropriate office of the child support recovery
18 unit, a hearing shall be held in district court.

19 4. If timely written response and request for
20 hearing is not received by the appropriate office
21 of the child support recovery unit, the director may
22 enter an order in accordance with the notice, and
23 shall specify all of the following:

24 a. The amount of monthly support to be paid, with
25 directions as to the manner of payment.

26 b. The amount of the support debt accrued and
27 accruing in favor of the department.

28 c. The name of the custodial parent or agency
29 having custody of the dependent child and the name
30 and birthdate of the dependent child for whom support
31 is to be paid.

32 d. That the property of the responsible person
33 is subject to collection action, including but not
34 limited to wage withholding, garnishment, attachment
35 of a lien, and execution.

36 5. The responsible person shall be sent a copy
37 of the order by regular mail addressed to the
38 responsible person's last known address, or if
39 applicable, to the last known address of the
40 responsible person's attorney. The order is final,
41 and action by the director to enforce and collect
42 upon the order, including arrearages, may be taken
43 from the date of issuance of the order.

44 **Sec. 4. NEW SECTION. 252C.4 CERTIFICATION OF**
45 **ORDER TO DISTRICT COURT - HEARING - DEFAULT UPON FAILURE**
46 **TO APPEAR.**

47 1. If a timely written request for a hearing is
48 received, the director shall certify the matter to
49 the district court in the county in which the order
50 has been filed, or if no such order has been filed,

Page 5

1 then to a district court in the county where the
2 dependent child resides.

3 2. If the matter has not been heard previously
4 by the district court, the certification shall include
5 true copies of the notice and finding of financial
6 responsibility or notice of the support debt accrued
7 and accruing, the return of service, the written
8 objections and request for hearing, and true copies
9 of any administrative orders previously entered.

10 3. The court shall set the matter for hearing
11 and notify the parties of the time and place of
12 hearing.

13 4. The court shall consider the schedule of minimum
14 support guidelines in section 252C.10 in establishing
15 the monthly support payment and the amount of the
16 support debt accrued and accruing.

17 5. If a party fails to appear at the hearing,
18 upon a showing of proper notice to that party, the
19 court may find that party in default and enter an
20 appropriate order.

21 **Sec. 5. NEW SECTION. 252C.5 FILING AND DOCKETING**
22 **OF FINANCIAL RESPONSIBILITY ORDER—ORDER EFFECTIVE**
23 **AS DISTRICT COURT DECREE.** A true copy of any order
24 entered by the director pursuant to this chapter,
25 along with a true copy of the return of service, if
26 applicable, may be filed in the office of the clerk
27 of the district court in the county in which the
28 dependent child resides. Upon filing, the clerk shall
29 enter the order in the judgment docket, and the order
30 shall have all the force, effect, and attributes of
31 a docketed order or decree of the district court.

32 **Sec. 6. NEW SECTION. 252C.6 INTEREST ON SUPPORT**
33 **DEBTS.** Interest accrues on support debts at the rate
34 provided in section 535.3 for court judgments. The
35 director may collect the accrued interest but is not
36 required to maintain interest balance accounts. The
37 department may waive payment of the interest if the
38 waiver will facilitate the collection of the support
39 debt.

40 **Sec. 7. NEW SECTION. 252C.7 EMPLOYERS—**
41 **ASSIGNMENTS OF EARNINGS.** In addition to other remedies
42 provided by law for the enforcement of a support
43 obligation, the employer of a responsible person owing
44 a support debt shall honor a duly executed assignment
45 of current or future earnings presented by the director
46 to the employer as a plan to satisfy or retire the
47 support debt. The assignment is effective until
48 released in writing by the director. The employer
49 is entitled to receive from the debtor a fee of one
50 dollar for each remittance under the assignment.

1 Payment of moneys pursuant to the assignment of
 2 earnings is a full acquittance under a contract of
 3 employment. The director is released from liability
 4 for improper receipt of moneys under an assignment
 5 of earnings upon the return of the moneys.

6 Sec. 8. NEW SECTION. 252C.8 PREVENTION OF
 7 TRANSFER OF ASSETS OR COMPLIANCE WITH ORDER. If the
 8 director reasonably believes that the responsible
 9 person is not a resident of this state, is about to
 10 move from this state, or is concealing the responsible
 11 person's whereabouts, or that the responsible person
 12 has removed or is about to remove, secrete, waste,
 13 or otherwise dispose of property which could be made
 14 subject to collection procedures to satisfy the support
 15 debt, the director may petition the district court
 16 for a temporary restraining order barring the removal,
 17 secretion, waste, or disposal. However, if the
 18 responsible person furnishes a bond satisfactory to
 19 the court, the temporary restraining order shall be
 20 vacated.

21 Sec. 9. NEW SECTION. 252C.9 COURT ORDER PREVAILS.
 22 If an order issued pursuant to this chapter conflicts
 23 with an order of a court, to the extent of the conflict
 24 the court order prevails.

25 Sec. 10. NEW SECTION. 252C.10 SCHEDULE OF MINIMUM
 26 SUPPORT GUIDELINES.

27 1. As used in this section, "monthly net income"
 28 means gross monthly income minus payroll taxes as
 29 defined in section 85.61, subsection 10, mandatory
 30 pension contributions, health insurance or health
 31 benefit payments for dependents, and deductions not
 32 to exceed twenty-five dollars per month for a
 33 responsible person's health insurance, health benefit
 34 payments, or medical expenses.

35 2. In ordering a responsible person to pay
 36 reasonable and necessary child support, the director
 37 shall set the monthly amount of the child support
 38 by multiplying the responsible person's monthly net
 39 income by the percentage indicated in the following
 40 guidelines, unless the director makes express findings
 41 of fact as to the reason for deviating from the
 42 guidelines. However, the director may set the child
 43 support above the amount in the guidelines without
 44 making express findings of fact if the parties ex-
 45 pressly agree to the amount of the child support.

| | | | | | | | | |
|---------------------|---|---|---|---|---|---|---|------|
| 46 Monthly Net | | <u>Number of Dependent Children</u> | | | | | | |
| 47 Income of Re- | 1 | 2 | 3 | 4 | 5 | 6 | 7 | or |
| 48 sponsible Person | | | | | | | | more |
| 49 \$ 400 and below | | Order based on the ability of the respon- | | | | | | |
| 50 | | sible person to provide support at these | | | | | | |

Page 7

| | | | | | | | | | |
|----|-----------------|--|-----|-----|-----|-----|-----|-----|--|
| 1 | | income levels, or at higher levels, if the | | | | | | | |
| 2 | | responsible person has the ability to earn | | | | | | | |
| 3 | | more. | | | | | | | |
| 4 | \$ 401 - 500 | 14% | 17% | 20% | 22% | 24% | 26% | 28% | |
| 5 | \$ 501 - 550 | 15% | 18% | 21% | 24% | 26% | 28% | 30% | |
| 6 | \$ 551 - 600 | 16% | 19% | 22% | 25% | 28% | 30% | 32% | |
| 7 | \$ 601 - 650 | 17% | 21% | 24% | 27% | 29% | 32% | 34% | |
| 8 | \$ 651 - 700 | 18% | 22% | 25% | 28% | 31% | 34% | 36% | |
| 9 | \$ 701 - 750 | 19% | 23% | 27% | 30% | 33% | 36% | 38% | |
| 10 | \$ 751 - 800 | 20% | 24% | 28% | 31% | 35% | 38% | 40% | |
| 11 | \$ 801 - 850 | 21% | 25% | 29% | 33% | 36% | 40% | 42% | |
| 12 | \$ 851 - 900 | 22% | 27% | 31% | 34% | 38% | 41% | 44% | |
| 13 | \$ 901 - 950 | 23% | 28% | 32% | 36% | 40% | 43% | 46% | |
| 14 | \$ 951 - 1000 | 24% | 29% | 34% | 38% | 41% | 45% | 48% | |
| 15 | \$1001 and over | 25% | 30% | 35% | 39% | 43% | 47% | 50% | |

16 3. In applying the guidelines, the director shall
17 consider the following criteria:

18 (1) All earnings, income, and resources of the
19 responsible parent, including real and personal
20 property.

21 (2) The basic living needs of the responsible
22 person.

23 (3) The financial needs of the dependent child
24 or children to be supported.

25 (4) The amount of public assistance for which
26 the dependent child or children could be eligible.

27 4. In applying the guidelines, the director may
28 consider previous support or maintenance orders which
29 the responsible person is currently paying."

The motion prevailed and the House concurred in the Senate amendment H-6012.

Hammond of Story 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. 2467)

The ayes were, 92:

- | | | | |
|----------|---------|----------|------------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| Branstad | Buhr | Carl | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Connors | Cooper | Copenhaver |

| | | | |
|------------------|------------|-----------------|--|
| Corey | Daggett | Davitt | De Groot |
| Diemer | Fey | Fogarty | Grandia |
| Groninga | Gronstal | Groth | Gruhn |
| Halvorson, R. N. | Hammond | Handorf | Hanson |
| Haverland | Hermann | Hoffmann-Bright | Holveck |
| Hughes | Jay | Jochum | Knapp |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Loerigan | McIntee | McKean | Menke |
| Muhlbauer | 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 | Tofte | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Varn |
| Welden | Woods | Zimmerman | Mr. Speaker (Halvorson of Clayton) |

The nays were, 4:

| | | | |
|--------|--------|---------|---------|
| Harbor | Hummel | Maulsby | Pellett |
|--------|--------|---------|---------|

Absent or not voting, 4:

| | | | |
|-----------|---------|--------|---------|
| Carpenter | Doderer | Miller | 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 4:20 p.m.

Fogarty of Palo Alto called up for consideration **House File 2385**, a bill for an act relating to the frequency of inspection of grain dealers, amended by the Senate, and moved that the House concur in the following Senate amendment H-6011:

H-6011

1 Amend House File 2385 as passed by the House as
2 follows:

- 3 1. Page 1, line 18, by inserting after the word
4 "period" the words "but not more than five times
5 in a twenty-four month period without good cause."
- 6 2. Page 1, by striking line 29 and inserting in
7 lieu thereof the words "twelve month period, provided
8 that but not more than three times in a twenty-four
9 month period without good cause. However, if a class

- 10 1 grain dealer".
 11 3. Page 1, line 33, by inserting after the word
 12 "period" the words "but not more than five times
 13 in a twenty-four month period without good cause".

The motion prevailed and the House concurred in the Senate amendment H-6011.

Fogarty of Palo Alto 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. 2385)

The ayes were, 86:

| | | | |
|-----------------|------------------|------------------|-------------|
| Arnould | Baxter | Bennett | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carpenter | Carter | Chapman | Chioldo |
| Clark | Cochran | Connolly | Connors |
| Cooper | Copenhaver | Corey | Davitt |
| Diemer | Doderer | Fey | Fogarty |
| Grandia | Groninga | Gronstal | Groth |
| Gruhn | Halvorson, R. A. | Halvorson, R. N. | Hammond |
| Handorf | Hanson | Haverland | Hermann |
| Hoffmann-Bright | Hughes | Hummel | Jay |
| Jochum | Knapp | Krewson | Lageschulte |
| Lloyd-Jones | Loneragan | McIntee | McKean |
| Menke | Muhlbauer | Mullins | Norland |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Poncy |
| Renaud | Renken | Rensink | Rosenberg |
| Running | Schnekloth | Schroeder | Sherzan |
| Shoultz | Skow | Spear | Stromer |
| Stueland | Sturgeon | Sullivan | Swearingen |
| Tabor | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Varn | Welden |
| Zimmerman | Mr. Speaker | | |

The nays were, 11:

| | | | |
|----------|----------|---------|----------|
| Anderson | Branstad | Daggett | De Groot |
| Harbor | Holveck | Koenigs | Maulsby |
| O'Kane | Pellett | Royer | |

Absent or not voting, 3:

| | | |
|--------|--------|-------|
| Miller | Swartz | Woods |
|--------|--------|-------|

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

SENATE AMENDMENT FURTHER CONSIDERED

The House resumed consideration of **House File 48**, a bill for an act authorizing counties to contract with certified public accountants to audit their financial records and transactions, and the Senate amendment H-5165, found on pages 1583 and 1584 of the House Journal.

On motion by Cooper of Lucas, the House concurred in the Senate amendment H-5165.

Cooper of Lucas 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. 48)

The ayes were, 88:

| | | | |
|------------|-----------|------------------|------------------|
| 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 | Groninga |
| 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 |
| McIntee | McKean | Menke | Muhlbauer |
| Mullins | O'Kane | Ollie | Osterberg |
| Oxley | Parker | Paulin | Peick |
| Pellett | Poncy | Renaud | Renken |
| Rensink | Rosenberg | Royer | Running |
| Schneklath | Sherzan | Shoultz | Skow |
| Spear | Stromer | Stueland | Sturgeon |
| Sullivan | Swartz | Swearingen | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Varn | Welden | Zimmerman | Mr. Speaker |

The nays were, 10:

Copenhaver
Lonerган
Schroeder

Grandia
Maulsby
Tabor

Gronstal
Norland

Hummel
Pavich

Absent or not voting, 2:

Miller

Woods

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 for the immediate consideration of Senate File 2165.

Sturgeon of Woodbury in the chair at 4:35 p.m.

Unfinished Business Calendar

The House resumed consideration of **Senate File 2165**, a bill for an act to provide for the development of a proposal to reduce upper-level management positions in certain state agencies, and amendment H-5902, to the committee amendment H-5762, (found on page 1390 of the House Journal), placed on the unfinished business calendar on March 28, 1984.

Swartz of Marshall asked and received unanimous consent to withdraw amendment H-5902 filed by him on March 28, 1984.

Swartz of Marshall asked and received unanimous consent to withdraw amendment H-5921, to the committee amendment H-5762, filed by him on March 28, 1984.

Swartz of Marshall offered the following amendment H-5929, to the committee amendment H-5762, filed by him:

H-5929

1 Amend amendment H-5762 to Senate File 2165 as
2 amended, passed, and reprinted by the Senate as
3 follows:

4 1. Page 1, line 16, by inserting after the word
5 "seven" the words "or of reducing supervisory positions

- 6 by ten percent, whichever is the greater reduction
 7 in supervisory personnel".
 8 2. Page 1, line 22, by inserting after the word
 9 "seven" the words "or recommended reductions of
 10 supervisory positions by less than ten percent,".
 11 3. Page 1, line 23, by inserting after the word
 12 "seven" the words "or reductions of supervisory
 13 positions by ten percent,".

Schroeder of Pottawattamie moved to table amendment H-5929.

Roll call was requested by Swartz of Marshall and Groth of Buena Vista.

On the question "Shall amendment H-5929 be tabled?"

The ayes were, 19:

| | | | |
|------------------|------------|-----------|-----------------|
| Anderson | Bennett | Branstad | Carpenter |
| Copenhagen | Diemer | Doderer | Grandia |
| Halvorson, R. A. | Hammond | Harbor | Hoffmann-Bright |
| Lloyd-Jones | Maulsby | Menke | Mullins |
| Rosenberg | Schnekloth | Schroeder | |

The nays were, 76:

| | | | |
|------------------|------------|------------|---------------------------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carter | Chapman | Clark | Cochran |
| Connolly | Cooper | Corey | Daggett |
| Davitt | De Groot | Fey | Fogarty |
| Groninga | Gronstal | Groth | Gruhn |
| Halvorson, R. N. | Handorf | Hanson | Haverland |
| Hermann | Holveck | Hughes | Jay |
| Jochum | Knapp | Koenigs | Krewson |
| Lageschulte | Loneragan | McIntee | McKean |
| Muhlbauer | Norland | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Paulin |
| Pavich | Peick | Pellett | Poncy |
| Renaud | Renken | Rensink | Running |
| Sherzan | Shoultz | Skow | Spear |
| Stromer | Stueland | Sullivan | Swartz |
| Swearingen | Tabor | Tofte | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Varn |
| Weiden | Woods | Zimmerman | Mr. Speaker (Sturgeon) |

Absent or not voting, 5:

| | | | |
|--------|---------|--------|--------|
| Chiado | Connors | Hummel | Miller |
| Royer | | | |

The motion to table lost.

Swartz of Marshall moved the adoption of amendment H—5929, to the committee amendment H—5762.

Roll call was requested by Swartz of Marshall and Gronstal of Pottawattamie.

On the question "Shall amendment H—5929, to the committee amendment H—5762, be adopted?"

The ayes were, 27:

| | | | |
|----------|------------|---------|------------------|
| Arnould | Black | Carter | Connors |
| Cooper | Davitt | Fogarty | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. N. |
| Jay | Jochum | Knapp | Koenigs |
| O'Kane | Pavich | Peick | Poncy |
| Running | Schnekloth | Sherzan | Spear |
| Stromer | Swartz | Welden | |

The nays were, 69:

| | | | |
|---------------------------|-------------|------------|-----------------|
| Anderson | Baxter | Bennett | Brammer |
| Branstad | Buhr | Carl | Carpenter |
| Chapman | Chiodo | Clark | Cochran |
| Copenhaver | Corey | Daggett | De Groot |
| Diemer | Doderer | Fey | Grandia |
| Halvorson, R. A. | Hammond | Handorf | Hanson |
| Harbor | Haverland | Hermann | Hoffmann-Bright |
| Holveck | Hughes | Hummel | Krewson |
| Lageschulte | Lloyd-Jones | Loneragan | Maulsby |
| McIntee | McKean | Menke | Muhlbauer |
| Mullins | Norland | Ollie | Osterberg |
| Oxley | Parker | Paulin | Pellett |
| Renaud | Renken | Rensink | Rosenberg |
| Royer | Schroeder | Shultz | Skow |
| Stueland | Sullivan | Swearingen | Tabor |
| Tofte | Torrence | Van Camp | Van Gerpen |
| Van Maanen | Varn | Woods | Zimmerman |
| Mr. Speaker (Sturgeon) | | | |

Absent or not voting, 4:

| | | | |
|---------|----------|----------|--------|
| Avenson | Blanshan | Connolly | Miller |
|---------|----------|----------|--------|

Amendment H—5929 lost.

Spear of Lee offered amendment H-5793, to the committee amendment H-5762, filed by him and requested division as follows:

H-5793

- 1 Amend committee amendment H-5762 to Senate File
- 2 2165 as amended, passed and reprinted by the Senate
- 3 as follows:

H-5793A

- 4 1. Page 1, line 21, by striking the words "of
- 5 other" and inserting in lieu thereof the words
- 6 "providing more supervisors".

H-5793B

- 7 2. Page 1, line 27, by inserting after the word
- 8 "in" the words "not more than".
- 9 3. Page 1, line 29, by inserting after the word
- 10 "phase" the words ", if any,".

On motion by Spear of Lee, amendment H-5793A was adopted.

On motion by Spear of Lee, amendment H-5793B was adopted.

Speaker Avenson in the chair at 5:14 p.m.

Schroeder of Pottawattamie offered the following amendment H-6075, to the committee amendment H-5762, filed by him from the floor and moved its adoption:

H-6075

- 1 Amend amendment H-5762 to Senate File 2165 as
- 2 amended, passed and reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 45 through 47.

A non-record roll call was requested.

The ayes were 16, nays 51.

Amendment H-6075 lost.

On motion by Swartz of Marshall, the committee amendment H-5762, as amended, 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. 2165)

The ayes were, 93:

| | | | |
|------------------|------------|-----------------|------------------|
| 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 |
| 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 |
| Lonergan | Maulsby | McIntee | McKean |
| Menke | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellett | Poncy | Renaud | Renken |
| Rensink | Royer | Running | Schneklath |
| 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, 5:

| | | | |
|-----------|---------|-------------|-----------|
| Doderer | Hammond | Lloyd-Jones | Rosenberg |
| Schroeder | | | |

Absent or not voting, 2:

| | |
|----------|--------|
| Branstad | Miller |
|----------|--------|

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

MOTION TO RECONSIDER (House File 2516)

I move to reconsider the vote by which House File 2516 passed the House on April 3, 1984.

HALVORSON of Clayton

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 3, 1984, 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 2291, a bill for an act relating to the finance charges permitted in open-end credit accounts including credit cards.

K. MARIE THAYER, Secretary

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 3rd day of April, 1984: House Files 526, 2126, 2212, 2323, 2375, 2379, 2404, 2405, 2409 and 2480.

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 3, 1984, he approved and transmitted to the Secretary of State the following bill:

Senate File 2160, an act to provide a preference for residents in awarding of public contracts in certain situations.

**PROOF OF PUBLICATION
(House File 2517)**

Published copy of House File 2517 and verified proof of publication of said bill in The Manchester Press, a newspaper published weekly in Manchester, Delaware County, Iowa on March 14, 1984 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 April 2, 1984. Had I been present, I would have voted "aye" on House Files 169, 257, 508, 540, 2031, 2219, 2326, 2331, 2414, 2508 and 2510; and Senate Files 190 and 2069.

OSTERBERG of Linn

I was necessarily absent from the House chamber on Wednesday, March 28, 1984. Had I been present, I would have voted "aye" on Senate File 2277.

McINTEE of Black Hawk

PRESENTATION OF VISITORS

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

Seventeen eighth grade students from Lutheran Inter-Parish School, Williamsburg, accompanied by Duane Miller. By Varn of Johnson.

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 2330, a bill for an act relating to the financing of state government by providing for a reduction in general fund appropriations through reallocation of general fund financial aid to merged area schools, by reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983, by updating references to the Internal Revenue Code for individual and corporate income, franchise tax, and inheritance tax purposes with coordinating amendments, by imposing an additional income tax of two percent on the amount of taxable income exceeding thirty thousand dollars for the tax year beginning after December 31, 1983 subject to certain limitations, by restructuring the fee for operator's and chauffeur's licenses, by

providing for the creation of an Iowa economic emergency fund including its funding, by providing for the payment of one-half of the additional personal property tax credit in the fiscal year beginning July 1, 1984, by imposing the sales and use tax on beverages, electronic repair and installation, and rental of tangible personal property, and making certain provisions of the Act retroactive.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—6062, April 3, 1984.

Pursuant to House Rule 33, Senate File 2330 was referred to the committee on Finance.

Committee Bill, relating to and making appropriations to various executive, legislative and judicial departments and agencies.

Fiscal Note is not required.

Recommended Amend and Do Pass April 2, 1984.

COMMITTEE ON FINANCE

House File 2514, a bill for an act to increase the tax levy for a municipal transit system.

Fiscal Note is required.

Recommended Do Pass April 2, 1984.

House File 2518, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—6068, April 3, 1984.

Senate File 2330, a bill for an act relating to the financing of state government by providing for a reduction in general fund appropriations through reallocation of general fund financial aid to merged area schools, by reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983, by updating references to the Internal Revenue Code for individual and corporate income, franchise tax, and inheritance tax purposes with coordinating amendments, by imposing an additional income tax of two percent on the amount of taxable income exceeding thirty thousand dollars for the tax year beginning after December 31, 1983 subject to certain limitations, by restructuring the fee for operator's and chauffeur's licenses, by providing for the creation of an Iowa economic emergency fund including its funding, by providing for the payment of one-half of the additional personal property tax credit in the fiscal year beginning July 1, 1984, by imposing the sales and use tax on beverages, electronic repair and installation, and rental of tangible personal property, and making certain provisions of the Act retroactive.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-6069, April 3, 1984.

AMENDMENTS FILED

| | | | |
|--------|------|------|--|
| H-6044 | S.F. | 2232 | Jay of Appanoose Chapman of Linn |
| H-6045 | S.F. | 2232 | Jay of Appanoose |
| H-6046 | H.F. | 2471 | Van Camp of Scott |
| H-6048 | S.F. | 2254 | Parker of Jasper |
| H-6049 | H.F. | 2340 | Senate Amendment |
| H-6050 | H.F. | 2062 | Senate Amendment |
| H-6051 | H.F. | 2068 | Senate Amendment |
| H-6052 | H.F. | 2180 | Senate Amendment |
| H-6053 | H.F. | 2465 | Senate Amendment |
| H-6054 | H.F. | 2394 | Senate Amendment |
| H-6055 | H.F. | 2440 | Spear of Lee |
| H-6056 | H.F. | 422 | Chapman of Linn |
| H-6057 | H.F. | 422 | Krewson of Polk |
| H-6058 | H.F. | 2509 | O'Kane of Woodbury Carpenter of Polk |
| H-6059 | S.F. | 2203 | Running of Linn Renaud of Polk |
| H-6060 | S.F. | 2203 | Running of Linn Renaud of Polk |
| H-6061 | H.F. | 558 | Mullins of Kossuth |
| H-6062 | S.F. | 2330 | Committee on Appropriations |
| H-6065 | H.F. | 2471 | Clark of Cerro Gordo |
| H-6066 | H.F. | 2389 | Cooper of Lucas |
| H-6067 | H.F. | 2481 | Halvorson of Clayton Tofte of Winneshiek |
| H-6068 | H.F. | 2518 | Committee on Finance |
| H-6069 | S.F. | 2330 | Committee on Finance |
| H-6070 | H.F. | 2183 | Parker of Jasper |
| H-6071 | H.F. | 2211 | Chiodo of Polk |
| H-6072 | H.F. | 2211 | Chiodo of Polk |
| H-6073 | H.F. | 2334 | Senate Amendment |
| H-6074 | H.F. | 2110 | Senate Amendment |
| H-6076 | S.F. | 244 | Halvorson of Clayton Grandia of Marion Handorf of Marshall Hummel of Benton Schneklloth of Scott |
| | | | Branstad of Winnebago Corey of Louisa Hermann of Scott |

| | | | |
|--------|------|------|---------------------------|
| H-6077 | S.F. | 2232 | Jay of Appanoose |
| H-6078 | H.F. | 2471 | Osterberg of Linn |
| H-6079 | H.F. | 2481 | Gronstal of Pottawattamie |
| | | | Hummel of Benton |
| | | | Halvorson of Clayton |
| H-6080 | S.F. | 2291 | Senate Amendment |

On motion by Norland of Worth, the House adjourned at 5:28 p.m., until 9:00 a.m., Wednesday, April 4, 1984.

JOURNAL OF THE HOUSE

Eighty-seventh Calendar Day—Fifty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 4, 1984

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

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

The Journal of Tuesday, April 3, 1984 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. B. J. Heineman, D.O., Story City.

PETITION FILED

The following petition was received and placed on file:

By Royer of Page from the Mills and Fremont County Boards of Supervisors, a resolution adopted urging the General Assembly to continue state assumption of costs related to the operation of the courts on the timetable now established by law.

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 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 163, a bill for an act creating a possessory lien on personal property in a self-storage facility and establishing a method of enforcing the lien.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 292, a bill for an act relating to qualification and compensation of court interpreters.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 347, a bill for an act providing for the issuance of special registration plates to former prisoners of war which contain the letters "POW" followed by three numerals at the regular registration fee.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 449, a bill for an act relating to licensing private investigative agencies and private security agencies, and providing a penalty.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 451, a bill for an act relating to enforcement of license discipline by the board of medical examiners.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was 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 April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 511, a bill for an act relating to construction near a buried electric transmission line.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 517, a bill for an act relating to missing persons and the time and manner in which missing person investigations are to be performed, and providing a penalty.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2059, a bill for an act relating to the authority of a standing committee of the general assembly.

Also: That the Senate has, on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2091, a bill for an act relating to the acquisition of legal settlement by persons hospitalized in or receiving treatment at a state mental institute.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2101, a bill for an act relating to the commitment of children beyond their eighteenth birthday to the state training school.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2104, a bill for an act relating to the collections of fines and penalties by a county attorney.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2159, a bill for an act to allow limited child modeling under the child labor laws.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2189, a bill for an act relating to bacterial and organoleptic milk standards.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2212, a bill for an act relating to pay scale standards for members of the Iowa national guard.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2213, a bill for an act relating to the authority of the department of water, air and waste management over waste water disposal systems.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2233, a bill for an act providing for the transfer of fiduciary accounts among affiliates and between independent banks.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2261, a bill for an act relating to the powers of state-chartered savings and loan associations.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2301, a bill for an act relating to the protection of lienholders' and certificate holders' advancements.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2310, a bill for an act relating to payments to state employees for accrued sick leave and disability.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2311, a bill for an act relating to access to records by the legislative fiscal bureau.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 2481, a bill for an act relating to the taxation, valuation, and qualification of a fruit-tree or forest reservation for property tax purposes, was taken up for consideration.

Spear of Lee in the chair at 9:25 a.m.

Gronstal of Pottawattamie offered the following amendment H-6079 filed by Gronstal, et al., and moved its adoption:

H-6079

- 1 Amend House File 2481 as follows:
- 2 1. Page 2, line 10, by striking the word "When"
- 3 and inserting in lieu thereof the word "If".
- 4 2. Page 2, lines 11 and 12, by striking the words
- 5 "who wishes to receive the tax exemption must refile
- 6 for it." and inserting in lieu thereof the words "does
- 7 not have to refile for the tax exemption. The tax
- 8 exemption shall continue to be granted for the
- 9 remainder of the eight-year period for fruit tree
- 10 reservation and for the following years for forest
- 11 reservation or until the property no longer qualifies
- 12 as a fruit tree or forest reservation."
- 13 3. Page 2, line 18, by inserting after the word
- 14 "period" the words "and any year of the following
- 15 five years".
- 16 4. Page 2, line 19, by inserting after the word
- 17 "year" the words "for which the exemption is granted
- 18 and any of the five years following those exemption
- 19 years".
- 20 5. Page 2, by striking line 23 and inserting in

21 lieu thereof the words "levy for each of those years,
22 if any, of the five preceding years for which the
23 area".

Amendment H—6079 was adopted.

Halvorson of Clayton offered the following amendment H—6067
filed by him and Tofte of Winneshiek:

H—6067

1 Amend House File 2481 as follows:
2 1. Page 2, by striking lines 30 through 32 and
3 inserting in lieu thereof the following: "shall be
4 remitted to the treasurer of state to be deposited
5 in the state general fund as reimbursement for payments
6 made by the state under section 161.14.
7 Sec. . Chapter 161, Code 1983, is amended by
8 adding the following new section:
9 **NEW SECTION. 161.14 STATE REIMBURSEMENT.** The
10 state comptroller shall issue warrants on the fruit
11 tree and forest reservation fund to reimburse the
12 taxing districts for the loss of property tax revenues
13 as a result of the tax exemption granted for fruit
14 tree and forest reservations. The amount of this
15 loss shall be computed by multiplying the consolidated
16 levy for that year times the assessed value of each
17 area that would have been taxed but for the tax
18 exemption. The board of supervisors on or before
19 July 15 of each year shall certify to the state
20 comptroller the amount of lost property tax revenues
21 that would have been collected in the fiscal year.
22 The state comptroller shall remit the amount of this
23 loss to the county treasurer of each county in two
24 payments on November 15 and March 15 of that fiscal
25 year. The two payments shall be as nearly equal as
26 possible. There is created a fruit tree and forest
27 reservation fund and there is appropriated annually
28 from the general fund of the state to this fund an
29 amount sufficient to carry out this section."
30 2. Title page, line 3, by inserting after the
31 word "purposes" the words "and making an
32 appropriation".
33 3. By numbering and renumbering as necessary.

Gronstal of Pottawattamie rose on a point of order that amend-
ment H—6067 was not germane.

The Speaker ruled the point well taken and amendment
H—6067 not germane.

Halvorson of Clayton asked for unanimous consent to consider amendment H—6067.

Objection was raised.

Halvorson of Clayton moved that the rules be suspended to consider amendment H—6067.

Roll call was requested by Halvorson of Clayton and Harbor of Mills.

On the question "Shall the rules be suspended to consider amendment H—6067?"

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 | Lageschulte | Maulsby | McIntee |
| McKean | Menke | Mullins | Paulin |
| Pellett | Renken | Rensink | Royer |
| Schneklath | Schroeder | Stromer | Stueland |
| Swearingen | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | |

The nays were, 55:

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

Absent or not voting, 6:

| | | | |
|---------|-----------|----------|--------|
| Avenson | Carter | Connolly | Davitt |
| Krewson | Muhlbauer | | |

The motion to suspend the rules 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. 2481)

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 | 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 | Mullins | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poncy | Renaud | Renken | Rensink |
| Rosenberg | Royer | Running | Schroeder |
| Sherzan | Shoultz | Skow | Stromer |
| Stueland | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Tofte | Van Camp |
| Van Gerpen | Van Maanen | Varn | Welden |
| Woods | Zimmerman | Mr. Speaker (Spear) | |

The nays were, 5:

| | | | |
|----------|---------|---------|------------|
| Corey | Handorf | Maulsby | Schnekieth |
| Torrence | | | |

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.

House File 2324, a bill for an act relating to the state inheritance tax by changing the due date of the tax, providing for monthly interest, providing for a period of limitations for assessments and refunds, requiring recording to give a lien preference after a release of the lien is issued, taxing gifts made within three years of death, and making technical corrections, was taken up for consideration.

Doderer of Johnson offered the following amendment H-5898 filed by her and Schneklath of Scott:

H-5898

1 Amend House File 2324 as follows:

2 1. Page 1, by striking lines 14 and 15 and
3 inserting in lieu thereof the following:

4 "Sec. 2. Section 450.6, Code 1983, is amended
5 to read as follows:

6 450.6 ACCRUAL OF TAX - MATURITY - EXTENSION OF
7 TIME."

8 2. Page 1, by inserting after line 30 the
9 following:

10 "Upon the approval of the executive council, the
11 tax liability of any a beneficiary, heir, surviving
12 joint tenant or other transferee may be paid, in lieu
13 of money, in whole or in part by the transfer of
14 property to the state or a political subdivision of
15 the state to be used for public purposes. Before
16 the tax liability may be paid by transfer of property
17 to a political subdivision, the governing body of
18 the political subdivision shall also approve the
19 transfer. If the The property transferred in payment
20 of tax is shall have been included in the decedent's
21 gross estate for inheritance tax purposes, and its
22 value for the payment of the tax shall be the same
23 as its value for inheritance tax purposes. Property
24 transferred in payment of the tax which is not included
25 in the decedent's gross estate for inheritance tax
26 purposes shall be valued by agreement of the executive
27 council and the taxpayer. The acceptance or rejection
28 of the property in payment of the tax liability and
29 the agreed value of the property shall be certified
30 by the executive council to the director of revenue.
31 The acceptance of the property transferred shall act
32 acts as payment and satisfaction of the inheritance
33 tax liability to the extent of the value of the
34 transferred property, but notwithstanding any other
35 provision, the taxpayer shall is not be entitled to
36 a refund if the transferred property has a value in
37 excess of the tax liability."

38 3. Title page, line 6, by inserting after the
39 word "death," the words "providing that property
40 transferred to the state or political subdivision
41 as payment of the tax shall have been included in
42 the decedent's gross estate."

Doderer of Johnson offered the following amendment H-6082, to amendment H-5898, filed by her from the floor and moved its adoption:

H-6082

- 1 Amend amendment H-5898 to House File 2324 as follows: 7
- 2 1. Page 1, line 13, by inserting after the words
- 3 "transfer of" the following: "real property or tangible
- 4 personal".

Amendment H-6082 was adopted.

Speaker Avenson in the chair at 10:03 a.m.

Doderer of Johnson moved the adoption of amendment H-5898, as amended.

A non-record roll call was requested.

The ayes were 50, nays 13.

Amendment H-5898, as amended, was adopted.

Blanshan of Greene offered the following amendment H-5468 filed by him:

H-5468

- 1 Amend House File 2324 as follows:
- 2 1. Page 2, by inserting after line 28 the
- 3 following:
- 4 "Sec. . Section 450.37, subsection 2, Code
- 5 Supplement 1983, is amended by adding the following
- 6 new lettered paragraph:
- 7 NEW LETTERED PARAGRAPH. If the fair market value
- 8 of real property in the ordinary course of trade is
- 9 agreed to be in excess of one hundred thousand dollars
- 10 or in the case the fair market value has not been
- 11 agreed to but it is reasonable to believe that the
- 12 fair market value in the ordinary course of trade
- 13 is in excess of one hundred thousand dollars, the
- 14 real property shall be appraised as provided in section
- 15 450.27."
- 16 2. Title page, line 6, by inserting after the
- 17 word "death," the words "requiring the appraisal of
- 18 real property if the fair market value is in excess
- 19 of one hundred thousand dollars,".
- 20 3. By numbering, renumbering, and correcting
- 21 internal references as necessary.

Schnekloth of Scott rose on a point of order that amendment H-5468 was not germane.

The Speaker ruled the point well taken and amendment H-5468 not germane.

Blanshan of Greene asked for unanimous consent to consider amendment H-5468.

Objection was raised.

Blanshan of Greene moved that the rules be suspended to consider amendment H-5468.

A non-record roll call was requested.

The ayes were 23, nays 45.

The motion to suspend the rules lost.

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. 2324)

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 |
| Hanson | Harbor | Haverland | Hermann |
| Hoffmann-Bright | Holveck | Hughes | Hummel |
| Jay | Jochnum | Knapp | Koenigs |
| Krewson | Lageschulte | Lloyd-Jones | Loneragan |
| McIntee | McKean | Menke | Miller |
| Muhlbauer | Mullins | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poney | Renaud | Renken | Rensink |

| | | | |
|-------------|----------|------------|------------|
| Rosenberg | Royer | Running | Schneklath |
| Schroeder | Sherzan | Shoultz | Skow |
| Spear | Stromer | Stueland | Sturgeon |
| Sullivan | Swartz | Swearingen | Tabor |
| Tofte | Torrance | Van Camp | Van Gerpen |
| Van Maanen | Varn | Woods | Zimmerman |
| Mr. Speaker | | | |

The nays were, 3:

| | | |
|---------|---------|--------|
| Handorf | Maulsby | Welden |
|---------|---------|--------|

Absent or not voting, none.

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

On motion by Norland of Worth, the House was recessed at 10:20 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Connors of Polk 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 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2084, a bill for an act relating to transition legislation for the Iowa department of corrections.

Also: That the Senate has on April 3, 1984, 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 2248, a bill for an act relating to the collection and dissemination of information regarding hazardous chemicals.

Also: That the Senate has on April 2, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2294, a bill for an act relating to the examination of government records by providing for the procedures for their examination, for enforcement of those etc.

Also: That the Senate has on April 3, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2328, a bill for an act to amend the Iowa pari-mutuel wagering Act.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILL

House File 2519, 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 for this state.

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

MOTION TO RECONSIDER WITHDRAWN (Senate File 2306)

Jay of Appanoose asked and received unanimous consent to withdraw the motion to reconsider Senate File 2306, a bill for an act authorizing the use of computer data storage systems for the collection, storage, and retrieval of intelligence data, providing for restrictions on access to these computer data storage systems, and requiring the adoption of rules for authorization to access a computer data storage system containing intelligence data, filed by him on March 29, 1984.

MOTION TO RECONSIDER PREVAILED (House File 2439)

Jay of Appanoose called up for consideration the motion to reconsider House File 2439, filed by him from the floor, and moved to reconsider the vote by which House File 2439, a bill for an act relating to pari-mutuel betting by requiring certain information from an applicant for a racing license or an occupational license, requiring the fingerprinting of an applicant, permitting warrantless searches of an applicant or an applicant's property, authorizing the state racing commission to require employees to provide certain information and to authorize employees to expel certain people from racetrack facilities, prohibiting the use or possession of certain devices or techniques to stimulate or depress a horse or dog, permitting the disclosure of confidential information to the state racing commission, setting fees for applications, and providing for penalties, passed the House on April 3, 1984.

A non-record roll call was requested.

The ayes were 76, nays 2.

The motion prevailed and the House reconsidered House File 2439.

Jay of Appanoose asked and received unanimous consent to reconsider the vote by which the House concurred in the Senate amendment H—6006 (found on page 1600 of the House Journal).

Jay of Appanoose offered the following amendment H—6081, to the Senate amendment H—6006, filed by him from the floor and moved its adoption:

H—6081

- 1 Amend amendment H—6006 to House File 2439 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 1, by striking lines 26 through 28.
- 4 2. By renumbering as necessary.

Amendment H—6081 was adopted.

On motion by Jay of Appanoose, the House concurred in the Senate amendment H—6006, as amended.

Jay of Appanoose 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. 2439)

The ayes were, 89:

| | | | |
|------------------|------------------|-----------|----------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Connolly | Cooper |
| Copenhaver | Corey | Daggett | 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 | Loneragan |
| McIntee | McKean | Menke | Miller |
| Muhlbauer | Mullins | Norland | O'Kane |
| Ollie | Oxley | Parker | Paulin |
| Pavich | Peick | Poncy | Renken |
| Rensink | Rosenberg | Royer | Running |
| Schneklath | Schroeder | Sherzan | Shoultz |
| Skow | Spear | Stromer | Sturgeon |
| Sullivan | Swartz | Swearingen | Tabor |
| Tofte | Torrence | Van Camp | Van Gerpen |
| Van Maanen | Varn | Welden | Zimmerman |
| Mr. Speaker (Connors) | | | |

The nays were, 4:

| | | | |
|---------|---------|---------|----------|
| Grandia | Maulsby | Pellett | Stueland |
|---------|---------|---------|----------|

Absent or not voting, 7:

| | | | |
|-----------|--------|---------|--------|
| Avenson | Clark | Cochran | Davitt |
| Osterberg | Renaud | Woods | |

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

SENATE AMENDMENTS CONSIDERED

Rosenberg of Story called up for consideration **House File 2348**, a bill for an act relating to correctional procedures by expanding the circumstances under which home work release may be granted, providing for the duty of counties to comply with state requests for temporary confinement of alleged parole or work release violators, allowing a designee of the warden or superintendent to hear appeals of hearing officers, extending the time for the board of directors of a judicial district department of correctional services to file its annual report, and providing for the penalty of contempt for violations of parole, amended by the Senate, and moved that the House concur in the following Senate amendment H-6013:

H-6013

- 1 Amend House File 2348 as amended, passed and
- 2 reprinted as follows:
- 3 1. Page 3, line 27, by striking the word "county"
- 4 and inserting in lieu thereof the word "court".

The motion prevailed and the House concurred in the Senate amendment H—6013.

Rosenberg of Story 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. 2348)

The ayes were, 91:

| | | | |
|-----------------|------------------|--------------------------|------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Connolly | Cooper |
| Copenhaver | Corey | Daggett | 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 | Loneragan |
| Maulsby | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Paulin | Pavich | Peick | Pellett |
| Poncy | 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 | Zimmerman | Mr. Speaker (Connors) | |

The nays were, none.

Absent or not voting, 9:

| | | | |
|---------|--------|---------|--------|
| Avenson | Clark | Cochran | Davitt |
| Hammond | Parker | Renaud | Welden |
| Woods | | | |

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 2189**, a bill for an act creating a commission on children, youth, and families and providing its purpose and duties, amended by the Senate, and moved that the House concur in the following Senate amendment H—6033:

H—6033

- 1 Amend House File 2189 as passed by the House
- 2 as follows:
- 3 1. Page 4, line 6, by striking the word "governor"
- 4 and inserting in lieu thereof the word "governor."
- 5 2. Page 4, by striking line 7.

A non-record roll call was requested.

The ayes were 60, nays 15.

The motion prevailed and the House concurred in the Senate amendment H—6033.

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. 2189)

The ayes were, 81:

| | | | |
|-----------|------------------|------------------|-----------|
| Arnould | Baxter | Bennett | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carpenter | Carter | Chapman | Chiodo |
| Connolly | Cooper | Copenhaver | Corey |
| Daggett | 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 | Paulin |
| Pavich | Peick | Pellett | Poncy |
| Rensink | Rosenberg | Royer | Running |
| Sherzan | Shoultz | Skow | Spear |

Stromer
Swearingen
Van Camp
Mr. Speaker
(Connors)

Sturgeon
Tabor
Van Gerpen

Sullivan
Tofte
Varn

Swartz
Torrence
Zimmerman

The nays were, 11:

Anderson
Hummel
Schroeder

Branstad
Maulsby
Stueland

De Groot
Renken
Van Maanen

Grandia
Schneklloth

Absent or not voting, 8:

Avenson
Parker

Clark
Renaud

Cochran
Welden

Davitt
Woods

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 1:32 p.m., until 4:00 p.m.

The House reconvened, Connors of Polk 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 4, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2100, a bill for an act relating to the location and operation of anhydrous ammonia plants and defining nuisance as the term relates to the plants.

Also: That the Senate has on April 4, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2386, a bill for an act relating to transportation programs by defining a public transit system, requiring coordinated funding and services, establishing criteria to determine compliance, and providing penalties for violations.

K. MARIE THAYER, Secretary

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Maulsby of Calhoun, for the remainder of the day, on request of Van Maanen of Mahaska.

SENATE AMENDMENTS CONSIDERED

Clark of Cerro Gordo called up for consideration **House File 2164**, a bill for an act relating to the duties and responsibilities of a peace officer to a victim of domestic abuse, providing a penalty and requiring the department of public safety to submit a proposal to the general assembly by January 15, 1985 for the collection of domestic violence data and statistics to be disseminated to the department of human services, amended by the Senate, and moved that the House concur in the following Senate amendment H—5908:

H—5908

- 1 Amend House File 2164 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 11, by striking the word "any".

The motion prevailed and the House concurred in the Senate amendment H—5908.

Clark of Cerro Gordo moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2164)

The ayes were, 94:

| | | | |
|----------|------------------|------------------|-------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cochran |
| 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 |
| 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 | Shultz |
| Skow | Spear | Stromer | 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, 6:

| | | | |
|---------|----------|--------|----------|
| Avenson | Connolly | Davitt | Groninga |
| Maulsby | Sullivan | | |

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

Mullins of Kossuth called up for consideration **House File 2302**, a bill for an act amending the definition of "child abuse" for purposes of reporting, investigation, and rehabilitation to include permitting a child to engage in prostitution and sexually exploiting a child in certain other ways, amended by the Senate, and moved that the House concur in the following Senate amendment H—5956:

H—5956

1 Amend House File 2302 as amended, passed and
 2 reprinted by the House, as follows:
 3 1. Page 1, by inserting after line 13 the
 4 following:
 5 "Sec. 3. Section 232.71, Code Supplement 1983,
 6 is amended by adding the following new subsection
 7 after subsection 4:
 8 NEW SUBSECTION. Administrators of all public and
 9 nonpublic schools subject to the authority of the
 10 department of public instruction shall cooperate with
 11 the investigators by providing confidential access
 12 to the child named in the report, and to other children
 13 alleged to have relevant information, for the purposes
 14 of interviews. The investigators shall determine
 15 who shall be present at the interviews. The school
 16 administrators are under no duty to report the
 17 investigation or interview to the child's parent or
 18 guardian. The immunity granted by section 232.73
 19 applies to such administrators and their school
 20 districts.
 21 "Sec. 4. Section 232.96, subsection 6, Code
 22 Supplement 1983, is amended to read as follows:

23 6. A report, study, record, or other writing or
 24 an audiotape or videotape recording made by the
 25 department of human services, a juvenile court officer,
 26 a peace officer or a hospital relating to a child
 27 in a proceeding under this division shall be is
 28 admissible notwithstanding any objection to hearsay
 29 statements contained therein in it provided it is
 30 relevant and material and provided its probative value
 31 substantially outweighs the danger of unfair prejudice
 32 to the child's parent, guardian, or custodian. The
 33 circumstances of the making of the report, study,
 34 record or other writing or an audiotape or videotape
 35 recording, including the maker's lack of personal
 36 knowledge, may be proved to affect its weight."
 37 2. Title page, by striking lines 1 through 4 and
 38 inserting in lieu thereof the following: "An Act
 39 relating to the definition of child abuse,
 40 investigations of child abuse and the admissibility
 41 of certain tape recordings as evidence in child in
 42 need of assistance cases."
 43 4. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H — 5956.

Mullins of Kossuth 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. 2302)

The ayes were, 96:

| | | | |
|------------------|-------------|-----------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | 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 | 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 | 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, 4:

| | | | |
|---------|----------|---------|----------|
| Avenson | Connolly | Maulsby | Sullivan |
|---------|----------|---------|----------|

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

O'Kane of Woodbury called up for consideration **House File 2478**, a bill for an act relating to the administration of special assessments and other property tax laws, amended by the Senate, and moved that the House concur in the following Senate amendment H - 6030:

H - 6030

- 1 Amend House File 2478 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, by striking line 32 and inserting in
- 4 lieu thereof the following: "lien to be collected
- 5 at the time of payment of the assessment from the
- 6 payor and credited to the county general fund. The
- 7 lien has".
- 8 2. Page 2, by striking lines 10 and 11 and
- 9 inserting in lieu thereof the following: "the
- 10 exemption is claimed is otherwise qualified. The
- 11 belated claim shall be filed with the appropriate
- 12 assessor before the succeeding July 1 and, if approved
- 13 by the board of supervisors, the county treasurer
- 14 shall file an amended certificate of military service".

The motion prevailed and the House concurred in the Senate amendment H - 6030.

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. 2478)

The ayes were, 97:

| | | | |
|--------------------------|-------------|------------|------------------|
| Anderson | Arnould | 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. 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 | Schneklath | Schroeder |
| Sherzan | Shoultz | Skow | Spear |
| Stromer | Stuealand | Sturgeon | Sullivan |
| Swartz | Swearingen | Tabor | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Vana | Welden | Woods | Zimmerman |
| Mr. Speaker (Connors) | | | |

The nays were, none.

Absent or not voting, 3:

| | | |
|---------|------------|---------|
| Avenson | Copenhaver | Maulsby |
|---------|------------|---------|

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

Groth of Buena Vista called up for consideration **House File 523**, a bill for an act to provide for reciprocity among the states on the license fee for fur buyers, amended by the Senate amendment H-5106 as follows:

H-5106

- 1 Amend House File 523, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by striking line 15 and inserting in
- 4 lieu thereof the following: "400.00".

Schroeder of Pottawattamie offered the following amendment H-5730, to the Senate amendment H-5106, filed by him and moved its adoption:

H-5730

- 1 Amend the Senate amendment H-5106 to House File
- 2 523 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, line 4, by striking the figure
- 5 "400.00" and inserting in lieu thereof the figure
- 6 "450.00".

Amendment H-5730 was adopted.

On motion by Groth of Buena Vista, the House concurred in the Senate amendment H-5106, 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. 523)

The ayes were, 95:

| | | | |
|------------------|-------------|-----------|------------------|
| 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. | 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 | 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 (Connors) | |

The nays were, 1:

Welden

Absent or not voting, 4:

| | | | |
|---------|--------|---------|-------|
| Avenson | Carter | Maulsby | Ollie |
|---------|--------|---------|-------|

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

Zimmerman of Dallas called up for consideration **House File 2436**, a bill for an act relating to the licensure and operation of a hospice program, amended by the Senate amendment H-6027 as follows:

H-6027

- 1 Amend House File 2436 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 35 by inserting after the word
- 4 "physician," the words "the dispensing pharmacist,".
- 5 2. Page 3, line 32, by inserting after the word
- 6 "fee" the words "required to cover the cost of
- 7 administering the program".

Hammond of Story offered the following amendment H-6094, to the Senate amendment H-6027, filed from the floor by Hammond, Peick, Royer and Van Gerpen and moved its adoption:

H-6094

- 1 Amend amendment H-6027, the Senate amendment to
- 2 House File 2436 as amended, passed and reprinted by
- 3 the House, as follows:
- 4 1. Page 1, by striking lines 3 and 4.

Amendment H-6094 was adopted.

On motion by Zimmerman of Dallas, the House concurred in the Senate amendment H-6027, as amended.

Zimmerman of Dallas 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. 2436)

The ayes were, 93:

| | | | |
|--------------------------|-------------|------------|------------------|
| Anderson | Arnould | Avenson | Baxter |
| 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 |
| 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 | 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 (Connors) | | | |

The nays were, 5:

| | | | |
|----------|--------|-----------|------------|
| Branstad | Renken | Schroeder | Van Maanen |
| Welden | | | |

Absent or not voting, 2:

| | |
|----------|---------|
| Groninga | Maulsby |
|----------|---------|

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

HOUSE REFUSED TO CONCUR

Mullins of Kossuth called up for consideration **House File 558**, 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 human services, amended by the Senate amendment H-6035 as follows:

H-6035

1 Amend House File 558 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 2, line 28, by inserting after the word
4 "relative." the words "The application form shall
5 include information relating to both the assistance
6 for funeral expenses provided under this chapter and
7 the opportunity to make anatomical donations under
8 chapter 142 or 142A."

9 2. Page 7, by striking lines 4 through 35.

10 3. Page 9, by inserting after line 13 the
11 following:

12 "Sec. 14. STUDY OF FUNERAL EXPENSES. The depart-
13 ment of human services in collaboration with the
14 counties shall study the feasibility of purchasing
15 group or individual funeral expense insurance policies
16 or life insurance policies covering funeral expenses
17 for those recipients of assistance under the aid to
18 families with dependent children program or under
19 the state supplementary assistance program. The
20 department shall report its findings, including the
21 cost of purchasing such insurance coverage, and any
22 recommendations relating to the study, to the social
23 services appropriations subcommittee of the stand-
24 ing appropriations committees by January 15, 1985."

25 4. Renumbering as necessary.

Mullins of Kossuth offered the following amendment H-6061, to the Senate amendment H-6035, filed by her and moved its adoption:

H-6061

1 Amend Senate amendment, H-6035, to House File 558,
2 as amended, passed and reprinted by the House as
3 follows:

4 1. Page 1, by striking lines 3 through 8.

5 2. Page 1, by striking line 9.

Amendment H-6061 was adopted.

On motion by Mullins of Kossuth, the House refused to concur in the Senate amendment H—6035, as amended.

SENATE AMENDMENTS CONSIDERED

Parker of Jasper called up for consideration **House File 2183**, a bill for an act relating to the regulation of business entities and workers engaging in the removal or encapsulation of asbestos and providing penalties, amended by the Senate amendment H—5964 as follows:

H—5964

- 1 Amend House File 2183 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 19, by inserting after the word
- 4 "purpose." the words "This chapter does not apply
- 5 to a business entity which uses its own employees
- 6 in removing or encapsulating asbestos for the purpose
- 7 of renovating, maintaining or repairing its own
- 8 facilities."

Parker of Jasper offered the following amendment H—6070, to the Senate amendment H—5964, filed by him and moved its adoption:

H—6070

- 1 Amend Senate amendment H—5964 to House File 2183
- 2 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 1, by striking line 8 and inserting in
- 5 lieu thereof the following: "facilities, except that
- 6 a business entity exempted from this chapter who
- 7 assigns an employee to remove or encapsulate asbestos
- 8 shall provide training on the health and safety aspects
- 9 of the removal or encapsulation including the federal
- 10 and state standards applicable to the asbestos project.
- 11 The training program shall be available for review
- 12 and approval upon inspection by the bureau."

Amendment H—6070 was adopted.

On motion by Parker of Jasper, the House concurred in the Senate amendment H—5964, as amended.

Parker of Jasper 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. 2183)

The ayes were, 92:

| | | | |
|------------------|------------|-----------------|--------------------------|
| Anderson | Arnould | Avenson | Baxter * |
| Black | Blanshan | Brammer | Branstad |
| 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. A. |
| Halvorson, R. N. | Hammond | Hanson | Harbor |
| Haverland | Hermann | Hoffmann-Bright | Holveck |
| Hughes | Hummel | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lageschulte |
| Lloyd-Jones | Loneragan | McIntee | McKean |
| Menke | Miller | Muhlbauer | Mullins |
| Norland | O'Kane | Olfie | Osterberg |
| Oxley | Parker | Paulin | Pavich |
| Peick | Poncy | Renaud | Rensink |
| 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 (Connors) |

The nays were, 7:

| | | | |
|---------|-----------|----------|---------|
| Bennett | Grandia | Handorf | Pellett |
| Renken | Schroeder | Torrence | |

Absent or not voting, 1:

Maulsby

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 2440**, a bill for an act relating to the Iowa veterans home and its administration, amended by the Senate amendment H—5966 as follows:

H—5966

1 Amend House File 2440 as passed by the House as
 2 follows:
 3 1. By striking page 1, line 34 through page 2,
 4 line 2, and inserting in lieu thereof the following:
 5 "2. A person shall not be received or retained in
 6 the home who has been diagnosed by a qualified mental
 7 health professional as acutely mentally ill and considered
 8 dangerous to self or others, is an acute inebriate,
 9 or is addicted to the use of drugs, and whose documented
 10 behavior is continuously disruptive to the operation
 11 of the facility. Notwithstanding section 219.9, Code 1983,
 12 for the purposes of payment of costs incurred relating
 13 to the care and treatment of a resident discharged under
 14 this section, the county of legal settlement shall be
 15 financially responsible."

Spear of Lee offered the following amendment H—6055, to the Senate amendment H—5966, filed by him and moved its adoption:

H—6055

1 Amend the Senate amendment H—5966 to House File
 2 2440 as passed by the House as follows:
 3 1. Page 1, by striking lines 11 through 15 and
 4 inserting in lieu thereof the following: "of the
 5 facility."
 6 2. By inserting after line 15 the following:
 7 "2. By striking page 4, line 32 through page 5,
 8 line 1 and inserting in lieu thereof the following:
 9 "219.9 COUNTY OF SETTLEMENT UPON DISCHARGE. A
 10 member of the home does not acquire legal settlement
 11 in the county in which the home is located unless
 12 the member is voluntarily or involuntarily discharged
 13 from the home, continuously resides in the county
 14 for a period of one year subsequent to the discharge,
 15 and during that year is not readmitted to the home
 16 or does not receive any services from the home." "

Amendment H—6055 was adopted.

On motion by Spear of Lee, the House concurred in the Senate amendment H—5966, as amended.

Spear of Lee 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. 2440)

The ayes were, 99:

| | | | |
|-------------|------------------|--------------------------|-------------|
| 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 |
| Loneragan | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellett | Poncy | Renaud | Renken |
| Rensink | Rosenberg | Royer | Running |
| Schneklloth | 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, 1:

Mausby

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

Cooper of Lucas called up for consideration **House File 2389**, a bill for an act relating to the interest of an elected city officer or employee in contracts for the purchase of goods and services by a city, amended by the Senate amendment H—5923 as follows:

H-5923

1 Amend House File 2389 as passed by the House, as
2 follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:

5 "Section 1. Section 362.5, unnumbered paragraph
6 2, subsections 1, 5, 7, and 9, Code 1983, are amended
7 to read as follows:

8 A city officer ~~or~~ employee shall not have an
9 interest, direct or indirect, in any contract or job
10 of work or material or the profits thereof or services
11 to be furnished or performed for the officer's ~~or~~
12 employee's city. A contract entered into in violation
13 of this section is void. ~~The provisions of this~~ This
14 section ~~do~~ does not apply to:

15 1. The payment of lawful compensation of a city
16 officer ~~or~~ employee holding more than one city office
17 ~~or~~ position, the holding of which is not incompatible
18 with another public office or is not prohibited by
19 law.

20 5. Contracts in which a city officer ~~or~~ employee
21 has an interest solely by reason of employment, or
22 a stock interest of the kind described in subsection
23 9, or both, if the contracts are made by competitive
24 bid, publicly invited and opened, and if the
25 remuneration of employment will not be directly
26 affected as a result of the contract and the duties
27 of employment do not directly involve the procurement
28 or preparation of any part of the contract. The
29 competitive bid requirement of this subsection shall
30 not be required for any contract for professional
31 services not customarily awarded by competitive bid.

32 7. A contract in which a city officer ~~or~~ employe
33 has an interest if the contract was made before the
34 time he the officer was elected or appointed, but
35 the contract may not be renewed.

36 9. A contract with a corporation in which a city
37 officer ~~or~~ employee has an interest by reason of
38 stockholdings when less than five percent of the
39 outstanding stock of the corporation is owned or
40 controlled directly or indirectly by the officer ~~or~~
41 employee or the spouse or immediate family of such
42 the officer ~~or~~ employee.

43 Sec. 2. Section 362.5, Code 1983, is amended by
44 adding the following new subsection:

45 NEW SUBSECTION. 11. Contracts for the purchase
46 of goods or services by a city having a population
47 of less than ten thousand, which benefit a city
48 officer, if the purchases benefiting that officer
49 do not exceed a cumulative total purchase price of
50 one thousand dollars in a fiscal year."

Page 2

1 2. Amend the title, line 1, by striking the words
2 "an elected" and inserting in lieu thereof the word
3 "a".

Cooper of Lucas offered the following amendment H-6066, to the Senate amendment H-5923, filed by him and moved its adoption:

H-6066

1 Amend the Senate amendment, H-5923, to House File
2 2389, as passed by the House, as follows:
3 1. Page 1, by striking lines 5 through 50 and
4 inserting in lieu thereof the following:
5 "Section 1. Section 362.5, subsection 4, Code,
6 1983, is amended to read as follows:
7 4. Contracts made by a city of less than ten
8 thousand population, upon competitive bid in writing,
9 publicly invited and opened.
10 Sec. 2. Section 362.5, Code 1983, is amended by
11 adding the following new subsection:
12 NEW SUBSECTION. 11. Contracts not otherwise
13 permitted by this section, for the purchase of goods
14 or services by a city having a population of less
15 than ten thousand, which benefit a city officer or
16 employee, if the purchases benefiting that officer
17 or employee do not exceed a cumulative total purchase
18 price of one thousand dollars in a fiscal year."

Amendment H-6066 was adopted.

On motion by Cooper of Lucas, the House concurred in the Senate amendment H-5923, as amended.

Cooper of Lucas 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. 2389)

The ayes were, 98:

| | | | |
|----------|---------|----------|-----------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| Branstad | Buhr | Carl | Carpenter |

| | | | |
|------------|--------------------------|------------------|-------------|
| Carter | Chapman | Chlodo | 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 | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellett | Poncy | Renaud | Renken |
| Rensink | Rosenberg | Royer | Running |
| Schneklath | Schroeder | Sherzan | Shoultz |
| Skow | Spear | Stromer | Stueland |
| Sturgeon | Sullivan | Swartz | Swearingen |
| Tabor | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Varn | Weiden |
| Zimmerman | Mr. Speaker (Connors) | | |

The nays were, none.

Absent or not voting, 2:

Maulsby Woods

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

Sturgeon of Woodbury called up for consideration **House File 2172**, a bill for an act relating to the surety bond required for an employment agency license, amended by the Senate amendment H-5907 as follows:

H-5907

- 1 Amend House File 2172 as amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by striking lines 16 through 19 and
- 4 inserting in lieu thereof the words "of two twenty
- 5 thousand dollars to be approved by the labor
- 6 commissioner and".

Speaker Avenson in the chair at 4:52 p.m.

Schnekloth of Scott offered the following amendment H—6005, to the Senate amendment H—5907, filed by Schnekloth, et al., and moved its adoption:

H—6005

- 1 Amend amendment H—5907 to House File 2172 as
 2 follows:
 3 1. Page 1, by striking lines 3 through 6 and
 4 inserting in lieu thereof the following:
 5 "1. Page 1, by striking lines 16 and 17 and inserting
 6 in lieu thereof the following: "of ~~two~~ twenty thousand
 7 dollars"."

A non-record roll call was requested.

The ayes were 54, nays 18.

Amendment H—6005 was adopted.

On motion by Sturgeon of Woodbury, the House concurred in the Senate amendment H—5907, as amended.

Sturgeon of Woodbury 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. 2172)

The ayes were, 93:

| | | | |
|------------------|-----------|-----------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Brånstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | 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 | Harbor |
| Haverland | Hermann | Hoffmann-Bright | Holveck |
| Hughes | Hummel | Jay | Jochum |
| Kaapp | Koenigs | Krewson | Lageschulte |
| Lloyd-Jones | Loneragan | McIntee | McKean |
| Meake | Miller | Muhlbauer | Mullins |
| Norland | O'Kane | Ollie | Osterberg |

| | | | |
|-------------|-----------|------------|------------|
| Oxley | Parker | Paulin | Pavich |
| Peick | Pellett | Poney | Renaud |
| Rensink | Rosenberg | Royer | Running |
| Schnekloth | 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, 4:

| | | | |
|---------|--------|--------|-----------|
| Doderer | Hanson | Renken | Schroeder |
|---------|--------|--------|-----------|

Absent or not voting, 3:

| | | |
|----------|---------|-------|
| Groninga | Maulsby | Tabor |
|----------|---------|-------|

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 2219**, a bill for an act to provide that an eligible elector residing in a precinct may register to vote at the polling place on election day, and the Senate amendment H—5860 (found on page 1564 of the House Journal).

Schroeder of Pottawattamie offered the following amendment H—6040, to the Senate amendment H—5860, filed by him:

H—6040

- 1 Amend amendment H—5860 to House File 2219 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. By striking lines 8 through line 17.

Schroeder of Pottawattamie asked for unanimous consent to temporarily defer action on House File 2219.

Objection was raised.

Schroeder of Pottawattamie moved the adoption of amendment H—6040, to the Senate amendment H—5860.

Roll call was requested by Schroeder of Pottawattamie and Bennett of Ida.

On the question "Shall amendment H—6040, to the Senate amendment H—5860, be adopted?"

The ayes were, 44:

| | | | |
|-----------------|------------|----------|------------------|
| Anderson | Bennett | Branstad | Carpenter |
| Carter | Clark | Corey | Daggett |
| De Groot | Diemer | Grandia | Halvorson, R. A. |
| Handorf | Hanson | Harbor | Hermann |
| Hoffmann-Bright | Hummel | Jay | Krewson |
| Lageschulte | McIntee | McKearff | Menke |
| Muhlbauer | Mullins | Paulin | Pellett |
| Renken | Rensink | Royer | Schneklath |
| Schroeder | Shoultz | Stromer | Stueland |
| Swearingen | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | Woods |

The nays were, 52:

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

Absent or not voting, 4:

| | | | |
|--------|----------|---------|-------|
| Davitt | Groninga | Maulsby | Tabor |
|--------|----------|---------|-------|

Amendment H — 6040 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Tabor of Jackson, for the remainder of the day, on request of Parker of Jasper.

Chiodo of Polk in the chair at 5:18 p.m.

Schroeder of Pottawattamie asked for unanimous consent to defer action on House File 2219.

Objection was raised.

Schroeder of Pottawattamie moved that action on House File 2219 be deferred and that the bill retain its place on the calendar.

A non-record roll call was requested.

The ayes were 43, nays 52.

The motion to defer lost.

Arnould of Scott moved that the House concur in the Senate amendment H—5860.

A non-record roll call was requested.

The ayes were 54, nays 37.

The motion prevailed and the House concurred in the Senate amendment H—5860.

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. 2219)

The ayes were, 59:

| | | | |
|-------------|-----------|-------------|------------------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carter | Chapman | 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 |
| Oxley | Parker | Pavich | Peick |
| Poncy | Renaud | Rosenberg | Running |
| Sherzan | Shoultz | Skow | Spear |
| Sturgeon | Sullivan | Swartz | Varn |
| Woods | Zimmerman | Mr. Speaker | |
| | | (Chiodo) | |

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 | McIntee |
| 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, 2:

Maulsby Tabor

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

Miller of Woodbury called up for consideration **House File 2272**, a bill for an act to authorize certain motor trucks and motor homes to tow a four-wheeled trailer with a steering axle and more than one trailer or semitrailer or both, subject to penalties provided by law, amended by the Senate, and moved that the House concur in the following Senate amendment H-5969:

H-5969

- 1 Amend House File 2272 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 6, by inserting after the word
- 4 "home," the following: "multipurpose vehicle."

The motion prevailed and the House concurred in the Senate amendment H-5969.

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. 2272)

The ayes were, 96:

| | | | |
|-----------|------------------|------------------|-------------------------|
| Anderson | Arnould | Avenson | 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 | McIntee | Menke | Miller |
| Muhlbaer | Mullins | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poncy | Renaud | Renken | Rensink |
| Rosenberg | Royer | Running | Schneklath |
| Schroeder | Sherzan | Shultz | Skow |
| Spear | Stromer | Stueland | Sturgeon |
| Sullivan | Swartz | Swearingen | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Varn | Woods | Zimmerman | Mr. Speaker (Chiodo) |

The nays were, 2:

McKean Welden

Absent or not voting, 2:

Maulsby Tabor

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

Running of Linn called up for consideration **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, amended by the Senate, and moved that the House concur in the following Senate amendment H—5913:

H—5913

- 1 Amend House File 4 as passed by the House, as
- 2 follows:

- 3 1. Page 1, by striking lines 2 through 15 and
 4 inserting in lieu thereof the following: "is amended
 5 by striking the paragraph and inserting in lieu thereof
 6 the following:
 7 a. For a transfer of property made in the transfer
 8 records, five dollars for each separate platted lot
 9 and five dollars for each separate parcel of contiguous
 10 land lying within one unplatted section and described
 11 in one instrument of transfer. However, the fee shall
 12 not exceed fifty dollars for a transfer of platted
 13 or unplatted property which is described in one
 14 instrument of transfer and which is contiguous or
 15 separated only by a public street or highway."
 16 2. Amend the title, lines 1 and 2, by striking
 17 the words "the definition of a parcel of land in
 18 relation to".

The motion prevailed and the House concurred in the Senate amendment H-5913.

Running 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. 4)

The ayes were, 95:

| | | | |
|-----------|------------------|------------------|-------------|
| Anderson | Arnould | Avenson | 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 |
| Loergeran | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Oxley | Parker |
| Paulin | Peich | Peick | Pellett |
| Poocy | Renaud | Renken | Rensink |
| Rosenberg | Royer | Running | Schneklath |
| Schroeder | Shultz | Skow | Spear |

| | | | |
|------------|------------|-------------------------|----------|
| Stromer | Stueland | Sturgeon | Sullivan |
| Swartz | Swearingen | Tofte | Torrence |
| Van Gerpen | Van Maanen | Varn | Welden |
| Woods | Zimmerman | Mr. Speaker (Chiodo) | |

The nays were, none.

Absent or not voting, 5:

| | | | |
|----------|-----------|---------|-------|
| Maulsby | Osterberg | Sherzan | Tabor |
| Van Camp | | | |

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

Osterberg of Linn called up for consideration **House File 2471**, a bill for an act creating a hazardous waste remedial fund and providing for the cleanup of hazardous conditions and the management and cleanup of abandoned or uncontrolled hazardous waste disposal sites, amended by the Senate amendment H—5983 as follows:

H—5983

- 1 Amend House File 2471 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 17, by inserting after the word
- 4 "submit" the words "within thirty days of the
- 5 department's request".
- 6 2. Page 3, line 18, by striking the word
- 7 "limitatins" and inserting in lieu thereof the word
- 8 "limitations".
- 9 3. Page 4, by inserting after line 6 the following:
- 10 "3A. There is no liability under this section
- 11 for a person otherwise liable if all of the following
- 12 conditions exist:
- 13 a. The liability arises during the transportation
- 14 of a hazardous substance.
- 15 b. The fact that the hazardous substance is a
- 16 hazardous substance has been misrepresented to the
- 17 person transporting the hazardous substance.
- 18 c. The person transporting the hazardous substance
- 19 does not know or have reason to know that the
- 20 misrepresentation has been made."
- 21 4. Page 4, line 7, by striking the figure "3"
- 22 and inserting in lieu thereof the figure "4".
- 23 5. Page 4, line 11, by striking the figure "4"
- 24 and inserting in lieu thereof the figure "5".
- 25 6. Page 8, by inserting after line 16 the

26 following:

27 "e. A hazardous waste which due to its intrinsic
28 physical, chemical or biological composition degrades,
29 decomposes or changes physical characteristics so
30 as to be rendered or considered nonhazardous without
31 any form of external mechanical, physical or chemical
32 treatment being introduced. However, such change
33 to a nonhazardous nature must occur within twenty-
34 four hours of the generation of the hazardous waste
35 before the exemption granted in this paragraph is
36 applicable."

37 7. Page 10, line 5, by inserting after the word
38 "director" the words "in cooperation with the state
39 department of health".

40 8. Page 10, line 19, by inserting after the word
41 "director" the words ", in cooperation with the state
42 department of health on matters relating to public
43 health,".

44 9. Page 14, by striking lines 15 and 16 and
45 inserting in lieu thereof the following: "2, shall
46 not begin to accrue until July 1, 1985."

Clark of Cerro Gordo offered the following amendment H-6065, to the Senate amendment H-5983, filed by her and moved its adoption:

H-6065

1 Amend H-5983, the Senate amendment to House File
2 2471 as amended, passed and reprinted by the House as
3 follows:

4 1. Page 1, by inserting after line 24, the following:
5 " . Page 7, line 34, by striking the word "facility."
6 and inserting in lieu thereof the following: "facility in
7 Iowa." "

Amendment H-6065 was adopted.

Van Camp of Scott offered amendment H-6046, to the Senate amendment H-5983, filed by him and requested division as follows:

H-6046

1 Amend Senate amendment H-5983 to House File 2471
2 as amended, passed and reprinted by the House, as
3 follows:

H-6046A

- 4 1. Page 1, by striking lines 30 through 32 and
- 5 inserting in lieu thereof the following: "as to be
- 6 rendered or considered nonhazardous. However, such
- 7 change".

H-6046B

- 8 2. Page 1, line 44, by striking the word and
- 9 figure "and 16" and inserting in lieu thereof the
- 10 word and figure "through 22".

Connors of Polk in the chair at 5:52 p.m.

On motion by Van Camp of Scott, amendment H-6046A lost.

Osterberg of Linn offered the following amendment H-6078, to the Senate amendment H-5983, filed by him and moved its adoption:

H-6078

- 1 Amend the Senate amendment H-5983 to House File
- 2 2471 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by inserting after line 36 the
- 5 following:
- 6 " Page 8, by striking lines 18 and 19 and
- 7 inserting in lieu thereof the following: "department
- 8 on an annual basis. Fees are due on April 15 for
- 9 the previous calendar year." "
- 10 2. Page 1, line 44, by striking the word and
- 11 figure "and 16" and inserting in lieu thereof the
- 12 word and figure "through 22".

Amendment H-6078 was adopted, placing out of order amendment H-6046B.

On motion by Osterberg of Linn, the House concurred in the Senate amendment H-5983, as amended.

Osterberg of Linn 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. 2471)

The ayes were, 84:

| | | | |
|----------|------------------|------------------|--------------------------|
| Anderson | Arnould | Avenson | Baxter |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Cooper | Copenhaver | Corey |
| 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 | Krewson | Lageschulte | Lloyd-Jones |
| Lonergan | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker- | Paulin | Pavich | Peick |
| Poocy | Renaud | Rosenberg | Royer |
| Running | Schroeder | Sherzan | Shultz |
| Skow | Stromer | Stueland | Sturgeon |
| Swartz | Tofte | Van Camp | Van Gerpen |
| Varn | Woods | Zimmerman | Mr. Speaker (Connors) |

The nays were, 13:

| | | | |
|---------|----------|----------|------------|
| Bennett | Daggett | De Groot | Grandia |
| Pellet | Renken | Rensink | Schnekloth |
| Spear | Sullivan | Torrence | Van Maanen |
| Welden | | | |

Absent or not voting, 3:

| | | |
|---------|------------|-------|
| Maulsby | Swearingen | Tabor |
|---------|------------|-------|

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

Sherzan of Polk called up for consideration House File 2247, a bill for an act relating to the reimbursement of law enforcement officer training costs incurred by cities or counties, amended by the Senate amendment H-6032 as follows:

H-6032

- 1 Amend House File 2247 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting in lieu thereof the following:
- 4 "Section 1. NEW SECTION. REIMBURSEMENT OF TRAINING

5 COST. If a political subdivision of the state hires
 6 a law enforcement officer from another political
 7 subdivision of the state, the hiring political
 8 subdivision shall reimburse the former employer
 9 political subdivision for the necessary and actual
 10 expenses incurred by the former employer political
 11 subdivision in training the law enforcement officer.
 12 Necessary and actual expenses incurred by the former
 13 employer political subdivision means the salary paid
 14 to the officer while the officer was in attendance
 15 at the Iowa law enforcement academy and the cost of
 16 tuition, lodging, meals, and travel expenses paid
 17 by the former employer political subdivision for
 18 training the officer. Reimbursement shall be made
 19 by the hiring political subdivision as follows:

20 1. If the law enforcement officer was employed
 21 for one year or less after training was completed,
 22 the hiring political subdivision shall reimburse the
 23 former employer political subdivision for ninety-five
 24 percent of the necessary and actual expenses incurred
 25 by the former employer political subdivision in
 26 training the officer. The former employer political
 27 subdivision shall provide verification of the necessary
 28 and actual expenses incurred.

29 2. For each subsequent year, the law enforcement
 30 officer was employed by the former employer political
 31 subdivision the rate of reimbursement required shall
 32 be reduced by ten percent.

33 3. Reimbursement is not required from the hiring
 34 political subdivision if the law enforcement officer
 35 was employed by the former employer political
 36 subdivision for four years or more following the law
 37 enforcement officer's completion of training at the
 38 Iowa law enforcement academy.

39 Sec. 2. Section 80B.11, Code 1983, is amended
 40 by adding the following new subsection:

41 **NEW SUBSECTION. 6.** Provide minimum basic training
 42 instruction to an applicant who is otherwise qualified
 43 for employment as a law enforcement officer and is
 44 recommended by a city. The cost of the training shall
 45 be paid by the applicant.

46 Sec. 3. **NEW SECTION. 362.11 EMPLOYMENT OF LAW**
 47 **ENFORCEMENT OFFICERS.** A city may provide for the
 48 employment of law enforcement officers after the
 49 officers have completed a minimum basic law enforcement
 50 training course approved by the Iowa law enforcement

Page 2

1 academy council under chapter 80B."

2 2. Amend the title, by striking lines 1 and 2

3 and inserting in lieu thereof the following: "An

- 4 Act relating to the employment and training of law
- 5 enforcement officers and providing for the
- 6 reimbursement of training costs by cities."

Van Camp of Scott offered the following amendment H—6099, to the Senate amendment H—6032, filed from the floor by Van Camp, Pavich, Gronstal, Anderson, Knapp, Chapman, Tofte, Torrence, Grandia, Gruhn, Carter, Running, Royer, Renaud, Muhlbauer, Peick, Woods and Ollie:

H—6099

- 1 Amend amendment H—6032, the Senate amendment to
- 2 House File 2247 as amended, passed and reprinted by
- 3 the House as follows:
- 4 1. Page 1, line 45, by inserting after the word
- 5 "applicant." the following: "The requirements of
- 6 subsection 2 and this subsection shall not apply to
- 7 a person who is employed by a city as a law enforcement
- 8 officer before March 1, 1984 and who is fifty-five
- 9 years of age or older."

Norland of Worth asked and received unanimous consent that House File 2247 be deferred and that the bill retain its place on the calendar.

(Amendment H—6099, to the Senate amendment H—6032, pending.)

MOTION TO RECONSIDER PREVAILED
(House File 2516)

Halvorson of Clayton called up for consideration the motion to reconsider House File 2516, filed on April 3, 1984, and moved to reconsider the vote by which House File 2516, a bill for an act to provide funding for the removal or encapsulation of asbestos by school districts, passed the House and was placed on its last reading on April 3, 1984.

A non-record roll call was requested.

The ayes were 84, nays 4.

The motion prevailed and the House reconsidered House File 2516.

Groth of Buena Vista offered the following amendment H—6098 filed from the floor by Groth, Daggett, Varn, Stromer and Halvorson of Clayton and moved its adoption:

H—6098

1 Amend House File 2516 as follows:

2 1. Page 1, by inserting after line 6 the following:

3 "Sec. . NEW SECTION. 279.44 OPTIONAL FUNDING

4 OF ASBESTOS REMOVAL OR ENCAPSULATION. The board of

5 directors may submit for determination by the qualified

6 electors of the school district at a regular school

7 election held in September, 1984 or at a special

8 election held not later than February 15, 1985, which

9 of the following methods shall be used to fund the
10 removal or encapsulation project:

11 1. The board of directors shall pay the cost of
12 removal or encapsulation of asbestos by the method
13 specified in section 279.43.

14 2. The board of directors shall pay the actual
15 cost of removal or encapsulation of asbestos existing
16 in its school buildings by certification of a
17 combination of an enrichment property tax and a school
18 district income surtax as provided in section 442.14.
19 The combination of taxes shall be certified and levied
20 as provided in sections 442.14 through 442.20, but
21 the amount of funding shall not exceed the actual
22 cost of removal or encapsulation of the existing
23 asbestos or the maximum amount which may be raised
24 by the levy of the combination of the taxes for the
25 three school years beginning July 1, 1985, July 1,
26 1986, and July 1, 1987 as determined under section
27 442.14, subsections 3 and 4, whichever amount is less.
28 The amount raised under this paragraph is in addition
29 to any additional enrichment amount raised as provided
30 in sections 442.14 through 442.20 for other programs."

31 2. Page 1, line 10, by inserting after the figure
32 "279.43" the following: "or 279.44".

33 3. By renumbering sections.

Amendment H—6098 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. 2516)

The ayes were, 97:

| | | | |
|--------------------------|------------------|------------------|-------------|
| 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 |
| Lobergan | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poney | Renaud | Renken | Rensink |
| Rosenberg | Royer | Running | Schneklath |
| Schroeder | Sherzan | Shultz | 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, none.

Absent or not voting, 3:

| | | |
|--------|--------|-------|
| Mausby | O'Kane | Tabor |
|--------|--------|-------|

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

MOTIONS TO RECONSIDER

(Senate Amendment. H—6035 to House File 558)

I move to reconsider the vote by which the House refused to concur in the Senate amendment H—6035, as amended, to House File 558 on April 4, 1984.

RUNNING of Linn

(House File 2183)

I move to reconsider the vote by which House File 2183 passed the House on April 4, 1984.

VAN CAMP of Scott

(House File 2189)

I move to reconsider the vote by which House File 2189 passed the House on April 4, 1984.

SWARTZ of Marshall

(House File 2436)

I move to reconsider the vote by which House File 2436 passed the House on April 4, 1984.

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 April 4, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2392, a bill for an act relating to the psychological testing of law enforcement, corrections, parole, and probation officers and community correctional service workers.

Also: That the Senate has on April 4, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2510, a bill for an act relating to the definition and taxation of real property within a self-supported municipal improvement district.

Also: That the Senate has on April 4, 1984, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 309, a bill for an act relating to the distance a person without an operator's license may move a farm tractor or implement of husbandry to farmland for conducting farm operations.

Also: That the Senate has on April 4, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2007, a bill for an act authorizing the board of supervisors to waive the payment of penalty and interest on delinquent property taxes for reasons of severe economic conditions.

Also: That the Senate has on April 4, 1984, 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 2220, a bill for an act relating to financial institutions by allowing savings and loan associations, savings banks and credit unions to accept public funds.

Also: That the Senate has on April 4, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2318, a bill for an act relating to the computation of interest on overpayments arising from the carryback of a net operating loss or net capital loss for individual and corporate income and franchise tax purposes.

Also: That the Senate has on April 4, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2319, a bill for an act to repeal the sales and use tax on newsprint and ink.

Also: That the Senate has on April 4, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2323, a bill for an act relating to the state inheritance tax by changing the due date of the tax and making technical corrections.

Also: That the Senate has on April 4, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2327, a bill for an act relating to what constitutes discounts on transactions occurring between January 1, 1978 and July 1, 1984, involving farm equipment for purposes of the state sales, services, and use tax, relating to refunds, and providing retroactive effect.

K. MARIE THAYER, Secretary

STUDY BILL COMMITTEE ASSIGNMENT

S. B. 799 Ways and Means

Relating to the taxation of vulcanizing, recapping, and retreading under the state sales, services, and use tax.

PRESENTATION OF VISITORS

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

Thirty twelfth grade students from Newell Providence Junior-Senior High School, Newell, accompanied by Phillip Casey. By Groth of Buena Vista.

Ninety high school students from Johnston High School, Johnston, accompanied by Dave Pitz. By Haverland of Polk.

Thirty-six tenth grade students from Urbandale High School, Urbandale, accompanied by Rhonda Fey. By Krewson of Polk.

Forty-three seventh grade students from Manson Junior High School, Manson, accompanied by Gary Mays and Mike Jepson. By Maulsby of Calhoun.

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 agencies, institutions, commissions, departments, and boards responsible for education programs for this state.

Fiscal Note is not required.

Recommended Amend and Do Pass April 3, 1984.

COMMITTEE ON FINANCE

House File 2519, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs for this state.

Fiscal Note is not required.

Recommended Do Pass April 4, 1984.

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| | | |
|--------|-----------|---|
| H-6105 | H.F. 2436 | Hammond of Story Zimmerman of Dallas |
| H-6106 | H.F. 2518 | Baxter of Des Moines |

On motion by Norland of Worth, the House adjourned at 6:13 p.m., until 9:00 a.m., Thursday, April 5, 1984.

JOURNAL OF THE HOUSE

Eighty-eighth Calendar Day—Sixtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 5, 1984

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

Prayer was offered by Reverend Jeff Schaefer, pastor of the Bethlehem Lutheran Church, Cherokee.

The Journal of Wednesday, April 4, 1984 was approved.

PETITION FILED

The following petition was received and placed on file:

By Maulsby of Calhoun, a resolution adopted by the Calhoun County Board of Supervisors, urging the General Assembly to continue state assumption of costs related to the operation of the courts on the timetable now established by law.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills, for the morning session, on request of Pavich of Pottawattamie; Tabor of Jackson, until his arrival, on request of Running of Linn; Connors of Polk, until his arrival, on request of Lonergan of Boone.

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 3, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 176, a bill for an act relating to the allocation of funds of regional libraries.

Also: That the Senate has on April 3, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 253, a bill for an act relating to qualifications for and exemptions from juror service.

Also: That the Senate has on April 3, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 414, a bill for an act relating to insurance coverage for mental health services provided by certain licensed psychologists.

Also: That the Senate has on April 3, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2035, a bill for an act relating to the requirement that the court personally address a defendant when a plea of guilty to a serious misdemeanor is entered by, or on behalf of, a defendant.

Also: That the Senate has on April 3, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2132, a bill for an act relating to intestate succession with respect to the share of the surviving spouse and limitations on inheritance by remote heirs.

Also: That the Senate has on April 3, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2235, a bill for an act relating to the penalties for operating a motor vehicle when the operator's license has been suspended or revoked.

Also: That the Senate has on April 3, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2247, a bill for an act relating to the crimes of unauthorized access, computer damage, and computer theft and providing penalties.

Also: That the Senate has on April 3, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2257, a bill for an act relating to the ownership of joint transmission facilities.

Also: That the Senate has on April 3, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2269, a bill for an act limiting the amount charged employed county prisoners for meals.

Also: That the Senate has on April 3, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2270, a bill for an act relating to the crime victim reparation program's application to victims of a person operating a motor vehicle while under the influence of alcohol or a drug.

Also: That the Senate has on April 3, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2317, a bill for an act relating to the purchase of Iowa coal by state and local government institutions.

K. MARIE THAYER, Secretary

SENATE MESSAGES CONSIDERED

Senate File 2007, by Priebe, a bill for an act authorizing the board of supervisors to waive the payment of penalty and interest on delinquent property taxes for reasons of severe economic conditions.

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

Senate File 2318, by committee on ways and means, a bill for an act relating to the computation of interest on overpayments arising from the carryback of a net operating loss or net capital loss for individual and corporate income and franchise tax purposes.

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

Senate File 2319, by committee on ways and means, a bill for an act to repeal the sales and use tax on newsprint and ink.

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

Senate File 2323, by committee on ways and means, a bill for an act relating to the state inheritance tax by changing the due date of the tax, providing for monthly interest, providing for a period of limitations for assessments and refunds, requiring recording to give a lien preference after a release of the lien is issued, taxing gifts made within three years of death, and making technical corrections.

Read first time and **passed on file**.

Senate File 2327, by committee on ways and means, a bill for an act relating to what constitutes discounts on transactions occurring between January 1, 1978 and July 1, 1984 involving farm equipment

for purposes of the state sales, services, and use tax, relating to refunds, and providing retroactive effect.

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

ADOPTION OF HOUSE MEMORIAL RESOLUTION 103

O'Kane of Woodbury offered the following House Memorial Resolution 103 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 103

Whereas, The Honorable James W. Burke of Woodbury County, Iowa, who was a member of the Sixty-first General Assembly, passed away March 25, 1983; *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 O'Kane of Woodbury, Sturgeon of Woodbury and Miller of Woodbury.

HOUSE REFUSED TO CONCUR

The House resumed consideration of **House File 2247**, a bill for an act relating to the reimbursement of law enforcement officer training costs incurred by cities or counties, and amendment H-6099 (found on page 1667 of the House Journal), to the Senate amendment H-6032, (found on pages 1665 through 1667 of the House Journal) deferred on April 4, 1984.

On motion by Van Camp of Scott, amendment H-6099 was adopted.

On motion by Sherzan of Polk, the House refused to concur in the Senate amendment H-6032, as amended.

SENATE AMENDMENTS CONSIDERED

Sturgeon of Woodbury called up for consideration **House File 2062**, a bill for an act providing for a moratorium on certain disconnections of gas and electricity by regulated public utilities from November 1 to April 1 for residents age sixty or over and making civil penalties applicable, amended by the Senate, and moved that the House concur in the following Senate amendment H-6050:

H-6050

1 Amend House File 2062 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 1, by striking lines 24 through 26 and
4 inserting in lieu thereof the following: "by law,
5 and who has been certified to the public utility by
6 the local agency which is administering the low income
7 home energy assistance program and weatherization
8 assistance program as being eligible for either the
9 low income home energy assistance program or
10 weatherization assistance program, and that if such
11 a resident resides within the serviced residence,
12 the customer should promptly have the qualifying
13 resident notify the local agency which is administering
14 the low income home energy assistance program and
15 weatherization assistance program. The commerce
16 commission".

17 2. Page 2, by striking lines 2 through 14, and
18 inserting in lieu thereof the following: "section
19 476.51, Code Supplement 1983.

20 A qualified applicant for the low income home
21 energy assistance program or the weatherization
22 assistance program who is also a "head of household",
23 as defined in section 422.4, subsection 11, shall
24 be promptly certified by the local agency administering
25 the applicant's program to the applicant's public
26 utility that the resident is a "head of household"
27 as defined in section 422.4, subsection 11, and is
28 qualified for the low income home energy assistance
29 program or weatherization assistance program.
30 Notwithstanding subsection 1, a public utility
31 furnishing gas or electricity shall not disconnect
32 service from November 1 through April 1 to a residence
33 which has a resident that has been certified under
34 this paragraph."

35 3. Title page, line 3, by striking the words
36 "residents age sixty or over" and inserting in lieu
37 thereof the words "certain residents".

The motion prevailed and the House concurred in the Senate amendment H-6050.

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.

On the question "Shall the bill pass?" (H.F. 2062)

The ayes were, 75:

| | | | |
|-------------|-------------|-------------|------------------|
| Arnould | Baxter | Black | Brammer |
| Buhr | Carl | Carpenter | Chapman |
| Chiodo | Clark | Cochran | Connolly |
| Cooper | Copenhagen | De Groot | Diemer |
| Doderer | Fey | Fogarty | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. N. |
| Hammond | Handorf | Hanson | Haverland |
| Holveck | Hughes | Hummel | Jay |
| Jochum | Knapp | Koenigs | Krewson |
| Lageschulte | Lloyd-Jones | Loneragan | McIntee |
| McKean | Menke | Miller | Muhlbauer |
| Mullins | Norland | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Pavich |
| Peick | Poncy | Renaud | Rosenberg |
| Running | Schroeder | Sherzan | Shoultz |
| Skow | Spear | Stromer | Sturgeon |
| Sullivan | Swartz | Swearingen | Tofte |
| Van Camp | Van Gerpen | Van Maanen | Varn |
| Woods | Zimmerman | Mr. Speaker | |

The nays were, 21:

| | | | |
|------------------|------------|-----------------|----------|
| Anderson | Bennett | Blanshan | Branstad |
| Carter | Corey | Daggett | Grandia |
| Halvorson, R. A. | Hermann | Hoffmann-Bright | Maulsby |
| Paulin | Pellett | Renken | Rensink |
| Royer | Schnekloth | Stueland | Torrence |
| Welden | | | |

Absent or not voting, 4:

| | | | |
|---------|--------|--------|-------|
| Connors | Davitt | Harbor | Tabor |
|---------|--------|--------|-------|

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

Gronstal of Pottawattamie called up for consideration **House File 2068**, a bill for an act requiring certain public utilities to include in each of their ads a listing of the percentage of the ad's expenses which are to be charged to customers and the percentages which are to be charged to the stockholders, amended by the Senate, and moved that the House concur in the following Senate amendment H-6051:

H-6051

- 1 Amend House File 2068, as amended, passed, and
- 2 reprinted by the House as follows:

3 1. Page 1, by striking lines 6 through 11 and
 4 inserting in lieu thereof the following:
 5 "public by a public utility which is to be charged
 6 to the customers of the public utility and which is
 7 not required by the commerce commission or by other
 8 state or federal regulation shall include a statement
 9 in the ad that the costs of the ad are being charged
 10 to the customers of the public utility. This paragraph
 11 does not apply to a".

The motion prevailed and the House concurred in the Senate amendment H-6051.

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. 2068)

The ayes were, 70:

| | | | |
|------------------|-------------|-----------|------------------|
| Anderson | Arnould | Baxter | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carter | Chapman | Chiodo | Clark |
| Cochran | Connolly | Cooper | De Groot |
| Doderer | Fey | Fogarty | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. A. |
| Halvorson, R. N. | Hammond | 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 | Pavich | Peick | Poncy |
| Renaud | Rosenberg | Royer | Running |
| Schroeder | Shoultz | Skow | Spear |
| Sturgeon | Sullivan | Swartz | Swearingen |
| Van Camp | Van Maanen | Varn | Woods |
| Zimmerman | Mr. Speaker | | |

The nays were, 24:

| | | | |
|---------|-----------------|------------|----------|
| Bennett | Branstad | Carpenter | Corey |
| Daggett | Diemer | Grandia | Handorf |
| Hermann | Hoffmann-Bright | Hummel | Maulsby |
| Menke | Paulin | Pellett | Renken |
| Rensink | Schneklath | Stromer | Stueland |
| Tofte | Torrence | Van Gerpen | Welden |

Absent or not voting, 6:

| | | | |
|---------|------------|--------|--------|
| Connors | Copenhaver | Davitt | Harbor |
| Sherzan | Tabor | | |

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

Rosenberg of Story called up for consideration **House File 2334**, a bill for an act relating to the definition of burglary and attempted burglary, amended by the Senate, and moved that the House concur in the following Senate amendment H—6073:

H—6073

- 1 Amend House File 2334 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 11, by striking the words "this
- 4 chapter" and inserting in lieu thereof the word and
- 5 figure "chapter 713".

The motion prevailed and the House concurred in the Senate amendment H—6073.

Rosenberg of Story 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. 2334)

The ayes were, 93:

| | | | |
|-----------------|------------------|------------------|-----------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Buhr |
| Carl | Carpenter | Carter | Chapman |
| Chiodo | Clark | Cochran | Connolly |
| 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 |
| Jay | Jochum | Knapp | Koenigs |
| Krewson | Lageschulte | Lloyd-Jones | Loneragan |
| McIntee | McKean | Menke | Miller |
| Muhlbauer | Mullins | Norland | O'Kane |

| | | | |
|-------------|-----------|------------|------------|
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poney | 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 |
| Varn | Welden | Woods | Zimmerman |
| Mr. Speaker | | | |

The nays were, 4:

| | | | |
|----------|---------|---------|------------|
| Branstad | Grandia | Maulsby | Van Maanen |
|----------|---------|---------|------------|

Absent or not voting, 3:

| | | |
|---------|--------|--------|
| Connors | Davitt | Harbor |
|---------|--------|--------|

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

Muhlbauer of Crawford called up for consideration **House File 2180**, a bill for an act relating to vehicle requirements by allowing a county treasurer to transfer title by operation of law in the county of the new owner's residence, allowing a county treasurer to issue, under certain circumstances, a restricted certificate of title to a person who was issued a junking certificate, and making odometer statement requirements affect model years after the eleventh year prior to the current registration year, amended by the Senate amendment H-6052 as follows:

H-6052

- 1 Amend House File 2180 as amended, passed and re-
- 2 printed by the House as follows:
- 3 1. By striking page 2, line 14 through page 3, line 8.

Muhlbauer of Crawford offered the following amendment H-6107, to the Senate amendment H-6052, filed by him from the floor and moved its adoption:

H-6107

- 1 Amend amendment H-6052, the Senate amendment to
- 2 House File 2180, as amended, passed and reprinted by
- 3 the House as follows:
- 4 1. Page 1, by inserting after line 3, the

- 5 following:
 6 " Title page, by striking lines 3 through 6,
 7 and inserting in lieu thereof the following: "county
 8 of the new owner's residence, and making odometer".

Amendment H—6107 was adopted.

On motion by Muhlbauer of Crawford, the House concurred in the Senate amendment H—6052, as amended.

Muhlbauer of Crawford 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. 2180)

The ayes were, 96:

| | | | |
|------------|-----------------|------------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Cooper | Copenhaver | Corey |
| Daggett | De Groot | Diemer | Doderer |
| Fey | Fogarty | Grandia | 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 |
| Loneragan | 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 | Schneklath | 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:

| | | | |
|---------|--------|----------|--------|
| Connors | Davitt | Groninga | Harbor |
|---------|--------|----------|--------|

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

Zimmerman of Dallas called up for consideration **House File 2110**, a bill for an act relating to the regulation of radiation machines and radioactive materials and providing a civil penalty for violations, amended by the Senate, and moved that the House concur in the following Senate amendment H—6074:

H—6074

1 Amend House File 2110 as passed by the House as
2 follows:

3 1. By striking page 5, line 16 through page 6,
4 line 8.

5 2. Page 6, by inserting after line 8 the following:

6 "Sec. 10. Chapter 136C, Code 1983, is amended

7 by adding the following new section:

8 **NEW SECTION. 136C.15 QUALIFIED OPERATORS—DISPLAY**
9 **OF CREDENTIALS.**

10 1. A person, other than a licensed professional,
11 shall not operate equipment or use materials for
12 medical treatment or diagnostic purposes unless that
13 person has completed a course of instruction approved
14 by the department or has otherwise met the minimum
15 training established by the department.

16 2. A person, other than a licensed professional,
17 who operates equipment or uses materials for medical
18 treatment or diagnostic purposes shall display the
19 credentials which indicate that person's qualification
20 to operate equipment or use materials in the immediate
21 vicinity of the equipment or where the materials are
22 stored. A person who owns or controls the equipment
23 or materials is also responsible for the proper display
24 of credentials of those who operate the equipment
25 or use the materials and shall not employ a person
26 to operate equipment or use materials for medical
27 treatment or diagnostic purposes except as provided
28 in this section."

29 2. Page 7, by inserting after line 2 the following:

30 "Licensed professional" means a person licensed
31 or otherwise authorized by law to practice medicine,
32 osteopathy, podiatry, chiropractic, dentistry, dental
33 hygiene, or veterinary medicine."

The motion prevailed and the House concurred in the Senate amendment H—6074.

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

On the question "Shall the bill pass?" (H.F. 2110)

The ayes were, 93:

| | | | |
|-----------------|------------------|------------------|------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carpenter | Carter | Chapman |
| Chiodo | Clark | Cochran | Connolly |
| Cooper | Copenhaver | Corey | Daggett |
| 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 | Hummel |
| Jay | Jochum | Knapp | Koenigs |
| Krewson | Lageschulte | Lloyd-Jones | Lonerган |
| 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 | Swartz | Swearingen | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Varn | Weiden | Woods | Zimmerman |
| Mr. Speaker | | | |

The nays were, 1:

Muhlbauer

Absent or not voting, 6:

| | | | |
|--------|---------|--------|-------|
| Carl | Connors | Davitt | Gruhn |
| Harbor | Tabor | | |

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

HOUSE REFUSED TO CONCUR

Rosenberg of Story called up for consideration **House File 595**, a bill for an act relating to the deferring of judgment or deferring of sentence of a person previously convicted of a felony, amended by the Senate, and moved that the House concur in the following Senate amendment H-5963:

H-5963

- 1 Amend House File 595 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 8, by striking the words
- 4 "misdemeanor or" and inserting in lieu thereof the
- 5 word "misdemeanor.".
- 6 2. Page 1, by striking lines 9 and 10.

The motion lost, and the House refused to concur in the Senate amendment H-5963.

SENATE AMENDMENT CONSIDERED

Clark of Cerro Gordo called up for consideration **House File 2373**, a bill for an act relating to attorney fees in proceedings to enforce or modify orders or decrees relating to dissolution of marriage, amended by the Senate amendment H-5958 as follows:

H-5958

- 1 Amend House File 2373 as passed by the House as
- 2 follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting in lieu thereof the following:
- 5 "Section 1. Section 598.23, Code 1983, is amended
- 6 to read as follows:
- 7 **598.23 CONTEMPT PROCEEDINGS - ALTERNATIVE**
- 8 **ALTERNATIVES TO JAIL SENTENCE.**
- 9 1. If any party a person against whom any a
- 10 temporary order or final decree has been entered shall
- 11 willfully disobey the same, or secrete his property,
- 12 he disobeys the order or decree, the person may be
- 13 cited and punished by the court for contempt and be
- 14 committed to the county jail for a period of time
- 15 not to exceed thirty days for each offense.
- 16 2. The court may, as an alternative to punishment
- 17 for contempt, make an order directing which, according
- 18 to the subject matter of the order or decree involved,
- 19 does the following:
- 20 a. Directs the defaulting party to assign, trust
- 21 income or a sufficient amount in salary or wages due,
- 22 or to become due in the future, from an employer or
- 23 successor employers, to the clerk of the court where
- 24 the order or judgment was granted for the purpose
- 25 of paying the sums in default as well as those to
- 26 be made in the future. Where the assignment is of
- 27 salary or wages due, the amount assigned shall not
- 28 exceed the amount set forth in 15 U.S.C. s. 1673b

29 (Supp. 1979) and the assignment order shall be binding
 30 upon the employer only for those amounts that represent
 31 child support and only upon receipt by the employer
 32 of a copy of the order, signed by the employee. For
 33 each payment deducted in compliance with such request,
 34 the payor may deduct a sum not exceeding one dollar
 35 as a reimbursement for costs. Compliance by a payor
 36 with the court's order shall operate as a discharge
 37 of his or her the employer's liability to the payee
 38 as to the affected portion of the payee's wages, or
 39 trust income. Any employer who dismisses an employee
 40 due to the entry of an assignment order commits a
 41 simple misdemeanor.

42 b. Modifying visitation to compensate for lost
 43 visitation time or establishing joint custody for
 44 the child or transferring custody.

45 Sec. 2. Section 598.24, Code 1983, is amended
 46 by striking the section and inserting in lieu thereof
 47 the following:

48 598.24 ENFORCEMENT OF DECREE. When an action
 49 for a modification, order to show cause, or contempt
 50 of a dissolution, annulment, or separate maintenance

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1 decree is brought on the grounds that a party to the
 2 decree is in default or contempt of the decree, and
 3 the court determines that the party is in default
 4 or contempt of the decree, the costs of the proceeding,
 5 including reasonable attorney's fees, may be taxed
 6 against that party."

7 2. Title page, by striking lines 1 through 3,
 8 and inserting in lieu thereof the following: "An
 9 Act relating to actions to enforce the terms of a
 10 dissolution, annulment, or separate maintenance decree
 11 and providing a penalty."

Lloyd-Jones of Johnson offered the following amendment
 H-6009, to the Senate amendment H-5958, filed by her and
 moved its adoption:

H-6009

1 Amend the Senate amendment H-5958 to House File
 2 2373 as passed by the House as follows:

3 1. Page 1, by striking lines 3 through 50 and
 4 inserting in lieu thereof the following:

5 "1. By striking everything after the enacting
 6 clause and inserting in lieu thereof the following:

7 "Section 1. NEW SECTION. 598.36 ATTORNEY FEES

- 8 IN PROCEEDING TO MODIFY ORDER OR DECREE. In a
 9 proceeding for the modification of an order or decree
 10 under this chapter the court may award attorney fees
 11 to the prevailing party in an amount deemed reasonable
 12 by the court."
 13 2. Title page, lines 1 and 2, by striking the
 14 words "enforce or".
 15 2. Page 2, by striking lines 1 through 11.

Amendment H—6009 was adopted.

On motion by Clark of Cerro Gordo, the House concurred in the Senate amendment H—5958, as amended.

Clark of Cerro Gordo 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. 2373)

The ayes were, 96:

| | | | |
|------------------|-----------------|-------------|------------------|
| Anderson | Arnould | Baxter | 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 | Hanson | Haverland |
| Hermann | Hoffmann-Bright | Hqlveck | Hughes |
| Hummel | Jay | Jochum | Knapp |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Loneragan | 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 | Schneklloth | 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:

Bennett

Connors

Handorf

Harbor

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 9:55 a.m., until the fall of the gavel.

The House resumed session at 11:32 a.m., Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Branstad of Winnebago, until his return, on request of Stromer of Hancock.

On motion by Norland of Worth, the House was recessed at 11:33 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILL

House File 2520, 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**.

CONSIDERATION OF BILLS

Ways and Means Calendar

Senate File 2330, a bill for an act relating to the financing of state government by providing for a reduction in general fund appropriations through reallocation of general fund financial aid to merged area schools, by reducing or eliminating certain capital

appropriations for the fiscal year beginning July 1, 1983, by updating references to the Internal Revenue Code for individual and corporate income, franchise tax, and inheritance tax purposes with coordinating amendments, by imposing an additional income tax of two percent on the amount of taxable income exceeding thirty thousand dollars for the tax year beginning after December 31, 1983 subject to certain limitations, by restructuring the fee for operator's and chauffeur's licenses, by providing for the creation of an Iowa economic emergency fund including its funding, by providing for the payment of one-half of the additional personal property tax credit in the fiscal year beginning July 1, 1984, by imposing the sales and use tax on beverages, electronic repair and installation, and rental of tangible personal property, and making certain provisions of the Act retroactive, with reports of committees recommending amendment and passage was taken up for consideration.

Doderer of Johnson offered the following amendment H-6024 filed by the committee on ways and means:

H-6024

1 Amend Senate File 2330, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 7, by inserting after line 28 the following
 4 new sections:
 5 "Sec. . There is appropriated from the general
 6 fund of the state to the following state agencies
 7 for the fiscal year beginning July 1, 1984 and ending
 8 June 30, 1985, the following amounts, or so much
 9 thereof as may be necessary, to be used in the manner
 10 designated:

| | 1984-1985 |
|--|--------------------|
| | <u>Fiscal Year</u> |
| 11 | |
| 12 | |
| 13 1. DEPARTMENT OF GENERAL SERVICES | |
| 14 a. For emergency major repairs or | |
| 15 replacements of equipment, roofs or | |
| 16 windows | \$ 25,000 |
| 17 b. For repair of the roof of the | |
| 18 vehicle dispatcher building and the | |
| 19 repair of the roof of the micrographics | |
| 20 building | \$ 90,000 |
| 21 c. For the installation of indi- | |
| 22 vidual water heaters in capitol com- | |
| 23 plex buildings | \$ 61,600 |
| 24 d. For replacement of the incan- | |
| 25 descent lamps in the upper portions of | |
| 26 the capitol | \$ 5,250 |

| | | | |
|----|--|----|--------|
| 27 | e. For automation of the north | | |
| 28 | capitol elevator | \$ | 13,500 |
| 29 | 2. IOWA STATE HISTORICAL DEPART- | | |
| 30 | MENT | | |
| 31 | a. For repair of the roof and | | |
| 32 | dome of the state historical build- | | |
| 33 | ing | \$ | 80,000 |
| 34 | b. For construction of a handi- | | |
| 35 | capped entrance to the centennial | | |
| 36 | building in Iowa City | \$ | 13,000 |
| 37 | c. For the renovation of restroom | | |
| 38 | and drinking facilities in the state | | |
| 39 | historical building to make them ac- | | |
| 40 | cessible to handicappd persons | \$ | 10,000 |
| 41 | d. For construction of a handi- | | |
| 42 | capped entrance ramp to the state | | |
| 43 | historical building | \$ | 5,000 |
| 44 | 3. STATE CONSERVATION COMMISSION | | |
| 45 | a. For Swan lake restoration | \$ | 95,000 |
| 46 | b. For construction, replacement, | | |
| 47 | development and alterations to state | | |
| 48 | parks and preserves, state forest | | |
| 49 | facilities and state waters including | | |
| 50 | artificial lake development; shoreline | | |

Page 2

| | | | |
|----|---|----|---------|
| 1 | erosion and siltation control; river, | | |
| 2 | stream and lake access; and engineer- | | |
| 3 | ing and planning services or to sup- | | |
| 4 | plement any prior appropriation for | | |
| 5 | such purposes | \$ | 581,500 |
| 6 | 4. TREASURER OF STATE | | |
| 7 | For the purchase of an investment | | |
| 8 | machine and system | \$ | 100,000 |
| 9 | Unobligated or unencumbered funds appropriated | | |
| 10 | by this section for the fiscal year beginning July | | |
| 11 | 1, 1984 and ending June 30, 1985 remaining on June | | |
| 12 | 30, 1985 shall revert to the general fund of the state | | |
| 13 | on June 30, 1985. | | |
| 14 | Sec. There is appropriated from the road | | |
| 15 | use tax fund to the department of public safety for | | |
| 16 | the fiscal year beginning July 1, 1984 and ending | | |
| 17 | June 30, 1985, the following amount, or so much thereof | | |
| 18 | as is necessary, to be used for funding the following | | |
| 19 | functions and programs for the purposes designated: | | |
| 20 | For salaries, support, mainte- | | |
| 21 | nance, and miscellaneous purposes | | |
| 22 | of the division of highway safety | | |
| 23 | and uniformed force including the | | |
| 24 | state's contribution to the peace | | |
| 25 | officers' retirement, accident, | | |

26 and disability system provided in
 27 chapter 97A in the amount of six-
 28 teen percent of the salaries for
 29 which the funds are appropriated \$ 16,747,000"

30 2. Page 8, line 20, by inserting after the period
 31 the words "However, the balance in the Iowa economic
 32 emergency fund may be used in determining the cash
 33 position of the general fund of the state for the
 34 payment of state obligations."

35 3. Page 11, line 8, by inserting after the period
 36 the words "However, the deduction shall be computed
 37 as provided under section 170 (i) of the Internal
 38 Revenue Code of 1954 as applied to tax year 1984."

39 4. Page 13, by striking lines 16 through 26 and
 40 inserting in lieu thereof the following new sections:

41 "Sec. . Chapter 307, Code 1983, is amended
 42 by adding the following new section:

43 **NEW SECTION. 307.36 ODOMETER LAW ENFORCEMENT.**

44 The department shall investigate and prosecute
 45 violators of the state and federal odometer law.
 46 The department shall refer available evidence
 47 concerning a possible violation of section 321.71
 48 or the federal odometer law or a rule or order issued
 49 under section 321.71 or the federal odometer law to
 50 the attorney general. The attorney general, with

Page 3

1 or without the referral, may institute appropriate
 2 criminal proceedings or may direct the case to the
 3 appropriate county attorney to institute appropriate
 4 criminal proceedings. The attorney general may use
 5 those funds available to the department for this
 6 purpose and law enforcement agencies may be reimbursed
 7 for expenses incurred in the enforcement of the state
 8 and federal odometer laws with the approval of the
 9 attorney general and concurrence by the department.

10 Sec. . Section 312.2, Code Supplement 1983,
 11 is amended by adding the following new subsection:

12 **NEW SUBSECTION. 16.** The treasurer of state,
 13 before making the allotments provided for in this
 14 section, shall credit annually to the state department
 15 of transportation from the road use tax fund an amount
 16 equal to twenty-five cents on each title issuance
 17 for state and federal odometer law enforcement
 18 purposes. This subsection is effective for the fiscal
 19 period beginning July 1, 1984 and ending June 30,
 20 1989.

21 Sec. . Section 312.2, Code Supplement 1983,
 22 is amended by adding the following new subsection:

23 **NEW SUBSECTION. 17.** The treasurer of state,
 24 before making the allotments provided for in this

25 section, shall credit annually to the state department
26 of transportation from the road use tax fund the sum
27 of three million seven hundred thousand (3,700,000)
28 dollars to fund the operation and administration
29 of the driver's license program within the state
30 department of transportation.

31 Sec. . Section 321.20, unnumbered paragraph
32 1, Code 1983, is amended to read as follows:

33 Except as provided in this chapter, every owner
34 of a vehicle subject to registration shall make
35 application to the county treasurer, of the county
36 of the owner's residence, or if a nonresident, to
37 the county treasurer of the county where the primary
38 users of the vehicle are located, for the registration
39 and issuance of a certificate of title for the vehicle
40 upon the appropriate form furnished by the department,
41 accompanied by a fee of ~~two~~ ten dollars, and every
42 application shall bear the signature of the owner
43 written with pen and ink. However, a nonresident
44 owner of two or more vehicles subject to registration
45 may make application for registration and issuance
46 of a certificate of title for all vehicles subject
47 to registration to the county treasurer of the county
48 where the primary user of any of the vehicles is
49 located. The owner of a mobile home shall make
50 application for a certificate of title under this

Page 4

1 section. The application shall contain:

2 Sec. . Section 321.23, subsections 1 and 4,
3 Code Supplement 1983, are amended to read as follows:

4 1. If the vehicle to be registered is a specially
5 constructed, reconstructed, remanufactured or foreign
6 vehicle, such fact shall be stated in the application.
7 A fee of ~~two~~ ten dollars shall be paid by the person
8 making the application upon issuance of a certificate
9 of title by the county treasurer. With reference
10 to every specially constructed or reconstructed motor
11 vehicle subject to registration the application shall
12 be accompanied by a statement from the department
13 authorizing the motor vehicle to be titled and
14 registered in this state. The department shall cause
15 a physical inspection to be made of all specially
16 constructed or reconstructed motor vehicles, upon
17 application for a certificate of title by the owner,
18 to determine whether the motor vehicle is in a safe
19 operating condition and that the integral component
20 parts are properly identified and that the rightful
21 ownership is established before issuing the owner
22 the authority to have the motor vehicle registered
23 and titled. With reference to every foreign vehicle

24 which has been registered outside of this state the
25 owner shall surrender to the treasurer all registration
26 plates, registration cards, and certificates of title,
27 or, if vehicle to be registered is from a nontitle
28 state, the evidence of foreign registration and
29 ownership as may be prescribed by the department
30 except as provided in subsection 2.

31 4. Any vehicle which does not meet the equipment
32 requirements of this chapter due to the particular
33 use for which it is designed or intended, may be
34 registered by the department upon payment of
35 appropriate fees and after inspection and certification
36 by the department that the vehicle is not in an unsafe
37 condition and will not endanger any person. A person
38 is not required to have a certificate of title to
39 register a vehicle under this subsection. If the
40 owner elects to have a certificate of title issued
41 for the vehicle, a fee of ~~two~~ ten dollars shall be
42 paid by the person making the application upon issuance
43 of a certificate of title. If the department's
44 inspection reveals that that vehicle may be safely
45 operated only under certain conditions or on certain
46 types of roadways, the department may restrict the
47 registration to limit operation of the vehicle to
48 the appropriate conditions or roadways. This
49 subsection shall not apply to snowmobiles as defined
50 in section 321G.1. Section 321.382 does not apply

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1 to a vehicle registered under this subsection which
2 is operated exclusively by a handicapped person who
3 has obtained a special identification device as
4 provided in section 601E.6, providing the special
5 identification device is carried in the vehicle and
6 shown to any peace officer on request.

7 Sec. . Section 321.42, unnumbered paragraph
8 2, Code 1983, is amended to read as follows:

9 If a certificate of title is lost or destroyed,
10 the owner or lienholder shall apply for a certified
11 copy of the original certificate of title. The
12 application shall be made to the department or county
13 treasurer who issued the original certificate of
14 title. The application shall be signed by the owner
15 or lienholder and accompanied by a fee of five ten
16 dollars. After five days, the department or county
17 treasurer shall issue a certified copy to the applicant
18 at the applicant's most recent address. The certified
19 copy shall be clearly marked "duplicate" and shall
20 be identical to the original, including notation of
21 ~~and~~ and encumbrances. When a certified copy has
22 been issued, the previous certificate is void. A

23 new purchaser or transferee is entitled to receive
24 an original title upon presenting the assigned
25 duplicate copy to the treasurer of the county where
26 ~~he or she~~ the new purchaser or transferee resides.
27 At the time of purchase, a purchaser may require the
28 seller to indemnify the purchaser and all future
29 purchasers of the vehicle against any loss which may
30 be suffered due to claims on the original certificate.
31 A person recovering an original certificate of title
32 for which a duplicate has been issued shall surrender
33 the original certificate to the county treasurer or
34 the department.

35 Sec. . . Section 321.46, subsection 2, Code
36 Supplement 1983, is amended to read as follows:

37 2. Upon filing the application for a new
38 registration and a new title, the applicant shall
39 pay a title fee of ~~two~~ ten dollars and a registration
40 fee prorated for the remaining unexpired months of
41 the registration year. The county treasurer, if
42 satisfied of the genuineness and regularity of the
43 application, and in the case of a mobile home, that
44 taxes are not owing under chapter 135D, and that
45 applicant has complied with all the requirements of
46 this chapter, shall issue a new certificate of title
47 and, except for a mobile home, a registration card
48 to the purchaser or transferee, shall cancel the prior
49 registration for the vehicle, and shall forward the
50 necessary copies to the department on the date of

Page 6

1 issuance, as prescribed in section 321.24.

2 Sec. . . Section 321.47, unnumbered paragraph
3 1, Code 1983, is amended to read as follows:

4 In the event of the transfer of ownership of any
5 vehicle by operation of law as upon inheritance,
6 devise or bequest, order in bankruptcy, insolvency,
7 replevin, foreclosure or execution sale, or whenever
8 the engine of a motor vehicle is replaced by another
9 engine, or whenever a vehicle is sold to satisfy an
10 artisan's lien as provided in chapter 577, or is sold
11 to satisfy a landlord's lien as provided in chapter
12 570, or a storage lien as provided in chapter 579,
13 or repossession is had upon default in performance
14 of the terms of a security agreement, the treasurer
15 of the county in which the last certificate of title
16 to any such vehicle was issued, upon the surrender
17 of the prior certificate of title or the manufacturer's
18 or importer's certificate, or when that is not
19 possible, upon presentation of satisfactory proof
20 to the county treasurer of ownership and right of
21 possession to such vehicle and upon payment of a fee

22 of two ten dollars and the presentation of an
23 application for registration and certificate of title,
24 may issue to the applicant a registration card for
25 such vehicle and a certificate of title thereto.
26 The person or persons entitled under the laws of
27 descent and distribution of an intestate's property
28 to the possession and ownership of a vehicle owned
29 in whole or in part by a decedent, upon filing an
30 affidavit stating the name and date of death of the
31 decedent, the right to possession and ownership of
32 the persons filing said affidavit, and that there
33 has been no administration of the said decedent's
34 estate, which instrument shall also contain an
35 agreement to indemnify any creditors of the decedent
36 who would be entitled to levy execution upon said
37 motor vehicle to the extent of the value of said motor
38 vehicle, shall be entitled upon fulfilling the other
39 requirements of this chapter, to the issuance of a
40 registration card for the interest of the decedent
41 in such vehicle and a certificate of title thereto.
42 No requirement of either chapter 450 or 451 shall
43 be considered satisfied by the filing of the affidavit
44 provided for in this section. If, from the records
45 in the office of the county treasurer, there appear
46 to be any lien or liens on such vehicle, such
47 certificate of title shall contain a statement of
48 such liens unless the application is accompanied by
49 proper evidence of their satisfaction or extinction.
50 Evidence of extinction may consist of, but is not

Page 7

1 limited to, an affidavit of the applicant stating
2 that a security interest was foreclosed as provided
3 in Uniform Commercial Code, chapter 554, Article 9,
4 Part 5.
5 Sec. . Section 321.48, subsection 2, Code
6 Supplement 1983, is amended to read as follows:
7 2. Any foreign registered vehicle purchased or
8 otherwise acquired by a dealer for the purpose of
9 resale shall be issued a certificate of title ~~thereto~~
10 ~~for the vehicle~~ by the county treasurer of the dealer's
11 residence upon proper application ~~therefor~~ as provided
12 in this chapter and upon payment of a fee of two ten
13 dollars and ~~such~~ the dealer shall be exempt from the
14 payment of any and all registration fees for ~~such~~
15 ~~the vehicle~~. ~~Such~~ The application for certificate
16 of title shall be made within forty-eight hours after
17 ~~said the vehicle comes within the border of the state.~~
18 Sec. . Section 321.50, subsection 1, Code
19 Supplement 1983, is amended to read as follows:
20 1. A security interest in a vehicle subject to

21 registration under the laws of this state or a mobile
22 home, except trailers whose empty weight is two
23 thousand pounds or less, and except new or used
24 vehicles held by a dealer or manufacturer as inventory
25 for sale, is perfected by the delivery to the county
26 treasurer of the county where the certificate of title
27 was issued or, in the case of a new certificate, to
28 the county treasurer where the certificate will be
29 issued of an application for certificate of title
30 which lists the security interest, or an application
31 for notation of security interest signed by the owner,
32 or by one owner of a vehicle owned jointly by more
33 than one person, or a certificate of title from another
34 jurisdiction which shows the security interest, and
35 a fee of two five dollars for each security interest
36 shown. If the owner or secured party is in possession
37 of the certificate of title, it must also be delivered
38 at this time in order to perfect the security interest.
39 If a vehicle is subject to a security interest when
40 brought into this state, the validity of the security
41 interest and the date of perfection is determined
42 by section 554.9103. Delivery as provided in this
43 subsection is an indication of a security interest
44 on a certificate of title for purposes of chapter
45 554.

46 Sec. . Section 321.52, subsection 4, unnumbered
47 paragraph 1, Code 1983, is amended to read as follows:
48 A vehicle rebuilder or a motor vehicle dealer
49 licensed under chapter 322, upon acquisition of a
50 wrecked or salvage vehicle, shall surrender the

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1 certificate of title and registration receipt or
2 manufacturer's or importer's statement of origin
3 properly assigned, together with an application for
4 a salvage certificate of title to the county treasurer
5 of the county of residence of the purchaser or
6 transferee within fourteen days after the date of
7 assignment of the certificate of title for the wrecked
8 or salvage motor vehicle. This subsection applies
9 only to vehicles with a fair market value of five
10 hundred dollars or more, based on the value before
11 the vehicle became wrecked or salvage. Upon payment
12 of a fee of two dollars, the county treasurer shall
13 issue a salvage certificate of title which shall bear
14 the word "SALVAGE" stamped on the face of the title
15 in bold letters and coded in a manner prescribed by
16 the department. A salvage certificate of title may
17 be assigned to any person. Notwithstanding any other
18 provisions in this section a vehicle on which ownership
19 has transferred to an insurer of the vehicle, as a

20 result of a settlement with the owner of the vehicle
21 arising out of damage to, or unrecovered theft of
22 the vehicle, shall be deemed to be a wrecked or salvage
23 vehicle and the insurer shall comply with this
24 subsection to obtain a salvage certificate of title
25 within fourteen days after the date of assignment
26 of the certificate of title of the vehicle. Any
27 owner, except an insurer of vehicles, who transfers
28 a wrecked or salvage vehicle with a fair market value
29 less than five hundred dollars, based on the value
30 before it became wrecked or salvage, shall comply
31 with section 321.51.

32 Sec. . Section 321.71, subsection 11, Code
33 1983, is amended to read as follows:

34 11. Any person who violates the provisions of
35 this section shall be punished by a fine of not less
36 than four hundred dollars and not more than one
37 thousand dollars or by imprisonment in the county
38 jail for a period not to exceed ninety days, or
39 punished by both such fine and imprisonment is guilty
40 of an aggravated misdemeanor if the value of the motor
41 vehicle exceeds five hundred dollars or a serious
42 misdemeanor if the value of the motor vehicle is five
43 hundred dollars or less.

44 Sec. . Section 321.89, subsection 4, Code 1983,
45 is amended to read as follows:

46 4. AUCTION OF ABANDONED VEHICLES. If an abandoned
47 vehicle has not been reclaimed as provided for in
48 subsection 3, the police authority shall make a
49 determination as to whether or not the vehicle shall
50 be sold for use upon the highways. If it is to be

Page 9

1 sold as a vehicle for use upon the highways, it shall
2 first be inspected as required by section 321.238
3 and have a valid certificate of inspection affixed.
4 If the vehicle is not sold for use upon the highways,
5 it shall be sold for junk, or demolished and sold
6 as scrap or sold as provided in section 321.51 with
7 a restricted certificate of title and not for use
8 upon the highways. The police authority shall sell
9 the vehicle at public auction. Notwithstanding any
10 other provision of this section, any police authority,
11 which has taken into possession any abandoned vehicle
12 which lacks an engine or two or more wheels or other
13 another part which renders the vehicle totally
14 inoperable may dispose of the vehicle to a demolisher
15 for junk after complying with the notification
16 procedures enumerated in subsection 3 and without
17 public auction. The purchaser of the vehicle shall
18 ~~take~~ takes title free and clear of all liens and

19 claims of ownership, shall receive a sales receipt
20 from the police authority, and shall be ~~is~~ entitled
21 to register the vehicle and receive a certificate
22 of title if sold for use upon the highways or a
23 ~~restricted certificate of title~~. However, if the
24 vehicle is sold or disposed of to a demolisher for
25 junk, the sales receipt by itself shall be ~~is~~
26 sufficient title only for purposes of transferring
27 the vehicle to the demolisher for demolition, wrecking,
28 or dismantling and, when so transferred, no further
29 titling of the vehicle shall be ~~is~~ permitted. From
30 the proceeds of the sale of an abandoned vehicle the
31 police authority shall reimburse itself for the
32 expenses of the auction, the costs of towing,
33 preserving, and storing which resulted from placing
34 the abandoned vehicle in custody, all notice and
35 publication costs incurred pursuant to subsection
36 3, the cost of inspection, and any other costs incurred
37 except costs of bookkeeping and other administrative
38 costs. Any remainder from the proceeds of a sale
39 shall be held for the owner of the vehicle or entitled
40 lienholder for ninety days, and shall then be deposited
41 in the road use tax fund. The costs to police
42 authorities of auction, towing, preserving, storage,
43 and all notice and publication costs, ~~inspection costs~~
44 and all other costs which result from placing abandoned
45 vehicles in custody, whenever the proceeds from a
46 sale of the abandoned vehicles are insufficient to
47 meet these expenses and costs, shall be paid from
48 the road use tax fund.

49 Sec. . Section 321.109, subsection 1, Code
50 1983, is amended to read as follows:

Page 10

1 1. The annual fee for all motor vehicles including
2 vehicles designated by manufacturers as station wagons,
3 except motor trucks, motor homes, multipurpose
4 vehicles, ambulances, hearses, motorcycles, and motor
5 bicycles, shall be equal to one percent of the value
6 as fixed by the department plus forty cents for each
7 one hundred pounds or fraction thereof of weight of
8 vehicle, as fixed by the department. The weight of
9 a motor vehicle, fixed by the department for
10 registration purposes, shall include the weight of
11 a battery, heater, bumpers, spare tire, and wheel.
12 Provided, however, that for any new vehicle purchased
13 in this state by a nonresident for removal to the
14 nonresident's state of residence the purchaser may
15 make application to the county treasurer in the county
16 of purchase for a transit plate for which a fee of
17 five ten dollars shall be paid. And provided, however,

18 that for any used vehicle held by a registered dealer
19 and not currently registered in this state, or for
20 any vehicle held by an individual and currently
21 registered in this state, when purchased in this state
22 by a nonresident for removal to the nonresident's
23 state of residence, the purchaser may make application
24 to the county treasurer in the county of purchase
25 for a transit plate for which a fee of three dollars
26 shall be paid. The county treasurer shall issue a
27 nontransferable certificate of registration for which
28 no refund shall be allowed; and the transit plates
29 shall be void thirty days after issuance. Such
30 purchaser may apply for a certificate of title by
31 surrendering the manufacturer's or importer's
32 certificate or certificate of title, duly assigned
33 as provided in this chapter. In this event, the
34 treasurer in the county of purchase shall, when
35 satisfied with the genuineness and regularity of the
36 application, and upon payment of a fee of two ten
37 dollars; issue a certificate of title in the name
38 and address of such the nonresident purchaser
39 delivering the same to the person entitled thereto
40 to the title as provided in this chapter.

41 Sec. . Section 321.117, Code Supplement 1983,
42 is amended to read as follows:

43 **321.117 MOTORCYCLE, AMBULANCE, AND HEARSE FEES.**

44 For all motorcycles the annual fee shall be ten
45 fourteen dollars. For all motorized bicycles the
46 annual fee shall be five dollars. When the motorcycle
47 is more than five model years old, the annual
48 registration fee shall be five ten dollars. The
49 annual registration fee for ambulances and hearses
50 shall be fifty dollars. Passenger car plates shall

Page 11

1 be issued for ambulances and hearses.
2 Sec. . Section 321.119, Code 1983, is amended
3 to read as follows:
4 **321.119 CHURCH BUSES.** For motor vehicles designed
5 to carry nine passengers or more which are owned and
6 used exclusively by a church or religious organization
7 to transport passengers to and from activities of
8 or sponsored by the church or religious organization
9 and not operated for rent or hire for purposes
10 unrelated to the activities of the church or religious
11 organization, the annual fee shall be twenty-five
12 dollars. At the initial registration and at every
13 other annual registration thereafter, the county
14 treasurer shall not register a motor vehicle under
15 this section unless there is affixed to the motor
16 vehicle a valid certificate of inspection issued for

17 the motor vehicle within the last sixty days.
 18 Sec. . Section 321.123, unnumbered paragraph
 19 1, Code Supplement 1983, is amended to read as follows:
 20 All trailers except farm trailers and mobile homes,
 21 unless otherwise provided in this section, are subject
 22 to a registration fee of ~~four~~ six dollars for trailers
 23 with a gross weight of one thousand pounds or less
 24 and ten dollars for other trailers. Trailers for
 25 which the empty weight is two thousand pounds or less
 26 are exempt from the certificate of title and lien
 27 provisions of this chapter. Fees collected under
 28 this section shall not be reduced or prorated under
 29 chapter 328.

30 Sec. . Section 321.152, Code Supplement 1983,
 31 is amended by striking the section and inserting in
 32 lieu thereof the following:
 33 321.152 FEE FOR COUNTY. A county treasurer may
 34 retain for deposit in the county general fund the
 35 following:

36 1. Two point six percent of the total collection
 37 for each annual or semiannual vehicle registration
 38 and each duplicate registration card or plate issued.

39 2. Twenty percent of all fees collected for
 40 certificates of title.

41 3. Forty percent of all fees collected for
 42 certified copies of certificates of title.

43 4. Sixty percent of all fees collected for notation
 44 of security interests.

45 The moneys retained shall be deducted, and reported
 46 to the department when the county treasurer transfers
 47 the money collected under this chapter. However,
 48 a deduction is not lawful unless the county treasurer
 49 has complied with sections 321.24 and 321.153.

50 Sec. . Section 321.190, subsection 1, unnumbered

Page 12

1 paragraph 3, Code 1983, is amended to read as follows:

2 The fee for a nonoperator's identification card
 3 shall be ~~one dollar~~ five dollars and the card shall
 4 be valid for the purpose of identification for a
 5 period of four years from the date of issuance. A
 6 fee of ~~one dollar~~ five dollars shall be charged for
 7 the voluntary replacement of an identification card.

8 Sec. . Section 321.191, unnumbered paragraph
 9 1, Code 1983, is amended to read as follows:

10 The fee for an operator's license shall be five
 11 ten dollars if issued for a period of two years, and
 12 ten twenty dollars if issued for a period of four
 13 years. The fee for a chauffeur's license shall be
 14 ten twenty dollars if issued for a period of two
 15 years, and twenty forty dollars if issued for a period

16 of four years. The fee for an instruction permit
17 shall be ~~three six~~ dollars, for a chauffeur's
18 instruction permit, ~~six twelve~~ dollars, for a temporary
19 driver's permit, ~~five ten~~ dollars and for a motorized
20 bicycle license, ~~five ten~~ dollars.

21 Sec. . Section 321.192, Code 1983, is amended
22 to read as follows:

23 **321.192 DISPOSAL OF FEES.** ~~Such~~ The license fees
24 shall be forwarded by the department to the treasurer
25 of state who shall ~~place same in credit the fees to~~
26 the general road use tax fund of the state, provided
27 that for each operator's and motorized bicycle license
28 issued by a county sheriff for which a license fee
29 is paid, the sheriff issuing the ~~same~~ shall be entitled
30 to license may retain the sum of fifteen cents and
31 for each chauffeur's license, the sum of fifty cents,
32 which shall be credited to the county general fund.

33 Sec. . Section 321.492, Code 1983, is amended
34 by adding the following new unnumbered paragraphs:

35 **NEW UNNUMBERED PARAGRAPH.** All peace officers as
36 defined in section 801.4, subsection 7, paragraphs
37 "a", "c", and "h" may, having reasonable grounds that
38 equipment violations exist, conduct spot inspections.

39 **NEW UNNUMBERED PARAGRAPH.** The state department
40 of transportation may designate employees of the
41 transportation regulation and safety division of the
42 department to conduct spot inspections.

43 Sec. . Any inspection station which has a valid
44 inspection state permit may apply for a refund of
45 the unexpired portion of the permit fee. However,
46 a refund shall not be allowed on a claim of any amount
47 which is less than two dollars and fifty cents. All
48 applications for refund must be filed no more than
49 ninety days following the repeal of section 321.238.

50 Sec. . Section 331.557, Code 1983, is amended

Page 13

1 by striking subsection 3.

2 Sec. . Section 321.238, Code 1983, and section
3 321.51, Code Supplement 1983, are repealed.

4 Sec. . This division takes effect July 1
5 following enactment."

6 5. By striking page 13, line 27 through page 14,
7 line 19.

8 6. Page 16, line 13, by striking the figure "15"
9 and inserting in lieu thereof the figure "1".

10 7. Page 16, line 14, by striking the figure "15"
11 and inserting in lieu thereof the figure "1".

12 8. Amend the title by striking lines 6 through
13 20 and inserting in lieu thereof the words "July 1,
14 1983 and appropriating funds for capital projects

15 for the fiscal year beginning July 1, 1984, by updating
 16 references to the Internal Revenue Code for individual
 17 and corporate income tax, franchise tax, and
 18 inheritance tax purposes with coordinating amendments,
 19 by restructuring the fee for operator's and chauffeur's
 20 licenses, increasing certificate of title fees,
 21 duplicate title fees, trailer and motorized bicycle
 22 fees, including allocation of those fees to the road
 23 use tax fund and county treasurers, repealing mandatory
 24 vehicle inspections and providing for spot inspections,
 25 funding from the road use tax fund the driver's license
 26 program of the state department of transportation
 27 and the division of the highway safety and uniformed
 28 force of the department of public safety by providing
 29 for the creation of an Iowa economic emergency fund
 30 including its funding, by providing for the payment
 31 of one-half of the additional personal property tax
 32 credit in the fiscal year beginning July 1, 1984,
 33 by imposing the sales, service and use tax on
 34 beverages, electronic repair and installation and
 35 the rental of tangible personal property,"
 36 9. Renumber sections and correct internal
 37 references as necessary in accordance with this
 38 amendment.

Jochum of Dubuque offered amendment H—6062, to the committee amendment H—6024, filed by the committee on appropriations and moved its adoption. Division was requested as follows:

H—6062

1 Amend the Committee on Ways and Means amendment
 2 H—6024 to Senate File 2330 as amended, passed and
 3 reprinted by the Senate as follows:

H—6062A

4 1. Page 2, by inserting after line 13 the
 5 following:
 6 "Sec. . There is appropriated from the primary
 7 road fund to the general fund of the state for the
 8 fiscal year beginning July 1, 1983 and ending June
 9 30, 1984, the sum of three million six hundred forty-
 10 eight thousand eight hundred fifty-two (3,648,852)
 11 dollars to fund the operation and administration of
 12 the driver's license program within the state
 13 department of transportation.
 14 Sec. . There is appropriated from the road
 15 use tax fund to the general fund of the state for
 16 the fiscal year beginning July 1, 1984 and ending

17 June 30, 1985, the sum of three million seven hundred
18 thousand (3,700,000) dollars to fund the operation
19 and administration of the driver's license program
20 within the state department of transportation."

21 2. Page 2, by inserting after line 29 the
22 following:

23 " . Page 7, by striking lines 17 through 28." ✓

24 3. Page 3, by striking lines 21 through 30.

H-6062B

25 4. By striking page 7, line 46 through page 8,
26 line 31.

H-6062A

27 5. Page 10, line 46, by striking the word "five"
28 and inserting in lieu thereof the words "five seven".

H-6062B

29 6. Page 11, by striking lines 2 through 17.

H-6062A

30 7. Page 12, by striking lines 21 through 32 and
31 inserting in lieu thereof the following:
32 "Sec. . Section 321.192, Code Supplement 1983,
33 is amended to read as follows:
34 321.192 DISPOSAL OF FEES. The license fees shall
35 be forwarded by the department to the treasurer of
36 state who shall place them in credit the fees to the
37 general road use tax fund of the state. However,
38 for each operator's and motorized bicycle license
39 issued by a county sheriff for which a license fee
40 is paid, the sheriff issuing it may retain the sum
41 of fifteen cents and for each chauffeur's license,
42 the sum of fifty cents."

H-6062B

43 8. By striking page 12, line 43 through page 13,
44 line 3.

H-6062A

45 9. Page 13, by striking lines 23 and 24 and
46 inserting in lieu thereof the words "use tax fund
47 and county treasurers, providing for spot inspections
48 and odometer law enforcement,".

On motion by Jochum of Dubuque, the committee amendment H-6062A was adopted.

Doderer of Johnson asked and received unanimous consent to temporarily defer action on the committee amendment H-6062B.

Fogarty of Palo Alto in the chair at 2:00 p.m.

Van Camp of Scott offered the following amendment H-6090, to the committee amendment H-6024, filed by him:

H-6090

1 Amend the Committee on Ways and Means amendment
2 H-6024 to Senate File 2330 as amended, passed and
3 reprinted by the Senate as follows:
4 1. Page 6, by inserting after line 1 the following:
5 "Sec. . Section 321.46, subsection 3, unnumbered
6 paragraph 1, Code Supplement 1983, is amended to read
7 as follows:
8 3. The applicant shall be entitled to a credit
9 for that portion of the registration fee of the vehicle
10 sold, traded, or junked within the state which had
11 not expired prior to the transfer of ownership of
12 the vehicle. The registration fee for the new
13 registration for the vehicle acquired shall be reduced
14 by the amount of the credit. The credit shall be
15 computed on the basis of the number of months remaining
16 in the registration year, rounded to the nearest whole
17 dollar. The credit shall be subject to the following
18 limitations:"

Woods of Polk rose on a point of order that amendment H-6090 was not germane.

The Speaker ruled the point not well taken and amendment H-6090 germane.

Van Camp of Scott moved the adoption of amendment H-6090, to the committee amendment H-6024.

A non-record roll call was requested.

The ayes were 64, nays 21.

Amendment H-6090 was adopted.

Running of Linn offered the following amendment H-6119, to the committee amendment H-6024, filed from the floor by Running, Schroeder, Tabor and Fey:

H-6119

- 1 Amend the Committee on Ways and Means amendment
- 2 H-6024 to Senate File 2330 as amended, passed and
- 3 reprinted by the Senate as follows:
- 4 1. Page 8, by inserting after line 31 the
- 5 following:
- 6 "Sec. Section 321.60, Code 1983, is amended
- 7 to read as follows:
- 8 321.60 ISSUANCE OF SPECIAL PLATES. The department
- 9 shall also issue special plates as applied for, which
- 10 shall ~~have displayed~~ display the general distinguishing
- 11 number assigned to the applicant. Each plate so
- 12 issued shall also contain a number or symbol
- 13 identifying the ~~same plate and distinguishing it from~~
- 14 every other plate bearing the same general
- 15 distinguishing number. The fee for each special plate
- 16 shall be ~~ten~~ twenty dollars.
- 17 Special plates may be validated in the same manner
- 18 as regular registration plates under this chapter
- 19 at an annual fee of ~~ten~~ twenty dollars."

Lageschulte of Bremer rose on a point of order that amendment H-6119 was not germane.

The Speaker ruled the point not well taken and amendment H-6119 germane.

Running of Linn moved the adoption of amendment H-6119, to the committee amendment H-6024.

Amendment H-6119 was adopted.

Lageschulte of Bremer offered the following amendment H-6096, to the committee amendment H-6024, filed by him and moved its adoption:

H-6096

- 1 Amend the Committee on Ways and Means amendment
- 2 H-6024 to Senate File 2330 as amended, passed and
- 3 reprinted by the Senate as follows:
- 4 1. Page 11, by inserting after line 29 the
- 5 following:

6 "Sec. . Section 321.126, Code Supplement 1983,
 7 is amended by inserting after subsection 4 the
 8 following new subsection:
 9 **NEW SUBSECTION. 5.** If the motor vehicle is sold
 10 by the owner and after thirty days from the date of
 11 the sale, the owner has not received a credit under
 12 section 321.46, the owner may make application for
 13 a refund for the unexpired portion of the registration
 14 fee."

Roll call was requested by Lageschulte of Bremer and Stueland of Clinton.

On the question "Shall amendment H-6096, to the committee amendment H-6024, be adopted?"

The ayes were, 45:

| | | | |
|----------|-------------|------------------|------------|
| Anderson | Bennett | Black | Blanshan |
| Branstad | Buhr | Carl | Carpenter |
| Corey | Daggett | De Groot | Diemer |
| Grandia | Groninga | Halvorson, R. A. | Handorf |
| Hanson | Harbor | Hermann | Hummel |
| Krewson | Lageschulte | Loneragan | Maulsby |
| McIntee | McKean | Menke | Muhlbauer |
| Mullins | Ollie | Pellett | Renken |
| Rensink | Royer | Schneklath | Sherzan |
| Skow | Stueland | Swearingen | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Welden | | | |

The nays were, 49:

| | | | |
|--------------------------|------------------|-------------|-----------|
| Arnould | Baxter | Brammer | Carter |
| Chapman | Chiodo | Cochran | Connolly |
| Connors | Cooper | Copenhaver | Davitt |
| Doderer | Fey | Gronstal | Groth |
| Gruhn | Halvorson, R. N. | Hammond | Haverland |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Koenigs | Lloyd-Jones | Miller |
| O'Kane | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Poncy |
| Renaud | Rosenberg | Running | Shoultz |
| Spear | Sturgeon | Sullivan | Swartz |
| Tabor | Varn | Woods | Zimmerman |
| Mr. Speaker (Fogarty) | | | |

Absent or not voting, 6:

Avenson
Schroeder

Clark
Stromer

Hoffmann-Bright

Norland

Amendment H—6096 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Clark of Cerro Gordo, until her return, on request of Baxter of Des Moines.

Lageschulte of Bremer offered the following amendment H—6114, to the committee amendment H—6024, filed from the floor by him and Clark of Cerro Gordo and moved its adoption:

H—6114

1 Amend amendment H—6024 to Senate File 2330 as
2 amended, passed, and reprinted by the Senate as follows:
3 1. Page 12, by striking lines 10 through 20 and
4 inserting in lieu thereof the following:
5 "The fee for an operator's license shall be five
6 seven dollars fifty cents if issued for a period of two
7 years, and ~~ten~~ fifteen dollars if issued for a period
8 of four years. The fee for a chauffeur's license shall
9 be ~~ten~~ fifteen dollars if issued for a period of two
10 years, and twenty thirty dollars if issued for a period
11 of four years. The fee for an instruction permit shall
12 be ~~three four~~ dollars fifty cents, for a chauffeur's
13 instruction permit, ~~six nine~~ dollars, for a temporary
14 driver's permit, five seven dollars fifty cents and for
15 a motorized bicycle license, five seven dollars fifty cents."

Amendment H—6114 lost.

Connors of Polk asked and received unanimous consent to temporarily defer action on amendment H—6091, to the committee amendment H—6024.

Schroeder of Pottawattamie offered amendment H—6120, to the committee amendment H—6024, filed by him from the floor and requested division as follows:

H-6120

- 1 Amend the Committee on Ways and Means amendment
- 2 H-6024 to Senate File 2330 as amended, passed and
- 3 reprinted by the Senate as follows:

H-6120A

- 4 1. Page 2, by striking lines 14 through 29.

H-6120B

- 5 2. Page 12, by striking lines 21 through 32.

Schroeder of Pottawattamie moved the adoption of amendment H-6120A, to the committee amendment H-6024.

Roll call was requested by Schroeder of Pottawattamie and Corey of Louisa.

On the question "Shall amendment H-6120A, to the committee amendment H-6024, be adopted?"

The ayes were, 31:

| | | | |
|------------|-----------------|-------------|-----------|
| Anderson | Bennett | Branstad | Carpenter |
| Corey | Daggett | Grandia | Handorf |
| Hermann | Hoffmann-Bright | Lageschulte | Maulsby |
| McKean | Menke | Mullins | Paulin |
| Pellett | Renken | Rensink | Royer |
| Schroeder | Stromer | Stueland | Sullivan |
| Swearingen | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | |

The nays were, 63:

| | | | |
|------------------|-------------|------------|------------------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Buhr | Carl | Carter |
| Chapman | Chiodo | Cochran | Connolly |
| Connors | Cooper | Copenhaver | Davitt |
| Diemer | Doderer | Fey | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. A. |
| Halvorson, R. N. | Hammond | Hanson | Harbor |
| Haverland | Holveck | Hughes | Hummel |
| Jay | Jochum | Knapp | Koenigs |
| Krewson | Lloyd-Jones | Lonergan | Miller |
| Muhlbauer | O'Kane | Ollie | Osterberg |
| Oxley | Parker | Pavich | Peick |
| Poncy | Renaud | Rosenberg | Running |

| | | | |
|------------|-----------|--------------------------|------|
| Schneklath | Sherzan | Shoultz | Skow |
| Spear | Swartz | Tabor | Varn |
| Woods | Zimmerman | Mr. Speaker (Fogarty) | |

Absent or not voting, 6:

| | | | |
|---------|----------|----------|---------|
| Avenson | Clark | De Groot | McIntee |
| Norland | Sturgeon | | |

Amendment H—6120A lost.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—6120B.

Miller of Woodbury offered the following amendment H—6091 (temporarily deferred), to the committee amendment H—6024, filed by him and moved its adoption:

H—6091

- 1 Amend the Committee on Ways and Means amendment
- 2 H—6024 to Senate File 2330 as amended, passed and
- 3 reprinted by the Senate as follows:
- 4 1. Page 12, line 37, by inserting after the letter
- 5 " "a", " the following: " "b", ".

Amendment H—6091 was adopted.

Copenhaver of Buchanan offered amendment H—6125, to the committee amendment H—6024, filed by him from the floor and requested division as follows:

H—6125

- 1 Amend the Committee on Ways and Means amendment
- 2 H—6024 to Senate File 2330 as amended, passed and
- 3 reprinted by the Senate, as follows:

H—6125A

- 4 1. Page 12, by inserting after line 32 the
- 5 following:
- 6 "Sec. . Section 321.209, Code Supplement 1983,
- 7 is amended by adding the following new subsection:
- 8 NEW SUBSECTION. 9. Has been convicted of a
- 9 violation of section 321.381 for failure to comply
- 10 with equipment standards specified in section 321.394,
- 11 321.430 and 321.431, 321.436, 321.440, 321.449, or

12 321.450.

13 Sec. . Section 321.210, Code 1983, is amended
14 by striking unnumbered paragraph 6."

H-6125B

15 2. Page 12, by striking line 37 and inserting
16 in lieu thereof the words " "a", "b", "c", and "h"
17 may, having reasonable grounds that".

Doderer of Johnson asked and received unanimous consent to temporarily defer action on amendment H-6125A.

Welden of Hardin offered the following amendment H-6126, to the committee amendment H-6024, filed by him from the floor and moved its adoption:

H-6126

1 Amend the Committee on Ways and Means amendment
2 H-6024 to Senate File 2330 as amended, passed and
3 reprinted by the Senate as follows:
4 1. Page 2, by inserting after line 29 the
5 following:
6 "However, the unfunded liability of the
7 Peace Officers Retirement Accident and Disability
8 System, as of July 1, 1984, shall in no way be
9 considered a liability of the road use tax fund."

Amendment H-6126 was adopted.

Skow of Guthrie offered the following amendment H-6127, to the committee amendment H-6024, filed from the floor by Fogarty, Skow, Cochran, Gruhn, Woods, Knapp, Koenigs, Muhlbauer, Black, Carter, Pavich and Cooper:

H-6127

1 Amend the Committee on Ways and Means amendment
2 H-6024 to Senate File 2330 as amended, passed and
3 reprinted by the Senate as follows:
4 1. Page 3, by inserting after line 30 the
5 following:
6 "Sec. . NEW SECTION. 312.10 FUNDING PATROL
7 AND DRIVER'S LICENSE OPERATIONS. It is the intent
8 of the general assembly that in appropriating funds
9 to the department of public safety from the road use
10 tax fund for the operation of the division of highway
11 safety and uniformed division and to the state

12 department of transportation from the road use tax
 13 fund for the operation and administration of its
 14 driver's license program that in fiscal year beginning
 15 on or after July 1, 1985, and each succeeding fiscal
 16 year, that the general assembly shall appropriate
 17 not more than sixteen million seven hundred thousand
 18 dollars from the road use tax fund to the department
 19 of public safety for the operation of the highway
 20 safety and uniformed division and not more than three
 21 million seven hundred thousand dollars to the state
 22 department of transportation for the operation and
 23 administration of the driver's license program within
 24 the department. Any additional funds necessary for
 25 these functions shall be appropriated from the general
 26 fund of the state."

The following amendment H-6129, to amendment H-6127, to the committee amendment H-6024, filed by Osterberg of Linn from the floor, was adopted by unanimous consent:

H-6129

- 1 Amend amendment H-6127 to the Committee on Ways
- 2 and Means amendment H-6024 to Senate File 2330 as
- 3 amended, passed and reprinted by the Senate as follows:
- 4 1. Page 1, line 17, by inserting after the word
- 5 "hundred" the words "forty-seven".

Maulsby of Calhoun asked for unanimous consent to temporarily defer action on amendment H-6127.

Objection was raised.

Connors of Polk in the chair at 4:03 p.m.

Skow of Guthrie moved the adoption of amendment H-6127, as amended, to the committee amendment H-6024.

Roll call was requested by Skow of Guthrie and Koenigs of Mitchell.

On the question "Shall amendment H-6127, as amended, to the committee amendment H-6024, be adopted?"

The ayes were, 44:

Arnould
Blanshan

Avenson
Carl

Baxter
Cochran

Black
Connolly

| | | | |
|---------|---------|-----------|--------------------------|
| Cooper | Corey | Davitt | Fey |
| Fogarty | Groth | Gruhn | Halvorson, R. N. |
| Hughes | Hummel | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lloyd-Jones |
| McIntee | Menke | Miller | Muhlbauer |
| Norland | Ollie | Oxley | Parker |
| Pavich | Peick | Pellett | Renaud |
| Royer | Shultz | Sullivan | Swartz |
| Varn | Woods | Zimmerman | Mr. Speaker (Connors) |

The nays were, 53:

| | | | |
|-------------|------------|-----------------|------------------|
| Anderson | Bennett | Brammer | Buhr |
| Carpenter | Chapman | Chiodo | Copenhaver |
| Daggett | De Groot | Diemer | Doderer |
| Grandia | Groninga | Gronstal | Halvorson, R. A. |
| Hammond | Handorf | Hanson | Harbor |
| Haverland | Hermann | Hoffmann-Bright | Holveck |
| Lageschulte | Lonergan | Maulsby | McKean |
| Mullins | O'Kane | Osterberg | Paulin |
| Poncy | Renken | Rensink | Rosenberg |
| Running | Schneklath | Schroeder | Sherzan |
| Skow | Spear | Stromer | Stueland |
| Sturgeon | Swearingen | Tabor | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Welden | | | |

Absent or not voting, 3:

Branstad Carter Clark

Amendment H—6127, as amended, lost.

Arnould of Scott asked and received unanimous consent to resume consideration of amendment H—6125A, to the committee amendment H—6024.

The following amendment H—6132, to amendment H—6125A, to the committee amendment H—6024, filed by Copenhaver of Buchanan from the floor was adopted by unanimous consent:

H—6132

- 1 Amend amendment H—6125 to the Committee on Ways
- 2 and Means amendment H—6024 to Senate File 2330 as
- 3 amended, passed and reprinted by the Senate, as
- 4 follows:
- 5 1. Page 1, line 6, by striking the figure
- 6 "321.209" and inserting in lieu thereof the figure
- 7 "321.210".

On motion by Copenhaver of Buchanan, amendment H-6125A, as amended, lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Copenhaver of Buchanan, for the remainder of the day, on request of Fey of Scott.

Doderer of Johnson asked and received unanimous consent to withdraw amendment H-6125B, to the committee amendment H-6024.

Hoffmann-Bright of Muscatine offered the following amendment H-6128, to the committee amendment H-6024, filed by her from the floor and moved its adoption:

H-6128

- 1 Amend the Committee on Ways and Means amendment
- 2 H-6024 to Senate File 2330 as amended, passed and
- 3 reprinted by the Senate as follows:
- 4 1. Page 5, by inserting after line 6 the following:
- 5 "Sec. . . Section 321.37, Code 1983, is amended
- 6 by adding the following new unnumbered paragraph:
- 7 NEW UNNUMBERED PARAGRAPH. It is unlawful for the
- 8 owner of a vehicle to place any frame around or over
- 9 the registration plate which does not permit full
- 10 view of all numerals and letters printed on the
- 11 registration plate."

A non-record roll call was requested.

The ayes were 48, nays 14.

Amendment H-6128 was adopted.

Rosenberg of Story offered the following amendment H-6130, to the committee amendment H-6024, filed by him from the floor and moved its adoption:

H-6130

- 1 Amend the Committee on Ways and Means amendment
- 2 H-6024 to Senate File 2330, as amended, passed and

3 reprinted by the Senate as follows:

4 1. Page 8, by striking lines 39 through 43 and
5 inserting in lieu thereof the following: "~~punished~~
6 by both such fine and imprisonment commits a fraudulent
7 practice."

8 2. Page 13, by inserting after line 1 the
9 following:

10 "Sec. . Section 714.8, Code 1983, is amended
11 by adding the following new subsection:

12 NEW SUBSECTION. 13. Violates section 321.71.

13 Sec. . Section 714.10, Code 1983, is amended
14 by adding the following new subsection:

15 NEW SUBSECTION. A fraudulent practice as set forth
16 in section 714.8, subsection 13, where six or more
17 motor vehicles are involved.

18 Sec. . Section 714.11, Code 1983, is amended
19 by adding the following new subsection:

20 NEW SUBSECTION. A fraudulent practice as set forth
21 in section 714.8, subsection 13, where at least two
22 but not more than five motor vehicles are involved.

23 Sec. . Section 714.12, Code 1983, is amended
24 by striking the section and inserting in lieu thereof
25 the following:

26 714.12 FRAUDULENT PRACTICE IN THE FOURTH DEGREE.

27 Fraudulent practice in the fourth degree is the
28 following:

29 1. A fraudulent practice where the amount of money
30 or value of property or services involved exceeds
31 fifty dollars but does not exceed one hundred dollars.

32 2. A fraudulent practice as set forth in section
33 714.8, subsection 13, where only one motor vehicle
34 is involved.

35 Fraudulent practice in the fourth degree is a
36 serious misdemeanor."

Amendment H—6130 was adopted.

The House resumed consideration of the committee amendment H—6062B, to the committee amendment H—6024.

Jochum of Dubuque moved the adoption of the committee amendment H—6062B, to the committee amendment H—6024.

Roll call was requested by Hummel of Benton and Jochum of Dubuque.

Rule 76 was invoked.

On the question "Shall the committee amendment H—6062B, to the committee amendment H—6024, be adopted?"

The ayes were, 49:

| | | | |
|--------------------------|-----------|------------------|-----------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Branstad | Carl | Carpenter |
| Carter | Cooper | Corey | Daggett |
| Diemer | Fogarty | Grandia | Groninga |
| Gronstal | Groth | Halvorson, R. N. | Hammond |
| Handorf | Hanson | Harbor | Haverland |
| Hermann | Holveck | Hughes | Hummel |
| Jochum | Knapp | Krewson | Loneragan |
| Maulsby | McIntee | McKean | Muhlbauer |
| Mullins | Osterberg | Pellet | Royer |
| Running | Skow | Spear | Stueland |
| Sturgeon | Sullivan | Van Maanen | Welden |
| Mr. Speaker (Connors) | | | |

The nays were, 47:

| | | | |
|------------|------------------|-----------------|------------|
| Anderson | Bennett | Buhr | Chapman |
| Chiodo | Clark | Cochran | Connolly |
| Davitt | De Groot | Doderer | Fey |
| Gruhn | Halvorson, R. A. | Hoffmann-Bright | Jay |
| Koenigs | Lageschulte | Lloyd-Jones | Menke |
| Miller | O'Kane | Oxley | Parker |
| Paulin | Pavich | Peick | Poncy |
| Renaud | Renken | Rensink | Rosenberg |
| Schnekloth | Schroeder | Sherzan | Shoultz |
| Stromer | Swartz | Swearingen | Tabor |
| Tofte | Torrence | Van Camp | Van Gerpen |
| Varn | Woods | Zimmerman | |

Absent or not voting, 4:

| | | | |
|---------|------------|---------|-------|
| Avenson | Copenhaver | Norland | Ollie |
|---------|------------|---------|-------|

The committee amendment H-6062B was adopted.

Skow of Guthrie called up for consideration the motion to reconsider amendment H-6127 filed by him from the floor and moved to reconsider the vote by which amendment H-6127, as amended, to the committee amendment H-6024, failed to be adopted by the House on April 5, 1984.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 47, nays 50.

The motion lost.

Jay of Appanoose called up for consideration the motion to reconsider amendment H—6090 filed from the floor by him and Chapman of Linn and moved to reconsider the vote by which amendment H—6090, to the committee amendment H—6024, was adopted by the House on April 5, 1984.

Roll call was requested by Halvorson of Webster and Connolly of Dubuque.

Rule 76 was invoked.

On the question "Shall amendment H—6090, to the committee amendment H—6024, be reconsidered?"

The ayes were, 50:

| | | | |
|-----------|--------------------------|-------------|-----------|
| Arnould | Avenson | Blanshan | Brammer |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Cooper | Davitt | Doderer |
| Fey | 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 | Paulin |
| Pavich | Peick | Poney | Renaud |
| Rosenberg | Running | Sherzan | Shoultz |
| Sturgeon | Sullivan | Swartz | Tabor |
| Woods | Mr. Speaker (Connors) | | |

The nays were, 48:

| | | | |
|------------|------------|------------------|-----------------|
| Anderson | Baxter | Bennett | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Corey | Daggett | De Groot | Diemer |
| Fogarty | Grandia | Halvorson, R. A. | Handorf |
| Hanson | Harbor | Hermann | Hoffmann-Bright |
| Hummel | Krewson | Lageschulte | Loneran |
| Maulsby | McIntee | McKean | Menke |
| Mullins | Pellett | Renken | Rensink |
| Royer | Schnekloth | Schroeder | Skow |
| Spear | Stromer | Stueland | Swearingen |
| Tofte | Torrence | Van Camp | Van Gerpen |
| Van Maanen | Varn | Welden | Zimmerman |

Absent or not voting, 2:

Black

Copenhaver

The motion prevailed and the House reconsidered amendment H-6090.

Van Camp of Scott asked and received unanimous consent to temporarily defer action on amendment H-6090.

The motion to reconsider amendment H-6062B was called up for consideration.

Running of Linn asked and received unanimous consent to temporarily defer action on the motion to reconsider amendment H-6062B.

The House stood at ease at 5:33 p.m., until the fall of the gavel.

The House resumed consideration of the committee amendment H-6024, as amended, to Senate File 2330 at 5:37 p.m., Connors of Polk in the chair.

Norland of Worth asked and received unanimous consent to temporarily defer action on the committee amendment H-6024, as amended.

Connolly of Dubuque offered the following amendment H-6069 filed by the committee on finance and moved its adoption:

H-6069

- 1 Amend Senate File 2330 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 15, line 33, by inserting after the word
- 4 "machines" the words "and other candy products including gum".
- 5 and other candy products including gum".
- 6 2. Amend the title, line 19, by inserting after
- 7 the word "beverages," the word "candy,".

The committee amendment H-6069 lost.

The House resumed consideration of the ways and means committee amendment H-6024, as amended.

Speaker Avenson in the chair at 5:58 p.m.

Running of Linn called up for consideration the motion to reconsider amendment H-6062B, (temporarily deferred) filed by him from the floor and moved to reconsider the vote by which the committee amendment H-6062B, to the committee amendment H-6024, was adopted by the House on April 5, 1984.

(Motion to reconsider amendment H-6062B, to the committee amendment H-6024, to Senate File 2330 pending at adjournment.)

INTRODUCTION OF BILL

House File 2521, 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**.

MOTION TO RECONSIDER (House File 2324)

I move to reconsider the vote by which House File 2324 passed the House on April 4, 1984.

DODERER of Johnson

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Wednesday, April 4, 1984. Had I been present, I would have voted "aye" on House Files 4, 523, 2164, 2272, 2302, 2389, 2440, 2478, 2516 and "nay" on House Files 2172, 2183, 2219, 2436 and 2471.

MAULSBY of Calhoun

PRESENTATION OF VISITORS

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

Eleven talented and gifted seventh grade students from Charles City Junior High School, Charles City, accompanied by Rita Jensen. By Clark of Cerro Gordo.

Twenty-nine senior students from Bridgewater-Fontanelle Junior-Senior High School, Fontanelle, accompanied by Darrell Burmiester. By Hughes of Union and Skow of Guthrie.

Fifteen junior and senior students from Clearfield High School, Clearfield, accompanied by Diane Ware. By Daggett of Taylor.

Thirty-five tenth grade students from Urbandale High School, Urbandale, accompanied by Rhonda Fey. By Krewson of Polk.

Eleven seventh and eighth grade students from Peoria Christian School, Pella, accompanied by Glen Stryker. By Grandia of Marion.

Sixty students from Iowa Valley High School, Marengo, accompanied by Clive Clark. By Carl of Poweshiek.

COMMUNICATION RECEIVED

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

COMMISSION FOR THE BLIND

The Annual Report of the Iowa Commission for the Blind for the fiscal year ending June 30, 1983, pursuant to Section 601B, 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 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 4, 1984.

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 4, 1984.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 2517, a bill for an act to legalize proceedings by the city council of the city of Ryan, Iowa relating to the sale of certain property.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 1984.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 389), to provide that a county waterworks may be financed with general obligation bonds as an essential county purpose.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 4, 1984.

Committee Bill (Formerly Study Bill 797), relating to the disposition of unclaimed property.

Fiscal Note is required.

Recommended **Amend and Do Pass** April 4, 1984.

RESOLUTION FILED

HCR 119, by Holveck, Carpenter, Osterberg, Hanson, Hammond, Chiodo, McKean, Haverland, Hermann, Ollie, Van Camp, Doderer, Lloyd-Jones, Spear, Rosenberg, Clark, Halvorson of Webster, Krewson and Arnould, a concurrent resolution relating to refugees of the civil war in El Salvador.

Laid over under Rule 25.

AMENDMENTS FILED

| | | | |
|----------------------------|------|------|----------------------------|
| H-6108 | H.F. | 2491 | Schroeder of Pottawattamie |
| H-6109 | H.F. | 2401 | Sullivan of Van Buren |
| H-6110 | S.F. | 2330 | Welden of Hardin |
| H-6111 | S.F. | 2330 | Jochum of Dubuque |
| | | | Van Camp of Scott |
| | | | Halvorson of Clayton |
| | | | McKean of Jones |
| H-6112 | S.F. | 2330 | Harbor of Mills |
| Hermann of Scott | | | Grandia of Marion |
| Torrence of Muscatine | | | Van Camp of Scott |
| Krewson of Polk | | | Pellett of Cass |
| Mullins of Kossuth | | | Stueland of Clinton |
| Rensink of Sioux | | | Corey of Louisa |
| Royer of Page | | | Renken of Grundy |
| Paulin of Plymouth | | | Maulsby of Calhoun |
| Handorf of Marshall | | | Bennett of Ida |
| Halvorson of Clayton | | | Van Gerpen of Black Hawk |
| H-6113 | S.F. | 2330 | Stromer of Hancock |
| H-6115 | S.F. | 2330 | Stromer of Hancock |
| Van Camp of Scott | | | Mullins of Kossuth |
| Grandia of Marion | | | Torrence of Muscatine |
| Rensink of Sioux | | | Hermann of Scott |
| H-6116 | H.F. | 2518 | Bennett of Ida |
| H-6117 | H.F. | 2518 | McKean of Jones |
| Van Maanen of Mahaska | | | Baxter of Des Moines |
| Schroeder of Pottawattamie | | | Maulsby of Calhoun |
| Corey of Louisa | | | Branstad of Winnebago |
| Lageschulte of Bremer | | | Bennett of Ida |
| Daggett of Taylor | | | Stueland of Clinton |
| Grandia of Marion | | | Renken of Grundy |
| Halvorson of Clayton | | | Handorf of Marshall |
| H-6118 | S.F. | 2323 | Royer of Page |
| | | | Torrence of Muscatine |
| | | | Doderer of Johnson |
| | | | Schneklath of Scott |
| H-6121 | S.F. | 2330 | Groninga of Cerro Gordo |
| H-6122 | S.F. | 2330 | Stromer of Hancock |
| H-6124 | S.F. | 2271 | Jay of Appanoose |
| H-6131 | S.F. | 2330 | Schroeder of Pottawattamie |

| | | | |
|--------|------|------|--|
| H-6133 | H.F. | 2519 | Varn of Johnson Hughes of Union Blanshan of Greene |
| H-6134 | H.F. | 2519 | Varn of Johnson Hughes of Union |
| H-6135 | H.F. | 2519 | Varn of Johnson |
| H-6136 | S.F. | 2215 | Carter of Henry Haverland of Polk Ollie of Clinton Zimmerman of Dallas Mullins of Kossuth Krewson of Polk |
| H-6137 | H.F. | 2518 | Varn of Johnson Blanshan of Greene |
| H-6138 | S.F. | 2330 | Jay of Appanoose Schroeder of Pottawattamie |
| H-6139 | H.F. | 2518 | Osterberg of Linn |
| H-6140 | H.F. | 2519 | Menke of O'Brien Halvorson of Clayton Hummel of Benton |
| H-6141 | S.F. | 2328 | Sherzan of Polk Connors of Polk Renaud of Polk |
| H-6142 | H.F. | 2518 | Schroeder of Pottawattamie |

On motion by Norland of Worth, the House adjourned at 6:04 p.m., until 9:00 a.m., Friday, April 6, 1984.

JOURNAL OF THE HOUSE

Eighty-ninth Calendar Day — Sixty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 6, 1984

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, April 5, 1984 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 4, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2331, a bill for an act relating to the filing of refund claims resulting from the carryback of net operating losses or net capital losses for tax years ending on or before December 31, 1978, for personal and corporate and franchise tax purposes.

Also: That the Senate has on April 5, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2487, a bill for an act relating to liability in tort in 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.

K. MARIE THAYER, Secretary

SENATE FILE 2330 DEFERRED

Arnould of Scott asked and received unanimous consent that Senate File 2330 be temporarily deferred and that the bill retain its place on the calendar.

MOTION TO RECONSIDER PREVAILED

(House File 2324)

Doderer of Johnson called up for consideration the motion to reconsider House File 2324, filed on April 5, 1984, and moved to

reconsider the vote by which House File 2324, a bill for an act relating to the state inheritance tax by changing the due date of the tax, providing for monthly interest, providing for a period of limitations for assessments and refunds, requiring recording to give a lien preference after a release of the lien is issued, taxing gifts made within three years of death, providing that property transferred to the state or political subdivision as payment of the tax shall have been included in the decedent's gross estate, and making technical corrections, passed the House and was placed on its last reading on April 4, 1984.

A non-record roll call was requested.

The ayes were 63, nays none.

The motion prevailed and the House reconsidered House File 2324.

SENATE FILE 2323 SUBSTITUTED FOR HOUSE FILE 2324

Doderer of Johnson asked and received unanimous consent to substitute Senate File 2323 for House File 2324.

Senate File 2323, a bill for an act relating to the state inheritance tax by changing the due date of the tax, providing for monthly interest, providing for a period of limitations for assessments and refunds, requiring recording to give a lien preference after a release of the lien is issued, taxing gifts made within three years of death, and making technical corrections, was taken up for consideration.

Doderer of Johnson offered the following amendment H-6118 filed by her and Schnekloth of Scott and moved its adoption:

H-6118

- 1 Amend Senate File 2323 as passed by the Senate
- 2 as follows:
- 3 1. Page 1, by striking lines 14 and 15 and
- 4 inserting in lieu thereof the following:
- 5 "Sec. 2. Section 450.6, Code 1983, is amended
- 6 to read as follows:
- 7 450.6 ACCRUAL OF TAX - MATURITY - EXTENSION OF
- 8 TIME."

9 2. Page 1, by inserting after line 30 the
10 following:

11 "Upon the approval of the executive council, the
12 tax liability of any a beneficiary, heir, surviving
13 joint tenant or other transferee may be paid, in lieu
14 of money, in whole or in part by the transfer of real
15 property or tangible personal property to the state
16 or a political subdivision of the state to be used
17 for public purposes. Before the tax liability may
18 be paid by transfer of property to a political
19 subdivision, the governing body of the political
20 subdivision shall also approve the transfer. If the
21 The property transferred in payment of tax is shall
22 have been included in the decedent's gross estate
23 for inheritance tax purposes, and its value for the
24 payment of the tax shall be the same as its value
25 for inheritance tax purposes. Property transferred
26 in payment of the tax which is not included in the
27 decedent's gross estate for inheritance tax purposes
28 shall be valued by agreement of the executive council
29 and the taxpayer. The acceptance or rejection of the
30 property in payment of the tax liability and the
31 agreed value of the property shall be certified by
32 the executive council to the director of revenue.
33 The acceptance of the property transferred shall act
34 acts as payment and satisfaction of the inheritance
35 tax liability to the extent of the value of the
36 transferred property, but notwithstanding any other
37 provision, the taxpayer shall is not be entitled to
38 a refund if the transferred property has a value in
39 excess of the tax liability."

40 3. Title page, line 6, by inserting after the
41 word "death," the words "providing that property
42 transferred to the state or political subdivision
43 as payment of the tax shall have been included in
44 the decedent's gross estate."

Amendment H—6118 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. 2323)

The ayes were, 93:

Anderson
Black

Arnould
Blanshan

Baxter
Brammer

Bennett
Buhr

| | | | |
|-------------|------------------|------------------|-------------|
| Carl | Carpenter | Carter | Chapman |
| Clark | Cochran | Connolly | 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 |
| Loneragan | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellet | 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 |
| Varn | Welden | Woods | Zimmerman |
| Mr. Speaker | | | |

The nays were, 4:

| | | | |
|----------|---------|---------|------------|
| Branstad | Grandia | Maulsby | Van Maanen |
|----------|---------|---------|------------|

Absent or not voting, 3:

| | | |
|--------|---------|--------|
| Chiodo | Connors | Swartz |
|--------|---------|--------|

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

CONSIDERATION OF BILLS

Appropriations Calendar

House File 2518, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies, with report of committee recommending amendment and passage was taken up for consideration.

Ollie of Clinton in the chair at 10:04 a.m.

The House stood at ease at 10:18 a.m., until the fall of the gavel.

The House resumed session and consideration of House File 2518 at 11:50 a.m, Speaker Avenson in the chair.

The following amendment H-6155, filed by Baxter of Des Moines from the floor was adopted by unanimous consent:

H-6155

- 1 Amend House File 2518 as follows:
- 2 1. Page 4, line 15, by striking the word "agency"
- 3 and inserting in lieu thereof the word "agencies".
- 4 2. Page 9, line 28, by striking the word "in" and
- 5 inserting in lieu thereof the word "is".

(House File 2518 pending at recess.)

On motion by Arnould of Scott, the House was recessed at 11:55 a.m., until 12:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills, until his return, on request of Halvorson of Clayton; Rensink of Sioux, for the remainder of the day, on request of Miller of Woodbury.

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, 1984, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 111, relating to farm conditions.

K. MARIE THAYER, Secretary

BUSINESS PENDING AT RECESS

The House resumed consideration of **House File 2518**, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies.

Hanson of Delaware asked and received unanimous consent to temporarily defer action on the committee amendment H-6068.

Hanson of Delaware offered the following amendment H-6104 filed by Hanson, et al.:

H-6104

1 Amend House File 2518 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:

4 "Section 1. There is appropriated from the general
5 fund of the state for the fiscal year beginning July
6 1, 1984, and ending June 30, 1985, to the following
7 named agencies, the following amounts, or so much
8 thereof as necessary, to be used for the purposes
9 designated:

| | 1984-1985 |
|----|--------------------|
| | <u>Fiscal Year</u> |
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1. OFFICE OF ADMINISTRATIVE
RULES COORDINATOR

For salaries, support, main-
tenance, and miscellaneous
purposes \$ 59,216

2. IOWA STATE ARTS COUNCIL

For salaries, support,
maintenance, and miscellaneous
purposes including funds to match
federal grants \$ 473,473

3. DEPARTMENT OF JUSTICE

a. For the general office of
attorney general for salaries,
support, maintenance, and miscel-
laneous purposes \$ 2,735,324

b. Prosecuting attorney
training program
(1) For salaries, support,
maintenance, and miscellaneous
purposes which funds shall be
used to attract federal and
county funding \$ 81,408

(2) For the payment of
grants to dispute resolution
programs \$ 75,000

The funds appropriated under subparagraph (2) shall
be used for grants to dispute resolution programs
funded pursuant to 1983 Iowa Acts, chapter 204, section
1, paragraph h. 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, 1983, may submit an
application to the executive director for funding
for the fiscal year beginning July 1, 1984, on forms
prescribed and furnished by the executive director.
The executive director with the advice of the
prosecuting attorneys training coordinator council
shall allocate the funds to the dispute resolution
programs that provide nonjudicial resolution of

Page 2

1 disputes at the community or county level. At least
 2 twenty-five percent of the amount budgeted for the
 3 annual operation of an existing dispute resolution
 4 program or that portion of a dispute resolution program
 5 which is improved or expanded shall be obtained from
 6 sources other than the grant provided under this
 7 subparagraph.

8 c. Prosecuting intern pro-
 9 gram; however, counties par-
 10 ticipating in the prosecuting
 11 intern program shall match
 12 funds appropriated by this
 13 paragraph \$ 52,500

14 4. CAPITOL PLANNING COMMIS-
 15 SION
 16 For per diem of forty dol-
 17 lars per day and expenses of
 18 the members in carrying out
 19 their duties under chapter 18A \$ 3,062

20 5. OFFICE OF CITIZENS' AIDE
 21 For salaries, support, main-
 22 tenance, and miscellaneous pur-
 23 poses \$ 228,770

24 6. COUNCIL ON STATE GOVERNMENTS
 25 For support of the membership
 26 assessment \$ 44,600

27 7. EXECUTIVE COUNCIL
 28 For salaries, support, main-
 29 tenance, and miscellaneous pur-
 30 poses \$ 28,985

31 Sec. 2. DEPARTMENT OF JUSTICE—CONTINGENT
 32 APPROPRIATION.

33 1. In addition to the funds appropriated under
 34 section 1, subsection 3 of this Act, there is
 35 appropriated from the general fund of the state to
 36 the department of justice for the fiscal year beginning
 37 July 1, 1984, and ending June 30, 1985, an amount
 38 not exceeding ninety-five thousand (95,000) dollars
 39 to be used for the enforcement of the Iowa competition
 40 law under chapter 553. The expenditure of the funds
 41 appropriated under this subsection is contingent upon
 42 receipt by the general fund of the state of an amount
 43 at least equal to either the expenditures from damages
 44 awarded to the state or a political subdivision of
 45 the state by a civil judgment under chapter 553, if
 46 the judgment authorizes the use of the award for
 47 enforcement purposes or costs or attorney fees awarded
 48 the state in state or federal antitrust actions.

49 2. In addition to the funds appropriated under
 50 section 1, subsection 3 of this Act, there is

Page 3

1 appropriated from the general fund of the state to
 2 the department of justice for the fiscal year beginning
 3 July 1, 1984, and ending June 30, 1985, an amount
 4 not exceeding thirty thousand (30,000) dollars to
 5 be used for public education relating to consumer
 6 fraud. The expenditure of the funds appropriated
 7 under this subsection is contingent upon receipt by
 8 the general fund of the state of an amount at least
 9 equal to the expenditures from damages awarded to
 10 the state or a political subdivision of the state
 11 by a civil consumer fraud judgment, if the judgment
 12 authorizes the use of the award for public education
 13 on consumer fraud. Funds received in a previous
 14 fiscal year which have not been expended shall be
 15 credited to this fiscal year.

16 Sec. 3. There is appropriated from the general
 17 fund of the state to the department of general services
 18 for the fiscal year beginning July 1, 1984, and ending
 19 June 30, 1985, the following amounts, or so much
 20 thereof as is necessary, to be used for the purposes
 21 designated:

| | 1984-1985 <u>Fiscal Year</u> |
|---------------------------------------|---------------------------------|
| 24 1. GENERAL OPERATIONS | |
| 25 For salaries, support, main- | |
| 26 tenance, and miscellaneous pur- | |
| 27 poses | \$ 4,971,682 |
| 28 2. FORMS MANAGEMENT | |
| 29 For a forms management pro- | |
| 30 gram | \$ 75,000 |
| 31 3. UTILITY COSTS | |
| 32 For payment of utility costs | \$ 2,140,000 |
| 33 4. RENTAL SPACE | |
| 34 For payment of lease or rental | |
| 35 costs of buildings and office | |
| 36 space at the seat of government | |
| 37 as provided in section 18.12, | |
| 38 subsection 9, notwithstanding | |
| 39 section 18.16 | \$ 968,082 |

40 Sec. 4. There is appropriated from the revolving
 41 funds designated to the department of general services
 42 for the fiscal year beginning July 1, 1984, and ending
 43 June 30, 1985, the following amounts, or so much
 44 thereof as necessary, to be used for the purposes
 45 designated:

| | 1984-1985 <u>Fiscal Year</u> |
|-------------------------------|---------------------------------|
| 48 DEPARTMENT OF GENERAL | |
| 49 SERVICES - REVOLVING FUNDS | |
| 50 1. From the centralized | |

Page 4

1 printing permanent revolving
 2 fund established by section
 3 18.57 for salaries, support,
 4 maintenance, and miscella-
 5 neous purposes \$ 720,052

6 2. The remainder of the centralized printing
 7 permanent revolving fund is appropriated for the
 8 expense incurred in supplying paper stock, offset
 9 printing, copy preparation, binding, distribution
 10 costs, original payment of printing and binding claims
 11 and contingencies arising during the fiscal year
 12 beginning July 1, 1984 which are legally payable from
 13 this fund.

14 3. From the general ser-
 15 vice revolving fund estab-
 16 lished by section 18.9 for
 17 salaries, support, mainte-
 18 nance, and miscellaneous pur-
 19 poses \$ 467,647

20 4. The remainder of the general service revolving
 21 fund is appropriated for the payment of expenses
 22 incurred through purchases by various state departments
 23 and for contingencies arising during the fiscal year
 24 beginning July 1, 1984 which are legally payable from
 25 this fund.

26 5. From the vehicle dis-
 27 patcher revolving fund es-
 28 tablished by section 18.119
 29 for salaries, support, main-
 30 tenance, and miscellaneous
 31 purposes \$ 457,017

32 6. The remainder of the vehicle dispatcher
 33 revolving fund is appropriated for the purchase of
 34 gasoline, oil, tires, repairs and all other maintenance
 35 expenses incurred in the operation of state-owned
 36 motor vehicles and for contingencies arising during
 37 the fiscal year beginning July 1, 1984 which are
 38 legally payable from this fund.

39 7. A contingency shall not include any purpose
 40 or project which was presented to the general assembly
 41 or any standing committee or subcommittee of a standing
 42 committee by any person by way of a bill, proposed
 43 bill, amendment to a bill, written document, or a
 44 proposal which is documented by the minutes, records,
 45 or reports of a committee or subcommittee, and which
 46 failed to be enacted into law. For the purpose of
 47 this Act a necessity of additional operating funds
 48 may be construed as a contingency.

49 Before any of the funds authorized to be expended
 50 by this Act shall be allocated for contingencies,

Page 5

1 it shall be determined by the executive council that
 2 a contingency exists and that the contingency was
 3 neither existent while the general assembly was in
 4 session nor reasonably foreseeable at that time, and
 5 that the proposed allocation shall be for the best
 6 interest of the state.

7 If a contingency arises or could reasonably be
 8 foreseen during the time the general assembly is in
 9 session, expenditures for the contingency must be
 10 authorized by the general assembly.

11 Sec. 5. There is appropriated from the general
 12 fund of the state to the office of the governor for
 13 the fiscal year commencing July 1, 1984, and ending
 14 June 30, 1985, the following amounts or so much thereof
 15 as is necessary, to be used for the purposes
 16 designated:

| | 1984-1985 |
|---------------------------------------|--------------------|
| | <u>Fiscal Year</u> |
| 19 1. For salaries, support, | |
| 20 maintenance, and miscellaneous | |
| 21 purposes of the general office | |
| 22 of the governor | \$ 648,000 |
| 23 2. For the governor's ex- | |
| 24 penses connected with office | \$ 5,832 |
| 25 3. For salaries, support, | |
| 26 and miscellaneous purposes of | |
| 27 the governor's quarters at | |
| 28 Terrace Hill | \$ 56,396 |
| 29 4. For the payment of ex- | |
| 30 penses of ad hoc committees, | |
| 31 councils and task forces ap- | |
| 32 pointed by the governor to re- | |
| 33 search and analyze a particular | |
| 34 subject area relevant to the | |
| 35 problems and responsibilities | |
| 36 of state and local government, | |
| 37 including the employment of | |
| 38 professional, technical and ad- | |
| 39 ministrative staff and the pay- | |
| 40 ment of per diem, not exceeding | |
| 41 forty dollars, and actual ex- | |
| 42 penses of committee, council or | |
| 43 task force members | \$ 24,300 |

44 Sec. 6. There is appropriated from the general
 45 fund of the state to the office of the lieutenant
 46 governor for the fiscal year beginning July 1, 1984,
 47 and ending June 30, 1985, the following amount, or
 48 so much thereof as necessary, to be used for the
 49 purposes designated:

50 1984-1985

Page 6

| | | |
|----|--|--------------------|
| 1 | | <u>Fiscal Year</u> |
| 2 | For salaries, support, main- | |
| 3 | tenance, and miscellaneous pur- | |
| 4 | poses including the lieutenant | |
| 5 | governor's compensation and | |
| 6 | expenses as provided in sub- | |
| 7 | section 2 of section 2.10 in- | |
| 8 | cluding service as a member | |
| 9 | of the legislative council | |
| 10 | and for per diem and expenses | |
| 11 | incurred while performing | |
| 12 | duties of the lieutenant gov- | |
| 13 | ernor when the general assem- | |
| 14 | bly is not in session | \$ 97,700 |
| 15 | Sec. 7. There is appropriated from the general | |
| 16 | fund of the state to the Iowa state historical | |
| 17 | department for the fiscal year beginning July 1, 1984, | |
| 18 | and ending June 30, 1985, the following amounts, or | |
| 19 | so much thereof as necessary, to be used for the | |
| 20 | purposes designated: | |
| 21 | | 1984-1985 |
| 22 | | <u>Fiscal Year</u> |
| 23 | 1. For salaries, support, | |
| 24 | maintenance, and miscellaneous | |
| 25 | purposes | \$ 1,309,886 |
| 26 | 2. For the state historical | |
| 27 | board for per diem and expenses | \$ 7,691 |
| 28 | Sec. 8. There is appropriated from the general | |
| 29 | fund of the state for the fiscal year beginning July | |
| 30 | 1, 1984, and ending June 30, 1985, to the following | |
| 31 | named judicial department agencies, the following | |
| 32 | amounts, or so much thereof as is necessary, to be | |
| 33 | used for the purposes designated: | |
| 34 | | 1984-1985 |
| 35 | | <u>Fiscal Year</u> |
| 36 | 1. COURTS | |
| 37 | For salaries of supreme | |
| 38 | court justices, appellate | |
| 39 | court judges, district court | |
| 40 | judges, district associate | |
| 41 | judges, judicial magistrates, | |
| 42 | and staff, maintenance, equip- | |
| 43 | ment, and miscellaneous pur- | |
| 44 | poses | \$ 11,741,199 |
| 45 | 2. BOARDS AND COMMISSION - | |
| 46 | JUDICIAL DEPARTMENT | |
| 47 | For salaries, support, main- | |
| 48 | tenance, and miscellaneous pur- | |
| 49 | poses of the board of law exam- | |
| 50 | iners and board of examiners of | |

Page 7

| | | | |
|----|---|----|--------------------|
| 1 | shorthand reporters and judicial | | |
| 2 | qualifications commission | \$ | 56,124 |
| 3 | 3. DISTRICT COURT | | |
| 4 | ADMINISTRATORS | | |
| 5 | For salaries, support, main- | | |
| 6 | tenance, and miscellaneous | | |
| 7 | purposes | \$ | 1,489,555 |
| 8 | 4. JUDICIAL REORGANIZATION | | |
| 9 | For the payment of costs related | | |
| 10 | to the court reorganization as pro- | | |
| 11 | vided in section 602.11101, Code | | |
| 12 | Supplement 1983 | \$ | 8,310,000 |
| 13 | It is the intent of the general assembly that the | | |
| 14 | counties be aware that the state may delay the schedule | | |
| 15 | of state assumption of responsibility for the fiscal | | |
| 16 | year beginning July 1, 1985. If the state is unable | | |
| 17 | to fully assume the 1985-1986 fiscal year component | | |
| 18 | of the court system, the general assembly shall notify | | |
| 19 | the supreme court of this delay by no later than | | |
| 20 | February 15, 1985. | | |
| 21 | 5. ADMINISTRATION | | |
| 22 | For salaries, support, main- | | |
| 23 | tenance, equipment, and miscel- | | |
| 24 | laneous purposes of the court | | |
| 25 | administrator, and clerk of the | | |
| 26 | supreme court | \$ | 765,182 |
| 27 | Sec. 9. Notwithstanding section 8.33, the | | |
| 28 | unencumbered and unobligated funds appropriated by | | |
| 29 | 1983 Iowa Acts, chapter 204, section 1, paragraph | | |
| 30 | "e", shall not revert to the general fund of the state | | |
| 31 | until June 30, 1985 and shall continue to be available | | |
| 32 | for the purposes appropriated until that date. | | |
| 33 | Sec. 10. There is appropriated from the general | | |
| 34 | fund of the state for the fiscal year beginning July | | |
| 35 | 1, 1984, and ending June 30, 1985, except as otherwise | | |
| 36 | provided, to the following named agencies, the | | |
| 37 | following amounts, or so much thereof as is necessary, | | |
| 38 | to be used for the purposes designated: | | |
| 39 | | | 1984-1985 |
| 40 | | | <u>Fiscal Year</u> |
| 41 | 1. BUREAU OF LABOR | | |
| 42 | For salaries, support, main- | | |
| 43 | tenance, and miscellaneous pur- | | |
| 44 | poses | \$ | 1,495,432 |
| 45 | 2. LEGISLATIVE FISCAL | | |
| 46 | BUREAU | | |
| 47 | For salaries, support, main- | | |
| 48 | tenance, and miscellaneous pur- | | |
| 49 | poses | \$ | 548,545 |
| 50 | 3. LEGISLATIVE SERVICE | | |

Page 8

| | | | |
|----|--|----|-----------|
| 1 | BUREAU | | |
| 2 | a. For salaries, support, | | |
| 3 | maintenance, and miscellaneous | | |
| 4 | purposes | \$ | 983,784 |
| 5 | b. For drafting, research, | | |
| 6 | and Code data processing pro- | | |
| 7 | grams and services | \$ | 14,580 |
| 8 | 4. NATIONAL CONFERENCE OF | | |
| 9 | STATE LEGISLATIVES | | |
| 10 | For support of the member- | | |
| 11 | ship assessment | \$ | 48,085 |
| 12 | 5. IOWA LIBRARY DEPARTMENT | | |
| 13 | a. For the state library | | |
| 14 | for salaries, support, main- | | |
| 15 | tenance, and miscellaneous | | |
| 16 | purposes | \$ | 1,005,076 |
| 17 | b. For state aid for the re- | | |
| 18 | gional library system | \$ | 1,235,000 |
| 19 | Notwithstanding section 303B.8, the funds appropriated | | |
| 20 | by this paragraph shall be allocated to the regional | | |
| 21 | boards as follows: central, \$228,350; east central, | | |
| 22 | \$184,046; north central, \$128,117; northeastern, | | |
| 23 | \$183,103; northwestern, \$176,513; southeastern, | | |
| 24 | \$193,187; and southwestern, \$141,684. | | |
| 25 | 6. IOWA MERIT EMPLOYMENT DE- | | |
| 26 | PARTMENT | | |
| 27 | For the general office for | | |
| 28 | salaries, maintenance, and | | |
| 29 | miscellaneous purposes | \$ | 1,428,460 |
| 30 | 7. PIONEER LAWMAKERS | \$ | 729 |
| 31 | 8. OFFICE FOR PLANNING AND | | |
| 32 | PROGRAMMING | | |
| 33 | a. Iowa highway safety program | | |
| 34 | For salaries, support, main- | | |
| 35 | tenance, and miscellaneous purposes | | |
| 36 | to provide a cost-effective traffic | | |
| 37 | safety program through the adminis- | | |
| 38 | tration of federal highway safety | | |
| 39 | contracts to state and local govern- | | |
| 40 | mental agencies | \$ | 78,312 |
| 41 | b. Youth services administration | | |
| 42 | For salaries, support, mainte- | | |
| 43 | nance, and miscellaneous purposes | | |
| 44 | to develop and administer employment | | |
| 45 | opportunity programs for the youth | \$ | 78,759 |
| 46 | c. General operating account | | |
| 47 | For salaries, support, mainte- | | |
| 48 | nance, and miscellaneous purposes | | |
| 49 | to provide overall direction, | | |
| 50 | planning, and administrative support | | |

Page 9

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| 1 | to local, state, and federal programs | \$ | 542,195 |
| 2 | d. Economic analysis and plan- | | |
| 3 | ning assistance | | |
| 4 | For salaries, support, mainte- | | |
| 5 | nance, and miscellaneous purposes | \$ | 162,670 |
| 6 | e. Iowa council for children | | |
| 7 | For salaries, support, mainte- | | |
| 8 | nance, and miscellaneous purposes | | |
| 9 | of only the Iowa council for child- | | |
| 10 | ren notwithstanding section 8.39 | \$ | 64,147 |
| 11 | f. Statistical analysis center | | |
| 12 | For salaries, support, mainte- | | |
| 13 | nance, and miscellaneous purposes | \$ | 175,478 |
| 14 | It is a condition of this appropriation that the | | |
| 15 | center have a respected criminal justice authority | | |
| 16 | independently validate the center's risk assessment | | |
| 17 | model. | | |
| 18 | g. Iowa youth corps | | |
| 19 | For salaries, support, mainte- | | |
| 20 | nance, and miscellaneous purposes | \$ | 874,800 |
| 21 | h. Community development | | |
| 22 | block grant administration and | | |
| 23 | related federal housing and ur- | | |
| 24 | ban development community de- | | |
| 25 | velopment grant administration | | |
| 26 | For salaries, support, | | |
| 27 | maintenance, and miscellaneous | | |
| 28 | purposes | \$ | 101,424 |
| 29 | i. Community development loan | | |
| 30 | fund | | |
| 31 | For deposit into the community | | |
| 32 | development loan fund | \$ | 1,500,000 |
| 33 | j. Cultural community grants | | |
| 34 | For the purposes of the cultural | | |
| 35 | community grants program established | | |
| 36 | under 1983 Iowa Acts, chapter 207, | | |
| 37 | section 92 | \$ | 300,000 |
| 38 | However, if Senate File 2225 becomes law, this | | |
| 39 | appropriation is void. | | |
| 40 | k. Job training partnership | | |
| 41 | act: dislocated worker | | |
| 42 | For salaries, support, | | |
| 43 | maintenance, and miscellaneous | | |
| 44 | purposes to develop and admin- | | |
| 45 | ister the job training part- | | |
| 46 | nership act | \$ | 1,063,600 |
| 47 | 9. IOWA ACADEMY OF SCIENCE | | |
| 48 | For support and maintenance | \$ | 60,400 |
| 49 | 10. COMMISSION ON UNIFORM | | |
| 50 | STATE LAWS | | |

Page 10

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|----|--|----|---------|
| 1 | For support of the commis- | | |
| 2 | sion and expenses of members | \$ | 10,498 |
| 3 | 11. TERRACE HILL AUTHORITY | | |
| 4 | For salaries, support, main- | | |
| 5 | tenance, and miscellaneous pur- | | |
| 6 | poses for the operation of | | |
| 7 | Terrace Hill and for conducting | | |
| 8 | public tours | \$ | 146,278 |
| 9 | 12. CRIMINAL AND JUVENILE | | |
| 10 | JUSTICE PLANNING AGENCY | | |
| 11 | For salaries, support, | | |
| 12 | maintenance, and miscellaneous | | |
| 13 | purposes related to the operations | | |
| 14 | of the criminal and juvenile | | |
| 15 | justice planning agency which is | | |
| 16 | a separate independent agency | | |
| 17 | within the office of the governor, | | |
| 18 | under the direct supervision of the | | |
| 19 | governor, and responsible only to | | |
| 20 | the governor or the general assembly | | |
| 21 | as provided in chapter 80C: | | |
| 22 | a. Criminal justice planning | \$ | 186,911 |
| 23 | b. Juvenile justice planning | \$ | 52,793 |
| 24 | c. Juvenile victim | | |
| 25 | restitution program | \$ | 121,500 |
| 26 | d. Jailer training and | | |
| 27 | technical assistance | \$ | 84,000 |
| 28 | Sec. 11. All federal grants to and the federal | | |
| 29 | receipts of the agencies appropriated funds under | | |
| 30 | this Act, not otherwise appropriated, are appropriated | | |
| 31 | for the purposes set forth in the federal grants or | | |
| 32 | receipts unless otherwise provided by the general | | |
| 33 | assembly. | | |
| 34 | Sec. 12. Section 602.11102, subsection 2, paragraph | | |
| 35 | d, Code Supplement 1983, is amended by striking the | | |
| 36 | paragraph. | | |
| 37 | Sec. 13. Section 602.11104, Code Supplement 1983, | | |
| 38 | is repealed. | | |
| 39 | Sec. 14. An election made by a county employee | | |
| 40 | under section 602.11104, Code Supplement 1983, during | | |
| 41 | the thirty days prior to the effective date of this | | |
| 42 | Act is void." | | |

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Branstad of Winnebago, for the remainder of the day, on request of Bennett of Ida.

Arnould of Scott asked and received unanimous consent that House File 2518 be temporarily deferred and that the bill retain its place on the calendar.

(Amendment H—6104 pending.)

UNANIMOUS CONSENT

Arnould of Scott asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 111.

ADOPTION OF SENATE CONCURRENT RESOLUTION 111

Cochran of Webster called up for consideration Senate Concurrent Resolution 111, relating to farm conditions, received from the Senate on April 6, 1984.

Cochran of Webster offered the following amendment H—6156 filed by him from the floor and moved its adoption:

H—6156

- 1 Amend Senate Concurrent Resolution 111 as follows:
- 2 1. Page 3, by striking lines 3 and 4, and
- 3 inserting in lieu thereof the following:
- 4 "3. Allow deferral of the repayment for the
- 5 advanced 1983 deficiency payment due in 1984 for at
- 6 least one year."

Amendment H—6156 was adopted.

On motion by Cochran of Webster, Senate Concurrent Resolution 111, as amended, was adopted.

IMMEDIATE MESSAGE (Senate Concurrent Resolution 111)

Arnould of Scott asked and received unanimous consent to immediately message Senate Concurrent Resolution 111 to the Senate.

CONSIDERATION OF BILLS

Ways and Means Calendar

The House resumed consideration of **House File 2518**, a bill for an act relating to and making appropriations to various executive,

legislative and judicial departments and agencies, and amendment H-6104, temporarily deferred.

Hanson of Delaware moved the adoption of amendment H-6104.

Roll call was requested by Jochum of Dubuque and Arnould of Scott.

On the question "Shall amendment H-6104 be adopted?"

The ayes were, 27:

| | | | |
|-----------------|------------------|-----------|-------------|
| Anderson | Bennett | Carpenter | Diemer |
| Grandia | Halvorson, R. A. | Handorf | Hanson |
| Hoffmann-Bright | Hummel | Krewson | Lageschulte |
| Maulsby | McKean | Menke | Paulin |
| Pellett | Royer | Schroeder | Stromer |
| Swearingen | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | |

The nays were, 58:

| | | | |
|-----------|-------------|------------|------------------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Buhr | Carl | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Cooper | Copenhaver | Corey |
| Davitt | De Groot | Fey | Fogarty |
| Groninga | Groth | Gruhn | Halvorson, R. N. |
| Hammond | Haverland | Holveck | Hughes |
| Jay | Jochum | Koenigs | Lloyd-Jones |
| Lonergan | McIntee | Miller | Muhibauer |
| Mullins | O'Kane | Ollie | Oxley |
| Parker | Peick | Renaud | Renken |
| Rosenberg | Running | Sherzan | Shoultz |
| Skow | Spear | Stueland | Sullivan |
| Swartz | Tabor | Varn | Woods |
| Zimmerman | Mr. Speaker | | |

Absent or not voting, 15:

| | | | |
|----------|------------|----------|---------|
| Eranstad | Connors | Daggett | Doderer |
| Gronstal | Harbor | Hermann | Knapp |
| Norland | Osterberg | Pavich | Poncy |
| Rensink | Schnekloth | Sturgeon | |

Amendment H-6104 lost.

Maulsby of Calhoun offered the following amendment H-6117 filed by Maulsby, et al.:

H-6117

1 Amend House File 2518 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:

4 "Section 1. There is appropriated from the general
5 fund of the state for the fiscal year beginning July
6 1, 1984, and ending June 30, 1985, to the following
7 named agencies, the following amounts, or so much
8 thereof as necessary, to be used for the purposes
9 designated:

| | 1984-1985 |
|----|--------------------|
| | <u>Fiscal Year</u> |
| 10 | |
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| 50 | |

1. OFFICE OF ADMINISTRATIVE
RULES COORDINATOR

For salaries, support, main-
tenance, and miscellaneous
purposes

\$ 68,415

2. IOWA STATE ARTS COUNCIL

For salaries, support,
maintenance, and miscellaneous
purposes including funds to match
federal grants

\$ 468,835

3. DEPARTMENT OF JUSTICE

a. For the general office of
attorney general for salaries,
support, maintenance, and miscel-
laneous purposes

\$ 2,703,455

b. Prosecuting attorney
training program

For salaries, support,
maintenance, and miscellaneous
purposes which funds shall be
used to attract federal and
county funding

\$ 80,185

c. Prosecuting intern pro-
gram; however, counties par-
ticipating in the prosecuting
intern program shall match
funds appropriated by this
paragraph

\$ 51,710

4. CAPITOL PLANNING COMMIS-
SION

For per diem of forty dol-
lars per day and expenses of
the members in carrying out
their duties under chapter 18A

\$ 3,015

5. OFFICE OF CITIZENS' AIDE

For salaries, support, main-
tenance, and miscellaneous pur-
poses

\$ 227,310

6. COUNCIL ON STATE GOVERNMENTS

Page 2

| | | | |
|---|-------------------------------|----|--------|
| 1 | For support of the membership | | |
| 2 | assessment | \$ | 43,930 |

3 7. EXECUTIVE COUNCIL

| | | | |
|---|---------------------------------|----|--------|
| 4 | For salaries, support, main- | | |
| 5 | tenance, and miscellaneous pur- | | |
| 6 | poses | \$ | 28,550 |

7 Sec. 2. DEPARTMENT OF JUSTICE - CONTINGENT
8 APPROPRIATION.

9 1. In addition to the funds appropriated under
10 section 1, subsection 3 of this Act, there is
11 appropriated from the general fund of the state to
12 the department of justice for the fiscal year beginning
13 July 1, 1984, and ending June 30, 1985, an amount
14 not exceeding ninety-five thousand (95,000) dollars
15 to be used for the enforcement of the Iowa competition
16 law under chapter 553. The expenditure of the funds
17 appropriated under this subsection is contingent upon
18 receipt by the general fund of the state of an amount
19 at least equal to either the expenditures from damages
20 awarded to the state or a political subdivision of
21 the state by a civil judgment under chapter 553, if
22 the judgment authorizes the use of the award for
23 enforcement purposes or costs or attorney fees awarded
24 the state in state or federal antitrust actions.

25 2. In addition to the funds appropriated under
26 section 1, subsection 3 of this Act, there is
27 appropriated from the general fund of the state to
28 the department of justice for the fiscal year beginning
29 July 1, 1984, and ending June 30, 1985, an amount
30 not exceeding thirty thousand (30,000) dollars to
31 be used for public education relating to consumer
32 fraud. The expenditure of the funds appropriated
33 under this subsection is contingent upon receipt by
34 the general fund of the state of an amount at least
35 equal to the expenditures from damages awarded to
36 the state or a political subdivision of the state
37 by a civil consumer fraud judgment, if the judgment
38 authorizes the use of the award for public education
39 on consumer fraud. Funds received in a previous
40 fiscal year which have not been expended shall be
41 credited to this fiscal year.

42 Sec. 3. There is appropriated from the general
43 fund of the state to the department of general services
44 for the fiscal year beginning July 1, 1984, and ending
45 June 30, 1985, the following amounts, or so much
46 thereof as is necessary, to be used for the purposes
47 designated:

1984-1985
Fiscal Year

50 1. GENERAL OPERATIONS

Page 3

| | | | |
|----|--|----|--------------------|
| 1 | For salaries, support, main- | | |
| 2 | tenance, and miscellaneous pur- | | |
| 3 | poses | \$ | 4,922,455 |
| 4 | 2. FORMS MANAGEMENT | | |
| 5 | For a forms management pro- | | |
| 6 | gram | \$ | 147,750 |
| 7 | 3. UTILITY COSTS | | |
| 8 | For payment of utility costs | \$ | 2,222,465 |
| 9 | The department of general services may use funds | | |
| 10 | appropriated under this subsection to fund energy | | |
| 11 | conservation projects in the capitol complex which | | |
| 12 | will have a one hundred percent payback within the | | |
| 13 | fiscal year in which the funds are appropriated. | | |
| 14 | 4. RENTAL SPACE | | |
| 15 | For payment of lease or rental | | |
| 16 | costs of buildings and office | | |
| 17 | space at the seat of government | | |
| 18 | as provided in section 18.12, | | |
| 19 | subsection 9, notwithstanding | | |
| 20 | section 18.16 | \$ | 953,560 |
| 21 | Sec. 4. There is appropriated from the revolving | | |
| 22 | funds designated to the department of general services | | |
| 23 | for the fiscal year beginning July 1, 1984, and ending | | |
| 24 | June 30, 1985, the following amounts, or so much | | |
| 25 | thereof as necessary, to be used for the purposes | | |
| 26 | designated: | | |
| 27 | | | 1984-1985 |
| 28 | | | <u>Fiscal Year</u> |
| 29 | DEPARTMENT OF GENERAL | | |
| 30 | SERVICES—REVOLVING FUNDS | | |
| 31 | 1. From the centralized | | |
| 32 | printing permanent revolving | | |
| 33 | fund established by section | | |
| 34 | 18.57 for salaries, support, | | |
| 35 | maintenance, and miscella- | | |
| 36 | neous purposes | \$ | 720,052 |
| 37 | 2. The remainder of the centralized printing | | |
| 38 | permanent revolving fund is appropriated for the | | |
| 39 | expense incurred in supplying paper stock, offset | | |
| 40 | printing, copy preparation, binding, distribution | | |
| 41 | costs, original payment of printing and binding claims | | |
| 42 | and contingencies arising during the fiscal year | | |
| 43 | beginning July 1, 1984 which are legally payable from | | |
| 44 | this fund. | | |
| 45 | 3. From the general ser- | | |
| 46 | vice revolving fund estab- | | |
| 47 | lished by section 18.9 for | | |
| 48 | salaries, support, mainte- | | |
| 49 | nance, and miscellaneous pur- | | |
| 50 | poses | \$ | 467,647 |

Page 4

1 4. The remainder of the general service revolving
 2 fund is appropriated for the payment of expenses
 3 incurred through purchases by various state departments
 4 and for contingencies arising during the fiscal year
 5 beginning July 1, 1984 which are legally payable from
 6 this fund.

7 5. From the vehicle dis-
 8 patcher revolving fund es-
 9 tablished by section 18.119
 10 for salaries, support, main-
 11 tenance, and miscellaneous
 12 purposes \$ 457,017

13 6. The remainder of the vehicle dispatcher
 14 revolving fund is appropriated for the purchase of
 15 gasoline, oil, tires, repairs and all other maintenance
 16 expenses incurred in the operation of state-owned
 17 motor vehicles and for contingencies arising during
 18 the fiscal year beginning July 1, 1984 which are
 19 legally payable from this fund.

20 7. A contingency shall not include any purpose
 21 or project which was presented to the general assembly
 22 or any standing committee or subcommittee of a standing
 23 committee by any person by way of a bill, proposed
 24 bill, amendment to a bill, written document, or a
 25 proposal which is documented by the minutes, records,
 26 or reports of a committee or subcommittee, and which
 27 failed to be enacted into law. For the purpose of
 28 this Act a necessity of additional operating funds
 29 may be construed as a contingency.

30 Before any of the funds authorized to be expended
 31 by this Act shall be allocated for contingencies,
 32 it shall be determined by the executive council that
 33 a contingency exists and that the contingency was
 34 neither existent while the general assembly was in
 35 session nor reasonably foreseeable at that time, and
 36 that the proposed allocation shall be for the best
 37 interest of the state.

38 If a contingency arises or could reasonably be
 39 foreseen during the time the general assembly is in
 40 session, expenditures for the contingency must be
 41 authorized by the general assembly.

42 Sec. 5. There is appropriated from the general
 43 fund of the state to the office of the governor for
 44 the fiscal year commencing July 1, 1984, and ending
 45 June 30, 1985, the following amounts or so much thereof
 46 as is necessary, to be used for the purposes
 47 designated:

48
 49
 50 1. For salaries, support,

1984-1985
 Fiscal Year

Page 5

| | | | |
|----|------------------------------------|----|---------|
| 1 | maintenance, and miscellaneous | | |
| 2 | purposes of the general office | | |
| 3 | of the governor | \$ | 645,790 |
| 4 | 2. For the governor's ex- | | |
| 5 | penses connected with office | \$ | 5,775 |
| 6 | 3. For salaries, support, | | |
| 7 | and miscellaneous purposes of | | |
| 8 | the governor's quarters at | | |
| 9 | Terrace Hill | \$ | 55,550 |
| 10 | 4. For the payment of ex- | | |
| 11 | penses of ad hoc committees, | | |
| 12 | councils and task forces ap- | | |
| 13 | pointed by the governor to re- | | |
| 14 | search and analyze a particular | | |
| 15 | subject area relevant to the | | |
| 16 | problems and responsibilities | | |
| 17 | of state and local government, | | |
| 18 | including the employment of | | |
| 19 | professional, technical and ad- | | |
| 20 | ministrative staff and the pay- | | |
| 21 | ment of per diem, not exceeding | | |
| 22 | forty dollars, and actual ex- | | |
| 23 | penses of committee, council or | | |
| 24 | task force members | \$ | 23,935 |

25 Sec. 6. There is appropriated from the general
 26 fund of the state to the office of the lieutenant
 27 governor for the fiscal year beginning July 1, 1984,
 28 and ending June 30, 1985, the following amount, or
 29 so much thereof as necessary, to be used for the
 30 purposes designated:

| | | | |
|----|---------------------------------|----|--------------------|
| 31 | | | 1984-1985 |
| 32 | | | <u>Fiscal Year</u> |
| 33 | For salaries, support, main- | | |
| 34 | tenance, and miscellaneous pur- | | |
| 35 | poses including the lieutenant | | |
| 36 | governor's compensation and | | |
| 37 | expenses as provided in sub- | | |
| 38 | section 2 of section 2.10 in- | | |
| 39 | cluding service as a member | | |
| 40 | of the legislative council | | |
| 41 | and for per diem and expenses | | |
| 42 | incurred while performing | | |
| 43 | duties of the lieutenant gov- | | |
| 44 | ernor when the general assem- | | |
| 45 | bly is not in session | \$ | 96,265 |

46 Sec. 7. There is appropriated from the general
 47 fund of the state to the Iowa state historical
 48 department for the fiscal year beginning July 1, 1984,
 49 and ending June 30, 1985, the following amounts, or
 50 so much thereof as necessary, to be used for the

Page 6

| | | |
|----|---|--------------------|
| 1 | purposes designated: | |
| 2 | | 1984-1985 |
| 3 | | <u>Fiscal Year</u> |
| 4 | 1. For salaries, support, | |
| 5 | maintenance, and miscellaneous | |
| 6 | purposes | \$ 1,290,235 |
| 7 | 2. For the state historical | |
| 8 | board for per diem and expenses | \$ 7,575 |
| 9 | Sec. 8. There is appropriated from the general | |
| 10 | fund of the state for the fiscal year beginning July | |
| 11 | 1, 1984, and ending June 30, 1985, to the following | |
| 12 | named judicial department agencies, the following | |
| 13 | amounts, or so much thereof as is necessary, to be | |
| 14 | used for the purposes designated: | |
| 15 | | 1984-1985 |
| 16 | | <u>Fiscal Year</u> |
| 17 | 1. COURTS | |
| 18 | For salaries of supreme | |
| 19 | court justices, appellate | |
| 20 | court judges, district court | |
| 21 | judges, district associate | |
| 22 | judges, judicial magistrates, | |
| 23 | and staff, maintenance, equip- | |
| 24 | ment, and miscellaneous pur- | |
| 25 | poses | \$11,566,080 |
| 26 | 2. BOARDS AND COMMISSION— | |
| 27 | JUDICIAL DEPARTMENT | |
| 28 | For salaries, support, main- | |
| 29 | tenance, and miscellaneous pur- | |
| 30 | poses of the board of law exam- | |
| 31 | iners and board of examiners of | |
| 32 | shorthand reporters and judicial | |
| 33 | qualifications commission | \$ 55,280 |
| 34 | 3. DISTRICT COURT | |
| 35 | ADMINISTRATORS | |
| 36 | For salaries, support, main- | |
| 37 | tenance, and miscellaneous | |
| 38 | purposes | \$ 1,467,210 |
| 39 | 4. JUDICIAL REORGANIZATION | |
| 40 | For the payment of costs related | |
| 41 | to the court reorganization as pro- | |
| 42 | vided in section 602.11101, Code | |
| 43 | Supplement 1983 | \$ 8,185,350 |
| 44 | It is the intent of the general assembly that the | |
| 45 | counties be aware that the state may delay the schedule | |
| 46 | of state assumption of responsibility for the fiscal | |
| 47 | year beginning July 1, 1985. If the state is unable | |
| 48 | to fully assume the 1985-1986 fiscal year component | |
| 49 | of the court system, the general assembly shall notify | |
| 50 | the supreme court of this delay by no later than | |

Page 7

| | | | |
|----|--|----|--------------------|
| 1 | February 15, 1985. | | |
| 2 | 5. JUDICIAL REORGANIZATION - | | |
| 3 | ADMINISTRATIVE IMPLEMENTATION | | |
| 4 | For salaries and support | | |
| 5 | within the state and district | | |
| 6 | court administrator's offices | | |
| 7 | for the implementation of | | |
| 8 | court reorganization | \$ | 150,705 |
| 9 | 6. ADMINISTRATION | | |
| 10 | For salaries, support, main- | | |
| 11 | tenance, equipment, and miscel- | | |
| 12 | laneous purposes of the court | | |
| 13 | administrator, and clerk of the | | |
| 14 | supreme court | \$ | 753,705 |
| 15 | Sec. 9. Notwithstanding section 8.33, the | | |
| 16 | unencumbered and unobligated funds appropriated by | | |
| 17 | 1983 Iowa Acts, chapter 204, section 1, paragraph | | |
| 18 | "e", shall not revert to the general fund of the state | | |
| 19 | until June 30, 1985 and shall continue to be available | | |
| 20 | for the purposes appropriated until that date. | | |
| 21 | Sec. 10. There is appropriated from the general | | |
| 22 | fund of the state for the fiscal year beginning July | | |
| 23 | 1, 1984, and ending June 30, 1985, except as otherwise | | |
| 24 | provided, to the following named agencies, the | | |
| 25 | following amounts, or so much thereof as is necessary, | | |
| 26 | to be used for the purposes designated: | | |
| 27 | | | 1984-1985 |
| 28 | | | <u>Fiscal Year</u> |
| 29 | 1. BUREAU OF LABOR | | |
| 30 | For salaries, support, main- | | |
| 31 | tenance, and miscellaneous pur- | | |
| 32 | poses | \$ | 1,473,000 |
| 33 | 2. LEGISLATIVE FISCAL | | |
| 34 | BUREAU | | |
| 35 | For salaries, support, main- | | |
| 36 | tenance, and miscellaneous pur- | | |
| 37 | poses | \$ | 530,465 |
| 38 | 3. LEGISLATIVE SERVICE | | |
| 39 | BUREAU | | |
| 40 | a. For salaries, support, | | |
| 41 | maintenance, and miscellaneous | | |
| 42 | purposes | \$ | 969,025 |
| 43 | b. For drafting, research, | | |
| 44 | and Code data processing pro- | | |
| 45 | grams and services | \$ | 14,360 |
| 46 | 4. NATIONAL CONFERENCE OF | | |
| 47 | STATE LEGISLATURES | | |
| 48 | For support of the member- | | |
| 49 | ship assessment | \$ | 47,365 |
| 50 | 5. IOWA LIBRARY DEPARTMENT | | |

Page 8

| | | | |
|----|---|----|-----------|
| 1 | a. For the state library | | |
| 2 | for salaries, support, main- | | |
| 3 | tenance, and miscellaneous | | |
| 4 | purposes | \$ | 990,000 |
| 5 | b. For state aid for the re- | | |
| 6 | gional library system | \$ | 1,318,555 |
| 7 | 6. IOWA MERIT EMPLOYMENT DE- | | |
| 8 | PARTMENT | | |
| 9 | For the general office for | | |
| 10 | salaries, maintenance, and | | |
| 11 | miscellaneous purposes | \$ | 1,423,980 |
| 12 | 7. PIONEER LAWMAKERS | \$ | 720 |
| 13 | 8. OFFICE FOR PLANNING AND | | |
| 14 | PROGRAMMING | | |
| 15 | a. Iowa highway safety program | | |
| 16 | For salaries, support, main- | | |
| 17 | tenance, and miscellaneous purposes | | |
| 18 | to provide a cost-effective traffic | | |
| 19 | safety program through the adminis- | | |
| 20 | tration of federal highway safety | | |
| 21 | contracts to state and local govern- | | |
| 22 | mental agencies | \$ | 77,135 |
| 23 | b. Youth services administration | | |
| 24 | For salaries, support, mainte- | | |
| 25 | nance, and miscellaneous purposes | | |
| 26 | to develop and administer employment | | |
| 27 | opportunity programs for the youth | \$ | 77,575 |
| 28 | c. General operating account | | |
| 29 | For salaries, support, mainte- | | |
| 30 | nance, and miscellaneous purposes | | |
| 31 | to provide overall direction, | | |
| 32 | planning, and administrative support | | |
| 33 | to local, state, and federal programs | \$ | 565,545 |
| 34 | d. Economic analysis and plan- | | |
| 35 | ning assistance | | |
| 36 | For salaries, support, mainte- | | |
| 37 | nance, and miscellaneous purposes | \$ | 160,230 |
| 38 | e. Iowa council for children | | |
| 39 | For salaries, support, mainte- | | |
| 40 | nance, and miscellaneous purposes | | |
| 41 | of only the Iowa council for child- | | |
| 42 | ren notwithstanding section 8.39 | \$ | 63,185 |
| 43 | f. Statistical analysis center | | |
| 44 | For salaries, support, mainte- | | |
| 45 | nance, and miscellaneous purposes | \$ | 172,845 |
| 46 | It is a condition of this appropriation that the | | |
| 47 | center have a respected criminal justice authority | | |
| 48 | independently validate the center's risk assessment | | |
| 49 | model. | | |
| 50 | g. Iowa youth corps | | |

Page 9

| | | | |
|----|--|----|-----------|
| 1 | For salaries, support, maintenance, and miscellaneous purposes | \$ | 861,680 |
| 2 | | | |
| 3 | h. Community development | | |
| 4 | block grant administration and | | |
| 5 | related federal housing and urban | | |
| 6 | development community development | | |
| 7 | grant administration | | |
| 8 | For salaries, support, | | |
| 9 | maintenance, and miscellaneous | | |
| 10 | purposes | \$ | 99,900 |
| 11 | i. Community development loan | | |
| 12 | fund | | |
| 13 | For deposit into the community | | |
| 14 | development loan fund | \$ | 2,462,500 |
| 15 | j. Cultural community grants | | |
| 16 | For the purposes of the cultural | | |
| 17 | community grants program established | | |
| 18 | under 1983 Iowa Acts, chapter 207, | | |
| 19 | section 92 | \$ | 295,500 |
| 20 | However, if Senate File 2225 becomes law, this | | |
| 21 | appropriation is void. | | |
| 22 | k. Job training partnership | | |
| 23 | act: dislocated worker | | |
| 24 | For salaries, support, | | |
| 25 | maintenance, and miscellaneous | | |
| 26 | purposes to develop and administer | | |
| 27 | the job training partnership | | |
| 28 | act | \$ | 1,047,645 |
| 29 | 9. IOWA ACADEMY OF SCIENCE | | |
| 30 | For support and maintenance | \$ | 59,495 |
| 31 | 10. COMMISSION ON UNIFORM | | |
| 32 | STATE LAWS | | |
| 33 | For support of the commission | | |
| 34 | and expenses of members | \$ | 10,340 |
| 35 | 11. TERRACE HILL AUTHORITY | | |
| 36 | For salaries, support, maintenance, | | |
| 37 | and miscellaneous purposes for the | | |
| 38 | operation of Terrace Hill and for | | |
| 39 | conducting public tours | \$ | 144,085 |
| 40 | 12. CRIMINAL AND JUVENILE | | |
| 41 | JUSTICE PLANNING AGENCY | | |
| 42 | For salaries, support, | | |
| 43 | maintenance, and miscellaneous | | |
| 44 | purposes related to the operations | | |
| 45 | of the criminal and juvenile | | |
| 46 | justice planning agency which is | | |
| 47 | a separate independent agency | | |
| 48 | within the office of the governor, | | |
| 49 | under the direct supervision of the | | |
| 50 | | | |

Page 10

| | | | |
|---|--------------------------------------|----|---------|
| 1 | governor, and responsible only to | | |
| 2 | the governor or the general assembly | | |
| 3 | as provided in chapter 80C: | | |
| 4 | a. Criminal justice planning | \$ | 184,105 |
| 5 | b. Juvenile justice planning | \$ | 52,000 |
| 6 | c. Juvenile victim | | |
| 7 | restitution program | \$ | 119,675 |
| 8 | d. Jailer training and | | |
| 9 | technical assistance | \$ | 33,490 |

10 Sec. 11. All federal grants to and the federal
 11 receipts of the agencies appropriated funds under
 12 this Act, not otherwise appropriated, are appropriated
 13 for the purposes set forth in the federal grants or
 14 receipts unless otherwise provided by the general
 15 assembly.

16 Sec. 12. Section 18.6, subsection 1, Code 1983,
 17 is amended to read as follows:

18 1. All items purchased equipment, supplies,
 19 services, or construction procured by the department
 20 shall be purchased by a competitive bidding procedure.
 21 However, the director may exempt by regulation
 22 purchases of noncompetitive items and purchases in
 23 lots or quantities too small to be effectively
 24 purchased by competitive bidding. Preference shall
 25 be given to purchasing Iowa products and purchases
 26 from Iowa based businesses if the bids submitted
 27 therefor are comparable in price to bids submitted
 28 by out-of-state businesses and otherwise meet the
 29 required specifications. If the laws of another state
 30 mandate a percentage preference for businesses or
 31 products from that state and the effect of the
 32 preference is that bids of Iowa businesses or products
 33 that are otherwise low and responsive are not selected
 34 in the other state, the same percentage preference
 35 shall be applied to Iowa businesses and products when
 36 businesses or products from that other state are bid
 37 to supply Iowa requirements.

38 Sec. 13. Section 602.11102, subsection 2, paragraph
 39 d, Code Supplement 1983, is amended by striking the
 40 paragraph.

41 Sec. 14. Section 602.11104, Code Supplement 1983,
 42 is repealed.

43 Sec. 15. An election made by a county employee
 44 under section 602.11104, Code Supplement 1983, during
 45 the thirty days prior to the effective date of this
 46 Act is void."

The following amendment H-6165, to amendment H-6117, filed by Maulsby of Calhoun from the floor was adopted by unanimous consent:

H-6165

- 1 Amend amendment H-6117 to House File 2518 as follows:
- 2 1. Page 6, line 47, by striking the word "in" and
- 3 inserting in lieu thereof the word "is".

Clark of Cerro Gordo offered the following amendment H-6145, to amendment H-6117, filed by her from the floor and moved its adoption:

H-6145

- 1 Amend amendment H-6117 to House File 2518 as
- 2 follows:
- 3 1. Page 1, by striking line 29 and inserting
- 4 in lieu thereof the following:
- 5 "(1) For salaries, support,".
- 6 2. Page 1, by inserting after line 33 the fol-
- 7 lowing:
- 8 "(2) For the payment of
- 9 grants to the dispute resolution
- 10 programs \$75,000
- 11 The funds appropriated under subparagraph (2)
- 12 shall be used for grants to dispute resolution pro-
- 13 grams funded pursuant to 1983 Iowa Acts, chapter
- 14 204, section 1, paragraph h. A program administra-
- 15 tor awarded funding for a dispute resolution program
- 16 by the court administrator of the judicial depart-
- 17 ment for the fiscal year beginning July 1, 1983,
- 18 may submit an application to the executive direc-
- 19 tor for funding for the fiscal year beginning July
- 20 1, 1984, on forms prescribed and furnished by the
- 21 executive director. The executive director with
- 22 the advice of the prosecuting attorneys training
- 23 coordinator council shall allocate the funds to
- 24 the dispute resolution programs that provide non-
- 25 judicial resolution of disputes at the community
- 26 or county level. At least twenty-five percent
- 27 of the amount budgeted for the annual operation
- 28 of an existing dispute resolution program or that
- 29 portion of a dispute resolution program which is
- 30 improved or expanded shall be obtained from sources
- 31 other than the grant provided under this subpara-
- 32 graph."
- 33 3. Renumber as necessary.

Amendment H-6145 was adopted.

Handorf of Marshall offered the following amendment H-6160, to amendment H-6117, filed by him from the floor and moved its adoption:

H-6160

1 Amend the amendment H-6117 to House File 2518 as
2 follows:

3 1. Page 6, line 43, by inserting after the figure
4 "1983" the words and figures ", and as provided in
5 sections 100 through 104 of this Act".

6 2. Page 10, by inserting after line 37 the
7 following:

8 "Sec. 100. Section 602.1303, subsection 7, Code
9 Supplement 1983, is amended to read as follows:

10 7. A county or city shall pay the costs of its
11 ~~witnesses~~, depositions, and transcripts and the court
12 fees and costs provided by law in criminal actions
13 prosecuted by that county or city. A county or city
14 shall pay witness fees and mileage in trials of
15 criminal actions prosecuted by the county or city
16 under county or city ordinance.

17 Sec. 101. Section 602.11101, subsection 1, Code
18 Supplement 1983, is amended to read as follows:

19 1. On October 1, 1983 the state shall assume the
20 responsibility for and the costs of jury and witness
21 fees and mileage as provided in section 607.5 and
22 on July 1, 1984 the state shall assume the
23 responsibility for and the costs of prosecution and
24 indigent defense witness fees and mileage and other
25 witness fees and mileage assessed against the
26 prosecution in criminal actions prosecuted under state
27 law as provided in sections 607.5, 622.69, and 622.72,
28 except as provided in section 331.506, subsection
29 2.

30 Sec. 102. Section 602.11101, subsection 6, Code
31 Supplement 1983, is amended to read as follows:

32 6. The state shall assume the responsibility for
33 and the costs of indigent defense on July 1, 1987,
34 except that the state shall assume the costs of
35 indigent defense witness fees on July 1, 1984 as
36 provided in subsection 1."

37 3. Page 10, by inserting after line 40 the
38 following:

39 "Sec. 103. Section 815.11, Code Supplement 1983,
40 is amended to read as follows:

41 815.11 APPROPRIATIONS FOR INDIGENT DEFENSE. Costs
42 incurred under sections 814.9, 814.10, 814.11, 815.4,
43 815.5, 815.6, 815.7, 815.10, 815.12, or the rules
44 of criminal procedure on behalf of an indigent shall
45 be paid from funds appropriated by the general assembly

46 to the supreme court for those purposes.
 47 Sec. 104. Section 815.13, Code Supplement 1983,
 48 is amended to read as follows:
 49 815.13 PAYMENT OF PROSECUTION COSTS. The county
 50 or city that prosecutes which has the duty to prosecute

Page 2

1 a criminal action shall pay the required fees and
 2 mileage to witnesses called on behalf of the
 3 prosecution; the costs of depositions taken on behalf
 4 of the prosecution, the costs of transcripts requested
 5 by the prosecution, the fees that are payable to the
 6 clerk of the district court for services rendered,
 7 and court costs taxed in connection with the trial
 8 of the action or appeals from the judgment. The
 9 county or city shall pay witness fees and mileage
 10 in trials of criminal actions prosecuted by the county
 11 or city under county or city ordinance. These fees
 12 and costs are recoverable by the county or city from
 13 the defendant unless the defendant is found not guilty
 14 or the action is dismissed, in which case the state
 15 shall pay the witness fees and mileage. Expenditures
 16 of a county under this section may be paid out of
 17 the court expense fund in lieu of the county general
 18 fund."
 19 4. By renumbering as necessary.

Amendment H—6160 was adopted.

Groninga of Cerro Gordo in the chair at 1:47 p.m.

Maulsby of Calhoun moved the adoption of amendment H—6117,
 as amended.

Roll call was requested by Jochum of Dubuque and Arnould of
 Scott.

Rule 76 was invoked.

On the question "Shall amendment H—6117, as amended, be
 adopted?"

The ayes were, 31:

| | | | |
|------------------|----------|-----------|-----------------|
| Anderson | Bennett | Carpenter | Corey |
| Daggett | De Groot | Diemer | Grandia |
| Halvorson, R. A. | Handorf | Hermann | Hoffmann-Bright |

| | | | |
|------------|-------------|----------|----------|
| Hummel | Lageschulte | Maulsby | McKean |
| Menke | Pellett | Renken | Royer |
| Schnekloth | Schroeder | Stromer | Stueland |
| Swearingen | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | |

The nays were, 65:

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

Absent or not voting, 4:

| | | | |
|----------|---------|--------|---------|
| Branstad | Connors | Harbor | Rensink |
|----------|---------|--------|---------|

Amendment H—6117, as amended, lost.

Schroeder of Pottawattamie offered the following amendment H—6142 filed by him and moved its adoption:

H—6142

- 1 Amend House File 2518 as follows:
- 2 1. Page 1, by striking lines 2 and 3 and inserting
- 3 in lieu thereof the following: "of the state for
- 4 each of the fiscal years beginning July 1, 1984 and
- 5 July 1, 1985, to the following named agencies, the".
- 6 2. Page 1, by striking lines 6 and 7.
- 7 3. Page 2, by striking line 5 and inserting in
- 8 lieu thereof the following: "fiscal years beginning
- 9 July 1, 1984 and July 1, 1985, on forms prescribed
- 10 and".
- 11 4. Page 3, by striking lines 8 and 9 and inserting
- 12 in lieu thereof the following: "each of the fiscal

13 years beginning July 1, 1984, and July 1, 1985, an
14 amount not exceeding ninety-five thousand (95,000)".

15 5. Page 3, by striking lines 22 and 23 and
16 inserting in lieu thereof the following: "each of
17 the fiscal years beginning July 1, 1984, and July
18 1, 1985, an amount not exceeding thirty thousand
19 (30,000) dollars".

20 6. Page 3, by striking lines 34 and 35 and
21 inserting in lieu thereof the following: "the state
22 to the department of general services for each of
23 the fiscal years beginning July 1, 1984, and July
24 1, 1985, the".

25 7. Page 4, by striking lines 3 and 4.

26 8. Page 5, by striking lines 1 and 2 and inserting
27 in lieu thereof the words "designated to the department
28 of general services for each of the fiscal years
29 beginning July 1, 1984, and July 1, 1985,".

30 9. Page 5, by striking lines 5 and 6.

31 10. Page 5, line 20 by inserting after the figure
32 "1984" the following: "and the fiscal year beginning
33 July 1, 1985".

34 11. Page 5, line 31, by inserting after the figure
35 "1984" the following: "and the fiscal year beginning
36 July 1, 1985".

37 12. Page 6, line 8, by inserting after the figure
38 "1984" the following: "and the fiscal year beginning
39 July 1, 1985".

40 13. Page 6, by striking lines 31 and 32 and
41 inserting in lieu thereof the following: "the state
42 to the office of the governor for each of the fiscal
43 years beginning July 1, 1984, and July 1, 1985, the".

44 14. Page 6, by striking line 35.

45 15. Page 7, by striking line 1.

46 16. Page 7, by striking lines 28 and 29 and
47 inserting in lieu thereof the following: "the state
48 to the office of lieutenant governor for each of the
49 fiscal years beginning July 1, 1984, and July 1,
50 1985,".

Page 2

1 17. Page 7, by striking lines 32 and 33.

2 18. Page 8, by striking lines 13 and 14 and
3 inserting in lieu thereof the following: "the state
4 to the Iowa state historical department for each of
5 the fiscal years beginning July 1, 1984, and July
6 1, 1985,".

7 19. Page 8, by striking lines 17 and 18.

8 20. Page 8, by striking lines 25 and 26 and
9 inserting in lieu thereof the following: "the state
10 for each of the fiscal years beginning July 1, 1984,

- 11 and July 1, 1985, to the following named judicial".
 12 21. Page 8, by striking lines 29 and 30.
 13 22. Page 10, by striking lines 14 and 15 and
 14 inserting in lieu thereof the following: "the state
 15 for each of the fiscal years beginning July 1, 1984,
 16 and July 1, 1985, except as otherwise provided, to
 17 the".
 18 23. Page 10, by striking lines 19 and 20.

Roll call was requested by Schroeder of Pottawattamie and Welden of Hardin.

Rule 76 was invoked.

On the question "Shall amendment H—6142 be adopted?"

The ayes were, 35:

| | | | |
|------------------|------------|-----------|-------------|
| Anderson | Bennett | Carpenter | Clark |
| Corey | De Groot | Diemer | Grandia |
| Halvorson, R. A. | Handorf | Hanson | Hermann |
| Hoffmann-Bright | Hummel | Krewson | Lageschulte |
| Maulsby | 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 | Avenson | 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 | McIntee | Miller | Muhlbauer |
| Norland | O'Kane | Ollie | Osterberg |
| Oxley | Parker | Pavich | Peick |
| Poney | Renaud | Rosenberg | Running |
| Sherzan | Shoultz | Skow | Spear |
| Sturgeon | Sullivan | Swartz | Tabor |
| Varn | Woods | Zimmerman | Mr. Speaker (Groninga) |

Absent or not voting, 5:

| | | | |
|----------|---------|---------|--------|
| Branstad | Connors | Daggett | Harbor |
| Rensink | | | |

Amendment H—6142 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk, until his return, on request of Halvorson of Webster.

Hanson of Delaware offered the following amendment H—6148 filed from the floor by Hanson, Mullins, Bennett and Schnekloth and moved its adoption:

H—6148

- 1 Amend House File 2518 as follows:
- 2 1. Page 1, line 22, by striking the figure
- 3 "2,732,074" and inserting in lieu thereof the figure
- 4 "2,735,324".
- 5 2. Page 4, line 8, by striking the figure
- 6 "4,264,482" and inserting in lieu thereof the figure
- 7 "4,271,682".
- 8 3. Page 10, line 24, by striking the figure
- 9 "1,484,482" and inserting in lieu thereof the figure
- 10 "1,495,432".

Roll call was requested by Jochum of Dubuque and Arnould of Scott.

On the question "Shall amendment H—6148 be adopted?"

The ayes were, 23:

| | | | |
|-----------------|------------|------------------|----------|
| Anderson | Bennett | Clark | Corey |
| Diemer | Grandia | Halvorson, R. A. | Hanson |
| Hoffmann-Bright | Hummel | Krewson | Maulsby |
| McKean | Mullins | Paulin | Pellett |
| Royer | Schnekloth | Stromer | Torrence |
| Van Camp | Van Gerpen | Welden | |

The nays were, 72:

| | | | |
|-----------|------------------|----------|------------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carpenter | Carter | Chapman | Chiodo |
| Cochran | Connolly | Cooper | Copenhaver |
| Daggett | Davitt | De Groot | Doderer |
| Fey | Fogarty | Gronstal | Groth |
| Gruhn | Halvorson, R. N. | Hammond | Handorf |
| Haverland | Hermann | Holveck | Hughes |
| Jay | Jochum | Knapp | Koeniga |

| | | | |
|-------------|-------------|-----------|---------------------------|
| Lageschulte | Lloyd-Jones | Loneragan | McIntee |
| Miller | Muhlbauer | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Pavich | Peick | Poncy | Renaud |
| Renken | Rosenberg | Running | Schroeder |
| Sherzan | Shoultz | Skow | Spear |
| Stueland | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Tofte | Van Maanen |
| Varn | Woods | Zimmerman | Mr. Speaker (Groninga) |

Absent or not voting, 5:

| | | | |
|----------|---------|--------|-------|
| Branstad | Connors | Harbor | Menke |
| Rensink | | | |

Amendment H—6148 lost.

Schroeder of Pottawattamie offered amendment H—6157 filed from the floor by Schroeder, Peick, Woods, Renaud, Sherzan, McIntee, O'Kane, Shoultz, Hermann, Swearingen, Diemer, Running, Skow, Tofte and Pavich and requested division as follows:

H-6157

1 Amend House File 2518 as follows:

H-6157A

- 2 1. Page 2, line 34 by striking the figure "44,600"
- 3 and inserting in lieu thereof the figure "42,100".
- 4 2. Page 4, by inserting after line 34 the
- 5 following:
- 6 "5. TELEPHONE CONNECTIONS.
- 7 For installation of telephone
- 8 connections at member's desks in
- 9 the house and senate chambers \$ 5,000".
- 10 3. Page 11, line 6, by striking the figure "48,085"
- 11 and inserting in lieu thereof the figure "45,585".

H-6157B

- 12 4. Page 14, by inserting after line 15 the
- 13 following:
- 14 "Sec. 12. Section 18.8, unnumbered paragraph one,
- 15 Code 1983, is amended to read as follows:
- 16 The director shall provide necessary telephone,
- 17 telegraph, lighting, fuel, and water services,
- 18 including telephone connections at member's desks
- 19 in the house and senate chambers, for the state
- 20 buildings and grounds located at the seat of
- 21 government, except the buildings and grounds referred
- 22 to in section 601B.6, subsection 9."

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—6157A.

Cochran of Webster rose on a point of order that amendment H—6157B was not germane.

The Speaker ruled the point not well taken and amendment H—6157B germane.

Schroeder of Pottawattamie moved the adoption of amendment H—6157B.

A non-record roll call was requested.

Under the provisions of Rule 77, Lloyd-Jones of Johnson refrained from voting.

The ayes were 35, nays 50.

Amendment H—6157B lost.

Jochum of Dubuque offered the following amendment H—6143 filed from the floor by him and Hanson of Delaware and moved its adoption:

H—6143

- 1 Amend House File 2518 as follows:
- 2 1. Page 4, by striking lines 9 through 17 and
- 3 inserting in lieu thereof the following:
- 4 "The state comptroller, through the office of the
- 5 inspector general, shall assist state agencies in
- 6 identifying and implementing efficiency and cost-
- 7 effectiveness measures, as recommended by the
- 8 governor's task force on efficiencies and cost-
- 9 effectiveness. Notwithstanding any conflicting
- 10 provisions of chapter 8, the state comptroller may
- 11 make the first two quarterly allocations to the
- 12 department of general services as if the amount
- 13 appropriated in this subsection contained seven hundred
- 14 thousand dollars more than actually specified, and
- 15 the state comptroller may reduce the last two quarterly
- 16 allocations in order to offset the first two quarterly
- 17 allocations. The state comptroller may reduce
- 18 quarterly allocations of funds appropriated to other
- 19 agencies to reflect savings made as a result of

20 implementing recommendations of the governor's task
 21 force on efficiencies and cost effectiveness. Not
 22 more than seven hundred thousand dollars of the savings
 23 resulting from implementing the recommendations may
 24 be transferred by the state comptroller to the
 25 department of general services to be used for the
 26 purposes provided in this subsection."

Amendment H—6143 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Fey of Scott, for the remainder of the day, on request of Poncey of Wapello.

Hanson of Delaware offered the following amendment H—6149 filed from the floor by Hanson, Mullins, Bennett and Schnekloth and moved its adoption:

H—6149

- 1 Amend House File 2518 as follows:
- 2 1. Page 4, by striking lines 8 through 17 and
- 3 inserting in lieu thereof the following: "poses
- 4 \$ 4,964,482"

Roll call was requested by Jochum of Dubuque and Pavich of Pottawattamie.

On the question "Shall amendment H—6149 be adopted?"

The ayes were, 32:

| | | | |
|------------------|-----------------|------------|------------|
| Anderson | Bennett | Carpenter | Clark |
| Corey | Diemer | Doderer | Grandia |
| Halvorson, R. A. | Handorf | Hanson | Harbor |
| Hermann | Hoffmann-Bright | Hummel | Krewson |
| Maulsby | McKean | Mullins | Paulin |
| Pellett | Renken | Royer | Schnekloth |
| Stromer | Stueland | Swearingen | Tofte |
| Torrence | Van Camp | Van Gerpen | Welden |

The nays were, 60:

| | | | |
|---------|------------|----------|----------|
| Avenson | Baxter | Black | Blanshan |
| Brammer | Buhr | Carl | Carter |
| Chapman | Cochran | Connolly | Connors |
| Cooper | Copenhaver | Daggett | Davitt |

| | | | |
|----------|------------------|-------------|---------------------------|
| De Groot | Fogarty | Gronstal | Groth |
| Gruhn | Halvorson, R. N. | Hammond | Haverland |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Koenigs | Lloyd-Jones | Lonergan |
| McIntee | Miller | Muhlbauer | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Pavich | Peick | Poney |
| Renaud | Rosenberg | Running | Sherzan |
| Shoultz | Skow | Spear | Sturgeon |
| Sullivan | Swartz | Tabor | Van Maanen |
| Varn | Woods | Zimmerman | Mr. Speaker (Groninga) |

Absent or not voting, 8:

| | | | |
|-------------|----------|---------|-----------|
| Arnould | Branstad | Chiodo | Fey |
| Lageschulte | Menke | Rensink | Schroeder |

Amendment H — 6149 lost.

Handorf of Marshall offered the following amendment H — 6161 filed from the floor by Handorf, Hanson and Schnekloth:

H — 6161

1 Amend House File 2518 as follows:

2 1. Page 9, line 22, by inserting after the figure
3 "1983" the words and figures ", and as provided in
4 sections 100 through 104 of this Act".

5 2. Page 14, by inserting after line 34 the
6 following:

7 "Sec. 100. Section 602.1303, subsection 7, Code
8 Supplement 1983, is amended to read as follows:

9 7. A county or city shall pay the costs of its
10 ~~witnesses~~, depositions, and transcripts and the court
11 fees and costs provided by law in criminal actions
12 prosecuted by that county or city. A county or city
13 shall pay witness fees and mileage in trials of
14 criminal actions prosecuted by the county or city
15 under county or city ordinance.

16 Sec. 101. Section 602.11101, subsection 1, Code
17 Supplement 1983, is amended to read as follows:

18 1. On October 1, 1983 the state shall assume the
19 responsibility for and the costs of jury ~~and witness~~
20 fees and mileage as provided in section 607.5 and
21 on July 1, 1984 the state shall assume the
22 responsibility for and the costs of prosecution and
23 indigent defense witness fees and mileage and other
24 witness fees and mileage assessed against the
25 prosecution in criminal actions prosecuted under state
26 law as provided in sections 607.5, 622.69, and 622.72,

27 except as provided in section 331-506, subsection
28 2.

29 Sec. 102. Section 602.11101, subsection 6, Code
30 Supplement 1983, is amended to read as follows:

31 6. The state shall assume the responsibility for
32 and the costs of indigent defense on July 1, 1987,
33 except that the state shall assume the costs of
34 indigent defense witness fees on July 1, 1984 as
35 provided in subsection 1."

36 3. Page 15, by inserting after line 1 the
37 following:

38 "Sec. 103. Section 815.11, Code Supplement 1983,
39 is amended to read as follows:

40 815.11 APPROPRIATIONS FOR INDIGENT DEFENSE. Costs
41 incurred under sections 814.9, 814.10, 814.11, ~~815.4,~~
42 ~~815.5, 815.6, 815.7, 815.10, 815.12,~~ or the rules
43 of criminal procedure on behalf of an indigent shall
44 be paid from funds appropriated by the general assembly
45 to the supreme court for those purposes.

46 Sec. 104. Section 815.13, Code Supplement 1983,
47 is amended to read as follows:

48 815.13 PAYMENT OF PROSECUTION COSTS. The county
49 or city that prosecutes which has the duty to prosecute
50 a criminal action shall pay the required fees and

Page 2

1 mileage to witnesses called on behalf of the
2 prosecution, the costs of depositions taken on behalf
3 of the prosecution, the costs of transcripts requested
4 by the prosecution, the fees that are payable to the
5 clerk of the district court for services rendered,
6 and court costs taxed in connection with the trial
7 of the action or appeals from the judgment. The
8 county or city shall pay witness fees and mileage
9 in trials of criminal actions prosecuted by the county
10 or city under county or city ordinance. These fees
11 and costs are recoverable by the county or city from
12 the defendant unless the defendant is found not guilty
13 or the action is dismissed, in which case the state
14 shall pay the witness fees and mileage. Expenditures
15 of a county under this section may be paid out of
16 the court expense fund in lieu of the county general
17 fund."

18 4. By renumbering as necessary.

Handorf of Marshall offered the following amendment H-6170,
to amendment H-6161, filed by him from the floor and moved its
adoption:

H-6170

- 1 Amend the amendment H-6161 to House File 2518 as
 2 follows:
 3 1. Page 1, lines 22 and 23, by striking the words
 4 "and indigent defense".
 5 2. Page 1, by striking lines 29 through 45.
 6 3. Page 2, line 14, by inserting after the word
 7 "mileage" the words "in cases prosecuted under state
 8 law".

Amendment H-6170 was adopted.

Speaker Avenson in the chair at 3:18 p.m.

On motion by Handorf of Marshall, amendment H-6161, as amended, was adopted.

Handorf of Marshall offered the following amendment H-6150 filed from the floor by him and Hanson of Delaware and moved its adoption:

H-6150

- 1 Amend House File 2518 as follows:
 2 1. Page 9, by striking lines 30 through page 10,
 3 line 1.

Roll call was requested by Hanson of Delaware and Swearingen of Keokuk.

Rule 76 was invoked.

On the question "Shall amendment H-6150 be adopted?"

The ayes were, 45:

| | | | |
|-----------------|------------|------------------|------------------|
| Anderson | Black | Buhr | Cochran |
| Cooper | Copenhaver | Corey | Daggett |
| Davitt | De Groot | Diemer | Doderer |
| Grandia | Groth | Halvorson, R. A. | Halvorson, R. N. |
| Handorf | Hanson | Harbor | Hermann |
| Hoffmann-Bright | Hummel | Krewson | Lageschulte |
| Maulsby | McKean | Muhlbauer | Mullins |
| Oxley | Paulin | Pellett | Renken |
| Royer | Schneklath | Schroeder | Stromer |
| Stueland | Swearingen | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | Zimmerman |
| Mr. Speaker | | | |

The nays were, 50:

| | | | |
|-----------|-------------|-----------|----------|
| Arnould | Baxter | Bennett | Blanshan |
| Brammer | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Connolly |
| Connors | Fogarty | Groninga | Gronstal |
| Gruhn | Hammond | Haverland | Holveck |
| Hughes | Jay | Jochum | Knapp |
| Koenigs | Lloyd-Jones | Loneragan | McIntee |
| Miller | Norland | O'Kane | Ollie |
| Osterberg | Parker | Pavich | Peick |
| Poney | Renaud | Rosenberg | Running |
| Sherzan | Shoultz | Skow | Spear |
| Sturgeon | Sullivan | Swartz | Tabor |
| Varn | Woods | | |

Absent or not voting, 5:

| | | | |
|----------|-----|-------|---------|
| Branstad | Fey | Menke | Rensink |
| Tofte | | | |

Amendment H—6150 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Menke of O'Brien, for the remainder of the day, on request of Maulsby of Calhoun.

Welden of Hardin offered the following amendment H—6089 filed by him and moved its adoption:

H—6089

- 1 Amend House File 2518 as follows:
- 2 1. Page 9, line 22, by striking the figure
- 3 "8,310,000" and inserting in lieu thereof the figure
- 4 "8,810,000".
- 5 2. Page 10, by striking lines 8 through 12.

Roll call was requested by Jochum of Dubuque and Swartz of Marshall.

On the question "Shall amendment H—6089 be adopted?"

The ayes were, 42:

| | | | |
|----------|---------|-----------|----------|
| Anderson | Bennett | Carpenter | Clark |
| Cochran | Corey | Daggett | De Groot |

| | | | |
|-----------------|-------------|------------------|------------|
| Diemer | Grandia | Halvorson, R. A. | Hammond |
| Handorf | Hanson | Harbor | Hermann |
| Hoffmann-Bright | Hummel | Jay | Knapp |
| Krewson | Lageschulte | Maulsby | McIntee |
| McKean | Muhlbauer | Mullins | Paulin |
| Pellett | Renken | Royer | Schnekloth |
| Schroeder | Stromer | Stueland | Sullivan |
| Swartz | Swearingen | Torrence | Van Camp |
| Van Gerpen | Welden | | |

The nays were, 51:

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

Absent or not voting, 7:

| | | | |
|----------|---------|-------|-----------|
| Branstad | Carter | Fey | Loneragan |
| Menke | Rensink | Tofte | |

Amendment H—6089 lost.

Varn of Johnson asked and received unanimous consent to withdraw amendment H—6137 filed by him and Blanshan of Greene on April 5, 1984.

Osterberg of Linn asked and received unanimous consent to withdraw amendment H—6139 filed by him on April 5, 1984.

Swartz of Marshall offered the following amendment H—6158 filed by him from the floor and moved its adoption:

H—6158

- 1 Amend House File 2518 as follows:
- 2 1. Page 13, by inserting after line 14 the
- 3 following:
- 4 "1. If House File 2189 becomes law, the funds
- 5 appropriated or allocated under this subsection to

6 the Iowa council for children and families and the
7 Iowa youth council shall be transferred to the
8 commission on children, youth and families,
9 notwithstanding any contrary provision in the
10 appropriation."

Amendment H-6158 was adopted.

Schroeder of Pottawattamie offered the following amendment
H-6154 filed by him from the floor:

H-6154

1 Amend House File 2518 as follows:
2 1. Page 14, by inserting after line 15 the
3 following:
4 "Sec. 12. Section 2.43, Code 1983, is amended
5 by adding the following new unnumbered paragraph:
6 NEW UNNUMBERED PARAGRAPH. A contract for any
7 project for renovation or remodeling of physical
8 facilities used or to be used by the general assembly
9 or legislative agencies subject to the jurisdiction
10 of the legislative council where the estimated cost
11 of the project is twenty-five thousand dollars or
12 more shall be let by competitive bid to the lowest
13 responsible bidder. However, this paragraph shall
14 not be construed to require competitive bids regarding
15 the contracting for labor costs to the extent the
16 project calls for the use of state employees to provide
17 that labor. If in the judgment of the legislative
18 council all bids received are not acceptable, all
19 bids may be rejected and new bids requested."
20 2. By renumbering to conform with this amendment.

Baxter of Des Moines rose on a point of order that amendment
H-6154 was not germane.

The Speaker ruled the point well taken and amendment
H-6154 not germane.

Jay of Appanoose offered the following amendment H-6175
filed from the floor by him and Schroeder of Pottawattamie and
moved its adoption:

H-6175

1 Amend House File 2518 as follows:
2 1. Page 14, by inserting after line 15 the
3 following:

4 "Sec. 12. Section 18.8, unnumbered paragraph one,
 5 Code 1983, is amended to read as follows:
 6 The director shall provide necessary telephone,
 7 telegraph, lighting, fuel, and water services,
 8 including at least one telephone connection for every
 9 two member's desks in the house chamber, for the state
 10 buildings and grounds located at the seat of
 11 government, except the buildings and grounds referred
 12 to in section 601B.6, subsection 9."

A non-record roll call was requested.

Under the provisions of Rule 77, Stromer of Hancock refrained from voting.

The ayes were 29, nays 48.

Amendment H—6175 lost.

Baxter of Des Moines offered the following amendment H—6106 filed by her:

H—6106

1 Amend House File 2518 as follows:
 2 1. Page 14, by inserting after line 34 the
 3 following:
 4 "Sec. 13. Section 18.97, Code Supplement 1983,
 5 is amended to read as follows:
 6 18.97 CODE, SESSION LAWS, COURT RULES,
 7 ADMINISTRATIVE RULES AND STATE ROSTER. The
 8 superintendent of printing shall make free distribution
 9 of the Code, supplements to the Code, rules of civil
 10 procedure, rules of appellate procedure, rules of
 11 criminal procedure, supreme court rules, the Acts
 12 of each general assembly, and, upon request, the Iowa
 13 administrative code, its supplements, the Iowa
 14 administrative bulletin and the state roster pamphlet
 15 as follows:
 16 1. To state law library for exchange
 17 purposes 100 50 copies
 18 2. To law library of state University of Iowa for exchange
 19 purposes 75 40 copies
 20 3. To state historical department 5 2 copies
 21 4. To state historical society 5 2 copies
 22 5. To each judge of the supreme court, the court of appeals
 23 and the district court, two copies; and to each district asso-
 24 ciate judge and each judicial magistrate 1 copy
 25 6. To each judge of the federal courts in Iowa 1 copy

- 26 7. To the clerk of the supreme court of Iowa 1 copy
- 27 8. To the clerk of each federal court in Iowa 1 copy
- 28 9. To each state institution under the control of either
- 29 the state board of regents or the state department of social
- 30 services 1 copy
- 31 10. To each elective state officer 2 copies
- 32 11. To the separate departments of principal state offices
- 33 and each major subdivision thereof 1 copy
- 34 12. To each member of the present and subsequent general
- 35 assemblies 1 copy
- 36 13. To chief clerk of the house 1 copy
- 37 14. To secretary of the senate 1 copy
- 38 15. To the chief clerk of the house and secretary
- 39 of the senate such number as may be required by the
- 40 house and senate.
- 41 16. To the following offices such number of
- 42 copies as will enable them to perform the duties of
- 43 their respective offices.
- 44 a. Code editor.
- 45 b. Attorney general.
- 46 c. Legislative service bureau.
- 47 d. Legislative fiscal bureau.
- 48 e. State court administrator.
- 49 f. Each district court administrator.
- 50 17. To the clerk of the district court and each separate

Page 2

- 1 office of the clerk, the county attorney, the county auditor,
- 2 the county recorder, county and city assessor, the county
- 3 treasurer, the sheriff and each separate office of a sheriff,
- 4 the public defender's office, and the administrator of each
- 5 area education agency in the state and also for use in each
- 6 courtroom of the district court 1 copy
- 7 18. To the library of the United States supreme court
- 8 1 copy
- 9 19. To the depository library center established pursuant
- 10 to section 303A.22 75 copies 1 copy for each depository
- 11 library
- 12 20. To library of the United States department of justice
- 13 1 copy
- 14 20. To library of the judge advocate general, United States
- 15 department of defense 1 copy
- 16 21. To library of the United States department of agri-
- 17 culture 1 copy
- 18 22. To library of the United States department of labor
- 19 1 copy
- 20 23. To legal staff, office of public debt, United States
- 21 treasury department 1 copy
- 22 24. To library of the United States department of
- 23 state 1 copy
- 24 25. To law library of the United States department of the

| | | |
|----|--|--------|
| 25 | interior | 1 copy |
| 26 | 26. To library of the United States department of internal | |
| 27 | revenue | 1 copy |
| 28 | 27 20. To each member of the Iowa congressional delegation | |
| 29 | | 1 copy |
| 30 | 28 21. To each board of supervisors for each county | |
| 31 | | 1 copy |
| 32 | 29 22. To each juvenile referee | 1 copy |
| 33 | <u>In the case of copies of the free documents provided</u> | |
| 34 | <u>in this section to libraries, the superintendent of</u> | |
| 35 | <u>printing may provide microfiche copies in lieu of</u> | |
| 36 | <u>bound copies and may provide more copies than indicated</u> | |
| 37 | <u>in this section if the additional copies are microfiche</u> | |
| 38 | <u>copies.</u> | |
| 39 | <u>The free copies provided in this section are for</u> | |
| 40 | <u>the use of the office or agency indicated and not</u> | |
| 41 | <u>for the personal possession of the person holding</u> | |
| 42 | <u>the office.</u> | |
| 43 | <u>Each office, agency, or person receiving a free</u> | |
| 44 | <u>copy of a document under this section shall receive</u> | |
| 45 | <u>only the number of copies indicated free at the time</u> | |
| 46 | <u>of initial distribution and if a replacement document</u> | |
| 47 | <u>is necessary, it shall be provided only after payment</u> | |
| 48 | <u>of the normal subscription charge for such document."</u> | |

Baxter of Des Moines offered the following amendment H-6116, to amendment H-6106, filed by her and moved its adoption:

H-6116

- 1 Amend amendment H-6106 to House File 2518 as
- 2 follows:
- 3 1. Page 1, line 17, by striking the figure "50"
- 4 and inserting in lieu thereof the figure "65".

Amendment H-6116 was adopted.

Baxter of Des Moines offered the following amendment H-6151, to amendment H-6106, filed by her from the floor and moved its adoption:

H-6151

- 1 Amend amendment H-6106 to House File 2518 as
- 2 follows:
- 3 1. Page 1, line 19, by striking the figure "40"
- 4 and inserting in lieu thereof the figure "60".

Amendment H-6151 was adopted.

The House stood at ease at 4:00 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H-6106, as amended, to House File 2518 at 4:12 p.m., Speaker Avenson in the chair.

The following amendment H-6178, to amendment H-6106, filed by Spear of Lee from the floor was adopted by unanimous consent:

H-6178

- 1 Amend amendment H-6106 to House File 2518
- 2 as follows:
- 3 1. Page 1, line 28, by striking the word
- 4 "either" and inserting in lieu thereof the words
- 5 "the department of corrections,".

The following amendment H-6179, to amendment H-6106, filed by Spear of Lee from the floor was adopted by unanimous consent:

H-6179

- 1 Amend amendment H-6106 to House File 2518
- 2 as follows:
- 3 1. Page 1, line 29, by striking the word
- 4 "social" and inserting in lieu thereof the word
- 5 "human".

The following amendment H-6180, to amendment H-6106, filed by Baxter of Des Moines from the floor was adopted by unanimous consent:

H-6180

- 1 Amend amendment H-6106 to House File 2518 as follows:
- 2 1. Page 2, by striking lines 39 through 42.

On motion by Baxter of Des Moines amendment H-6106, as amended, was adopted.

Connolly of Dubuque offered the following amendment H-6068 (temporarily deferred) filed by the committee on finance and moved its adoption:

H-6068

- 1 Amend House File 2518 as follows:
 2 1. Page 9, by striking line 28 and inserting in
 3 lieu thereof the words "chairpersons of the house
 4 and senate committees on appropriations shall notify
 5 the supreme court and the counties of this possible
 6 delay".
 7 2. Page 10, line 1, by striking the figure
 8 "150,000" and inserting in lieu thereof the figure
 9 "95,000".

Amendment H-6068 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. 2518)

The ayes were, 71:

| | | | |
|------------------|-------------|-------------|------------|
| Arnould | Baxter | Black | Brammer |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Connors | Cooper | Copenhaver |
| Davitt | Diemer | Doderer | Fogarty |
| Groninga | Gronstal | Groth | Gruhn |
| Halvorson, R. N. | Hammond | Handorf | Hanson |
| Haverland | Hermann | Holveck | Hughes |
| Jay | Jochum | Knapp | Koenigs |
| Krewson | Lloyd-Jones | Lonergan | McIntee |
| McKean | Miller | Muhlbauer | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellett | Poncy | Renaud | Rosenberg |
| Running | Sherzan | Skow | Spear |
| Stueland | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Van Gerpen | Varn |
| Woods | Zimmerman | Mr. Speaker | |

The nays were, 22:

| | | | |
|-----------------|---------|------------------|------------|
| Anderson | Bennett | Corey | Daggett |
| De Groot | Grandia | Halvorson, R. A. | Harbor |
| Hoffmann-Bright | Hummel | Lageschulte | Maulsby |
| Mullins | Renken | Royer | Schneklath |
| Schroeder | Stromer | Torrence | Van Camp |
| Van Maanen | Welden | | |

Absent or not voting, 7:

Blanshan
Rensink

Branstad
Shoultz

Fey
Tofte

Menke

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

IMMEDIATE MESSAGE
(House File 2518)

Arnould of Scott asked and received unanimous consent to immediately message House File 2518 to the Senate.

MOTION TO RECONSIDER WITHDRAWN
(House File 2189)

Swartz of Marshall asked and received unanimous consent to withdraw the motion to reconsider House File 2189, a bill for an act creating a commission on children, youth, and families and providing its purpose and duties, filed by him on March 4, 1984.

INTRODUCTION OF BILL

House File 2522, by committee on ways and means, a bill for an act relating to the disposition of unclaimed property.

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 6, 1984, concurred in the House amendment and adopted the following concurrent resolution in which the concurrence of the Senate was asked:

Senate Concurrent Resolution 111, relating to farm conditions.

K. MARIE THAYER, Secretary

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 6th day of April, 1984: House Files 80, 245, 591, 2071, 2421 and 2438.

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 April 6, 1984, he approved and transmitted to the Secretary of State the following bills:

House File 526, an act relating to criminal responsibility for the commission of a public offense while insane.

House File 2126, an act relating to the membership of legislative visitation committees.

House File 2212, an act to provide for the placement of validation stickers on only the rear registration plate for certain motor vehicles.

House File 2323, an act relating to the payment of special assessments of drainage districts.

House File 2375, an act providing for the surrender and disposition of earnings of persons committed to residential treatment centers operated by judicial district departments of correctional services.

House File 2379, an act extending the dates for application and approval of community mental health and mental retardation funding.

House File 2404, an act relating to the definition of telephone companies not generally subject to rate regulation.

House File 2405, an act relating to the annual meetings of shareholders and the loans to officers of state banks.

House File 2409, an act removing the priority of a mortgage given by the trustees of a cooperative housing association over any mortgage, lien, or encumbrance against an individual apartment or room or the owner's interest in an individual apartment or room.

House File 2480, an act ceding to the United States concurrent legislative jurisdiction over and within certain lands and waters dedicated to national park purposes.

PRESENTATION OF VISITORS

Pavich of Pottawattamie presented to the House the Honorable Rollie Howell, former member of the House representing Floyd County.

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

Fifty fifth grade students from Atkins Elementary School, Atkins, accompanied by Darrell McReynolds. By Hummel of Benton.

Forty-one fifth grade students from Twin Cedars Elementary School, Bussey, accompanied by Jeanne Duffy and Carol Parks. By Van Maanen of Mahaska.

Forty eighth grade students from Pella Christian Grade School, Pella, accompanied by Mr. Larry Vander Leest, Mr. Ron Vos and Mr. Jerry De Groot. By Grandia of Marion.

Sixty-five sixth grade students from Southeast Warren Elementary School, Lacona, accompanied by Pat Butler. By Davitt of Warren.

SUBCOMMITTEE ASSIGNMENTS

House File 2514

Finance: Connolly, Chair; Chiodo and Krewson.

House File 2517

Judiciary and Law Enforcement: Schroeder, Chair; Jay and Rosenberg.

House File 2519

Finance: Connolly, Chair; Halvorson of Webster and Krewson.

House File 2520

Finance: Jochum, Chair; Halvorson of Webster and Hanson.

Senate File 2330

Finance: Doderer, Chair; Branstad and Connolly.

STUDY BILL SUBCOMMITTEE ASSIGNMENT

Study Bill 798

Ways and Means: Koenigs, Chair; Swartz and Daggett.

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 2504, a bill for an act relating to the interest and penalty on delinquent property taxes.

Fiscal Note is required.

Without Recommendation April 6, 1984.

House File 2521, 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 April 6, 1984.

House File 2520, 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 6, 1984.

AMENDMENTS FILED

| | | |
|--------|-----------|--------------------|
| H—6144 | H.F. 2520 | Blanshan of Greene |
| H—6146 | H.F. 2519 | Jochum of Dubuque |
| H—6147 | H.F. 2487 | Senate Amendment |

| | | | |
|--------|------|------|---|
| H-6152 | S.F. | 407 | Doderer of Johnson Chapman of Linn |
| H-6153 | H.F. | 2519 | Woods of Polk Sherzan of Polk |
| H-6162 | H.F. | 2519 | Woods of Polk Sherzan of Polk |
| H-6163 | H.F. | 2519 | Welden of Hardin |
| H-6164 | H.F. | 2519 | Poncy of Wapello |
| H-6166 | H.F. | 2519 | Hanson of Delaware |
| H-6167 | H.F. | 2519 | Hanson of Delaware |
| H-6168 | H.F. | 2519 | Stromer of Hancock Maulsby of Calhoun Van Maanen of Mahaska |
| H-6169 | H.F. | 2519 | Groth of Buena Vista Varn of Johnson |
| H-6171 | H.F. | 2519 | Welden of Hardin |
| H-6172 | S.F. | 2214 | Maulsby of Calhoun |
| H-6173 | H.F. | 2519 | McKean of Jones |
| H-6174 | S.F. | 2330 | Muhlbauer of Crawford Lageschulte of Bremer Pellett of Cass |
| H-6176 | H.F. | 2519 | Hanson of Delaware Krewson of Polk |
| H-6177 | S.F. | 2330 | Handorf of Marshall Schnekloth of Scott |
| H-6181 | H.F. | 2519 | Halvorson of Clayton |
| H-6182 | H.F. | 2520 | Halvorson of Clayton Oxley of Linn Jochum of Dubuque |

On motion by Norland of Worth, the House adjourned at 4:32 p.m., until 10:00 a.m., Monday, April 9, 1984.

JOURNAL OF THE HOUSE

Ninety-second Calendar Day — Sixty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 9, 1984

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

Prayer was offered by Reverend Lynn Ryon, pastor of the United Methodist Church, Fremont.

The Journal of Friday, April 6, 1984 was approved.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 104

Anderson of Audubon offered the following House Memorial Resolution 104 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 104

Whereas, The Honorable Charles E. Knoblauch, Sr., of Webster County, Fort Dodge, Iowa, who was a member of the Sixty-third and Sixty-fourth General Assemblies, passed away February 7, 1984; *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 Anderson of Audubon, Blanshan of Greene, Muhlbauer of Crawford and Cochran of Webster.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 5, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was 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.

K. MARIE THAYER, Secretary

SENATE AMENDMENT CONSIDERED

Cooper of Lucas called up for consideration **House File 2306**, a bill for an act permitting the conservation commission to alter or restrict the taking of wildlife, amended by the Senate amendment H-6029 as follows:

H-6029

- 1 Amend House File 2306 as passed by the House as
- 2 follows:
- 3 1. Page 1, by striking lines 5 through 7 and
- 4 inserting in lieu thereof the following: "employed
- 5 and the instruments or equipment used in taking deer,
- 6 raccoon, wild turkey, pheasant, quail, trout or rough
- 7 fish, reptiles, and amphibians, if the investigation
- 8 reveals".
- 9 2. Page 1, line 16, by striking the word "or"
- 10 and inserting in lieu thereof the word "or,".
- 11 3. Page 1, line 16, by inserting after the word
- 12 "regulated," the words "or expanded,".
- 13 4. Page 1, line 18, by inserting after the word
- 14 "license." the words "If further deer depopulation
- 15 is warranted in localized areas, the commission shall
- 16 consider additional hunting days and additional any
- 17 sex deer licenses shall be issued for those areas."
- 18 5. Page 1, line 19, by striking the words "thirty-
- 19 day" and inserting in lieu thereof the words "thirty-
- 20 day forty-five day".

Cooper of Lucas offered the following amendment H-6093, to the Senate amendment H-6029, filed by him and moved its adoption:

H-6093

- 1 Amend H-6029, the Senate amendment to House File
- 2 2306, as passed by the House as follows:
- 3 1. Page 1, lines 5 and 6, by striking the words
- 4 "deer, raccoon" and inserting in lieu thereof the
- 5 words "deer, raccoon wild mammals".

Amendment H-6093 was adopted.

On motion by Cooper of Lucas, the House concurred in the Senate amendment H-6029, as amended.

Cooper of Lucas 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. 2306)

The ayes were, 95:

| | | | |
|------------------|------------------|-------------|-------------|
| 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 | Jochum |
| Knapp | Koenigs | Krewson | Lageschulte |
| Lloyd-Jones | Lohergan | Maulsby | McIntee |
| McKean | Menke | Miller | Muhlbauer |
| Mullins | Norland | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Paulin |
| Peick | Pellett | Poncy | Renaud |
| Renken | Rensink | Rosenberg | Royer |
| Running | Schneklath | 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:

| | | |
|--------|--------|-----------|
| Hummel | Pavich | Schroeder |
|--------|--------|-----------|

Absent or not voting, 2:

| | |
|---------|-----|
| Connors | Jay |
|---------|-----|

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

HOUSE REFUSED TO CONCUR.

Hammond of Story called up for consideration **House File 2340**, a bill for an act relating to the investigations and findings of a complaint filed against a health care facility, amended by the Senate amendment H-6049 as follows:

H-6049

- 1 Amend House File 2340 as follows:
- 2 1. Page 2, by striking lines 24 through 27, and
- 3 inserting in lieu thereof the words "be kept
- 4 confidential, except as authorized by a court of
- 5 competent jurisdiction. The department may seek an
- 6 appropriate protective order where discovery is
- 7 permitted by court order."

Clark of Cerro Gordo asked and received unanimous consent to withdraw amendment H-6085, to the Senate amendment H-6049, filed by her on April 4, 1984.

On motion by Hammond of Story, the House refused to concur in the Senate amendment H-6049.

SENATE AMENDMENT CONSIDERED

Brammer of Linn called up for consideration **House File 2392**, a bill for an act relating to the psychological testing of law enforcement, corrections, parole, and probation officers and community correctional service workers, amended by the Senate amendment H-6103.

Spear of Lee asked and received unanimous consent that House File 2392 be temporarily deferred and that the bill retain its place on the calendar.

(Senate amendment H-6103 pending.)

SENATE FILE 2330 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 2330 be deferred and that the bill retain its place on the calendar.

Groth of Buena Vista in the chair at 10:53 a.m.

Appropriations Calendar,

House File 2519, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments,

and boards responsible for education programs for this state, was taken up for consideration.

The House stood at ease at 11:10 a.m., until the fall of the gavel.

The House resumed session and consideration of House File 2519 at 12:12 p.m., Speaker Avenson in the chair.

(House File 2519 pending at recess.)

On motion by Norland of Worth, the House was recessed at 12:17 p.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

HOUSE FILE 2519 DEFERRED

Norland of Worth asked and received unanimous consent that House File 2519 be temporarily deferred and that the bill retain its place on the calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk, until his arrival, on request of Lonergan of Boone.

SENATE AMENDMENT CONSIDERED

House Refused to Concur

Rosenberg of Story called up for consideration **Senate File 2248**, a bill for an act relating to the collection and dissemination of information regarding hazardous chemicals and providing penalties and authorizing the department of water, air and waste management to adopt hazardous waste rules in respect to hazardous chemicals which are more restrictive than, but consistent with, federal requirements, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-6095 to the House amendment:

H-6095

- 1 Amend House amendent S-5703 to Senate File
2 2248, as amended, passed and reprinted by the
3 Senate, as follows:
- 4 1. Page 1, line 7, by inserting after the
5 words "for 455D.8," the words "or as otherwise
6 provided for in this section".
- 7 2. Page 1, line 31, by striking the words
8 "Notwithstanding subsection 1 a" and inserting
9 in lieu thereof the word "A".
- 10 3. Page 1, by inserting after line 36 the
11 following new subsection:
- 12 "3. For hazardous chemicals not covered under
13 the Federal Insecticide, Fungicide and Rodenticide
14 Act, 7 U.S.C. sec. 121 et seq., a person engaged
15 in farming, a commercial applicator as defined in
16 section 206.2, subsection 12, a certified applicator
17 as defined in section 206.2, subsection 17, a
18 certified private applicator as defined in
19 section 206.2, subsection 18, a certified commercial
20 applicator as defined in section 206.2, subsection
21 19, and a pesticide dealer as defined in section
22 206.2, subsection 24, are responsible to their
23 employees for the following:
- 24 a. Making information available regarding
25 hazardous chemicals to which the employee may be
26 exposed, to the extent the information is available
27 to the employer, and
- 28 b. Providing reasonable instruction in the
29 handling of hazardous chemicals that the employee
30 is expected to handle, in order to protect the
31 employee from harmful exposure."

The motion lost and the House refused to concur in the Senate amendment H-6095 to the House amendment.

Appropriations Calendar

The House resumed consideration of **House File 2519**, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs for this state, temporarily deferred.

Stromer of Hancock offered the following amendment H-6168 filed by Stromer, et al.:

H-6168

1 Amend House File 2519 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:
4 "Section 1. There is appropriated from the general
5 fund of the state to the Iowa commission for the blind
6 for the fiscal year beginning July 1, 1984 and ending
7 June 30, 1985, the following amount, or so much thereof
8 as may be necessary, to be used by the following
9 agency for the purposes designated:

| | | |
|----|---------------------------------|--------------------|
| 10 | | 1984-1985 |
| 11 | | <u>Fiscal Year</u> |
| 12 | IOWA COMMISSION FOR THE BLIND | |
| 13 | For salaries, support, main- | |
| 14 | tenance, and miscellaneous pur- | |
| 15 | poses | \$ 1,034,074 |

16 Sec. 2. There is appropriated from the general
17 fund of the state to the Iowa college aid commission
18 for the fiscal year beginning July 1, 1984 and ending
19 June 30, 1985, the following amount, or so much thereof
20 as may be necessary, to be used for the funding of
21 the following programs for the purposes designated:

| | | |
|----|---------------------------------|--------------------|
| 22 | | 1984-1985 |
| 23 | | <u>Fiscal Year</u> |
| 24 | 1. IOWA COLLEGE AID COMMISSION | |
| 25 | For salaries, support, main- | |
| 26 | tenance, and miscellaneous pur- | |
| 27 | poses | \$ 418,098 |

| | | |
|----|-------------------------------------|--------------|
| 28 | 2. TUITION GRANT PROGRAM | |
| 29 | To supplement the appropriation | |
| 30 | provided in subsection 1 of section | |
| 31 | 261.25 for tuition grants to full- | |
| 32 | time resident students attending | |
| 33 | accredited private institutions | |
| 34 | of higher education in Iowa under | |
| 35 | sections 261.9 through 261.16 | \$ 1,346,396 |

36 Sec. 3.

37 1. There is appropriated from the general fund
38 of the state to the Iowa college aid commission for
39 the fiscal year beginning July 1, 1984 and ending
40 June 30, 1985, the sum of seven hundred seventy-seven
41 thousand four hundred twenty-five (777,425) dollars,
42 or so much thereof as may be necessary, to be paid
43 to the university of osteopathic medicine and health
44 services for the subvention program created pursuant
45 to sections 261.18 and 261.19. Notwithstanding section
46 261.19, for fiscal year beginning July 1, 1984, the
47 subvention shall be used for the admission and
48 education of students enrolled in each of the four
49 years of classes in the college of osteopathic medicine
50 and surgery.

Page 2

1 2. In addition to the requirements of sections
 2 261.18 and 261.19, the availability of funds
 3 appropriated by this section is subject to the
 4 condition that one-half of the funds appropriated
 5 for fiscal year 1984-1985 shall not be released until
 6 delivery to the legislative fiscal bureau of the June
 7 30, 1984, financial audits, conducted by an independent
 8 third party, of the university of osteopathic medicine
 9 and health services.

10 Sec. 4. There is appropriated from the general
 11 fund of the state to the Iowa college aid commission
 12 for the fiscal year beginning July 1, 1984, and ending
 13 June 30, 1985, the sum of twenty-three thousand nine
 14 hundred thirty-five (23,935) dollars, or so much
 15 thereof as may be necessary, to provide for a national
 16 guard education program. Funds shall only be expended
 17 for Iowa residents who are enlisted members in good
 18 standing in the Iowa national guard who are enrolled
 19 as undergraduates in Iowa post-secondary educational
 20 institutions. Funds expended on behalf of each full-
 21 time undergraduate student shall not exceed two hundred
 22 fifty dollars per year. Funds expended on behalf
 23 of each half-time undergraduate student shall not
 24 exceed one hundred twenty-five dollars per year.

25 Sec. 5. There is appropriated from the general
 26 fund of the state to the Iowa department of public
 27 broadcasting for the fiscal year beginning July 1,
 28 1984 and ending June 30, 1985 the following amount,
 29 or so much thereof as may be necessary, to be used
 30 by the following agency for the purposes designated:

31 1984-1985
 32 Fiscal Year

33 IOWA DEPARTMENT OF PUBLIC
 34 BROADCASTING

35 For salaries, support, main-
 36 tenance, and miscellaneous pur-
 37 poses \$ 6,070,008

38 Sec. 6. There is appropriated from the general
 39 fund of the state to the department of public
 40 instruction for the fiscal year beginning July 1,
 41 1984 and ending June 30, 1985, the following amounts,
 42 or so much thereof as may be necessary, to be used
 43 in the manner designated:

44 1984-1985
 45 Fiscal Year

46 1. GENERAL OFFICE ADMINISTRATION

47 a. For salaries, support, main-
 48 tenance, and miscellaneous purposes \$ 3,559,221
 49 It is the intent of the general assembly that not
 50 more than one hundred forty-one thousand six hundred

Page 3

| | | | |
|----|--|----|-----------|
| 1 | (141,600) dollars of funds appropriated in this | | |
| 2 | paragraph be expended for reimbursement of travel | | |
| 3 | expenses for the general office staff. | | |
| 4 | b. For fire service education | \$ | 201,058 |
| 5 | 2. VOCATIONAL EDUCATION ADMIN- | | |
| 6 | ISTRATION | | |
| 7 | For salaries, support, main- | | |
| 8 | tenance, and miscellaneous pur- | | |
| 9 | poses | \$ | 865,750 |
| 10 | 3. VOCATIONAL EDUCATION | | |
| 11 | For vocational education aid | | |
| 12 | to secondary schools | \$ | 3,704,258 |
| 13 | Funds appropriated by this subsection are to be | | |
| 14 | used for aid to school districts for development and | | |
| 15 | the conduct of both continuing and new vocational | | |
| 16 | programs, services and activities of vocational | | |
| 17 | education through secondary schools, and for aid to | | |
| 18 | existing jointly administered secondary vocational | | |
| 19 | education programs, in accordance with chapters 258 | | |
| 20 | and 280A, to purchase instructional equipment for | | |
| 21 | vocational and technical courses of instruction in | | |
| 22 | such schools, and to match federal reimbursement for | | |
| 23 | continuing and new secondary vocational programs. | | |
| 24 | 4. VOCATIONAL REHABILITATION | | |
| 25 | For salaries, support, main- | | |
| 26 | tenance, and miscellaneous pur- | | |
| 27 | poses | \$ | 2,665,738 |
| 28 | 5. PROFESSIONAL TEACHING | | |
| 29 | PRACTICES COMMISSION | | |
| 30 | For the use of the profession- | | |
| 31 | al teaching practices commission | | |
| 32 | to carry out the provisions of | | |
| 33 | chapter 272A | \$ | 56,129 |
| 34 | 6. VOCATIONAL YOUTH ORGANI- | | |
| 35 | ZATION FUND | | |
| 36 | To carry out the provisions | | |
| 37 | of section 258.14 | \$ | 9,574 |
| 38 | 7. SCHOOL FOOD SERVICE | | |
| 39 | For the purpose of providing | | |
| 40 | assistance to students enrolled | | |
| 41 | in public school districts and | | |
| 42 | nonpublic schools of the state | | |
| 43 | for breakfasts, lunches and | | |
| 44 | minimal equipment programs with | | |
| 45 | the funds being used as state | | |
| 46 | matching funds for federal pro- | | |
| 47 | grams and which shall be dis- | | |
| 48 | bursed according to federal | | |
| 49 | regulations | \$ | 3,159,486 |
| 50 | 8. TEXTBOOKS OF NONPUBLIC | | |

Page 4

| | | | |
|----|--|----|-----------|
| 1 | SCHOOL PUPILS | | |
| 2 | To provide funds for costs | | |
| 3 | of providing textbooks to each | | |
| 4 | resident pupil who attends a | | |
| 5 | nonpublic school as authorized | | |
| 6 | by section 301.1. Such funding | | |
| 7 | shall be limited to ten dollars | | |
| 8 | per pupil and shall not exceed | | |
| 9 | the comparable services offered | | |
| 10 | to resident public school pupils | \$ | 382,968 |
| 11 | 9. SCHOOL BUDGET REVIEW | | |
| 12 | COMMITTEE | | |
| 13 | To carry out the provisions | | |
| 14 | of section 442.13 | \$ | 29,550 |
| 15 | 10. NON-ENGLISH SPEAKING | | |
| 16 | To provide funding to public | | |
| 17 | schools and for nonpublic school | | |
| 18 | students for special instruction | | |
| 19 | for non-English speaking students | | |
| 20 | as provided in section 280.4 | \$ | 191,484 |
| 21 | 11. COMPUTER SOFTWARE CLEARING- | | |
| 22 | HOUSE | | |
| 23 | To carry out the provisions of | | |
| 24 | section 257.41 | \$ | 246,250 |
| 25 | 12. MERGED AREA SCHOOLS | | |
| 26 | a. For general state financial | | |
| 27 | aid to merged areas as defined in . | | |
| 28 | section 280A.2 the amount of forty- | | |
| 29 | million seven hundred nine thousand | | |
| 30 | five hundred seventy-six dollars | | |
| 31 | (40,709,576) to be allocated as | | |
| 32 | follows: | | |
| 33 | (1) Merged Area I | \$ | 1,945,159 |
| 34 | (2) Merged Area II | \$ | 2,552,114 |
| 35 | (3) Merged Area III | \$ | 2,298,517 |
| 36 | (4) Merged Area IV | \$ | 876,122 |
| 37 | (5) Merged Area V | \$ | 2,969,150 |
| 38 | (6) Merged Area VI | \$ | 2,513,804 |
| 39 | (7) Merged Area VII | \$ | 2,925,059 |
| 40 | (8) Merged Area IX | \$ | 3,293,342 |
| 41 | (9) Merged Area X | \$ | 4,974,053 |
| 42 | (10) Merged Area XI | \$ | 6,086,827 |
| 43 | (11) Merged Area XII | \$ | 2,035,812 |
| 44 | (12) Merged Area XIII | \$ | 2,941,819 |
| 45 | (13) Merged Area XIV | \$ | 989,998 |
| 46 | (14) Merged Area XV | \$ | 2,404,022 |
| 47 | (15) Merged Area XVI | \$ | 1,903,778 |
| 48 | b. To provide funds for match- | | |
| 49 | ing federal reimbursement for con- | | |
| 50 | tinuing and new vocational educa- | | |

Page 5

1 tion programs in merged area schools
 2 in accordance with chapter 258 and
 3 chapter 280A, and to purchase in-
 4 structional equipment for voca-
 5 tional and technical courses of
 6 instruction in such schools \$ 8,329,554

7 c. To provide funds for the
 8 Iowa industrial start-up train-
 9 ing program in merged area schools \$ 197,000
 10 Sec. 7.

11 1. There is appropriated from the general fund
 12 of the state to the department of public instruction
 13 for the fiscal year beginning July 1, 1985 and ending
 14 June 30, 1986, for general state financial aid to
 15 merged areas as defined in section 280A.2 the amount
 16 of thirteen million five hundred seventy-two thousand
 17 eight hundred fifteen (13,572,815) dollars, to be
 18 accrued as income and use for expenditures incurred
 19 by the area schools during the fiscal year beginning
 20 July 1, 1984 and ending June 30, 1985, to be allocated
 21 as follows:

| | | | |
|----|-------------------------------|----|-----------|
| 22 | a. Merged Area I | \$ | 648,386 |
| 23 | b. Merged Area II | \$ | 850,705 |
| 24 | c. Merged Area III | \$ | 766,172 |
| 25 | d. Merged Area IV | \$ | 292,041 |
| 26 | e. Merged Area V | \$ | 989,716 |
| 27 | f. Merged Area VI | \$ | 837,935 |
| 28 | g. Merged Area VII | \$ | 975,020 |
| 29 | h. Merged Area IX | \$ | 1,097,781 |
| 30 | i. Merged Area X | \$ | 1,658,018 |
| 31 | j. Merged Area XI | \$ | 2,028,942 |
| 32 | k. Merged Area XII | \$ | 678,604 |
| 33 | l. Merged Area XIII | \$ | 983,561 |
| 34 | m. Merged Area XIV | \$ | 330,000 |
| 35 | n. Merged Area XV | \$ | 801,341 |
| 36 | o. Merged Area XVI | \$ | 634,593 |

37 2. Funds appropriated by this section shall be
 38 allocated pursuant to this section and paid on or
 39 about August 15, 1985.

40 Sec. 8. General state aid paid to area schools
 41 under section 6, subsection 11, paragraph "a", of
 42 this Act, for expenditures incurred during the fiscal
 43 year beginning July 1, 1984 and ending June 30, 1985,
 44 shall be paid by the state comptroller in installments
 45 due on or about November 15, February 15, and May
 46 15 of the fiscal year. The payment received by area
 47 schools on or about August 15 under section 7 of this
 48 Act is an account receivable for the previous fiscal
 49 year. The installments shall be as nearly equal as
 50 possible as determined by the state comptroller,

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1 taking into consideration the relative budget and
 2 cash position of the state resources.
 3 Sec. 9. There is appropriated from the general
 4 fund of the state to the state board of regents for
 5 the fiscal year beginning July 1, 1984 and ending
 6 June 30, 1985 the following amounts, or so much thereof
 7 as may be necessary for use for the following
 8 designated purposes, however, as a condition for the
 9 appropriation of these funds, the state board of
 10 regents, for purposes of implementing and administering
 11 collective bargaining pursuant to chapter 20, shall
 12 act as the exclusive representative of the state of
 13 Iowa with respect to its faculty, scientific, and
 14 other professional staff.

1984-1985
Fiscal Year

17 1. OFFICE OF STATE BOARD
 18 OF REGENTS

19 a. For salaries, support,
 20 maintenance, equipment, and
 21 miscellaneous purposes, includ-
 22 ing state board of regents mem-
 23 bers receiving a per diem, not
 24 to exceed forty dollars per day \$ 426,843

25 Funds appropriated to the state board of regents
 26 shall be allocated to the institutions to be used
 27 for instructional purposes and direct instructional
 28 support.

29 b. For western Iowa con-
 30 tinuing education \$ 100,529

31 c. For allocation by the
 32 state board of regents to the
 33 state university of Iowa, the
 34 Iowa state university of science
 35 and technology, and the univer-
 36 sity of northern Iowa in amounts
 37 as may be necessary to reimburse
 38 the institutions for deficiencies
 39 in their operating funds result-
 40 ing from the pledging of tuitions,
 41 student fees and charges and in-
 42 stitutional income to finance the
 43 cost of providing academic and
 44 administrative buildings and fa-
 45 cilities and utility services at
 46 the institutions \$ 15,111,842

47 d. For support of the quad
 48 cities graduate study center \$ 7,468

49 2. STATE UNIVERSITY OF
 50 IOWA

Page 7

- 1 a. General university, includ-
 2 ing lakeside laboratory.
 3 For salaries, support, mainte-
 4 nance, equipment, and miscellaneous
 5 purposes and for the pediatric de-
 6 partment of the college of medicine
 7 to continue to fund the program of
 8 research at the current level in
 9 the cause, course, treatment, cure,
 10 and management of diabetes mellitus \$102,577,075
- 11 b. University hospitals
 12 (1) For salaries, support, main-
 13 tenance, equipment, and miscellaneous
 14 purposes; for medical and surgical
 15 treatment of indigent patients as
 16 provided in chapter 255 \$ 23,599,613
- 17 (2) For allocation by the dean
 18 of the college of medicine, with
 19 approval of the advisory board, to
 20 qualified participants, to carry
 21 out chapter 148C for the family
 22 practice program \$ 1,333,558
- 23 c. As a condition of the appropriation made in
 24 paragraph b, funds appropriated in this section shall
 25 not be used to perform abortions except medically
 26 necessary abortions, and shall not be used to operate
 27 the early termination of pregnancy clinic except for
 28 the performance of medically necessary abortions.
 29 For the purpose of this paragraph, an abortion is
 30 the purposeful interruption of pregnancy with the
 31 intention other than to produce a live-born infant
 32 or to remove a dead fetus, and a medically necessary
 33 abortion is one performed under one of the following
 34 conditions:
- 35 (1) The attending physician certifies that
 36 continuing the pregnancy would endanger the life of
 37 the pregnant woman.
- 38 (2) The attending physician certifies that the
 39 fetus is physically deformed, mentally deficient,
 40 or afflicted with a congenital illness.
- 41 (3) The pregnancy is the result of a rape which
 42 is reported within forty-five days of the incident
 43 to a law enforcement agency or public or private
 44 health agency which may include a family physician.
- 45 (4) The pregnancy is the result of incest which
 46 is reported within one hundred fifty days of the
 47 incident to a law enforcement agency or public or
 48 private health agency which may include a family
 49 physician.
- 50 (5) The abortion is a spontaneous abortion,

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1 commonly known as a miscarriage, wherein not all of
2 the products of conception are expelled.

3 d. As a condition of the appropriation made in
4 paragraph b, it is the intent of the general assembly
5 that before the general assembly authorizes the
6 issuance of additional bonds under chapter 263A, the
7 determination of the necessity that the construction
8 be funded by the issuance of bonds shall be made by
9 the state board of regents in consultation with the
10 state health facilities council, the health policy
11 corporation of Iowa, or a similar statewide health
12 planning agency that may exist.

13 e. Psychiatric hospital

14 For salaries, support, mainte-
15 nance, equipment, and miscella-
16 neous purposes and for the care,
17 treatment and maintenance of com-
18 mitted and voluntary public pa-
19 tients \$ 5,104,818

20 f. State hygienic laboratory

21 For salaries, support, main-
22 tenance, equipment, and miscella-
23 neous purposes \$ 1,997,297

24 g. Hospital school

25 For salaries, support, main-
26 tenance, equipment, and miscella-
27 neous purposes \$ 3,577,416

28 h. Oakdale campus

29 For salaries, support, main-
30 tenance, equipment, and miscel-
31 laneous purposes \$ 1,682,608

32 3. IOWA STATE UNIVERSITY OF

33 SCIENCE AND TECHNOLOGY

34 a. General university

35 For salaries, support, main-
36 tenance, equipment, and miscel-
37 laneous purposes \$ 84,864,557.

38 b. Agricultural experiment
39 station

40 For salaries, support, main-
41 tenance, equipment, and miscel-
42 laneous purposes \$ 10,122,381

43 c. Cooperative extension

44 service in agriculture and home
45 home economics
46 For salaries, support, main-
47 tenance, and miscellaneous pur-
48 poses \$ 9,514,014

49 4. UNIVERSITY OF NORTHERN

50 IOWA

Page 9

1 For salaries, support, main-
 2 tenance, equipment, and miscel-
 3 laneous purposes \$ 33,403,565
 4 5. STATE SCHOOL FOR
 5 THE DEAF
 6 For salaries, support, main-
 7 tenance, and miscellaneous pur-
 8 poses \$ 4,177,807
 9 6. IOWA BRAILLE AND SIGHT-
 10 SAVING SCHOOL
 11 For salaries, support, main-
 12 tenance, and miscellaneous pur-
 13 poses \$ 2,238,522
 14 Sec. 10. There is appropriated from the general
 15 fund of the state to the state board of regents for
 16 the fiscal year beginning July 1, 1984 and ending
 17 June 30, 1985, the sum of twenty-one million four
 18 thousand one hundred forty (21,004,140) dollars for
 19 fuel and electricity purposes at institutions under
 20 the state board of regents.
 21 Sec. 11. As a condition of the appropriation in
 22 section 9, subsection 4, the collective bargaining
 23 representatives for the faculty at the university
 24 of northern Iowa and for the university of northern
 25 Iowa shall determine the distribution of funds
 26 contained in the vitality fund, for the fiscal year
 27 beginning July 1, 1984. The distribution shall be
 28 either according to the contract in effect for the
 29 fiscal year beginning July 1, 1983 or according to
 30 a different procedure that is agreeable to both
 31 parties. However, the amount of funds distributed
 32 shall not exceed the amount of funds contained in
 33 the vitality funds.
 34 Sec. 12. The state board of regents may expend
 35 an amount not to exceed one hundred thousand (100,000)
 36 dollars of funds received from the sale of negotiable
 37 revenue bonds under Senate Concurrent Resolution 13,
 38 by the Seventieth General Assembly, 1983 Session,
 39 and allocated by the state board of regents to the
 40 university of northern Iowa for communication arts
 41 center construction and equipment, for renovation
 42 of the old administration building at the university
 43 of northern Iowa. Other funds available to the state
 44 board of regents for construction and renovation
 45 purposes may be expended for renovation of the old
 46 administration building.
 47 Sec. 13. Section 257.41, subsection 3, Code
 48 Supplement 1983, is amended by striking the subsection.
 49 Sec. 14. Section 257.42, unnumbered paragraph
 50 3, Code Supplement 1983, is amended to read as follows:

Page 10

1 There is appropriated from the general fund of
2 the state to the department of public instruction
3 for the fiscal year beginning July 1, 1983 and each
4 succeeding fiscal year, the sum of forty thousand
5 dollars or as much thereof as is necessary, and for
6 the fiscal year beginning July 1, 1984, and each
7 succeeding fiscal year, the sum of one hundred forty
8 thousand dollars, or as much thereof as is necessary,
9 to be allocated for the establishment of programs
10 under this section.

11 Sec. 15. Section 261.12, subsection 1, paragraph
12 b, Code Supplement 1983, is amended to read as follows:

13 b. For the fiscal year beginning July 1, 1983,
14 and each following fiscal year two thousand one hundred
15 dollars, and for the fiscal year beginning July 1,
16 1984 and for each following fiscal year, two thousand
17 two hundred fifty dollars.

18 Sec. 16. Section 261.45, unnumbered paragraph
19 3, Code Supplement 1983, is amended to read as follows:

20 There is appropriated from the general fund of
21 the state to the Iowa college aid commission, the
22 sum of thirty thousand dollars, or as much thereof
23 as is necessary, for the fiscal year years beginning
24 July 1, 1983 and July 1, 1984, and the sum of sixty
25 thousand dollars, or as much thereof as is necessary,
26 for the fiscal year beginning July 1, 1984 1985 and
27 each succeeding fiscal year, to make the reimbursement
28 payments required under this section.

29 Sec. 17. Section 261.53, Code Supplement 1983,
30 is amended to read as follows:

31 261.53 APPROPRIATIONS. There is appropriated
32 from the general fund of the state to the Iowa college
33 aid commission for the fiscal year years beginning
34 July 1, 1983 and July 1, 1984, the sum of forty
35 thousand dollars, or as much thereof as is necessary,
36 and for each succeeding fiscal year, the sum of one
37 hundred forty thousand dollars, or as much thereof
38 as is necessary, to make loans under sections 261.28
39 and ~~261.29~~ 261.51 and 261.52.

40 Sec. 18. Section 261.61, unnumbered paragraph
41 2, Code Supplement 1983, is amended to read as follows:

42 The department of public instruction shall randomly
43 audit applications for the supplemental grant program
44 and shall transmit to the commission a list of high
45 school graduates who have successfully completed the
46 courses required in this section.

47 Sec. 19. Section 285.2, unnumbered paragraph 4,
48 Code 1983, is amended to read as follows:

49 Claims for reimbursement shall be made to the
50 department of public instruction by the public school

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1 district providing transportation or transportation
2 reimbursement during a school year on a form prescribed
3 by the department, and the claim shall state the
4 services provided and the actual costs incurred.
5 A claim shall not exceed the average transportation
6 costs of the district per pupil transported except
7 as otherwise provided. If transportation is provided
8 under section 285.1, subsection 3, the amount
9 determined under paragraph "c" of that subsection
10 shall be the amount of the claim regardless of the
11 average transportation costs of the district per pupil
12 transported. Claims shall be accompanied by an
13 affidavit of an officer of the public school district
14 affirming the accuracy of the claim. By February
15 1 and by July 15 of each year the department shall
16 certify to the state comptroller the amounts of
17 approved claims to be paid, and the state comptroller
18 shall draw warrants payable to school districts which
19 have established claims. Claims shall be allowed
20 where practical, and at the option of the public
21 school district of the pupil's residence, subject
22 to approval by the area education agency of the pupil's
23 residence, under the provisions of section 285.9,
24 subsection 3, the public school district of the pupil's
25 residence may transport any pupil to a school located
26 in a contiguous public school district outside the
27 boundary lines of the public school district of the
28 pupil's residence. The public school district of
29 the pupil's residence may contract with the contiguous
30 public school district or with a private contractor
31 under the provisions of section 285.5 to transport
32 the pupils to the school of attendance within the
33 boundary lines of the contiguous public school
34 district. The public school district in which the
35 pupil resides may contract with the contiguous public
36 school district or with a private contractor under
37 the provisions of section 285.5 to transport the pupil
38 from the pupil's residence or from designated school
39 bus collection locations to the school located within
40 the boundary lines of the contiguous public school
41 district, subject to the approval of the area education
42 agency of the pupil's residence. The public school
43 district of the pupil's residence may utilize the
44 reimbursement provisions of section 285.1, subsection
45 3.

46 Sec. 20. Section 442.44, unnumbered paragraph
47 4, Code Supplement 1983, is amended to read as follows:

48 For the school year beginning July 1, 1984 and
49 each succeeding school year, there is appropriated
50 from the general fund of the state to the state

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1 comptroller an amount sufficient the sum of two million
2 one hundred thousand (2,100,000) dollars, or so much
3 thereof as is necessary, to make the payments to
4 school districts required by this section. If the
5 funds appropriated are insufficient to make the
6 payments required under this section, the state
7 comptroller shall prorate the payments to school dis-
8 tricts. Moneys received by a school district under
9 this section are miscellaneous income. Moneys received
10 by a school district for pupils enrolled in science
11 and mathematics courses shall be used only for purchase
12 of equipment and supplies.
13 Sec. 21. All federal grants to and the federal
14 receipts of agencies appropriated funds under this
15 Act are appropriated for the purposes set forth in
16 such federal grants or receipts."

The House stood at ease at 1:37 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H-6168, to House File 2519, at 1:42 p.m., Speaker Avenson in the chair.

Norland of Worth asked and received unanimous consent that House File 2519 be deferred and that the bill retain its place on the calendar.

IMMEDIATE MESSAGE
(Senate File 2248)

Norland of Worth asked and received unanimous consent to immediately message Senate File 2248 to the Senate.

Ways and Means Calendar

The House resumed consideration of **Senate File 2330**, a bill for an act relating to the financing of state government by providing for a reduction in general fund appropriations through reallocation of general fund financial aid to merged area schools, by reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983, by updating references to the Internal Revenue Code for individual and corporate income, franchise tax, and inheritance tax purposes with coordinating-amendments, by imposing an additional income tax of two percent on the amount of taxable

income exceeding thirty thousand dollars for the tax year beginning after December 31, 1983 subject to certain limitations, by restructuring the fee for operator's and chauffeur's licenses, by providing for the creation of an Iowa economic emergency fund including its funding, by providing for the payment of one-half of the additional personal property tax credit in the fiscal year beginning July 1, 1984, by imposing the sales and use tax on beverages, electronic repair and installation, and rental of tangible personal property, and making certain provisions of the Act retroactive, and the Running of Linn motion to reconsider amendment H-6062B (found on page 1705 of the House Journal), to the committee amendment H-6024 (found on pages 1691 through 1704 of the House Journal), deferred on April 6, 1984.

Menke of O'Brien in the chair at 1:55 p.m.

On the motion to reconsider, a non-record roll call was requested.

The ayes were 53, nays 33.

The motion prevailed and the House reconsidered amendment H-6062B.

Jochum of Dubuque moved the adoption of the committee amendment H-6062B, to the committee amendment H-6024.

A non-record roll call was requested.

The ayes were 44, nays 50.

The committee amendment H-6062B lost.

Shoultz of Black Hawk offered the following amendment H-6183, to the committee amendment H-6024, filed from the floor by Shoultz, Running and Lloyd-Jones and moved its adoption:

H-6183

- 1 Amend the Committee on Ways and Means amendment
- 2 H-6024 to Senate File 2330 as amended, passed and
- 3 reprinted by the Senate as follows:
- 4 1. Page 10, line 45, by striking the word

5 "fourteen" and inserting in lieu thereof the word
 6 "twenty".
 7 2. Page 12, by inserting after line 42 the
 8 following:
 9 "Sec. . Notwithstanding section 321.145, for
 10 the fiscal year beginning July 1, 1984 and ending
 11 June 30, 1985 the treasurer of state shall credit
 12 to the general fund of the state the first two hundred
 13 thousand dollars of certificate of title fees collected
 14 under chapter 321."

Amendment H-6183 was adopted.

Muhlbauer of Crawford offered the following amendment H-6174, to the committee amendment H-6024, filed by Muhlbauer, et al., and moved its adoption:

H-6174

1 Amend the Committee on Ways and Means amendment
 2 H-6024 to Senate File 2330 as amended, passed and
 3 reprinted by the Senate as follows:
 4 1. Page 11, by inserting after line 29 the
 5 following:
 6 "Sec. . Section 321.126, Code Supplement 1983,
 7 is amended by inserting after subsection 4 the
 8 following new subsection:
 9 NEW SUBSECTION. 5. If the motor vehicle is sold
 10 by the owner and after thirty days from the date of
 11 the sale, the owner has not received a credit under
 12 section 321.46, the owner may make application for
 13 a refund for the unexpired portion of the registration
 14 fee. The application for refund shall be filed with
 15 the department. The refund shall be computed on a
 16 quarterly basis with no refund allowed for the quarter
 17 in which the claim for refund is filed."

Roll call was requested by Doderer of Johnson and Woods of Polk.

On the question "Shall amendment H-6174, to the committee amendment H-6024, be adopted?"

The ayes were, 67:

| | | | |
|-----------|----------|---------|---------|
| Anderson | Baxter | Bennett | Black |
| Blanshan | Branstad | Buhr | Carl |
| Carpenter | Chiodo | Clark | Cochran |

| | | | |
|-------------|-----------------|------------------------|------------|
| Connors | Corey | Daggett | Davitt |
| De Groot | Fogarty | Grandia | Groninga |
| Groth | Gruhn | Halvorson, R. A. | Hammond |
| Handorf | Hanson | Harbor | Haverland |
| Hermann | Hoffmann-Bright | Holveck | Hughes |
| Hummel | Knapp | Koenigs | Krewson |
| Lageschulte | Lonergan | Maulsby | McIntee |
| McKean | Muhlbauer | Mullins | O'Kane |
| Ollie | Peick | Pellett | Pony |
| Renaud | Renken | Rensink | Royer |
| Running | Schneklath | Sherzan | Skow |
| Stromer | Stueland | Sturgeon | Swearingen |
| Tofte | Torrence | Van Camp | Van Gerpen |
| Van Maanen | Zimmerman | Mr. Speaker (Menke) | |

The nays were, 31:

| | | | |
|-----------|-------------|------------------|----------|
| Arnould | Brammer | Chapman | Connolly |
| Cooper | Copenhaver | Diemer | Doderer |
| Fey | Gronstal | Halvorson, R. N. | Jay |
| Jochum | Lloyd-Jones | Miller | Norland |
| Osterberg | Oxley | Parker | Paulin |
| Pavich | Rosenberg | Schroeder | Shoultz |
| Spear | Sullivan | Swartz | Tabor |
| Varn | Welden | Woods | |

Absent or not voting, 2:

| | |
|---------|--------|
| Avenson | Carter |
|---------|--------|

Amendment H—6174 was adopted.

Carpenter of Polk offered the following amendment H—6191, to the committee amendment H—6024, filed by her from the floor and moved its adoption:

H—6191

- 1 Amend the Committee on Ways and Means amendment
- 2 H—6024 to Senate File 2330, as amended, passed, and
- 3 reprinted by the Senate, as follows:
- 4 1. Page 2, by inserting after line 8 the following:
- 5 "5. COMMISSION FOR THE BLIND
- 6 For rebuilding of the cooling
- 7 tower \$ 840".

Amendment H—6191 was adopted.

The House resumed consideration of amendment H-6090 (previously deferred), to the committee amendment H-6024.

Van Camp of Scott moved the adoption of amendment H-6090 (found on page 1706 of the House Journal), to the committee amendment H-6024.

Roll call was requested by Schroeder of Pottawattamie and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H-6090, to the committee amendment H-6024, be adopted?"

The ayes were, 41:

| | | | |
|------------------------|-------------|-----------|------------------|
| Anderson | Bennett | Branstad | Buhr |
| Carl | Carpenter | Corey | Daggett |
| De Groot | Diemer | Grandia | Halvorson, R. A. |
| Handorf | Hanson | Harbor | Hoffmann-Bright |
| Hummel | Lageschulte | Loneragan | Maulsby |
| McIntee | McKean | Mullins | Pellett |
| Renken | Rensink | Royer | Schnekloth |
| Schroeder | Spear | Stromer | Stueland |
| Swearingen | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Varn | Zimmerman |
| Mr. Speaker (Menke) | | | |

The nays were, 53:

| | | | |
|-------------|-----------|-----------|------------------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Chapman | Clark | 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 | Miller | Muhlbauer | Norland |
| OKane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Poney | Renaud | Rosenberg | Running |
| Sherzan | Shoultz | Skow | Sturgeon |
| Sullivan | Swartz | Tabor | Welden |
| Woods | | | |

Absent or not voting, 6:

| | | | |
|---------|---------|--------|--------|
| Avenson | Carter | Chiodo | Davitt |
| Hermann | Krewson | | |

Amendment H-6090 lost.

Speaker Avenson in the chair at 3:12 p.m.

Sherzan of Polk called up for consideration the motion to reconsider amendment H—6174 filed by him from the floor and moved to reconsider the vote by which amendment H—6174, to the committee amendment H—6024, was adopted by the House on April 9, 1984.

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

On the question "Shall amendment H—6174, to the committee amendment H—6024, be reconsidered?"

The ayes were, 49:

| | | | |
|-------------|----------|------------------|------------|
| Arnould | Black | Brammer | Chapman |
| Connolly | Connors | Cooper | Copenhaver |
| Doderer | Fey | Fogarty | Groninga |
| Gronstal | Gruhn | Halvorson, R. N. | Hammond |
| Haverland | Holveck | Hughes | Jay |
| Jochum | Knapp | Lloyd-Jones | Lonergan |
| Miller | Norland | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Paulin |
| Pavich | Poncy | Renaud | Rosenberg |
| Running | Sherzan | Shoultz | Skow |
| Spear | Sturgeon | Sullivan | Swartz |
| Tabor | Varn | Weiden | Woods |
| Mr. Speaker | | | |

The nays were, 46:

| | | | |
|-----------------|-----------|----------|------------------|
| Anderson | Baxter | Bennett | Blanshan |
| Branstad | Buhr | Carl | Carpenter |
| Clark | Cochran | Corey | Daggett |
| De Groot | Diemer | Grandia | Halvorson, R. A. |
| Handorf | Hanson | Harbor | Hermann |
| Hoffmann-Bright | Hummel | Koenigs | Lageschulte |
| Maulsby | McIntee | McKean | Menke |
| Muhlbauer | Mullins | Peick | Pellett |
| Renken | Rensink | Royer | Schneklloth |
| Schroeder | Stromer | Stueland | Swearingen |
| Tofte | Torrence | Van Camp | Van Gerpen |
| Van Maanen | Zimmerman | | |

Absent or not voting, 5:

| | | | |
|---------|--------|--------|-------|
| Carter | Chiodo | Davitt | Groth |
| Krewson | | | |

The motion prevailed and the House reconsidered amendment H-6174.

Muhlbauer of Crawford moved the adoption of amendment H-6174, to the committee amendment H-6024.

Roll call was requested by Lageschulte of Bremer and Van Camp of Scott.

On the question "Shall amendment H-6174, to amendment H-6024, be adopted?"

The ayes were, 44:

| | | | |
|----------|------------------|-----------------|-----------|
| Anderson | Bennett | Black | Buhr |
| Carl | Carpenter | Clark' | Corey |
| Daggett | De Groot | Diemer | Fogarty |
| Grandia | Halvorson, R. A. | Handorf | Hanson |
| Harbor | Hermann | Hoffmann-Bright | Hughes |
| Hummel | Koenigs | Lageschulte | Lonergan |
| Maulsby | McKean | Menke | Muhlbauer |
| Mullins | Pellet | Renken | Rensink |
| Royer | Schneklath | Skow | Stromer |
| Stueland | Swearingen | Tofte | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Zimmerman |

The nays were, 52:

| | | | |
|------------------|------------|-----------|-------------|
| Arnould | Baxter | Blanshan | Brammer |
| Chapman | Cochran | Connolly | Connors |
| Cooper | Copenhaver | Doderer | Fey |
| Groninga | Gronstal | Groth | Gruhn |
| Halvorson, R. N. | Hammond | Haverland | Holveck |
| Jay | Jochum | Knapp | Krewson |
| Lloyd-Jones | McIntee | Miller | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Poney | Renaud | Rosenberg | Running |
| Schroeder | Sherzan | Shoultz | Spear |
| Sturgeon | Sullivan | Swartz | Tabor |
| Varn | Welden | Woods | Mr. Speaker |

Absent or not voting, 4:

| | | | |
|----------|--------|--------|--------|
| Branstad | Carter | Chiodo | Davitt |
|----------|--------|--------|--------|

Amendment H-6174 lost.

Halvorson of Clayton asked for unanimous consent to reconsider the vote by which amendment H-6119, to the committee amendment H-6024, was adopted by the House on April 5, 1984.

Objection was raised.

The House stood at ease at 3:37 p.m., until the fall of the gavel.

The House resumed session and consideration of the committee amendment H-6024, as amended, to Senate File 2330 at 3:48 p.m., Speaker Avenson in the chair.

Schroeder of Pottawattamie offered the following amendment H-6194, to the committee amendment H-6024, filed by him from the floor and moved its adoption:

H-6194

- 1 Amend amendment H-6024 to Senate File 2330 as amended,
- 2 passed and reprinted by the Senate as follows:
- 3 1. Page 6, by inserting after line 1, the following:
- 4 "Sec. Section 321.46, subsection 3, Code Supplement
- 5 1983, is amended by striking the subsection."

A non-record roll call was requested.

The ayes were 18, nays 50.

Amendment H-6194 lost.

Peick of Linn offered the following amendment H-6196, to the committee amendment H-6024, filed by her from the floor and moved its adoption:

H-6196

- 1 Amend the Committee on Ways and Means amendment,
- 2 H-6024, to Senate File 2330 as amended, passed and
- 3 reprinted by the Senate, as follows:
- 4 1. Page 5, by inserting after line 6 the following:
- 5 "Sec. Section 321.34, subsection 5, paragraph
- 6 a, Code Supplement 1983, is amended to read as follows:
- 7 a. Upon application and the payment of a fee of
- 8 twenty-five dollars, the director may issue to the
- 9 owner of a motor vehicle registered in this state

10 or a trailer with a gross weight of one thousand
11 pounds or less, personalized registration plates
12 marked with the initials, letters, or a combination
13 of numerals and letters requested by the owner. Upon
14 receipt of the personalized registration plates, the
15 applicant shall surrender the regular registration
16 plates to the county treasurer. The fee for issuance
17 of the personalized registration plates shall be in
18 addition to the regular annual registration fee."

Amendment H-6196 was adopted.

The following amendment H-6197, to the committee amendment H-6024, filed by Doderer of Johnson from the floor was adopted by unanimous consent:

H-6197

1 Amend amendment H-6024, the Committee on Ways and
2 Means Committee amendment, to Senate File 2330 as
3 amended, passed and reprinted by the Senate as follows:
4 1. Page 13, line 28, by striking the word "safety"
5 and inserting in lieu thereof the word "safety."

On motion by Doderer of Johnson, the committee amendment H-6024, as amended, was adopted.

Welden of Hardin offered the following amendment H-6110 filed by him and Jochum of Dubuque and moved its adoption:

H-6110

1 Amend Senate File 2330, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 8, line 17, by striking the word "for"
4 and inserting in lieu thereof the word "in".
5 2. Page 8, line 18, by striking the word "in"
6 and inserting in lieu thereof the word "for".

Amendment H-6110 was adopted.

Connors of Polk in the chair at 4:12 p.m.

Mullins of Kossuth offered the following amendment H-6115 filed by Mullins, et al., and moved its adoption:

H-6115

1 Amend Senate File 2330 as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 10, by inserting after line 33 the
 4 following: "However, married taxpayers who file
 5 separate returns or separate filings on a combined
 6 return for Iowa income tax purposes may elect to
 7 utilize as a base amount twenty-five thousand dollars
 8 for each taxpayer in lieu of the thirty-two thousand
 9 dollar base amount provided for married taxpayers
 10 in section 86 of the Internal Revenue Code of 1954."

Roll call was requested by Mullins of Kossuth and Tofte of Winneshiek.

On the question "Shall amendment H-6115 be adopted?"

The ayes were, 43:

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

The nays were, 54:

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

Absent or not voting, 3:

Black Davitt Shoultz

Amendment H—6115 lost.

Van Camp of Scott offered the following amendment H—6111 filed by Van Camp et al., and moved its adoption:

H—6111

1 Amend Senate File 2330, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 13, by inserting after line 9 the following
4 new section:

5 "Sec. . It is the intent of the general assembly
6 that the department of revenue shall conduct a study
7 during the 1984 interim to determine a feasible method
8 of disallowing certain interest expense deductions
9 or tangible personal property which is manufactured
10 or substantially assembled outside of the United
11 States and which is purchased by a taxpayer. The
12 department shall submit its report to the Seventy-
13 first General Assembly not later than February 1,
14 1985."

15 2. Renumber sections and correct internal
16 references as necessary in accordance with this
17 amendment.

Roll call was requested by Branstad of Winnebago and Van Camp of Scott.

On the question "Shall amendment H—6111 be adopted?"

The ayes were, 59:

| | | | |
|-----------|-------------|------------------|------------------|
| Anderson | Black | Brammer | Branstad |
| Buhr | Carpenter | Carter | Chapman |
| Clark | Corey | Daggett | De Groot |
| Diemer | Grandia | Halvorson, R. A. | Halvorson, R. N. |
| Hammond | Handorf | Hanson | Harbor |
| Haverland | Hermann | Hoffmann-Bright | Holveck |
| Hummel | Lageschulte | Maulsby | McIntee |
| McKean | Menke | Miller | Muhlbauer |
| Mullins | Ollie | Peick | Pellett |
| Renaud | Renken | Rensink | Royer |
| Running | Schnekloth | Schroeder | Sherzan |
| Shoultz | Skow | Spear | Stromer |
| Stueland | Swearingen | Tofte | Torrence |

Van Camp
Woods

Van Gerpen
Zimmerman

Van Maanen
Mr. Speaker
(Connors)

Welden

The nays were, 38:

Arnould
Blanshan
Connolly
Fey
Groth
Jochum
Lloyd-Jones
Oxley
Poncy
Tabor

Avenson
Carl
Cooper
Fogarty
Gruhn
Knapp
Loneragan
Parker
Rosenberg
Varn

Baxter
Chiodo
Copenhaver
Groninga
Hughes
Koenigs
O'Kane
Paulin
Sturgeon

Bennett
Cochran
Doderer
Gronstal
Jay
Krewson
Osterberg
Pavich
Sullivan

Absent or not voting, 3:

Davitt

Norland

Swartz

Amendment H-6111 was adopted.

Schroeder of Pottawattamie offered the following amendment H-6131 filed by him:

H-6131

- 1 Amend Senate File 2330 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 13, by inserting after line 14 the
- 4 following new division:
- 5 "DIVISION _____
- 6 Sec. . Section 123.136, unnumbered paragraph
- 7 1, Code 1983, is amended to read as follows:
- 8 In addition to the annual permit fee to be paid
- 9 by all class "A" permittees under the provisions of
- 10 this chapter there shall be levied and collected from
- 11 such permittees on all beer manufactured for sale
- 12 or sold in this state at wholesale and on all beer
- 13 imported into this state for sale at wholesale and
- 14 sold in this state at wholesale, a tax of four seven
- 15 and thirty-four hundredths dollars for every barrel
- 16 containing thirty-one gallons, and at a like rate
- 17 for any other quantity or for the fractional part
- 18 of a barrel. However, no tax shall be levied or
- 19 collected on beer shipped outside this state by a
- 20 class "A" permittee or sold by one class "A" permittee
- 21 to another class "A" permittee.
- 22 Sec. . The receipts in an amount equal to three

23 dollars for every barrel of beer containing thirty-
 24 one gallons upon which the tax is collected under
 25 section 123.136 shall be distributed quarterly by
 26 the treasurer of state to the department of substance
 27 abuse. The department of substance abuse shall
 28 distribute the funds immediately to the counties on
 29 a per capita basis for program grants for county
 30 substance abuse programs.
 31 Sec. . This division takes effect July 1
 32 following enactment."

Connolly of Dubuque rose on a point of order that amendment H-6131 was not germane.

The Speaker ruled the point well taken and amendment H-6131 not germane.

Schroeder of Pottawattamie asked for unanimous consent to consider amendment H-6131.

Objection was raised.

Schroeder of Pottawattamie moved that the rules be suspended to consider amendment H-6131.

Roll call was requested by Schroeder of Pottawattamie and Gronstal of Pottawattamie.

On the question "Shall the rules be suspended to consider amendment H-6131?"

The ayes were, 34:

| | | | |
|------------|-----------------|------------------|------------|
| Anderson | Bennett | Branstad | Carpenter |
| Clark | Corey | Daggett | De Groot |
| Diemer | Grandia | Halvorson, R. A. | Handorf |
| Harbor | Hoffmann-Bright | Hughes | Hummel |
| Krewson | Lageschulte | Maulsby | McIntee |
| McKean | Mullins | Paulin | Pellett |
| Reaken | Rensink | Royer | Schroeder |
| Stromer | Swearingen | Torrence | Van Gerpen |
| Van Maanen | Welden | | |

The nays were, 61:

| | | | |
|---------|---------|--------|--------|
| Arnould | Avenson | Baxter | Black |
| Brammer | Buhr | Carl | Carter |

| | | | |
|--------------------------|------------------|-------------|-----------|
| Chapman | Chiodo | Cochran | Connolly |
| Cooper | Copenhaver | Doderer | Fey |
| Fogarty | Groninga | Gronstal | Groth |
| Gruhn | Halvorson, R. N. | Hammond | Haverland |
| Hermann | Holveck | Jay | Jochum |
| Knapp | Koenigs | Lloyd-Jones | Loneragan |
| Menke | Miller | Muhlbauer | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Pavich | Peick | Poncy | Renaud |
| Rosenberg | Running | Schneklath | Sherzan |
| Shoultz | Skow | Spear | Stueland |
| Sullivan | Swartz | Tabor | Tofte |
| Van Camp | Varn | Woods | Zimmerman |
| Mr. Speaker (Connors) | | | |

Absent or not voting, 5:

| | | | |
|----------|--------|--------|---------|
| Blanshan | Davitt | Hanson | Norland |
| Sturgeon | | | |

The motion lost.

Groninga of Cerro Gordo offered amendment H—6121 filed by him. Division was requested as follows:

H—6121

- 1 Amend Senate File 2330 as amended, passed and
- 2 reprinted by the Senate as follows:

H—6121A

- 3 1. Page 14, by inserting after line 20 the
- 4 following:
- 5 "Sec. Section 422.43, subsection 2, Code
- 6 Supplement 1983, is amended to read as follows:
- 7 2. There is imposed a tax of four percent upon
- 8 the gross receipts derived from the operation of all
- 9 forms of amusement devices and games of skill, games
- 10 of chance, raffles and bingo games as defined in
- 11 chapter 99B, and ~~commercial amusement enterprises~~
- 12 operated or conducted within the state of Iowa, the
- 13 tax to be collected from the operator in the same
- 14 manner as is provided for the collection of taxes
- 15 upon the gross receipts of tickets or admission as
- 16 provided in this section."
- 17 2. Page 15, line 9, by inserting after the word
- 18 "preparation;" the words "licensed executive search
- 19 agencies;"

H-6121A

20 3. Page 15, line 21, by inserting after the period
 21 the words "For purposes of this subsection, gross
 22 taxable services from rental includes rents, royalties,
 23 and copyright and license fees."

H-6121B

24 4. Page 15, by striking lines 24 through 34 and
 25 inserting in lieu thereof the following:
 26 "12. Gross receipts from the sale of all foods
 27 for human consumption which are eligible for purchase
 28 with food coupons issued by the United States
 29 department of agriculture pursuant to regulations
 30 in effect on July 1, 1974, regardless of whether the
 31 retailer from which the foods are purchased is
 32 participating in the food stamp program. However,
 33 as used in this subsection, "foods" does not include
 34 meals prepared for immediate consumption on or off
 35 the premises of the retailer, and does not include
 36 foods sold through vending machines foods prepared
 37 on or off the premises of the retailer which are
 38 consumed on the premises of the retailer; food sold
 39 by caterers; hot or cold foods prepared for immediate
 40 consumption off the premises of the retailer; food
 41 sold through vending machines or beverages as defined
 42 in section 455C.1, subsection 1. "Foods prepared
 43 for immediate consumption" include any food product
 44 upon which an act of preparation, including but not
 45 limited to, cooking, mixing, sandwich making, blending,
 46 heating or pouring, has been performed by the retailer
 47 so the food product may be immediately consumed by
 48 the purchaser."

H-6121A

49 5. Amend the title, line 19, by inserting after
 50 the word "on" the words "licensed executive search

Page 2

1 agencies,".
 2 6. Renumber sections and correct internal
 3 references as necessary in accordance with this
 4 amendment.

Bennett of Ida rose on a point of order that amendment
 H-6121A was not germane.

The Speaker ruled the point not well taken and amendment
 H-6121A germane.

On motion by Groninga of Cerro Gordo, amendment H-6121A was adopted.

Stromer of Hancock offered the following amendment H-6122 filed by him:

H-6122

1 Amend Senate File 2330 as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 14, by striking lines 24 and 25 and in-
4 serting in lieu thereof the following: "tax imposed
5 on gross taxable services: Alteration and garment
6 repair; armored car; automobile repair; battery, tire
7 and".

8 2. Page 14, by striking lines 28 and 29 and in-
9 serting in lieu thereof the following: "boat repair;
10 car wash and wax; carpentry; roof, shingle, and glass
11 repair; dance schools and dance studios; dry clean-
12 ing,".

13 3. Page 14, line 31, by striking the words "repair
14 and" and inserting in lieu thereof the following:
15 "repair and".

16 4. Page 14, by striking line 33 and inserting in
17 lieu thereof the following: "excavating and grading;
18 farm implement repair of all kinds";

19 * 5. Page 15, by striking lines 1 through 21 and in-
20 serting in lieu thereof the following: "furniture,
21 rug, and upholstery repair and cleaning; fur storage
22 and repair; golf and country clubs and all commercial
23 recreation; house and building moving; household ap-
24 pliance, television, and radio repair; jewelry and
25 watch repair; machine operator; machine repair of all
26 kinds; motor repair; motorcycle, scooter, and bicycle
27 repair; oilers and lubricators; office and business
28 machine repair; painting, papering, and interior dec-
29 orating; parking facilities; pipe fitting and plumb-
30 ing; wood preparation; private employment agencies,
31 excluding services for placing a person in employ-
32 ment where the principal place of employment of that
33 person is to be located outside of the state; print-
34 ing and binding; sewing and stitching; shoe repair
35 and shoeshine; storage warehousing of raw agricultural
36 products; telephone answering service; test labora-
37 tories, except tests on humans; termite, bug, roach,
38 and pest eradicators; tin and sheet metal repair;
39 turkish baths, massage, and reducing salons; vulca-
40 nizing, recapping, and retreading; weighing; welding;
41 well drilling; wrapping, packing, and packaging of
42 merchandise other than processed meat, fish, fowl
43 and vegetables; wrecking service; wrecker and towing."

The following amendment H-6202, to amendment H-6122, filed by Spear of Lee from the floor was adopted by unanimous consent:

H-6202

- 1 Amend amendment H-6122 to Senate File 2330 as
- 2 amended, passed and reprinted by the Senate as follows:
- 3 1. Page 1, line 5, by inserting after the word
- 4 "Alteration" the words "of a garment".

Stromer of Hancock moved the adoption of amendment H-6122, as amended.

A non-record roll call was requested.

The ayes were 31, nays 53.

Amendment H-6122, as amended, lost.

Schnekloth of Scott offered the following amendment H-6102 filed by Schnekloth, et al., and moved its adoption:

H-6102

- 1 Amend Senate File 2330 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 14, line 33, by striking the words
- 4 "farm implement repair of all kinds;" and inserting in
- 5 lieu thereof the following: "farm implement repair of all
- 6 kinds;".

Roll call was requested by Schnekloth of Scott and Lageschulte of Bremer.

On the question "Shall amendment H-6102 be adopted?"

The ayes were, 44:

| | | | |
|-----------------|---------|---------|------------------|
| Anderson | Bennett | Black | Branstad |
| Clark | Corey | Daggett | De Groot |
| Diemer | Grandia | Groth | Halvorson, R. A. |
| Handorf | Hanson | Harbor | Hermann |
| Hoffmann-Bright | Hummel | Koenigs | Krewson |
| Lageschulte | Maulsby | McIntee | McKean |
| Menke | Mullins | Paulin | Pellet |

| | | | |
|-----------|------------|------------|------------|
| Renken | Rensink | Royer | Schnekloth |
| Schroeder | Skow | Spear | Stromer |
| Stueland | Swearingen | Tofte | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Welden |

The nays were, 55:

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

Absent or not voting, 1:

Davitt

Amendment H—6102 lost.

Speaker Avenson in the chair at 5:26 p.m.

Handorf of Marshall offered the following amendment H—6177 filed by him and Schnekloth of Scott and moved its adoption:

H—6177

- 1 Amend Senate File 2330 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 15, lines 13 and 14, by striking the words
- 4 "storage warehousing of raw agricultural products;"
- 5 and inserting in lieu thereof the words "storage
- 6 warehousing of raw agricultural products;"

Roll call was requested by Schnekloth of Scott and Handorf of Marshall.

On the question "Shall amendment H—6177 be adopted?"

The ayes were, 48:

| | | | |
|------------|------------------|------------------|-----------------|
| Anderson | Bennett | Black | Blanshan |
| Branstad | Clark | Corey | Daggett |
| De Groot | Diemer | Fogarty | Grandia |
| Groth | Halvorson, R. A. | Halvorson, R. N. | Handorf |
| Hanson | Harbor | Hermann | Hoffmann-Bright |
| Hummel | Koenigs | Krewson | Lageschulte |
| Maulsby | McIntee | McKean | Menke |
| Mullins | Paulin | Pellett | Renken |
| Rensink | Royer | Schneklath | Schroeder |
| Skow | Stromer | Stueland | Swartz |
| Swearingen | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | Zimmerman |

The nays were, 51:

| | | | |
|-----------|------------|-------------|-----------|
| Arnould | Baxter | Brammer | Buhr |
| Carl | Carpenter | Carter | Chapman |
| Chiodo | Cochran | Connolly | Connors |
| Cooper | Copenhaver | Doderer | Fey |
| Groninga | Gronstal | Gruhn | Hammond |
| Haverland | Holveck | Hughes | Jay |
| Jochum | Knapp | Lloyd-Jones | Loneragan |
| Miller | Muhlbauer | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Pavich | Peick | Poncy | Renaud |
| Rosenberg | Running | Sherzan | Shoultz |
| Spear | Sturgeon | Sullivan | Tabor |
| Varn | Woods | Mr. Speaker | |

Absent or not voting, 1:

Davitt

Amendment H—6177 lost.

Stromer of Hancock asked and received unanimous consent to withdraw amendment H—6113 filed by him on April 5, 1984.

The House resumed consideration of amendment H—6121B.

Hanson of Delaware asked for unanimous consent to suspend Rule 10, relating to recognition and decorum in debate.

Objection was raised.

Groninga of Cerro Gordo moved the adoption of amendment H—6121B.

Amendment H—6121B lost.

Harbor of Mills offered the following amendment H—6112 filed by Harbor, et al., and moved its adoption:

H—6112

- 1 Amend Senate File 2330 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 15, by striking lines 22 through 34.
- 4 2. Page 15, line 35, by striking the words and
- 5 numeral "and 44 are" and inserting in lieu thereof
- 6 the word "is".
- 7 3. By renumbering as necessary.

Roll call was requested by Schroeder of Pottawattamie and Stromer of Hancock.

On the question "Shall amendment H—6112 be adopted?"

The ayes were, 45:

| | | | |
|-------------|------------------|------------|------------|
| Anderson | Baxter | Bennett | Branstad |
| Carpenter | Clark | Corey | Daggett |
| De Groot | Diemer | Fogarty | Grandia |
| Groth | Halvorson, R. A. | Handorf | Harbor |
| Hermann | Hoffmann-Bright | Hummel | Krewson |
| Lageschulte | Maulsby | McKean | Menke |
| Miller | Mullins | O'Kane | Ollie |
| Paulin | Pellett | Renken | Rensink |
| Royer | Running | Schnekloth | Schroeder |
| Stromer, | Stueland | Swartz | Swearingen |
| Tofte | Torrence | Van Camp | Van Gerpen |
| Van Maanen | | | |

The nays were, 48:

| | | | |
|-------------|------------------|-----------|-------------|
| Arnould | Black | Blanshan | Brammer |
| Buhr | Carl | Carter | Chapman |
| Chiodo | Connolly | Connors | Cooper |
| Doderer | Fey | Groninga | Gronstal |
| Gruhn | Halvorson, R. N. | Hammond | Holveck |
| Hughes | Jay | Jochum | Koenigs |
| Lloyd-Jones | Lonergan | McIntee | Muhlbauer |
| Norland | Osterberg | Oxley | Parker |
| Pavich | Peick | Poncy | Renaud |
| Rosenberg | Sherzan | Shoultz | Skow |
| Spear | Sturgeon | Sullivan | Tabor |
| Varn | Woods | Zimmerman | Mr. Speaker |

Absent or not voting, 7:

Cochran
Haverland

Copenhaver
Knapp

Davitt
Welden

Hanson

Amendment H—6112 lost.

Jay of Appanoose offered the following amendment H—6138 filed by him and Schroeder of Pottawattamie and moved its adoption:

H—6138

1 Amend Senate File 2330 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 15, by inserting after line 34 the
4 following new section:
5 "Sec. . . When the first return is filed after
6 the effective date of this division and the taxes
7 due are paid in full on or before the due date provided
8 in section 422.51, the taxpayer may deduct an amount
9 equal to the actual costs incurred for the
10 reprogramming of electronic scanning devices used
11 by the taxpayer for imposition of the tax on those
12 items subjected to the sales, service, and use tax
13 on the effective date of this division."

• A non-record roll call was requested.

The ayes were 17, nays 41.

Amendment H—6138 lost.

Welden of Hardin offered the following amendment H—6092 filed by Welden, et al., and moved its adoption:

H—6092

1 Amend Senate File 2330 as follows:
2 1. Page 16, by striking lines 3 through 15.

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

On the question "Shall amendment H—6092 be adopted?"

The ayes were, 45:

| | | | |
|----------|------------------|-----------------|------------|
| Anderson | Bennett | Blanshan | Branstad |
| Buhr | Carpenter | Clark | Corey |
| Daggett | De Groot | Diemer | Grandia |
| Groth | Halvorson, R. A. | Handorf | Hanson |
| Harbor | Hermann | Hoffmann-Bright | Hummel |
| Krewson | Lageschulte | Maulsby | McIntee |
| McKean | Menke | Mullins | O'Kane |
| Paulin | Pellet | Renken | Rensink |
| Royer | Schnekloth | Schroeder | Spear |
| Stromer | Stueland | Swearingen | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Weiden | | | |

The nays were, 51:

| | | | |
|-----------|-------------|------------------|------------|
| Arnould | Baxter | Black | Brammer |
| Carl | Carter | Chapman | Chiodo |
| Cochran | Connolly | Cooper | Copenhaver |
| Doderer | Fey | Fogarty | Groninga |
| Gronstal | Gruhn | Halvorson, R. N. | Hammond |
| Holveck | Hughes | Jay | Jochum |
| Koenigs | Lloyd-Jones | Lonergan | Miller |
| Muhlbauer | Norland | 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, 4:

| | | | |
|---------|--------|-----------|-------|
| Connors | Davitt | Haverland | Knapp |
|---------|--------|-----------|-------|

Amendment H—6092 lost.

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. 2330)

The ayes were, 52:

| | | | |
|---------|--------|----------|---------|
| Arnould | Baxter | Blanshan | Brammer |
| Buhr | Carl | Carter | Chapman |

| | | | |
|------------|----------|-----------|------------------|
| Chiodo | Cochran | Connolly | Connors |
| Copenhagen | Doderer | Fey | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. N. |
| Hammond | Holveck | Hughes | Jay |
| Jochum | Knapp | Koenigs | Lloyd-Jones |
| Loneragan | 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, 46:

| | | | |
|------------|------------------|-----------------|------------|
| Anderson | Bennett | Black | Branstad |
| Carpenter | Clark | Cooper | Corey |
| Daggett | De Groot | Diemer | Fogarty |
| Grandia | Halvorson, R. A. | Handorf | Hanson |
| Harbor | Hermann | Hoffmann-Bright | Hummel |
| Krewson | Lageschulte | Maulsby | McIntee |
| McKean | Menke | Miller | Muhlbauer |
| Mullins | Paulin | Pellet | Renken |
| Rensink | Royer | Schneklath | Schroeder |
| Skow | Stromer | Stueland | Swearingen |
| Tofte | Torrence | Van Camp | Van Gerpen |
| Van Maanen | Weiden | | |

Absent or not voting, 2:

| | |
|--------|-----------|
| Davitt | Haverland |
|--------|-----------|

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 2392**, a bill for an act relating to the psychological testing of law enforcement, corrections, parole, and probation officers and community correctional service workers, (temporarily deferred) amended by the Senate amendment H-6103 as follows:

H-6103

- 1 Amend House File 2392 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 13, by striking the words "all
- 4 applicants" and inserting in lieu thereof the words

5 "an applicant".

6 2. Page 1, line 14, by inserting after the word
7 "career." the words "However, this battery of tests
8 need only be given to applicants being considered
9 in the final selection process for a law enforcement
10 position. For original appointments to law enforcement
11 officer positions under chapter 400 of the Code, the
12 "final selection process" means the point in the
13 examination process of section 400.8 of the Code which
14 is just prior to the certification to the city council
15 of the list of names of the persons who qualify with
16 the highest standing pursuant to section 400.11 of
17 the Code."

18 3. Page 1, lines 31 and 32, by striking the words
19 "corrections, parole, and probation officers and
20 community correctional service workers" and inserting
21 in lieu thereof the words "correctional officers".

22 4. Page 1, line 35, by striking the word "their"
23 and inserting in lieu thereof the words "a correctional
24 career."

25 5. Page 2, by striking line 1.

26 6. Title page, by striking lines 2 and 3, and
27 inserting in lieu thereof the words "enforcement and
28 correctional officers."

Spear of Lee offered the following amendment H-6185, to the Senate amendment H-6103, filed by him from the floor:

H-6185

1 Amend amendment H-6103 to House File 2392 as
2 amended, passed and reprinted by the House as follows:

3 1. Page 1, by striking line 7 and inserting in
4 lieu thereof the following: " "career." the words
5 "The battery of tests shall not include questions
6 or determinations based upon the applicant's sexual
7 conduct. This battery of tests"."

8 2. Page 1, by striking line 24 and inserting in
9 lieu thereof the following: " "career. The battery
10 of tests shall not include questions or determinations
11 based upon the applicant's sexual conduct." "

Doderer of Johnson rose on a point of order that amendment H-6185, to the Senate amendment H-6103, was not germane.

The Speaker ruled the point well taken and amendment H-6185 not germane.

Lonergan of Boone in the chair at 6:21 p.m.

Brammer of Linn moved that the House concur in the Senate amendment H-6103.

A non-record roll call was requested.

The ayes were 52, nays 40.

The motion prevailed and the House concurred in the Senate amendment H-6103.

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. 2392)

The ayes were, 54:

| | | | |
|------------------|-----------------------------|------------|-------------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Brammer | Carl | Carter |
| Chapman | Clark | Cochran | Cooper |
| Corey | Diemer | Doderer | Fey |
| Fogarty | Groninga | Gronstal | Gruhn |
| Halvorson, R. A. | Halvorson, R. N. | Hammond | Hanson |
| Hermann | Holveck | Hughes | Hummel |
| Jay | Jochum | Koenigs | Lloyd-Jones |
| McIntee | Miller | Muhlbauer | Norland |
| O'Kane | Ollie | Osterberg | Parker |
| Paulin | Pavich | Peick | Rosenberg |
| Running | Shoultz | Skow | Sturgeon |
| Sullivan | Tabor | Van Gerpen | Varn |
| Zimmerman | Madam Speaker (Lonergan) | | |

The nays were, 41:

| | | | |
|------------|-------------|-----------------|------------|
| Anderson | Bennett | Branstad | Buhr |
| Carpenter | Chiodo | Connolly | Copenhaver |
| Daggett | De Groot | Grandia | Groth |
| Handorf | Harbor | Hoffmann-Bright | Knapp |
| Krewson | Lageschulte | Maulsby | McKean |
| Menke | Mullins | Oxley | Pellett |
| Poncy | Renaud | Renken | Rensink |
| Royer | Schneklath | Schroeder | Sherzan |
| Spear | Stromer | Stueland | Swartz |
| Swearingen | Torrence | Van Camp | Van Maanen |
| Woods | | | |

Absent or not voting, 5:

Connors
Weiden

Davitt

Haverland

Tofte

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

SENATE AMENDMENT CONSIDERED

Miller of Woodbury called up for consideration **House File 2398**, a bill for an act allowing a maximum set-aside of ten percent of the total dollar amount of federal aid highway construction contracts let by the state department of transportation for bidding by pre-qualified disadvantaged business enterprises, amended by the Senate, and moved that the House concur in the following Senate amendment H—5911:

H—5911

- 1 Amend House File 2398 as amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 2, line 18, by inserting after the word
- 4 "department" the following: "and federal aid transit
- 5 dollars administered by the department".
- 6 2. Page 2, line 18, by striking the words
- 7 "department's chief engineer" and inserting in lieu
- 8 thereof the word "director".
- 9 3. Title page, line 2, by striking the words
- 10 "highway construction".

The motion prevailed and the House concurred in the Senate amendment H—5911.

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. 2398)

The ayes were, 97:

Anderson
Bennett
Branstad

Arnould
Black
Buhr

Avenson
Blanshan
Carl

Baxter
Brammer
Carpenter

| | | | |
|----------------------------|------------------|------------------|------------|
| Carter | Chapman | Chiodo | Clark |
| Cochran | Connolly | Connors | Cooper |
| Copenhagen | Corey | Daggett | 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 | 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 | Schneklath |
| Schroeder | Sherzan | Shoultz | Skow |
| Spear | Stromer | Stueland | Sturgeon |
| Sullivan | Swartz | Swearingen | Tabor |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Varn | Welden | Woods | Zimmerman |
| Madam Speaker (Loergan) | | | |

The nays were, none.

Absent or not voting, 3:

Davitt Haverland Tofté

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

HOUSE INSISTS (Senate File 513)

Gronstal of Pottawattamie called up for consideration **Senate File 513**, a bill for an act relating to the name of a state bank, and moved that the House insist on its amendment, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED (Senate File 513)

The Speaker announced the appointment of the following conference committee to consider the differences between the House and Senate on Senate File 513: Chiodo of Polk, Chair; Gronstal of

Pottawattamie, Parker of Jasper, Schroeder of Pottawattamie and Renken of Grundy.

MOTION TO RECONSIDER WITHDRAWN
(Senate amendment H-6035 to House File 558)

Running of Linn asked and received unanimous consent to withdraw the motion to reconsider the vote by which the House refused to concur in the Senate amendment H-6035, as amended, to House File 558, 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 human services, filed by him on April 4, 1984.

IMMEDIATE MESSAGE
(Senate File 2330)

Norland of Worth asked and received unanimous consent to immediately message Senate File 2330 to the Senate.

Speaker Avenson in the chair at 6:40 p.m.

MOTION TO RECONSIDER DEFERRED
(House File 2436)

Zimmerman of Dallas called up for consideration the motion to reconsider House File 2436, a bill for an act relating to the licensure and operation of a hospice program, filed by her on April 4, 1984.

Zimmerman of Dallas asked and received unanimous consent that the motion to reconsider House File 2436 be deferred and that the bill retain its place on the calendar.

INTRODUCTION OF BILL

House File 2523, by committee on ways and means, a bill for an act relating to the issuance of bonds by certain counties for the 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 county residents, establishment of a special tax district, and taxation of real property located within the special tax district.

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

SENATE MESSAGE CONSIDERED

Senate File 2328, by committee on ways and means, a bill for an act to amend the Iowa pari-mutuel wagering Act and providing that part-time and seasonal employees of the racing commission are not under the merit employment system.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 3, 1984, 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 2277, a bill for an act relating to the selection process of subscriber directors of a board of a hospital service corporation, medical service corporation, dental service corporation, or pharmaceutical or optometric corporation.

K. MARIE THAYER, Secretary

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 9th day of April, 1984: House Files 580, 590, 2111, 2243, 2265, 2284, 2380, 2400 and 2412.

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 April 9, 1984, he approved and transmitted to the Secretary of State the following bills:

Senate File 324, an act relating to skilled nursing care coverage provided by insurers and hospital and medical service corporations to hospitalized insureds and subscribers.

Senate File 2042, an act abolishing the Council on Child Abuse Information.

Senate File 2167, an act to repeal the requirement that a meeting be called upon request by the area education agency board or a contiguous school district concerning a proposal by a school district board to issue general obligation bonds for construction or renovation of a school building.

Senate File 2168, an act relating to programs for returning dropouts and dropout prevention by a local school district.

Senate File 2175, an act relating to dispensing of generically equivalent drugs.

PRESENTATION OF VISITORS

Rosenberg of Story presented to the House the Honorable Larry Larson, former member of the House representing Story County.

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

Thirty-three eighth grade students from St. John School, Bancroft, accompanied by Madeline Summitt, Mr. and Mrs. Gene Meister and Esther Deitering. By Branstad of Winnebago.

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, accompanied by Brian Kent. By Jay of Appanoose.

Ten 4-H members from DeWitt, accompanied by Nancy Tometich. By Stueland and Ollie of Clinton.

Fourteen members of the Girl Scout Cadette Troop 1150, Preston, accompanied by Doris Trenkamp, Millie Clarkson and Marjorie Koch. By Tabor of Jackson.

Sixty fifth grade students from Western Hills Elementary, West Des Moines, accompanied by Mary Huggins, Mrs. Hafner, Mrs. Nicole and Mr. Linn. By Carpenter of Polk.

RESOLUTION FILED

HCR 120, by Poncy, Renken, Sherzan, Running, Sullivan and Van Camp, a concurrent resolution relating to American POW's and MIA's.

Laid over under Rule 25.

AMENDMENTS FILED

| | | | |
|-------------------------|------|------|----------------------------|
| H-6184 | H.F. | 2519 | Woods of Polk |
| H-6186 | H.F. | 2521 | Peick of Linn |
| Paulin of Plymouth | | | Renaud of Polk |
| Corey of Louisa | | | Gronstal of Pottawattamie |
| Pavich of Pottawattamie | | | Lageschulte of Bremer |
| McKean of Jones | | | Branstad of Winnebago |
| Skow of Guthrie | | | Woods of Polk |
| Chapman of Linn | | | Schroeder of Pottawattamie |
| Royer of Page | | | Anderson of Audubon |
| Muhlbauer of Crawford | | | Van Camp of Scott |
| Rosenberg of Story | | | Copenhaver of Buchanan |
| Fey of Scott | | | Schnekloth of Scott |
| Renken of Grundy | | | Hanson of Delaware |
| H-6187 | H.F. | 2520 | Carter of Henry |
| | | | Koenigs of Mitchell |
| | | | Cochran of Webster |
| | | | Cooper of Lucas |
| H-6188 | H.F. | 2015 | Poncy of Wapello |
| H-6189 | H.F. | 2519 | Lageschulte of Bremer |
| H-6190 | H.F. | 2519 | Daggett of Taylor |
| | | | Carpenter of Polk |
| H-6192 | H.F. | 2504 | Stromer of Hancock |
| H-6193 | H.F. | 2521 | Schroeder of Pottawattamie |
| H-6195 | S.F. | 2277 | Senate Amendment |
| H-6198 | H.F. | 2521 | Hanson of Delaware |
| | | | Jochum of Dubuque |
| H-6199 | H.F. | 2519 | Schroeder of Pottawattamie |
| H-6200 | H.F. | 2520 | Blanshan of Greene |
| H-6201 | H.F. | 2519 | Schroeder of Pottawattamie |
| H-6203 | H.F. | 2487 | Hummel of Benton |
| | | | Copenhaver of Buchanan |
| H-6204 | H.F. | 2520 | Schroeder of Pottawattamie |

| | | | |
|--------|------|------|---|
| H-6205 | H.F. | 2487 | Copenhaver of Buchanan Hummel of Benton Jay of Appanoose Rosenberg of Story McIntee of Black Hawk |
| H-6206 | H.F. | 2521 | Krewson of Polk |
| H-6207 | H.F. | 2521 | Hoffmann-Bright of Muscatine Branstad of Winnebago |
| H-6208 | S.F. | 2328 | Hughes of Union |
| H-6209 | S.F. | 2328 | Hughes of Union |
| H-6210 | H.F. | 2521 | Hanson of Delaware Jay of Appanoose Gronstal of Pottawattamie O'Kane of Woodbury Paulin of Plymouth |

On motion by Norland of Worth, the House adjourned at 6:44 p.m., until 9:00 a.m., Tuesday, April 10, 1984.

JOURNAL OF THE HOUSE

Ninety-third Calendar Day—Sixty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 10, 1984

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

Prayer was offered by Father Eugene Weimer, pastor of the Holy Name Catholic Church, West Union.

The Journal of Monday, April 9, 1984 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Curtis Wuest, M.D., Marshalltown.

PETITIONS FILED

The following petitions were received and placed on file:

By Anderson of Audubon, from two hundred seventy-seven Audubon County farmers and businessmen urging a reassessment of the 1984 farm program, to include a paid diversion program and/or an early deficiency payment option.

By Royer of Page, from the Pottawattamie County Board of Supervisors, a resolution urging the general assembly to continue state assumption of costs related to the operation of the courts on the time table now established by law.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Baxter of Des Moines, until her arrival, on request of Clark of Cerro Gordo.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 6, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 224, a bill for an act relating to the listing of dogs and collection of license fees by the assessor.

Also: That the Senate has on April 6, 1984, 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 540, a bill for an act relating to definitions of an employer and employee in chapter 91A.

Also: That the Senate has on April 6, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2390, a bill for an act relating to county finances by deleting or amending references to county funds and making amendments to resolve conflicts in county finance laws.

Also: That the Senate has on April 6, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2511, a bill for an act relating to and making appropriations to the auditor of state and the treasurer of state and providing an effective date.

Also: That the Senate has on April 6, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was 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 April 6, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2082, a bill for an act relating to the confidentiality of Iowa department of corrections records and providing a penalty.

Also: That the Senate has on April 6, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2122, a bill for an act relating to county libraries.

Also: That the Senate has on April 6, 1984, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 2165, a bill for an act to provide for the development of a proposal to reduce upper-level management positions in certain state agencies.

Also: That the Senate has on April 6, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2188, a bill for an act relating to the period of time in which a motor vehicle dealer must apply for a title certificate for a foreign registered vehicle acquired for resale.

Also: That the Senate has on April 6, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2237, a bill for an act relating to the appointment, terms, retention and qualifications of magistrates.

Also: That the Senate has on April 6, 1984, 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 2238, a bill for an act making Code corrections which strike or replace incorrect references, strike expired provisions, and make statutes consistent, including statutes relating to penalties.

Also: That the Senate has on April 6, 1984, 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 2272, a bill for an act relating to modification of orders made in proceedings for dissolution of marriage, annulment or separate maintenance.

Also: That the Senate has on April 6, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2273, a bill for an act to ratify and enter into an interstate compact between Iowa, Kansas, Missouri, and Nebraska for the development of the Missouri river for barge traffic.

Also: That the Senate has on April 6, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2333, a bill for an act relating to the administration and financing of correctional, mental health, mental retardation and veterans programs and capital projects under the jurisdiction of the department of corrections.

Also: That the Senate has on April 6, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2336, a bill for an act to require that a uniform system of program accounting be approved by the state board of public instruction and implemented by the area education agencies.

K. MARIE THAYER, Secretary

SENATE AMENDMENT CONSIDERED

Zimmerman of Dallas called up for consideration **Senate File 2277**, a bill for an act relating to the selection process of subscriber directors of a board of a hospital service corporation, medical service corporation, dental service corporation, or pharmaceutical or

optometric corporation by requiring the commissioner of insurance to adopt rules to establish criteria for the selection of nominees and to permit the nomination process by a petition, requiring the subscriber members of the board of such corporations to establish procedures to permit nomination by petition, and exempting the independent subscriber nominating committee from chapter 17A and prohibiting the members of such committee from receiving per diem and expenses and providing an effective date, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—6195 to the House amendment:

H—6195

- 1 Amend House amendment S—5705 to Senate File 2277
- 2 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, line 17, by inserting after the word
- 5 "committee" the words "during the duration of the
- 6 committee. Following the discontinuance of the
- 7 committee, the petition process shall be continued
- 8 and the board of directors of the corporation shall
- 9 consider the petitions".

The motion prevailed and the House concurred in the Senate amendment H—6195, to the House amendment.

Zimmerman of Dallas 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. 2277)

The ayes were, 99:

| | | | |
|------------------|------------------|------------|----------|
| 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 | Huges | Hummel |

| | | | |
|------------|-------------|-------------|------------|
| Jay | Jochum | Knapp | Koenigs |
| Krewson | Lageschulte | Lloyd-Jones | Loneragan |
| Maulsby | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Bavich | Peick |
| Pellett | Poncy | Renaud | Renken |
| Rensink | Rosenberg | Royer | Running |
| Schneklath | Schroeder | Sherzan | Shultz |
| 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:

Barter

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

O'Kane of Woodbury in the chair at 9:27 a.m.

MOTION TO RECONSIDER PREVAILED
(House File 2436)

The House resumed consideration of the motion to reconsider House File 2436.

Zimmerman of Dallas moved to reconsider the vote by which House File 2436, a bill for an act relating to the licensure and operation of a hospice program, passed the House and was placed on its last reading on April 4, 1984.

A non-record roll call was requested.

The ayes were 60, nays 17.

The motion prevailed and the House reconsidered House File 2436.

Hammond of Story moved to reconsider the vote by which the House concurred in the Senate amendment H-6027 (found on page 1645 of the House Journal) as amended, on April 4, 1984.

A non-record roll call was requested.

The ayes were 33, nays 52.

The motion lost, placing out of order amendment H—6105 (to the Senate amendment H—6027) filed by Hammond of Story and Zimmerman of Dallas on April 4, 1984.

Zimmerman of Dallas 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. 2436)

The ayes were, 84:

| | | | |
|-----------|-----------------|------------------|-------------------------|
| Arnould | Avenson | Bennett | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carpenter | Chapman | Chiodo | Clark |
| Cochran | Connolly | Connors | Cooper |
| Corey | Davitt | De Groot | Diemer |
| Fey | Fogarty | Groninga | Gronstal |
| Groth | Gruhn | Halvorson, R. A. | Halvorson, R. N. |
| Hammond | Hondorf | Hanson | Harbor |
| Haverland | Hoffmann-Bright | Holveck | Hughes |
| Hummel | Jay | Jochum | Knapp |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Loneragan | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| Ollie | Osterberg | Oxley | Parker |
| Pavich | Peick | Pellet | Poncy |
| Renaud | Rensink | Rosenberg | Royer |
| Running | Schroeder | Sherzan | Shoultz |
| Skow | Spear | Stromer | Stueland |
| Sturgeon | Sullivan | Swartz | Swearingen |
| Tabor | Tofte | Van Camp | Van Gerpen |
| Varn | Woods | Zimmerman | Mr. Speaker (O'Kane) |

The nays were, 9:

| | | | |
|----------|------------|----------|------------|
| Anderson | Branstad | Daggett | Maulsby |
| Renken | Schnekloth | Torrence | Van Maanen |
| Welden | | | |

Absent or not voting, 7:

Baxter
Grandia

Carter
Hermann

Copenhaver
Paulin

Doderer

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 2519**, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs for this state, and amendment H-6168, deferred on April 9, 1984, (found on pages 1784 through 1795 of the House Journal).

Lageschulte of Bremer offered the following amendment H-6189, to amendment H-6168, filed by him and moved its adoption:

H-6189

- 1 Amend the amendment H-6168, filed to House File
- 2 2519, as follows:
- 3 1. Page 1, line 35, by striking the figure
- 4 "\$1,346,396" and inserting in lieu thereof the figure
- 5 "\$1,366,900".

Amendment H-6189 was adopted.

Daggett of Taylor offered the following amendment H-6190, to amendment H-6168, filed by him and Carpenter of Polk and moved its adoption:

H-6190

- 1 Amend the amendment H-6168 to House File 2519 as
- 2 follows:
- 3 1. Page 4, by striking lines 26 through 47 and
- 4 inserting in lieu thereof the following:
- 5 "a. For general state financial
- 6 aid to merged areas as defined in
- 7 section 280A.2 the amount of forty-
- 8 one million three hundred twenty-
- 9 nine thousand five hundred seven-
- 10 teen (41,329,517) dollars to be
- 11 allocated as follows:

| | | |
|----|---|----------------|
| 12 | (1) Merged Area I | \$ 1,974,781 |
| 13 | (2) Merged Area II | \$ 2,590,979 |
| 14 | (3) Merged Area III | \$ 2,333,520 |
| 15 | (4) Merged Area IV | \$ 889,463 |
| 16 | (5) Merged Area V | \$ 3,014,365 |
| 17 | (6) Merged Area VI | \$ 2,552,085 |
| 18 | (7) Merged Area VII | \$ 2,969,603 |
| 19 | (8) Merged Area IX | \$ 3,343,494 |
| 20 | (9) Merged Area X | \$ 5,049,800 |
| 21 | (10) Merged Area XI | \$ 6,179,520 |
| 22 | (11) Merged Area XII | \$ 2,066,814 |
| 23 | (12) Merged Area XIII | \$ 2,986,618 |
| 24 | (13) Merged Area XIV | \$ 1,005,074 |
| 25 | (14) Merged Area XV | \$ 2,440,631 |
| 26 | (15) Merged Area XVI | \$ 1,932,770". |
| 27 | 2. Page 5, by striking lines 16 through 36 and | |
| 28 | inserting in lieu thereof the following: "of thirteen | |
| 29 | million seven hundred seventy-six thousand five hundred | |
| 30 | seven (13,776,507) dollars, to be accrued as income | |
| 31 | and used for expenditures incurred by the area schools | |
| 32 | during the fiscal year beginning July 1, 1984 and | |
| 33 | ending June 30, 1985, to be allocated as follows: | |
| 34 | a. Merged Area I | \$ 658,260 |
| 35 | b. Merged Area II | \$ 863,660 |
| 36 | c. Merged Area III | \$ 777,840 |
| 37 | d. Merged Area IV | \$ 296,488 |
| 38 | e. Merged Area V | \$ 1,004,788 |
| 39 | f. Merged Area VI | \$ 850,695 |
| 40 | g. Merged Area VII | \$ 989,868 |
| 41 | h. Merged Area IX | \$ 1,114,498 |
| 42 | i. Merged Area X | \$ 1,683,267 |
| 43 | j. Merged Area XI | \$ 2,059,840 |
| 44 | k. Merged Area XII | \$ 688,938 |
| 45 | l. Merged Area XIII | \$ 995,539 |
| 46 | m. Merged Area XIV | \$ 335,025 |
| 47 | n. Merged Area XV | \$ 813,544 |
| 48 | o. Merged Area XVI | \$ 644,257". |

Amendment H—6190 was adopted.

Stromer of Hancock moved the adoption of amendment H—6168, as amended.

Roll call was requested by Jochum of Dubuque and Arnould of Scott.

Rule 76 was invoked.

On the question "Shall amendment H—6168, as amended, be adopted?"

The ayes were, 27:

| | | | |
|-------------|------------|------------------|-----------------|
| Anderson | Bennett | Branstad | Corey |
| Daggett | Grandia | Halvorson, R. A. | Handorf |
| Hanson | Harbor | Hermann | Hoffmann-Bright |
| Lageschulte | Maulsby | Paulin | Pellett |
| Renken | Royer | Schneklath | Schroeder |
| Stromer | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | |

The nays were, 72:

| | | | |
|------------------|------------|------------|-------------------------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Brammer | 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. N. | Hammond | Haverland | Holveck |
| Hughes | Hummel | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lloyd-Jones |
| Loneragan | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| Ollie | Osterberg | Oxley | Parker |
| Pavich | Peick | Poncy | Renaud |
| Rensink | Rosenberg | Running | Shoultz |
| Skow | Spear | Stueland | Sturgeon |
| Sullivan | Swartz | Swearingen | Tabor |
| Varn | Woods | Zimmerman | Mr. Speaker (O'Kane) |

Absent or not voting, 1:

Sherzan

Amendment H—6168, as amended, lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sherzan of Polk, until his return, on request of Peick of Linn.

Schroeder of Pottawattamie offered the following amendment H—6201 filed by him and moved its adoption:

H-6201

- 1 Amend House File 2519 as follows:
- 2 1. Page 1, by striking lines 2 and 3 and inserting
- 3 in lieu thereof the following: "of the state to the
- 4 Iowa commission for the blind for each of the fiscal
- 5 years beginning July 1, 1984 and July 1, 1985,"
- 6 2. Page 1, by striking lines 6 and 7.
- 7 3. Page 1, by striking lines 13 and 14 and
- 8 inserting in lieu thereof the following: "the state
- 9 to the Iowa college aid commission for each of the
- 10 fiscal years beginning July 1, 1984 and July 1, 1985,
- 11 the".
- 12 4. Page 1, by striking lines 18 and 19.
- 13 5. Page 1, by striking lines 34 and 35 and
- 14 inserting in lieu thereof the following: "state to
- 15 the Iowa college aid commission for each of the fiscal
- 16 years beginning July 1, 1984 and July 1, 1985, the
- 17 sum of".
- 18 6. Page 2, line 17, by inserting after the word
- 19 "services" the following: ", and one-half of the
- 20 funds appropriated for fiscal year 1985-1986 shall
- 21 not be released until delivery to the legislative
- 22 fiscal bureau of the June 30, 1985, financial audits,
- 23 conducted by an independent third party, of the
- 24 university of osteopathic medicine and health
- 25 services".
- 26 7. Page 2, by striking lines 19 and 20 and
- 27 inserting in lieu thereof the following: "the state
- 28 to the Iowa college aid commission for each of the
- 29 fiscal years beginning July 1, 1984 and July 1, 1985,
- 30 the".
- 31 8. Page 2, by striking line 33 and inserting in
- 32 lieu thereof the following: "each of the fiscal years
- 33 beginning July 1, 1984 and July 1,"
- 34 9. Page 3, by striking lines 2 and 3.
- 35 10. Page 3, by striking lines 10 and 11 and
- 36 inserting in lieu thereof the following: "the state
- 37 to the department of public instruction for each of
- 38 the fiscal years beginning July 1, 1984 and July 1,
- 39 1985,"
- 40 11. Page 3, by striking lines 14 and 15.
- 41 12. Page 3, line 21, by inserting after the word
- 42 "expended" the words "during a fiscal year".
- 43 13. Page 6, by striking lines 26 and 27 and
- 44 inserting in lieu thereof the following: "state to
- 45 the department of public instruction for each of the
- 46 fiscal years beginning July 1, 1985 and July 1, 1986,
- 47 for".
- 48 14. Page 6, by striking lines 32 and 33 and
- 49 inserting in lieu thereof the following: "by the
- 50 area schools during the fiscal years beginning July

Page 2

- 1 1, 1984 and July 1, 1985, respectively, to be allocated
 2 as follows:"
- 3 15. Page 7, line 15, by inserting after the figure
 4 "1985" the following: "and on or about August 15,
 5 1986".
- 6 16. Page 7, by striking lines 18 and 19 and
 7 inserting in lieu thereof the following: "expenditures
 8 incurred during each of the fiscal years beginning
 9 July 1, 1984 and July 1, 1985, shall be paid by the
 10 state".
- 11 17. Page 7, by striking lines 29 and 30 and
 12 inserting in lieu thereof the following: "the state
 13 to the state board of regents for each of the fiscal
 14 years beginning July 1, 1984 and July 1, 1985, the
 15 following".
- 16 18. Page 8, by striking lines 3 and 4.
- 17 19. Page 12, by striking lines 7 and 8 and
 18 inserting in lieu thereof the following: "the state
 19 to the state board of regents for each of the fiscal
 20 years beginning July 1, 1984 and July 1, 1985, the
 21 sum of".
- 22 20. Page 12, line 17, by inserting after the
 23 figure "1984" the following: "and for the fiscal
 24 year beginning July 1, 1985".

Roll call was requested by Schroeder of Pottawattamie and Jochum of Dubuque.

On the question "Shall amendment H-6201 be adopted?"

The ayes were, 37:

| | | | |
|-------------|------------------|------------|------------|
| Anderson | Bennett | Branstad | Carpenter |
| Clark | Corey | Daggett | Diemer |
| Grandia | Halvorson, R. A. | Handorf | Harbor |
| Hermann | Hoffmann-Bright | Hummel | 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, 56:

| | | | |
|---------|--------|---------|----------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Buhr | Carl | Carter |
| Chapman | Chiodo | Cochran | Connolly |

| | | | |
|-----------|------------|-----------|-------------------------|
| Cooper | Copenhaver | De Groot | Doderer |
| Fey | Fogarty | Groninga | Gronstal |
| Groth | Gruhn | Hammond | Hanson |
| Haverland | Holveck | Hughes | Jay |
| Jochum | Knapp | Koenigs | Lonergan |
| Miller | Muhlbauer | Ollie | Osterberg |
| Oxley | Parker | Pavich | Peick |
| Poncy | Renaud | Rensink | Rosenberg |
| Running | Shoultz | Skow | Spear |
| Sturgeon | Sullivan | Swartz | Tabor |
| Varn | Woods | Zimmerman | Mr. Speaker (O'Kane) |

Absent or not voting, 7:

| | | | |
|-------------|---------|---------|------------------|
| Avenson | Connors | Davitt | Halvorson, R. N. |
| Lloyd-Jones | Norland | Sherzan | |

Amendment H—6201 lost.

Jochum of Dubuque offered the following amendment H—6146 filed by him and moved its adoption:

H—6146

- 1 Amend House File 2519 as follows:
- 2 1. Page 3, line 18, by striking the figure
- 3 "3,578,008" and inserting in lieu thereof the figure
- 4 "3,555,514".

Roll call was requested by Swartz of Marshall and Groth of Buena Vista.

On the question "Shall amendment H—6146 be adopted?"

The ayes were, 64:

| | | | |
|----------|------------------|-----------------|-------------|
| Anderson | Arnould | Baxter | Black |
| Blanshan | Brammer | Carl | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Cooper | Corey | Diemer | Fogarty |
| Grandia | Groninga | Gronstal | Groth |
| Gruhn | Halvorson, R. A. | Handorf | Hanson |
| Harbor | Hermann | Hoffmann-Bright | Hughes |
| Hummel | Jay | Jochum | Knapp |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Lonergan | McKean | Muhlbauer | Osterberg |
| Parker | Paulin | Pavich | Pellett |
| Renken | Royer | Schnekloth | Schroeder |

| | | | |
|----------|----------|------------|-------------------------|
| Shultz | Skow | Spear | Stueland |
| Sturgeon | Sullivan | Swartz | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Varn | Welden | Zimmerman | Mr. Speaker (O'Kane) |

The nays were, 28:

| | | | |
|------------|------------|-----------|-----------|
| Bennett | Buhr | Carpenter | Connolly |
| Copenhaver | Daggett | De Groot | Doderer |
| Fey | Hammond | Haverland | Holveck |
| Maulsby | McIntee | Menke | Miller |
| Mullins | Ollie | Oxley | Peick |
| Poney | Renaud | Rensink | Rosenberg |
| Running | Swearingen | Tabor | Woods |

Absent or not voting, 8:

| | | | |
|------------------|----------|---------|---------|
| Avenson | Branstad | Connors | Davitt |
| Halvorson, R. N. | Norland | Sherzan | Stromer |

Amendment H—6146 was adopted.

Groth of Buena Vista offered the following amendment H—6169 filed by him and Varn of Johnson and moved its adoption:

H—6169

- 1 Amend House File 2519 as follows:
- 2 1. Page 3, by striking lines 19 through 23.

Amendment H—6169 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Clark of Cerro Gordo, until her return, on request of Haverland of Polk.

Schroeder of Pottawattamie offered the following amendment H—6199 filed by him and moved its adoption:

H—6199

- 1 Amend House File 2519 as follows:
- 2 1. Page 5, by striking lines 12 and 13 and insert-
- 3 ing in lieu thereof the following:

| | | |
|----|--|---------------|
| 4 | "a. To carry out the provisions | |
| 5 | of section 442.13 | \$ 500,000 |
| 6 | b. To be distributed to school | |
| 7 | districts who demonstrate need for | |
| 8 | funds to pay for removal of asbestos | |
| 9 | from school buildings | \$ 1,500,000" |
| 10 | 2. Page 8, line 33, by striking the figure | |
| 11 | "15,111,842" and inserting in lieu thereof the figure | |
| 12 | "15,004,548". | |
| 13 | 3. Page 9, line 12, by striking the figure | |
| 14 | "104,139,162" and inserting in lieu thereof the figure | |
| 15 | "103,399,774". | |
| 16 | 4. Page 9, line 18, by striking the figure | |
| 17 | "23,958,998" and inserting in lieu thereof the figure | |
| 18 | "23,791,286". | |
| 19 | 5. Page 11, line 14, by striking the figure | |
| 20 | "86,156,911" and inserting in lieu thereof the figure | |
| 21 | "85,545,197". | |
| 22 | 6. Page 11, line 19, by striking the figure | |
| 23 | "10,151,529" and inserting in lieu thereof the figure | |
| 24 | "10,080,469". | |
| 25 | 7. Page 11, line 25, by striking the figure | |
| 26 | "9,658,897" and inserting in lieu thereof the figure | |
| 27 | "9,591,258". | |
| 28 | 8. Page 11, line 30, by striking the figure | |
| 29 | "33,912,249" and inserting in lieu thereof the figure | |
| 30 | "33,674,864". | |

Amendment H—6199 lost.

Varn of Johnson offered the following amendment H—6133 filed by Varn, et al.:

H—6133

- 1 Amend House File 2519 as follows:
- 2 1. Page 5, by striking lines 10 through 13.

Varn of Johnson offered the following amendment H—6134, to amendment H—6133, filed by him and Hughes of Union and moved its adoption:

H—6134

- 1 Amend amendment H—6133 to House File 2519 as
- 2 follows:
- 3 1. Page 1, by striking line 2 and inserting in
- 4 lieu thereof the following:
- 5 "1. Page 5, line 13, by striking the figure
- 6 "30,000" and inserting in lieu thereof the figure
- 7 "15,000"."

Amendment H—6134 lost.

Connors of Polk in the chair at 10:47 a.m.

(House File 2519 temporarily deferred.)

Speaker Avenson in the chair at 10:55 a.m.

PRESENTATION OF PELLA TULIP QUEEN AND HER ATTENDANTS

Grandia of Marion presented to the House Beth Boomsma from Pella, Queen of the 1984 Pella Tulip Festival to be held in Pella May 10, 11 and 12.

Queen Beth was escorted to the Speaker's station and presented Speaker Avenson with the traditional kiss and invited everyone to attend the festival. She introduced her attendants Julie De Reus, Patti Beintema, Julie Vander Wilt and Carol Rooda.

Those present from Pella were dressed in native Dutch costume and distributed the famous Pella Dutch cookies.

The House stood at ease at 10:58 a.m.

The House resumed session and consideration of House File 2519 and amendment H—6133 at 11:08 a.m., Speaker Avenson in the chair.

(House File 2519 and amendment H—6133 pending at recess.)

On motion by Norland of Worth, the House was recessed at 11:09 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

BUSINESS PENDING AT RECESS

The House resumed consideration of **House File 2519**, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs for this state, and amendment H—6133, found on page 1840 of the House Journal.

Connors of Polk in the chair at 2:00 p.m.

Varn of Johnson asked and received unanimous consent to withdraw amendment H—6133.

Halvorson of Clayton offered the following amendment H—6181 filed by him and moved its adoption:

H—6181

- 1 Amend House File 2519 as follows:
- 2 1. Page 7, by inserting after line 27 the
- 3 following:
- 4 "Sec. . It is the intent of the general assembly
- 5 that commencing with the fiscal year beginning July
- 6 1, 1985, moneys shall be appropriated from the general
- 7 fund of the state to the department of public
- 8 instruction to be allocated to each merged area school
- 9 on the basis of the area school's need for replacement
- 10 of equipment."
- 11 2. Page 15, by inserting after line 30 the
- 12 following:
- 13 "Sec. 25. Section 280A.28, Code Supplement 1983,
- 14 is repealed."
- 15 3. Page 15, by inserting after line 33 the
- 16 following:
- 17 "Sec. . Section 25 of this Act takes effect
- 18 July 1, 1984. However, section 25 of this Act shall
- 19 not affect the collection of property taxes during
- 20 the fiscal year beginning July 1, 1984 under section
- 21 280A.28."
- 22 4. By numbering and renumbering sections as
- 23 necessary.

Roll call was requested by Halvorson of Clayton and Harbor of Mills.

On the question "Shall amendment H—6181 be adopted?"

The ayes were, 31:

| | | | |
|-------------|------------------|------------|-----------|
| Anderson | Bennett | Clark | Cooper |
| Copenhaver | Coréy | Daggett | De Groot |
| Grandia | Halvorson, R. A. | Hanson | Harbor |
| Hermann | Hoffmann-Bright | Hummel | Krewson |
| Lageschulte | Maulsby | McKean | Menke |
| Mullins | Paulin | Pellett | Renken |
| Rensink | Royer | Schnekloth | Schroeder |
| Van Gerpen | Van Maanen | Weiden | |

The nays were, 61:

| | | | |
|--------------------------|------------------|-------------|-----------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Buhr | Carl | Carpenter |
| Carter | Chapman | Chiodo | Cochran |
| Connolly | Davitt | Diemer | Doderer |
| Fey | Fogarty | Gronstal | Groth |
| Gruhn | Halvorson, R. N. | Hammond | Haverland |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Koenigs | Lloyd-Jones | Loneragan |
| McIntee | Miller | Muhlbauer | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Pavich | Peick | Poncy |
| Rosenberg | Running | Skow | Spear |
| Stueland | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Tofte | Torrence |
| Van Camp | Varn | Woods | Zimmerman |
| Mr. Speaker (Connors) | | | |

Absent or not voting, 8:

| | | | |
|---------|----------|----------|---------|
| Avenson | Branstad | Groninga | Handorf |
| Renaud | Sherzan | Shoultz | Stromer |

Amendment H—6181 lost.

Halvorson of Webster in the chair at 2:18 p.m.

Running of Linn asked and received unanimous consent to temporarily defer action on amendment H—6153.

Hanson of Delaware offered the following amendment H—6176 filed by him and Krewson of Polk and moved its adoption:

H—6176

- 1 Amend House File 2519 as follows:
- 2 1. Page 9, line 12, by striking the figure
- 3 "\$104,139,162" and inserting in lieu thereof the
- 4 figure "\$104,122,153".
- 5 2. Page 11, line 14, by striking the figure
- 6 "\$86,156,911" and inserting in lieu thereof the
- 7 figure "\$86,144,027".
- 8 3. Page 11, line 30, by striking the figure
- 9 "\$33,912,249" and inserting in lieu thereof the
- 10 figure "\$33,900,569".

Amendment H—6176 was adopted.

Connors of Polk in the chair at 2:30 p.m.

Welden of Hardin offered the following amendment H-6163 filed by him and moved its adoption:

H-6163

- 1 Amend House File 2519 as follows:
- 2 1. Page 9, by inserting after line 12 the
- 3 following:
- 4 "It is the intent of the general assembly that
- 5 funds appropriated in this paragraph not be used to
- 6 pay for efforts of the prisoner assistance clinic
- 7 at the university of Iowa law school to solicit
- 8 participation in the clinic by inmates at state
- 9 correctional facilities."

Amendment H-6163 was adopted.

Woods of Polk asked and received unanimous consent to withdraw amendment H-6153 (temporarily deferred) filed by him on April 6, 1984.

Woods of Polk offered the following amendment H-6162 filed by him and Sherzan of Polk and moved its adoption:

H-6162

- 1 Amend House File 2519 as follows:
- 2 1. Page 8, line 12, by striking the figure "433,343"
- 3 and inserting in lieu thereof the figure "394,343".

Amendment H-6162 lost.

Woods of Polk asked and received unanimous consent to withdraw amendment H-6184 filed by him on April 9, 1984.

Poncy of Wapello offered amendment H-6164 filed by him and requested division as follows:

H-6164

- 1 Amend House File 2519 as follows:

H-6164A

- 2 1. Page 12, line 11, by inserting after the word
- 3 "regents." the following: "If the amount actually

H-6164A

4 expended for fuel and electricity purposes is less
5 than twenty-one million three hundred twenty-four
6 thousand (21,324,000) dollars, the difference may
7 be used for maintenance, equipment, and miscellaneous
8 purposes.

9 The intent of the general assembly for the fiscal
10 year beginning July 1, 1984 is to appropriate
11 additional funds to the state board of regents during
12 the 1985 Session of the Seventy-first General Assembly
13 for the purchase of fuel and electricity if the state's
14 share of the costs for fuel and electricity for the
15 institutions under the control of the state board
16 of regents for that fiscal year exceeds twenty-one
17 million three hundred twenty-four thousand (21,324,000)
18 dollars."

H-6164B

19 2. Page 12, by inserting after line 33 the
20 following:

21 "Sec. . 1983 Iowa Acts, chapter 195, section
22 17, is amended to read as follows:

23 SEC. 17. There is appropriated from the general
24 fund of the state to the state comptroller for the
25 fiscal year beginning July 1, 1983 and ending June
26 30, 1984, the sum of two hundred fifty thousand
27 (250,000) dollars, or so much thereof as is necessary
28 to pay costs for the purchase of fuel and electricity
29 which exceed the amounts appropriated to the various
30 state agencies, or allocated by the state board of
31 regents to institutions under its control, from the
32 general fund for the purchase of fuel and electricity.
33 The funds or any portion of the funds shall not be
34 allocated to a state agency, or institution under
35 the control of the state board of regents, unless
36 the state comptroller determines the agency's costs
37 for the purchase of fuel and electricity exceed the
38 amounts appropriated or allocated for the fiscal year
39 beginning July 1, 1983 and the agency or institution
40 is either developing an energy conservation plan in
41 consultation with the energy policy council, or is
42 implementing, or has implemented, an energy
43 conservation plan which has been approved by the
44 energy policy council and the state comptroller
45 determines that other money is not available to the
46 agency or institution for fuel or electricity
47 purposes."

H-6164C

48 3. Page 13, by inserting after line 26 the
49 following:

50 "Sec. . Section 261.51, Code Supplement 1983,

Page 2

H-6164C

- 1 is amended to read as follows:
 2 261.51 SCIENCE AND MATHEMATICS LOAN PROGRAM.
 3 The Iowa science and mathematics loan program is
 4 established to be administered by the commission.
 5 The purpose of the loan program is to assist teachers
 6 to obtain or to upgrade their teaching authorization
 7 or to improve their knowledge and teaching skills
 8 in the areas of science or mathematics. The commission
 9 shall adopt rules under chapter 17A, in consultation
 10 with the board of educational examiners, to administer
 11 the program. The rules shall provide that loans not
 12 be granted to teachers for the purpose of improving
 13 their knowledge of subject content or teaching skills
 14 in order to teach courses in subject matter areas
 15 for which they possess approval granted by the board
 16 of educational examiners. The rules shall also provide
 17 that priority for loans be given to teachers possessing
 18 minimal qualifications for teaching science or
 19 mathematics."
 20 4. By numbering and renumbering sections as
 21 necessary.

Poncy of Wapello moved the adoption of amendment H-6164A.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 51, nays 44.

Amendment H-6164A was adopted.

Menke of O'Brien offered the following amendment H-6140 filed by Menke, et al., and moved its adoption:

H-6140

- 1 Amend House File 2519 as follows:
 2 1. Page 12, by striking lines 12 through 22.
 3 2. By renumbering as necessary.

Roll call was requested by Shultz of Black Hawk and Woods of Polk.

Rule 76 was invoked.

On the question "Shall amendment H—6140 be adopted?"

The ayes were, 43:

| | | | |
|-------------|------------------|-----------------|----------|
| Anderson | Bennett | Black | Blanshan |
| Branstad | Carpenter | Clark | Corey |
| Daggett | De Groot | Diemer | Fogarty |
| Grandia | Halvorson, R. A. | Handorf | Hanson |
| Harbor | Hermann | Hoffmann-Bright | Hummel |
| Jay | Jochum | Koenigs | Krewson |
| Lageschulte | Maulsby | McKean | Menke |
| Paulin | Pellett | Renken | Rensink |
| Royer | Schneklath | Stromer | Stueland |
| Swearingen | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | |

The nays were, 55:

| | | | |
|----------|-------------|--------------------------|------------------|
| Arnould | Avenson | Baxter | Brammer |
| Buhr | Carl | Carter | Chapman |
| Chiodo | Cochran | Connolly | Cooper |
| Davitt | Doderer | Fey | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. N. |
| Hammond | Haverland | Holveck | Hughes |
| Knapp | Lloyd-Jones | Loneragan | McIntee |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Pavich | Peick | Poncy |
| Renaud | Rosenberg | Running | Schroeder |
| Sherzan | Shoultz | Skow | Spear |
| Sturgeon | Sullivan | Tabor | Varn |
| Woods | Zimmerman | Mr. Speaker (Connors) | |

Absent or not voting, 2:

Copenhaver Swartz

Amendment H—6140 lost.

Hanson of Delaware offered the following amendment H—6167 filed by him and moved its adoption:

H—6167.

- 1 Amend House File 2519 as follows:
- 2 1. Page 12, by striking lines 23 and 24 and
- 3 inserting in lieu thereof the following:
- 4 "Sec. 12. The state board of regents may expend
- 5 up to one hundred thousand (100,000) dollars".

Amendment H—6167 was adopted.

Hanson of Delaware asked and received unanimous consent to withdraw amendment H—6166 filed by him on April 6, 1984.

Welden of Hardin offered the following amendment H—6171 filed by him and moved its adoption:

H—6171

- 1 Amend House File 2519 as follows:
- 2 1. Page 12, by striking lines 23 through 33.

A non-record roll call was requested.

The ayes were 42, nays 43.

Amendment H—6171 lost.

Varn of Johnson offered the following amendment H—6135 filed by him and moved its adoption:

H—6135

- 1 Amend House File 2519 as follows:
- 2 1. Page 12, by inserting after line 33 the
- 3 following:
- 4 "Sec. . 1983 Iowa Acts, chapter 195, section
- 5 17, is amended to read as follows:
- 6 SEC. 17. There is appropriated from the general
- 7 fund of the state to the state comptroller for the
- 8 fiscal year beginning July 1, 1983 and ending June
- 9 30, 1984, the sum of two hundred fifty thousand
- 10 (250,000) dollars, or so much thereof as is necessary
- 11 to pay costs for the purchase of fuel and electricity
- 12 which exceed the amounts appropriated to the various
- 13 state agencies, or allocated by the state board of
- 14 regents to institutions under its control, from the
- 15 general fund for the purchase of fuel and electricity.
- 16 The funds or any portion of the funds shall not be
- 17 allocated to a state agency, or institution under
- 18 the control of the state board of regents, unless
- 19 the state comptroller determines the agency's costs
- 20 for the purchase of fuel and electricity exceed the
- 21 amounts appropriated or allocated for the fiscal year
- 22 beginning July 1, 1983 and the agency or institution
- 23 is either developing an energy conservation plan in
- 24 consultation with the energy policy council, or is
- 25 implementing, or has implemented, an energy
- 26 conservation plan which has been approved by the

27 energy policy council and the state comptroller
28 determines that other money is not available to the
29 agency or institution for fuel or electricity
30 purposes."
31 2. By numbering and renumbering sections as
32 necessary.

Amendment H-6135 lost, placing out of order amendment H-6164B.

The House resumed consideration of amendment H-6164C.

Poncy of Wapello moved the adoption of amendment H-6164C.

Amendment H-6164C lost.

Speaker Avenson in the chair at 4:10 p.m.

McKean of Jones asked and received unanimous consent to withdraw amendment H-6173 filed by him on April 6, 1984.

Ollie of Clinton called up for consideration the motion to reconsider filed by him from the floor and moved to reconsider the vote by which amendment H-6164A was adopted by the House on April 10, 1984.

A non-record roll call was requested.

The ayes were 49, nays 22.

The motion prevailed and the House reconsidered amendment H-6164A.

On motion by Poncy of Wapello, amendment H-6164A lost.

The following amendment H-6226 filed by Poncy of Wapello from the floor was adopted by unanimous consent:

H-6226

- 1 Amend House File 2519 as follows:
- 2 1. Page 6, line 31, by striking the word "use" and
- 3 inserting in lieu thereof the word "used".

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?" (H.F. 2519)

The ayes were, 84:

| | | | |
|-------------|-------------|------------------|-----------------|
| Arnould | Baxter | Bennett | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carpenter | Carter | Chapman | Chiado |
| Clark | Cochran | Connolly | Connors |
| Cooper | Copenhaver | Corey | Daggett |
| Davitt | De Groot | Diemer | Doderer |
| Fey | Fogarty | Groninga | Gronstal |
| Groth | Gruhn | Halvorson, R. N. | Hammond |
| Hanson | Haverland | Hermann | Hoffmann-Bright |
| Holveck | Hughes | Hummel | Jay |
| Jochum | Knapp | Koenigs | Krewson |
| Lageschulte | Lloyd-Jones | Loneragan | McIntee |
| McKean | Miller | Muhlbauer | Mullins |
| Norland | O'Kane | Ollie | Osterberg |
| Oxley | Parker | Paulin | Pavich |
| Peick | Poncy | Renaud | Rensink |
| Rosenberg | Running | Schnekloth | Sherzan |
| Shoultz | Skow | Spear | Stromer |
| Stueland | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Torrence | Van Gerpen |
| Varn | Woods | Zimmerman | Mr. Speaker |

The nays were, 16:

| | | | |
|----------|----------|------------|------------------|
| Anderson | Branstad | Grandia | Halvorson, R. A. |
| Handorf | Harbor | Maulsby | Menke |
| Pellett | Renken | Royer | Schroeder |
| Tofte | Van Camp | 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 2519)

Norland of Worth asked and received unanimous consent to immediately message House File 2519 to the Senate.

UNANIMOUS CONSENT

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 2289.

Arnould of Scott in the chair at 4:38 p.m.

Unfinished Business Calendar

The House resumed consideration of **Senate File 2289**, a bill for an act relating to the involvement of the state in a world trade center, placed on the unfinished business calendar on March 30, 1984.

The House stood at ease at 4:40 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 2289 at 5:42 p.m., Speaker Avenson in the chair.

Norland of Worth offered the following amendment H-6224 filed from the floor by Norland, Chiodo, Parker, Arnould, Baxter, Zimmerman, Blanshan, Copenhaver, Groninga, Haverland, Hughes, Fey, Krewson, Sherzan, Connors and Holveck:

H-6224

- 1 Amend Senate File 2289 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting in lieu thereof the following:
- 5 "Section 1, NEW SECTION. 18C.1 SHORT TITLE.
- 6 This chapter may be referred to and cited as the "Iowa
- 7 World Trade Center Authority Law."
- 8 Sec. 2. NEW SECTION. 18C.2 DEFINITIONS. As
- 9 used in this chapter, unless the context otherwise
- 10 requires:
- 11 1. "Authority" means the Iowa world trade center
- 12 authority created and established pursuant to this
- 13 chapter.
- 14 2. "Board" means the board of commissioners of
- 15 the authority appointed pursuant to section 18C.5.
- 16 3. "Facility" means any work or undertaking,
- 17 whether new construction, renovation or rehabilitation,
- 18 which is designed, financed, and leased pursuant to
- 19 this chapter for use as an office building, laboratory,
- 20 research and development center, communication center,

21 library, dining room, exhibition hall, meeting center,
 22 motor vehicle parking garage, storage or service
 23 facility or for any other use by any state body and
 24 all other real or personal properties which are
 25 necessary, convenient, or desirable appurtenances,
 26 including but not limited to streets, sewers, water
 27 lines, utilities, parks, site preparation, land-
 28 scaping, and such equipment, furnishings, and machinery
 29 which may be necessary to constitute a fully equipped
 30 and modern building as the authority determines to
 31 be necessary or convenient to accomplish the purpose
 32 of this chapter.

33 4. "Federal government" means the United States,
 34 or any agency, department, or instrumentality,
 35 corporate or otherwise of the United States.

36 5. "Iowa world trade center" means a facility
 37 to promote world trade to be located in Iowa, on a
 38 site to be selected and approved by the authority.
 39 This facility may be combined with other private or
 40 public development by contract, agreement, or
 41 condominium regime as approved by the authority.

42 6. "Lease" means any form of contract or agreement
 43 for the acquisition of an interest in or use of real
 44 property in connection with a facility. A lease may
 45 include any provision for an option on the part of
 46 the authority or the state to acquire the leased
 47 property for separate consideration, which may be
 48 nominal.

49 7. "Lessor" means an individual, corporation,
 50 business trust, trust, partnership, or association,

Page 2

1 or any other legal entity which grants a lease.

2 8. "Municipality" means any incorporated city,
 3 county, or other political subdivision of this state.

4 9. "Real property" means all lands, including
 5 improvements and fixtures thereon, and property of
 6 any nature appurtenant thereto, or used in connection
 7 therewith, and every estate, interest, and right,
 8 legal or equitable, therein, including liens by way
 9 of judgment, mortgage or otherwise and the indebtedness
 10 secured by those liens.

11 10. "State" means the state of Iowa.

12 11. "State body" means any department, board,
 13 commission, or agency of the state.

14 12. "Temporary board" means the temporary board
 15 of negotiators of the authority appointed pursuant
 16 to section 18C.18.

17 Sec. 3. NEW SECTION. 18C.3 CREATION OF AUTHORITY.

18 There is created and established an independent public

19 body and instrumentality of the state, corporate and
20 politic, to be known as the Iowa world trade center
21 authority to promote and accomplish the purposes of
22 this chapter. The authority shall have the power
23 to exercise public and essential governmental
24 functions. The exercise by the authority of the
25 powers conferred by this chapter shall be deemed and
26 held to be the performance of an essential governmental
27 function of the state. The authority shall not have
28 the power to levy and collect taxes.

29 **Sec. 4. NEW SECTION. 18C.4 DECLARATION OF POLICY.**

30 It is found and declared that there exists a need
31 to promote, develop, maintain, and expand export and
32 trade opportunities for agricultural, commercial,
33 and manufactured products and services and any other
34 products and services of the state in order to protect
35 and advance the welfare and interests of residents
36 of the state; that such export and trade opportunities
37 with other nations can be promoted, developed,
38 maintained, and expanded by the Iowa world trade
39 center; that jobs can be maintained and created in
40 the state as a result of increased export and trade
41 opportunities; and that such economic results will
42 benefit all residents of the state.

43 It is further found and declared that the
44 authority's purposes are public purposes and uses
45 for which public moneys may be expended, advanced,
46 loaned, or granted, and that such activities serve
47 a public purpose in improving or otherwise benefiting
48 the people of this state; and that the necessity of
49 enacting the provisions is a matter of express
50 legislative determination.

Page 3

1 It is further found and declared that present state
2 and federal tax laws designed to encourage capital
3 investment provide incentives for the development
4 of such a facility by private persons and provide
5 advantageous costs of occupancy to the state by the
6 means of a lease rather than ownership.

7 **Sec. 5. NEW SECTION. 18C.5 THE BOARD OF**
8 **COMMISSIONERS.**

9 1. The powers of the authority shall be vested
10 in a board of five commissioners appointed by the
11 governor subject to confirmation by the senate.
12 2. The commissioners shall be appointed by the
13 governor for staggered terms of four years beginning
14 and ending as provided in section 69.19, except that
15 for the initial board two commissioners shall be
16 appointed for four years and three commissioners shall

17 be appointed for six years. Not more than three
 18 commissioners shall be of the same political party.
 19 A person appointed to fill a vacancy shall serve only
 20 for the unexpired portion of the term. A commissioner
 21 is eligible for reappointment. A commissioner may
 22 be removed from office by the governor for misfeasance,
 23 malfeasance or willful neglect of duty or other just
 24 cause, after notice and hearing, unless the notice
 25 and hearing is expressly waived in writing.

26 3. The board shall elect from among its members
 27 a chairperson and a vice chairperson annually and
 28 other officers as it may determine. Meetings shall
 29 be held at the call of the chairperson or whenever
 30 two commissioners so request. Three commissioners
 31 of the board shall constitute a quorum and the
 32 affirmative vote of three commissioners shall be
 33 necessary for any action taken by the board. A vacancy
 34 in the membership of the board shall not impair the
 35 right of a quorum to exercise all the rights and
 36 perform all the duties of the board.

37 4. Commissioners shall serve without compensation.

38 Sec. 6. NEW SECTION. 18C.6 SECRETARY.

39 1. The board shall employ a secretary who shall
 40 administer, manage, and direct the affairs and business
 41 of the authority, subject to the policies, control,
 42 and direction of the board. The board may employ
 43 technical experts and such other officers, attorneys,
 44 agents, and employees, permanent and temporary, as
 45 it may require, and shall determine their
 46 qualifications, duties, and compensation. The board
 47 may delegate to one or more of its agents or employees
 48 such administrative duties as it may deem proper.

49 2. The secretary shall keep a record of the
 50 proceedings of the board and shall be custodian of

Page 4

1 all books, documents, and papers filed with the
 2 authority and of the board's minute book. The
 3 secretary may make copies of all minutes and other
 4 records and documents of the board and give
 5 certificates to the effect that such copies are true
 6 copies and all persons dealing with the authority
 7 may rely upon such certificates.

8 Sec. 7. NEW SECTION. 18C.7 CONFLICT OF INTEREST.

9 A-commissioner or employee of the authority shall
 10 not acquire any interest, direct or indirect, in a
 11 facility or in any property, real or personal, included
 12 or planned to be included in a facility, and a
 13 commissioner or employee shall not have any interest,
 14 direct or indirect, in any contract or proposed

15 contract for materials or services to be furnished
16 or used in connection with a facility. If a
17 commissioner or employee of the authority owns or
18 controls an interest, direct or indirect, in any
19 property, real or personal, included or planned to
20 be included in a facility, the commissioner or employee
21 shall disclose this immediately in writing to the
22 board, and the disclosure shall be entered upon the
23 minutes of the board. Failure to disclose such an
24 interest shall constitute misconduct in office. Upon
25 disclosure of interest, the affected commissioner
26 or employee shall not participate in any action by
27 the board affecting such property.

28 **Sec. 8. NEW SECTION. 18C.8 NO FORFEITURE OF**
29 **OFFICE.** Notwithstanding the provisions of any other
30 law, an officer or employee of this state shall not
31 be deemed to have forfeited and shall not forfeit
32 the officer's or employee's office or employment by
33 reason of membership on the board, employment by the
34 authority, service on the board, or as an employee
35 of the authority.

36 **Sec. 9. NEW SECTION. 18C.9 GENERAL POWERS OF**
37 **THE AUTHORITY.** The authority, or the board on its
38 behalf, may exercise all powers necessary or
39 appropriate to carry out and effectuate its purposes,
40 including, without limitation, the following:
41 1. Sue and be sued in its own name.
42 2. Have perpetual succession.
43 3. Maintain an office at a place or places within
44 the state as the board may designate.
45 4. Adopt, amend, and repeal bylaws, rules, and
46 regulations, not inconsistent with this chapter, to
47 carry into effect the powers and purposes of the
48 authority and the conduct of its business, which shall
49 be exempt from the requirements of chapter 17A until
50 the signing of the Iowa world trade center lease under

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1 section 18C.10. After the signing of such lease,
2 chapter 17A shall apply.
3 5. Make and execute contracts, agreements, and
4 all other instruments necessary or convenient for
5 the exercise of its powers and functions.
6 6. Acquire or have interest in any real or personal
7 property on either a temporary or long-term basis
8 in the name of the authority by gift, purchase,
9 transfer, foreclosure, lease, or otherwise, including
10 rights or easements; hold, sell, assign, lease,
11 encumber, mortgage, have interest in, or otherwise
12 dispose of any real or personal property, or mortgage

13 interest owned by it or under its control, custody,
14 or in its possession and release or relinquish any
15 right, title, claim, lien, interest, easement, or
16 demand however acquired, including any equity or right
17 of redemption in property foreclosed by it; and to
18 do any of the foregoing by public or private sale,
19 with public bidding if public sale is utilized, as
20 shall be required by the provisions of any other law.

21 7. Lease or rent any lands, buildings, structures,
22 facilities, or equipment from private parties to
23 effectuate the purposes of this chapter.

24 8. Enter into agreements or other transactions
25 with and accept grants and the cooperation of the
26 federal government or of the state, or any political
27 subdivision within the state or federal government,
28 or any state body in furtherance of the purposes of
29 this chapter, including but not limited to the
30 development, maintenance, operation, and financing
31 of any facility and to do that which is necessary
32 in order to avail itself of this aid and cooperation.

33 9. Receive and accept aid or contributions from
34 any source of money, property, labor, or other things
35 of value, to be held, used, and applied to carry out
36 the purposes of this chapter subject to the conditions
37 upon which grants and contributions may be made,
38 including, but not limited to, gifts or grants from
39 the federal government or the state for any purpose
40 consistent with this chapter.

41 10. Employ architects, engineers, attorneys,
42 accountants, building construction, and financial
43 experts and advisors, and other advisors, consultants,
44 and agents as may be necessary in the board's judgment
45 and to fix their compensation.

46 11. Procure insurance against any loss in
47 connection with its property and other assets in
48 amounts and from insurers as the board deems desirable.

49 12. Invest any funds not needed for immediate
50 use or disbursement, including funds held in reserve

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1 in property or securities in which a bank, as defined
2 in section 524.103, may legally invest funds.

3 13. Consent to modifications of any kind of
4 contract, lease, or agreement to the extent permitted
5 in that document, to which the authority is a party.

6 14. Manage or operate real and personal property
7 in the state, take assignments of leases and rentals,
8 proceed with foreclosure actions, or take any other
9 action incidental to the performance of its corporate
10 duties.

11 15. Make and enter into all contracts and
12 agreements necessary or incidental to the performance
13 of its duties and the execution of its powers under
14 this chapter.

15 16. Plan, carry out, acquire, lease, and operate
16 any facility, and provide for the construction,
17 reconstruction, improvement, alteration, or repair
18 of any facility.

19 17. Sell, lease, rent, or sublease to a state
20 body any facility or space embraced in a facility
21 constructed or leased under this chapter, as well
22 as establish and revise the rents or charges for these
23 facilities and to do any other acts necessary to the
24 management and operation of its facilities.

25 18. Do any act necessary or convenient to the
26 exercise of the powers granted by or reasonably implied
27 from this chapter.

28 **Sec. 10. NEW SECTION. 18C.10 IOWA WORLD TRADE**
29 **CENTER LEASE.** In addition to its other powers, the
30 authority is authorized to lease on behalf of the
31 state for an initial term of not less than fifteen
32 or more than thirty years, with or without options
33 to renew, a facility for the use of the state or any
34 state body, within and as a part of the Iowa world
35 trade center. The lease shall constitute a binding
36 contractual obligation of the state consistent with
37 its terms and provisions. The lease may provide that
38 the lease is subordinate to the permanent financing
39 arranged by the lessor, provided that all rentals
40 or other payments under the lease shall, unless funded
41 by appropriation or from other sources available to
42 the state, be payable from the annual net revenues
43 derived by the authority from the Iowa world trade
44 center and from the annual net revenues of the state's
45 system for the sale of liquor to the extent that the
46 revenues are not pledged to the prior and paramount
47 lien of the beer and liquor control revenue bonds
48 issued as provided in section 123.155. The authority
49 shall periodically notify the Iowa beer and liquor
50 control department of the amount it estimates will

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1 be needed from those revenues in the fiscal year.
2 Rentals under the lease shall be based upon a
3 capital cost not exceeding thirty-six million dollars
4 for the portion of the facility leased by the
5 authority, exclusive of any grants, loans, or other
6 funds provided by the federal government. The
7 authority shall select the lessor and may in the lease
8 authorize the lessor to sell partnership interests,

9 stock, or other participation interests to secure
10 financing for the facility.

11 The lease shall provide that the construction of
12 the facility shall generally conform to plans and
13 specifications approved by the authority, the executive
14 council of the state, the temporary board, and the
15 lessor, and such construction may be subject to the
16 supervision and approval of the authority. The lease
17 may provide that, upon acceptance of the completed
18 facility substantially in conformity with the plans
19 and specifications as approved, the authority and
20 the state shall be deemed to have accepted the facility
21 for lease, subject to continued availability. The
22 lease may provide for payment by the authority on
23 behalf of the state of all expenses of operation,
24 repair, maintenance, insurance, and taxes of the
25 facility during the lease term from the revenues
26 described in the first paragraph of this section.

27 A lease so approved by the authority shall not
28 be a binding obligation of the state unless it shall
29 have received the approval of the executive council
30 and, in the case of the initial lease, the temporary
31 board. A lease or any provision thereof shall not
32 be construed or held in any event to constitute a
33 debt of the state or to be a charge upon the general
34 credit of the state.

35 The temporary board shall act as the negotiating
36 agent for the authority in matters relating to the
37 initial lease and shall be involved in the preparation,
38 review, and approval of the plans and specifications
39 for the facility to be covered by the initial lease.

40 **Sec. 11. NEW SECTION. 18C.11 PROCEDURE PRIOR**
41 **TO FINANCING A FACILITY.** Notwithstanding any other
42 provision of this chapter, the authority is not
43 empowered to acquire, lease, or finance any facility
44 other than the Iowa world trade center unless all
45 of the following have occurred:

46 1. Prior approval by the general assembly has
47 been given by concurrent resolution authorizing a
48 state body to provide a specific facility.

49 2. A state body has entered into an agreement
50 with the authority to provide a specific facility.

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1 3. The board finds and determines that the facility
2 to be assisted pursuant to the provisions of this
3 chapter will be of public use and will provide a
4 public benefit consistent with the provisions of
5 section 18C.4.

6 **Sec. 12. NEW SECTION. 18C.12 COOPERATION WITH**

7 MUNICIPALITIES OR STATE BODIES. The authority may
8 obtain the aid and cooperation of the municipality
9 in which the facility is to be located and shall have
10 the power to enter into:

11 a. Agreements and arrangements which the board
12 deems necessary or advisable to obtain aid and
13 cooperation.

14 b. Agreements with municipalities for the
15 furnishing, installing, opening, or closing of streets,
16 roads, alleys, sidewalks, or other places, or for
17 the furnishing of property, sewage, water, and other
18 services in connection with a facility acquired or
19 financed under this chapter or for the changing of
20 the map of a municipality or of the planning,
21 replanning, zoning, or rezoning of any part of a
22 municipality.

23 2. The authority and any state body may join or
24 cooperate with each other, either jointly or otherwise,
25 in the exercise of any of their powers for the purpose
26 of planning, undertaking, owning, constructing, or
27 contracting with respect to a facility.

28 Sec. 13. NEW SECTION. 18C.13 TAXATION. To
29 enable a municipality to assist in financing
30 improvements related to the Iowa world trade center,
31 the authority may consent on behalf of the state to
32 any agreement between the lessor of the Iowa world
33 trade center and the municipality in which the Iowa
34 world trade center is located providing for the minimum
35 assessed value of the Iowa world trade center against
36 which real estate tax levies shall be made for the
37 term of the lease. This agreement shall then be
38 binding upon the state.

39 Sec. 14. NEW SECTION. 18C.14 ANNUAL REPORT.
40 The authority shall submit to the governor within
41 ninety days after the end of its fiscal year, which
42 shall be concurrent with the state's fiscal year,
43 a complete and detailed report setting forth:

- 44 1. Its operations and accomplishments.
- 45 2. Its receipts and expenditures during the fiscal
46 year in accordance with the categories or
47 classifications established by the authority for its
48 operating and capital outlay purposes.
- 49 3. Its assets and liabilities at the end of the
50 fiscal year, including the status of reserve, special,

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- 1 or other funds.
- 2 4. A schedule of its leases or other obligations
- 3 outstanding at the end of its fiscal year.
- 4 The auditor of state shall audit the authority

5 each fiscal year for purposes of the annual report
6 and may audit the authority at other times as the
7 auditor deems necessary.

8 Sec. 15. NEW SECTION. 18C.15. STATE GRANTS TO
9 AUTHORITY. The state may make grants of money or
10 property to the authority for the purpose of enabling
11 it to carry out its corporate purposes and for the
12 exercise of its powers, including, but not limited
13 to, deposits to the reserve funds. This section shall
14 not be construed to limit any other power the state
15 may have to make such grants to the authority.

16 Sec. 16. NEW SECTION. 18C.16 CHAPTER NOT A
17 LIMITATION OF POWERS. This chapter shall not be
18 construed as a restriction or limitation upon any
19 powers which the authority might otherwise have under
20 any laws of this state, and this chapter is cumulative
21 to any such powers. Chapter 17A shall not apply to
22 any actions taken by the board, temporary board, the
23 authority, or any employees or agents of the board,
24 temporary board, or the authority. However, after
25 the signing of the Iowa world trade center lease under
26 section 18C.10, chapter 17A shall apply to actions
27 taken by the board, the authority or any employees
28 or agents of the board or authority. This chapter
29 does and shall be construed to provide a complete,
30 additional, and alternative method for the performance
31 of those matters authorized by this chapter and shall
32 be regarded as supplemental and additional to powers
33 conferred by other laws. However, the making of
34 leases and other obligations under this chapter need
35 not comply with the requirements of any other state
36 law applicable to the making of leases and other
37 obligations. Contracts by a lessor for the
38 construction and acquisition of any facility undertaken
39 pursuant to this chapter need not comply with the
40 provisions of any other state law applicable to
41 contracts for the construction and acquisition of
42 state owned property.

43 Sec. 17. NEW SECTION. 18C.17 INCONSISTENCY WITH
44 OTHER LAWS. Insofar as the provisions of this chapter
45 are inconsistent with the provisions of any other
46 law, general, specific, or local, the provisions of
47 this chapter shall be controlling.

48 Sec. 18. NEW SECTION. 18C.18 TEMPORARY BOARD
49 OF NEGOTIATORS.

50 1. In addition to the board of commissioners,

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1 there is established as part of the authority a
2 temporary board of negotiators for the purposes of

3 serving as a negotiating agent of the authority for
4 matters relating to the initial lease of a facility
5 for the use of the state or any state body within
6 and as part of the Iowa world trade center and
7 preparing, reviewing, and approving the plans and
8 specifications for the facility under section 18C.10.

9 2. The temporary board shall consist of three
10 negotiators appointed by an appointing committee
11 consisting of the governor, the majority leader of
12 the senate and the speaker of the house of
13 representatives. Each appointee shall receive the
14 unanimous approval of the three members of the
15 appointing committee. The majority leader and speaker
16 shall consult with the minority leader of their
17 respective house before granting the approval or
18 disapproval of a proposed member to the temporary
19 board. The negotiators shall serve at the pleasure
20 of the governor. Vacancies shall be filled in the
21 same manner as the appointment of the original
22 negotiators.

23 3. The temporary board shall cease to exist upon
24 the approval of the initial lease, under section
25 18C.10, by itself, the authority, the executive
26 council, and the lessor.

27 Sec. 19. Section 123.53, subsection 2, Code 1983,
28 is amended to read as follows:

29 2. The state comptroller shall periodically
30 transfer from the beer and liquor control fund to
31 the general fund of the state those revenues of the
32 department which are not necessary for the purchase
33 of liquor for resale by the department, or for
34 remittances to local authorities or other sources
35 as required by this chapter, or for other obligations
36 and expenses of the department which are paid from
37 such the fund, or amounts the Iowa world trade center
38 authority estimates it needs for lease payments as
39 provided under section 18C.10.

40 Sec. 20. Section 422.35, subsection 4, Code
41 Supplement 1983, is amended by striking the subsection
42 and inserting in lieu thereof the following:

43 4. Add the Iowa income tax deducted in computing
44 said taxable income and subtract the federal income
45 taxes paid or accrued, as the case may be, during
46 the tax year, adjusted by any federal income tax
47 refunds equal to the following:

48 a. For tax years beginning on or after January
49 1, 1984 and before January 1, 1987, fifty percent
50 of the first fifty thousand dollars and forty-eight

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1 percent of the amount in excess of fifty thousand
2 dollars.

3 b. For tax years beginning on or after January
4 1, 1987 and before January 1, 1990, fifty percent
5 of the first fifty thousand dollars and thirty-five
6 percent of the amount in excess of fifty thousand
7 dollars.

8 c. For tax years beginning on or after January
9 1, 1990 and before January 1, 2001, fifty percent
10 of the first fifty thousand dollars and forty percent
11 of the amount in excess of fifty thousand dollars.

12 d. For tax years beginning on or after January
13 1, 2001, fifty percent.

14 Sec. 21. Section 427B.10, unnumbered paragraph
15 1, Code 1983, is amended to read as follows:

16 For property defined in section 427A.1, subsection
17 1, paragraphs "e" and "j" acquired or initially leased
18 after December 31, 1981 and before the effective date
19 of this Act, the taxpayer's valuation shall be limited
20 to thirty percent of the net acquisition cost of the
21 property. For new and unused property defined in
22 section 427A.1, subsection 1, paragraphs "e" and "j"
23 acquired or initially leased on or after the effective
24 date of this Act, the taxpayer's valuation shall be
25 limited to thirty percent of the net acquisition cost
26 of the new and unused property. For purposes of this
27 section, "net acquisition cost" means the acquired
28 cost of the property including all foundations and
29 installation cost less any excess cost adjustment.

30 Sec. 22. Section 427B.10, Code 1983, is amended
31 by adding the following new subsection after subsection
32 7:

33 **NEW SUBSECTION.** New and unused property acquired
34 or initially leased on or after the effective date
35 of this Act, shall not be entitled to the benefits
36 of this section and sections 427B.11 to 427B.14 unless
37 the owner of the property gives proof to the assessor
38 that the state gross receipts tax has been paid or,
39 in the case of the lease of the property, that the
40 state gross receipts tax will be collected.

41 Sec. 23. Section 20 of this Act is retroactive
42 for tax years beginning on or after January 1, 1984.

43 Sec. 24. This Act, being deemed of immediate
44 importance, takes effect from and after its publication
45 in The Northwood Anchor, a newspaper published in
46 Northwood, Iowa, and in the Business Record, a
47 newspaper published in Des Moines, Iowa."

Connors of Polk in the chair at 6:04 p.m.

Swartz of Marshall offered the following amendment H-6227, to amendment H-6224, filed by him from the floor and moved its adoption:

H-6227

1 Amend amendment H-6224 to Senate File 2289 as
2 amended, passed and reprinted by the Senate as follows:

3 1. Page 1, by inserting after line 4 the following:

4 "Section 1. Chapter 422, Code 1983, is amended
5 by adding the following new sections as a separate
6 division:

7 NEW SECTION. TAX IMPOSED—EXEMPTIONS. In addition
8 to the tax imposed under division IV, a two percent
9 Iowa world trade center fund tax is imposed on the
10 following items, except as otherwise provided, which
11 are subject to the tax imposed under division IV:

12 1. The gross receipts from the sales of tickets
13 or admissions to places of amusement, fairs, athletic
14 events, nongovernment-owned campgrounds, tourism
15 events, and other entertainment events.

16 2. The gross receipts from the sales of food and
17 beverages.

18 3. The gross receipts from the renting of rooms,
19 apartments, or sleeping quarters.

20 The Iowa world trade center fund tax is applicable
21 only to transactions within the incorporated and
22 unincorporated areas of any county with a population
23 of over two hundred fifty thousand in which a world
24 trade center is located and is imposed on the same
25 basis as the tax under division IV and is not imposed
26 on the gross receipts not taxed under division IV.

27 The gross receipts from the sales or rentals by a
28 retailer whose total gross receipts taxable under
29 division IV in the county are less than one hundred
30 thousand dollars are exempt from the tax. The gross
31 receipts, for purposes of determining the amount of
32 the tax, do not include the amount of the tax imposed
33 under division IV.

34 NEW SECTION. ADMINISTRATION. The director of
35 revenue shall administer the Iowa world trade center
36 fund tax as nearly as possible in conjunction with
37 the administration of the state retail sales tax under
38 division IV. The director shall provide appropriate
39 forms, or provide on the regular state tax forms,
40 for reporting the tax liability. The director shall
41 collect and account for the tax and shall credit all

42 revenues, including penalty and interest, to the Iowa
 43 world trade center fund. No tax permit other than
 44 the state tax permit under section 422.53 is required.
 45 The tax is in addition to any state retail sales
 46 tax imposed under division IV. The provisions of
 47 sections 422.25, subsection 4, 422.30, 422.48 to
 48 422.52, 422.54 to 422.58, 422.67, 422.68, 422.69,
 49 subsection 1, and 422.70 to 422.75, consistent with
 50 this division, apply with respect to the taxes

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1 authorized under this division, in the same manner
 2 and with the same effect as if the taxes were retail
 3 sales taxes within the meaning of those statutes.
 4 NEW SECTION. WORLD TRADE CENTER FUND. An Iowa
 5 world trade center fund is established. All revenues,
 6 including penalty and interest, collected under this
 7 division and other moneys that are made available
 8 are to be credited to this fund. This fund is
 9 appropriated annually to the Iowa world trade center
 10 authority to be used, in the following order, to:
 11 1. Pay the construction or lease costs incurred
 12 by the state for a world trade center.
 13 2. Pay the operating and maintenance costs incurred
 14 by the state in a world trade center.
 15 3. Encourage and promote Iowa agricultural,
 16 industrial, commercial and other products or services
 17 for export."
 18 2. Page 11, by inserting after line 47 the
 19 following:
 20 " . Title page, line 2, by inserting after the
 21 word "center" the words "and to the imposition and
 22 appropriation of an Iowa world trade center fund
 23 excise tax to aid in the funding for the state's
 24 involvement".
 25 3. By renumbering as necessary.

Amendment H—6227 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Menke of O'Brien on request of Connors of Polk; Handorf of Marshall on request of Lageschulte of Bremer, both for the remainder of the evening.

Rosenberg of Story offered the following amendment H—6229, to amendment H—6224, filed by him from the floor:

H-6229

1 Amend House amendment H-6224 to Senate File 2289
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 3, by striking lines 10 and 11 and
5 inserting in lieu thereof the following: "in a board
6 of five commissioners. One commissioner shall be
7 the attorney general or the attorney general's
8 designate. The state board of regents shall appoint
9 a commissioner who is affiliated with one of the
10 state's institutions of higher education and
11 knowledgeable in international trade and economics.
12 The superintendent of the merged area school board
13 located in the district where the world trade center
14 will be or is situated shall appoint a commissioner
15 who is affiliated with one of the area's merged area
16 schools and knowledgeable of international trade and
17 economics. Two commissioners who are knowledgeable
18 of international trade and economics shall be appointed
19 by the governor. The house and senate majority and
20 minority leaders shall appoint two ex officio
21 commission members from each chamber, neither being
22 of the same political party in that chamber."

The following amendment H-6238, to amendment H-6229, to amendment H-6224, filed by Rosenberg of Story from the floor was adopted by unanimous consent:

H-6238

1 Amend amendment H-6229 to amendment H-6224 to
2 Senate File 2289 as amended, passed and reprinted by
3 the Senate as follows:
4 1. Page 1, line 12, by striking the word
5 "superintendent" and inserting in lieu thereof the word
6 "president".

Rosenberg of Story moved the adoption of amendment H-6229, as amended, to amendment H-6224.

A non-record roll call was requested.

The ayes were 27, nays 54.

Amendment H-6229, as amended, lost.

Pavich of Pottawattamie offered the following amendment H-6228, to amendment H-6224, filed from the floor by him and Gronstal of Pottawattamie and moved its adoption:

H-6228

- 1 Amend House amendment H-6224 to Senate File 2289
- 2 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 3, by inserting after line 18 the
- 5 following: "There shall be no more than one
- 6 commissioner serving on the board at one time from
- 7 each congressional district."

Amendment H-6228 was adopted.

De Groot of Lyon offered the following amendment H-6232, to amendment H-6224, filed by him from the floor and moved its adoption:

H-6232

- 1 Amend House amendment H-6224 to Senate File 2289
- 2 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 7, line 18, by striking the word
- 5 "substantially".

Amendment H-6232 was adopted.

Rosenberg of Story offered the following amendment H-6230, to amendment H-6224, filed by him from the floor and moved its adoption:

H-6230

- 1 Amend House amendment H-6224 to Senate File 2289
- 2 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 8, line 22, by inserting after the word
- 5 "municipality." the following: "Notwithstanding the
- 6 agreements allowed for in this subsection, a
- 7 municipality shall still meet the municipal zoning
- 8 requirements as set out in chapter 414."

Amendment H-6230 was adopted.

De Groot of Lyon offered the following amendment H-6231, to amendment H-6224, filed by him from the floor and moved its adoption:

H-6231

- 1 Amend House amendment H-6224 to Senate File 2289
- 2 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 8, line 40, by inserting after the word
- 5 "governor" the words "and the legislature".

Amendment H-6231 was adopted.

Halvorson of Clayton offered the following amendment H-6233, to amendment H-6224, filed from the floor by Halvorson of Clayton, Harbor, Schneklath and Diemer and moved its adoption:

H-6233

- 1 Amend House amendment H-6224 to Senate File 2289
- 2 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. By striking page 10, line 40 through page 11,
- 5 line 13.
- 6 2. Page 11, by striking lines 41 and 42 and
- 7 inserting in lieu thereof the following:
- 8 "Sec. 23. The tax study committee, as created
- 9 under chapter 211, section 2 of the laws of the
- 10 Seventieth General Assembly, 1983 Session, shall
- 11 recommend sources of additional funding for this Act
- 12 from the state's business community should it be
- 13 needed. Any committee funding proposal shall be
- 14 brought before the legislature for its approval or
- 15 disapproval by January 31, 1985."

Roll call was requested by Harbor of Mills and Hummel of Benton.

Rule 76 was invoked.

On the question "Shall amendment H-6233 be adopted?"

The ayes were, 40:

| | | | |
|----------|------------------|-----------|------------|
| Anderson | Bennett | Carpenter | Clark |
| Corey | Daggett | De Groot | Diemer |
| Grandia | Halvorson, R. A. | Hanson | Harbor |
| Hermann | Hoffmann-Bright | Hummel | Jay |
| Krewson | Lageschulte | Maulsby | McIntee |
| McKean | Mullins | Pellet | Poncy |
| Renken | Rensink | Royer | Schneklath |

| | | | |
|-----------|------------|------------|----------|
| Schroeder | Spear | Stromer | Stueland |
| Sullivan | Swartz | Swearingen | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Weiden |

The nays were, 56:

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

Absent or not voting, 4:

| | | | |
|--------|---------|-------|-------|
| Davitt | Handorf | Menke | Tofte |
|--------|---------|-------|-------|

Amendment H—6233 lost.

Schroeder of Pottawattamie offered the following amendment H—6236, to amendment H—6224, filed by him from the floor:

H—6236

- 1 Amend amendment H—6224 to Senate File 2289 as
- 2 amended, passed and reprinted by the Senate as follows:
- 3 1. Page 11, line 21, by striking the word "unused"
- 4 and inserting in lieu thereof the word "used".
- 5 2. Page 11, line 33, by striking the word "unused"
- 6 and inserting in lieu thereof the word "used".

The following amendment H—6242, to amendment H—6236, to amendment H—6224, filed by Schroeder of Pottawattamie from the floor was adopted by unanimous consent:

H—6242

- 1 Amend amendment H—6236 to amendment H—6224 to
- 2 Senate File 2289 as amended, passed and reprinted by
- 3 the Senate as follows:
- 4 1. Page 1, by inserting after line 4, the following:
- 5 " . Page 11, line 26, by striking the word "unused"
- 6 and inserting in lieu thereof the word "used".

On motion by Schroeder of Pottawattamie, amendment H-6236, as amended, (to amendment H-6224) was adopted.

Rosenberg of Story in the chair at 7:22 p.m.

Connors of Polk in the chair at 7:25 p.m.

Ollie of Clinton in the chair at 8:07 p.m.

Connors of Polk in the chair at 8:10 p.m.

Cochran of Webster offered the following amendment H-6234, to amendment H-6224, filed from the floor by Cochran, Mullins, Lloyd-Jones, Torrence, Van Camp, McKean, Welden, Grandia, Cooper, Carter, Anderson, Handorf, Lageschulte, Gruhn, Stueland, Halvorson of Webster, Fogarty, Hoffmann-Bright, Schnekloth, Jochum, Corey, Hummel, Sturgeon, Royer, Clark, Van Gerpen, McIntee, Lonergan, Peick, Woods, Muhlbauer, Skow, Hammond, Hanson and Hermann and moved its adoption:

H-6234

- 1 Amend the House amendment H-6224, to Senate File
- 2 2289 as amended, passed, and reprinted by the Senate
- 3 as follows:
- 4 1. By striking page 1, line 5 through page 11,
- 5 line 42 and inserting in lieu thereof the following:
- 6 "Section 1. PURPOSE—INTENT. The general assembly
- 7 of this state desires to promote and enhance economic
- 8 development within the state. The establishment of
- 9 a world trade center may be useful in the development
- 10 of commercial, agricultural, and industrial activities
- 11 within the state. A study shall be done as provided
- 12 in this Act for the purpose of determining the
- 13 feasibility, practicality, advantages, disadvantages,
- 14 benefits, and disincentives to businesses, the state,
- 15 and local communities of having a world trade center
- 16 within the state. It is the intent of the general
- 17 assembly that to the extent time and resources allow
- 18 the study shall encompass all aspects of the question
- 19 of the merits of establishing different types of world
- 20 trade centers and the question of how to and what
- 21 is needed to establish the different types of world
- 22 trade centers.
- 23 Sec. 2. IOWA WORLD TRADE CENTER STUDY COMMISSION.
- 24 There is created an Iowa world trade center study
- 25 commission consisting of eleven members. Two of the

26 members shall be appointed by and serve at the pleasure
27 of the governor. These two members shall consist
28 of a recognized authority on international trade and
29 a recognized authority on economic development. Eight
30 of the members shall be members of the general
31 assembly. The speaker of the house of representatives
32 and the majority leader of the senate shall each
33 appoint four members. The speaker of the house of
34 representatives shall appoint one democrat and one
35 republican each from the house standing committee
36 on agriculture and the house standing committee on
37 small business and commerce. The majority leader
38 of the senate shall appoint one democrat and one
39 republican each from the senate standing committee
40 on agriculture and the senate standing committee on
41 small business and economic development. The director
42 of the Iowa development commission shall appoint an
43 employee of the Iowa development commission with
44 applicable knowledge and experience in national and
45 world trade and development to serve as a member of
46 the commission. The nonlegislative members are
47 nonvoting members.

48 Sec. 3. ORGANIZATION AND PARTICIPATION.

49 1. The chairperson and vice chairperson of the
50 Iowa world trade center study commission shall be

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1 elected by the legislative members. The chairperson
2 and vice chairperson shall direct and coordinate the
3 activities of the panel.

4 2. State officers and state departments and
5 agencies shall cooperate with and provide technical
6 assistance to the panel upon request of the
7 chairperson.

8 3. The nonlegislative members of the panel shall
9 be reimbursed for their travel and other necessary
10 expenses actually incurred in the performance of their
11 official duties from the state general fund from funds
12 not otherwise appropriated. The legislative members
13 shall receive, when the general assembly is not in
14 session, a per diem of forty dollars and their travel
15 and other necessary expenses actually incurred in
16 the performance of their official duties from funds
17 appropriated by section 2.12.

18 4. The commission may hire a consulting firm to
19 assist the commission in its considerations and
20 recommendations relative to the scope of the study
21 as provided in section 4 subject to approval of the
22 legislative council and funds being available from
23 the legislative council.

24 5. The chairperson shall develop and provide to
25 the governor or the governor's designee interim reports
26 of the activities of the panel and shall complete
27 and transmit copies of its final report to the governor
28 and the members of the general assembly who request
29 it by December 15, 1984. The final report shall
30 contain a brief summary of its activities, listing
31 of its findings, and its recommendations, including
32 additions or changes to existing law.

33 6. The Iowa world trade center study commission
34 shall cease to exist on January 1, 1985.

35 Sec. 4. SCOPE OF THE STUDY. The commission shall
36 consider and its recommendations shall address, but
37 are not limited to, the following:

38 1. The purposes, types, and site considerations
39 of world trade centers, including their advantages
40 and benefits and incentives needed or useful. In
41 looking at site locations and characteristics,
42 consideration should be given to, but is not limited
43 to, the benefits or usefulness of outdoor exhibitions,
44 demonstrations, and other activities, and future need
45 for the trade center to expand.

46 2. The creation of a world trade center, including
47 the study of what businesses and industries should
48 and would have an interest in and gain profit from
49 such an endeavor.

50 3. What types of job categories will be affected

Page 3

1 by the creation of a world trade center, and how many
2 jobs will be created in each category.

3 4. The organization of a world trade center
4 authority, including the composition of the governing
5 body of the authority, bonding of the officers, and
6 employee qualifications and compensation.

7 5. The powers and duties of a world trade center
8 authority, including the establishing and charging
9 of rates and fees for its services, property
10 acquisitions, constructions and improvements to its
11 property or other property within the jurisdiction,
12 annexations, eminent domain, regulatory functions
13 within its jurisdiction, acceptance and distribution
14 of funds, funding mechanisms such as issuance of bonds
15 and levying of taxes.

16 6. The tax status of property within the
17 jurisdiction of the authority.

18 7. The administrative powers, including liability
19 of the authority, annual reports, employees, public
20 bidding for services, and ability to accept grants,
21 loans, and appropriations.

- 22 8. The authority of the world trade center to
 23 own and operate commercial facilities.
 24 9. The regulation by the state of the world trade
 25 center, including the degree of regulation and the
 26 state departments or agencies that will regulate.
 27 10. Potential governmental assistance including
 28 technical and financial assistance.
 29 11. Enabling legislation needed.
 30 Sec. 5. COMMISSION LOCATION AND STAFF SUPPORT.
 31 The Iowa world trade center study commission shall
 32 exist within the confines, resources, and jurisdiction
 33 of the Iowa development commission. Staff for the
 34 Iowa world trade center study commission will be
 35 provided from staff of the legislative service bureau
 36 and legislative fiscal bureau upon approval of the
 37 legislative council."

Roll call was requested by Sherzan of Polk and Parker of Jasper.

Rule 76 was invoked.

On the question "Shall amendment H-6234, to amendment H-6224, be adopted?"

The ayes were, 48:

| | | | |
|------------------|-------------|-------------|-----------|
| Anderson | Carl | Carter | Clark |
| Cochran | Cooper | Corey | Daggett |
| De Groot | Fogarty | Grandia | Gruhn |
| Halvorson, R. N. | Hammond | Hanson | Hermann |
| Hoffmann-Bright | Hummel | Jochum | Knapp |
| Koenigs | Lageschulte | Lloyd-Jones | Loneragan |
| Maulsby | McIntee | McKean | Miller |
| Muhlbauer | Mullins | Oxley | Peick |
| Poncy | Renken | Rensink | Rosenberg |
| Royer | Running | Skow | Stueland |
| Sturgeon | Swearingen | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | Woods |

The nays were, 46:

| | | | |
|------------------|------------|-----------|-----------|
| Arnould | Avenson | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carpenter | Chapman | Chiodo |
| Connolly | Copenhaver | Diemer | Doderer |
| Fey | Groninga | Gronstal | Groth |
| Halvorson, R. A. | Harbor | Haverland | Holveck |
| Hughes | Jay | Krewson | Norland |
| O'Kane | Ollie | Osterberg | Parker |
| Paulin | Pavich | Renaud | Schroeder |

| | | | |
|-----------|--------------------------|-------|---------|
| Sherzan | Shultz | Spear | Stromer |
| Sullivan | Swartz | Tabor | Varn |
| Zimmerman | Mr. Speaker (Connors) | | |

Absent or not voting, 6:

| | | | |
|-------------|---------|-------|---------|
| Davitt | Handorf | Menke | Pellett |
| Schneklloth | Tofte | | |

Amendment H-6234 was adopted, placing out of order the following amendments, to amendment H-6224, previously adopted: H-6228, H-6232, H-6230, H-6231, H-6236 and H-6242 (to amendment H-6236).

On motion by Norland of Worth, amendment H-6224, as amended, lost.

Chiodo of Polk offered the following amendment H-6038 filed by him and moved its adoption:

H-6038

- 1 Amend Senate File 2289 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 34, by inserting after the word
- 4 "businesses" the word "to".
- 5 2. Page 3, by inserting after line 34 the
- 6 following:
- 7 " . Private sector representation on the Iowa
- 8 world trade council, ltd.'s board of directors consists
- 9 of four directors appointed by the private sector
- 10 as provided in the Iowa world trade council, ltd.'s
- 11 articles of incorporation."
- 12 3. By numbering, renumbering and correcting
- 13 internal references as necessary.

Amendment H-6038 was adopted.

Welden of Hardin asked and received unanimous consent to withdraw amendment H-5972 filed by him on March 29, 1984.

Welden of Hardin offered the following amendment H-5999 filed by him and Jochum of Dubuque and moved its adoption:

H—5999

1 Amend Senate File 2289 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 5, by adding after line 14 the following:

4 "4. However nothing in this section or sections
5 18C.1 to 18C.6 shall be construed as giving the
6 authority the power to make any loan to the Iowa world
7 trade council, ltd."

8 2. Page 5, by adding after line 14 the following:

9 "Sec. 8. Section 5 of this Act shall not become
10 effective until July 1 following the passage of an
11 appropriation to the Iowa world trade center and then
12 only for the purposes set forth in the appropriation."

Amendment H—5999 was adopted.

Cochran of Webster called up for consideration the motion to reconsider filed by him from the floor and moved to reconsider the vote by which amendment H—6224, as amended, failed to be adopted by the House on April 10, 1984.

A non-record roll call was requested.

The ayes were 33, nays 54.

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. 2289)

The ayes were, 21:

| | | | |
|------------|-----------|------------|------------|
| Anderson | Bennett | Black | Branstad |
| Carl | Carpenter | Corey | Daggett |
| Hanson | Hermann | McIntee | Paulin |
| Renken | Royer | Schroeder | Stromer |
| Swearingen | Van Camp | Van Gerpen | Van Maanen |
| Welden | | | |

The nays were, 70:

| | | | |
|---------|---------|--------|----------|
| Arnould | Avenson | Baxter | Blanshan |
| Brammer | Buhr | Carter | Chapman |

| | | | |
|------------------|--------------------------|-------------|------------------|
| Chiodo | Clark | Cochran | Connolly |
| Cooper | Copenhaver | Diemer | Doderer |
| Fey | Fogarty | Grandia | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. A. |
| Halvorson, R. N. | Hammond | Harbor | Haverland |
| Hoffmann-Bright | Holveck | Hughes | Hummel |
| Jay | Jochum | Knapp | Koenigs |
| Krewson | Lageschulte | Lloyd-Jones | Loneragan |
| 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 | Torrence | Varn | Woods |
| Zimmerman | Mr. Speaker (Connors) | | |

Absent or not voting, 9:

| | | | |
|--------|----------|---------|------------|
| Davitt | De Groot | Handorf | Maulsby |
| Menke | Pellett | Rensink | Schnekloth |
| Tofte | | | |

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

SENATE MESSAGES CONSIDERED

Senate File 2333, by committee on appropriations, a bill for an act relating to the administration and financing of correctional, mental health, mental retardation and veterans programs and capital projects under the jurisdiction of the department of corrections, the department of human services, or the board of parole.

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

Senate File 2336, by committee on appropriations, a bill for an act to require that a uniform system of program accounting be approved by the state board of public instruction and implemented by the area educational agencies.

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

**MOTION TO RECONSIDER
(Senate File 2289)**

I move to reconsider the vote by which Senate File 2289 failed to pass the House on April 10, 1984.

CHIODO of Polk

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 10th day of April, 1984: House Files 2136, 2189, 2232, 2301 and 2458.

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 April 10, 1984, he approved and transmitted to the Secretary of State the following bills:

House File 80, an act relating to eligibility to serve on the board of trustees of a levee or drainage district.

House File 245, an act relating to the time by which a court shall set out the amount of restitution in a criminal case.

House File 591, an act prohibiting the General Assembly from passing any bill that uses gender as the basis for differential treatment.

House File 2071, an act to provide for the transportation commission to submit the results of the quadrennial need study to the General Assembly by January 1 of the year in which the quadrennial need study becomes effective.

House File 2421, an act relating to the collection, transportation, storage, and disposal of solid waste.

House File 2438, an act relating to the repayment of loans made under the science and mathematics loan program.

Senate File 497, an act relating to activities of the Citizens' Aide and members of the Citizens' Aide staff.

Senate File 2021, an act relating to the tolling of a statute of limitations when restitution is ordered.

Senate File 2119, an act making the three-day notice to quit given by mobile/manufactured home landlords concurrent with the three-day notice for failure to pay rent.

Senate File 2137, an act relating to the certification of documents and providing a penalty.

Senate File 2154, an act to extend the sunset provision on community action agencies to July 1, 1986.

Senate File 2176, an act eliminating the requirement that a facility licensed by the Department of Substance Abuse providing child foster care be licensed by the Department of Human Services.

Senate File 2197, an act relating to the establishment and dissolution of a sanitary district.

Senate File 2222, an act allowing a city to redraw precinct lines when adopting a system which provides for election of council members from wards or when changing the number of council members who are elected from wards.

Senate File 2285, an act permitting the deposit of a credit union certified share draft as security on a bid for a contract for a public improvement.

Senate File 2297, an act relating to the payment of workers' compensation benefits in pneumoconiosis cases.

PRESENTATION OF VISITORS

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

Eight Camp Fire Girls from Coralville and Solon accompanied by JoAnn Lo. By Varn of Johnson.

Fifty fifth grade students from Lakeview Elementary School, Lewis Central School District, Council Bluffs, accompanied by Mr. McBurney, Ellen Dugan and Gail Freeman. By Schroeder, Gronstal and Pavich, all of Pottawattamie.

Eight members of the Nishnabotna Girl Scout Council from southwest Iowa, accompanied by Susan Parrot and Gloria Kenkel. By Pavich of Pottawattamie.

Twenty-five sixth grade students from Gladbrook Elementary School, Gladbrook, accompanied by Barb Schwarch. By Handorf of Marshall.

Nine seniors from Monticello High School, Monticello, accompanied by Keith Stamp. By McKean of Jones.

Six members of the North Iowa Girl Scout Council, accompanied by Mary Ellen Orth and Pat Kuhlemeier. By Mullins of Kossuth and Clark of Cerro Gordo.

Eight Camp Fire Girls from Tipton. By Osterberg of Linn.

COMMUNICATION RECEIVED

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

OFFICE FOR PLANNING AND PROGRAMMING

An annual report for the Iowa Community Development Loan Program, pursuant to Chapter 207, Section 49, Laws of the Seventieth General Assembly, 1983 Session.

AMENDMENTS FILED

| | | | |
|--------|------|------|----------------------------|
| H-6211 | H.F. | 2521 | Schroeder of Pottawattamie |
| H-6213 | S.F. | 2272 | Senate Amendment |
| H-6214 | S.F. | 2238 | Senate Amendment |
| H-6215 | H.F. | 224 | Senate Amendment |
| H-6216 | H.F. | 2521 | Anderson of Audubon |
| H-6217 | H.F. | 2521 | Anderson of Audubon |
| | | | Renken of Grundy |
| H-6218 | H.F. | 2521 | Anderson of Audubon |
| | | | Renken of Grundy |
| H-6219 | H.F. | 2520 | Hermann of Scott |
| H-6220 | H.F. | 2521 | Stromer of Hancock |
| H-6221 | H.F. | 2487 | Copenhaver of Buchanan |
| | | | Hummel of Benton |
| | | | Jay of Appanoose |
| | | | Rosenberg of Story |
| | | | McIntee of Black Hawk |
| | | | Blanshan of Greene |

| | | | |
|--------|------|------|----------------------------|
| H-6222 | S.F. | 2333 | Schroeder of Pottawattamie |
| H-6223 | H.F. | 2521 | Woods of Polk |
| H-6225 | H.F. | 2521 | Blanshan of Greene |
| H-6235 | H.F. | 2520 | Jochum of Dubuque |
| H-6239 | H.F. | 2521 | Anderson of Audubon |
| | | | Menke of O'Brien |
| | | | Bennett of Ida |
| | | | Halvorson of Clayton |
| | | | Schroeder of Pottawattamie |
| | | | Rensink of Sioux |
| H-6240 | S.F. | 2333 | Hummel of Benton |
| | | | Sherzan of Polk |
| H-6243 | H.F. | 2394 | Hanson of Delaware |
| | | | Jay of Appanoose |
| | | | Swearingen of Keokuk |
| | | | McKean of Jones |

On motion by Norland of Worth, the House adjourned at 8:42 p.m., until 9:00 a.m., Wednesday, April 11, 1984.

JOURNAL OF THE HOUSE

Ninety-fourth Calendar Day — Sixty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 11, 1984

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

Prayer was offered by Reverend Phil Doeschot, pastor of the Meredith Drive Reformed Church, Des Moines.

The Journal of Tuesday, April 10, 1984 was approved.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 105

Black of Jasper offered the following House Memorial Resolution 105 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 105

Whereas, The Honorable Max William Kreger of Jasper County, Iowa, who was a member of the Fifty-ninth General Assembly, passed away September 23, 1983; 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: Black of Jasper, Parker of Jasper and Swartz of Marshall.

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 9, 1984, 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 523, a bill for an act to provide for reciprocity among the states on the license fee for fur buyers.

Also: That the Senate has on April 9, 1984, 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 2172, a bill for an act relating to the surety bond required for an employment agency license.

Also: That the Senate has on April 9, 1984, 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 2389, a bill for an act relating to the interest of an elected city officer or employee in contracts for the purchase of goods and services by a city.

Also: That the Senate has on April 9, 1984, 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 2440, a bill for an act relating to the Iowa veterans home and its administration.

Also: That the Senate has on April 10, 1984, receded from the Senate amendment to the House amendment and passed the following bill:

Senate File 2248, a bill for an act relating to the collection and dissemination of information regarding hazardous chemicals.

Also: That the Senate has on April 9, 1984, concurred in the House amendment to and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2306, a bill for an act authorizing the use of computer data storage systems for the collection, storage, and retrieval of intelligence data, providing for restrictions on access to these computer data storage systems, and requiring the adoption of rules for authorization to access a computer data storage system containing intelligence data.

Also: That the Senate has on April 9, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2335, a bill for an act relating to appropriations to the department of human services for the fiscal year beginning July 1, 1983, and ending June 30, 1984.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS

Appropriations Calendar

House File 2520, 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, was taken up for consideration.

Hanson of Delaware in the chair at 9:32 a.m.

Stromer of Hancock asked and received unanimous consent to temporarily defer action on amendment H—6204.

Halvorson of Clayton offered the following amendment H—6182 filed by Halvorson, et al., and moved its adoption:

H—6182

- 1 Amend House File 2520 as follows:
- 2 1. By striking page 3, line 7 through page 4,
- 3 line 11 and inserting in lieu thereof the following:
- 4 "3. The secretary of agriculture, in consultation
- 5 with the Iowa multiflora rose technical committee,
- 6 shall evaluate the severity of the infestation of
- 7 the multiflora rose in the counties of the state and
- 8 allocate the funds appropriated under this section
- 9 to all counties where severe infestations of the
- 10 multiflora rose are located on agricultural land.
- 11 The size and number of severe infestations of the
- 12 multiflora rose in a county or an area of the state
- 13 shall not preclude other counties or areas of the
- 14 state with fewer or smaller severe infestations from
- 15 receiving a reasonable share of the funds appropriated
- 16 under this section. However, a share of the funds
- 17 shall not be allocated to a county that does not have
- 18 an approved plan. The secretary of agriculture shall
- 19 adopt, by rule, the form and information requirements
- 20 to be submitted by an applicant for partial
- 21 reimbursement. The secretary shall also designate,
- 22 by rule, the counties and areas of the state where
- 23 the infestation of the multiflora rose is severe.
- 24 The rules shall be adopted in accordance with chapter
- 25 17A.
- 26 4. A landowner or tenant whose agricultural land
- 27 is severely infested by multiflora roses may apply
- 28 to the soil conservation district commissioners of
- 29 the county for partial reimbursement, according to
- 30 the approved plan, of the cost of herbicide for
- 31 controlling or eradicating the multiflora rose on
- 32 the agricultural land. The county weed commissioner
- 33 shall assist the soil conservation district
- 34 commissioners in investigating the application and
- 35 determining if the infestation is severe. The soil
- 36 conservation district commissioners shall review and
- 37 approve each application for partial cost reimbursement
- 38 if the infestation is severe on the applicant's
- 39 agricultural land. If the soil conservation district

40 commissioners find the amount of reimbursement claimed
41 to be excessive, the district commissioners may approve
42 a lesser amount. The reasons for disapproval of an
43 application or reduction of the amount of reimbursement
44 shall be sent in writing to the applicant. The amount
45 of reimbursement certified by the secretary shall
46 be paid by warrant issued by the state comptroller."

A non-record roll call was requested.

The ayes were 44, nays 43.

Amendment H—6182 was adopted.

Schroeder of Pottawattamie offered the following amendment
H—6204 (temporarily deferred) filed by him and moved its adoption:

H—6204

1 Amend House File 2520 as follows:

2 1. Page 1, by striking lines 3 and 4 and inserting
3 in lieu thereof the following: "funds indicated to
4 the department of agriculture for each of the fiscal
5 years beginning July 1, 1984 and July 1, 1985,".

6 2. Page 1, by striking lines 7 and 8.

7 3. Page 2, by striking lines 22 and 23 and
8 inserting in lieu thereof the following: "state to
9 the state department of agriculture for each of the
10 fiscal years beginning July 1, 1984 and July 1, 1985,
11 the".

12 4. Page 4, by striking lines 17 and 18 and
13 inserting in lieu thereof the following: "divisions
14 for each of the fiscal years beginning July 1, 1984
15 and July 1, 1985, the following amounts, or so much
16 thereof".

17 5. Page 4, by striking lines 20 and 21.

18 6. By striking page 4, line 35 through page 5,
19 line 1 and inserting in lieu thereof the following:
20 "ing each of the fiscal years beginning July 1, 1984
21 and July 1, 1985, which shall be available for the".

22 7. Page 5, by striking lines 20 and 21 and
23 inserting in lieu thereof the following: "nine
24 (1,871,159) dollars during each of the fiscal years
25 beginning July 1, 1984 and July 1, 1985".

26 8. Page 6, by striking line 1 and inserting in
27 lieu thereof the following: "during the fiscal years
28 beginning July 1, 1984 and July 1, 1985 which are
29 not specifically".

30 9. Page 6, by striking line 4 and inserting in

31 lieu thereof the following: "fiscal years beginning
32 July 1, 1984 and July 1, 1985. A contingency shall
33 not".

34 10. Page 7, by striking lines 1 and 2 and inserting
35 in lieu thereof the following: "and its divisions
36 for each of the fiscal years beginning July 1, 1984
37 and July 1, 1985 the following amounts, or so much".

38 11. Page 7, by striking lines 14 and 15 and
39 inserting in lieu thereof the following: "tion 324.84
40 for each of the fiscal years beginning July 1, 1984
41 and July 1, 1985, is appropriated for the purposes
42 provided".

43 12. Page 7, by striking lines 18 and 19 and
44 inserting in lieu thereof the following: "such
45 projects for each of the fiscal years ending June
46 30, 1985 and June 30, 1986, shall revert on June 30,
47 1987, and June 30, 1988, respectively, to the fund
48 from which appropriated."

49 13. Page 8, by striking lines 16 and 17 and
50 inserting in lieu thereof the following: "(42,000)

Page 2

1 dollars to pay school taxes for each of the fiscal
2 years beginning July 1, 1984 and July 1, 1985 on lands
3 acquired under the open".

4 14. Page 9, by striking lines 1 and 2 and inserting
5 in lieu thereof the following: "commission for each
6 of the fiscal years beginning July 1, 1984 and July
7 1, 1985, the following amount, or so much thereof".

8 15. Page 9, by striking lines 4 and 5.

9 16. Page 11, by striking lines 19 and 20 and
10 inserting in lieu thereof the following: "for each
11 of the fiscal years beginning July 1, 1984 and July
12 1, 1985, the following amounts, or so much thereof,
13 as is".

14 17. Page 11, by striking lines 22 and 23.

15 18. Page 12, by striking lines 6 and 7 and
16 inserting in lieu thereof the following: "for each
17 of the fiscal years beginning July 1, 1984 and July
18 1, 1985, the following amounts, or so much thereof
19 as is".

20 19. Page 12, by striking lines 9 and 10.

21 20. Page 12, by striking lines 30 and 31 and
22 inserting in lieu thereof the following: "for each
23 of the fiscal years beginning July 1, 1984 and July
24 1, 1985, the following amounts, or so much thereof
25 as is".

26 21. Page 12, by striking lines 33 and 34.

27 22. Page 13, by striking lines 9 and 10 and
28 inserting in lieu thereof the following: "Herbert

29 Hoover birthplace foundation for each of the fiscal
 30 years beginning July 1, 1984 and July 1, 1985, the
 31 following".
 32 23. Page 13, by striking lines 13 and 14.
 33 24. Page 13, by striking lines 19 and 20 and
 34 inserting in lieu thereof the following: "Mississippi
 35 river parkway commission for each of the fiscal years
 36 beginning July 1, 1984 and July 1, 1985, the
 37 following".
 38 25. Page 13, by striking lines 23 and 24.
 39 26. Page 13, by striking lines 29 and 30 and
 40 inserting in lieu thereof the following: "department
 41 of soil conservation for each of the fiscal years
 42 beginning July 1, 1984 and July 1, 1985, the following
 43 amounts,".
 44 27. Page 13, by striking lines 33 and 34.
 45 28. Page 15, by striking line 20 and inserting
 46 in lieu thereof the following: "dollars and for each
 47 of the fiscal years beginning July 1, 1984 and July
 48 1, 1985, seven".
 49 29. Page 15, by striking lines 26 and 27 and
 50 inserting in lieu thereof the following: "the

Page 3

1 department of water, air and waste management for
 2 each of the fiscal years beginning July 1, 1984 and
 3 July 1, 1985".
 4 30. Page 15, by striking lines 30 and 31.
 5 31. Page 16, by striking line 35 and inserting
 6 in lieu thereof the following: "each of the fiscal
 7 years beginning July 1, 1984 and July 1, 1985, shall
 8 revert to the".

A non-record roll call was requested.

The ayes were 26, nays 58.

Amendment H—6204 lost.

Blanshan of Greene asked and received unanimous consent to temporarily defer action on amendment H—6144.

Jochum of Dubuque offered the following amendment H—6235 filed by him and moved its adoption:

H-6235

- 1 Amend House File 2520 as follows:
- 2 1. Page 9, by inserting after line 9 the following:
- 3 "Nothing in this subsection or subsection 2 shall
- 4 be construed to prohibit the operation of an
- 5 international office in Asia."

Amendment H-6235 was adopted.

Blanshan of Greene asked and received unanimous consent to withdraw amendments H-6144 filed by him on April 6, 1984 and H-6200 (to amendment H-6144) filed by him on April 9, 1984.

Carter of Henry offered the following amendment H-6187 filed by Carter, et al., and moved its adoption:

H-6187

- 1 Amend House File 2520 as follows:
- 2 1. Page 12, by inserting after line 12 the
- 3 following:
- 4 "2. For premiums \$ 9,000".
- 5 2. By renumbering as required by this amendment.

Roll call was requested by Lageschulte of Bremer and Pellett of Cass.

Rule 76 was invoked.

On the question "Shall amendment H-6187 be adopted?"

The ayes were, 56:

| | | | |
|------------|------------|-------------|------------------|
| Anderson | Bennett | Black | Carpenter |
| Carter | Cochran | Cooper | Corey |
| Daggett | Davitt | De Groot | Fogarty |
| Grandia | Groth | Gruhn | Halvorson, R. A. |
| Handorf | Harbor | Hermann | Hoffmann-Bright |
| Hughes | Hummel | Jay | Knapp |
| Koenigs | Krewson | Lageschulte | Maulsby |
| McIntee | McKean | Menke | Miller |
| Muhlbauer | Mullins | Oxley | Paulin |
| Peick | Pellett | Poncy | Renken |
| Rensink | Royer | Schnekloth | Schroeder |
| Skow | Stromer | Stueland | Swearingen |
| Tabor | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | Zimmerman |

The nays were, 44:

| | | | |
|-------------|------------|----------|-------------------------|
| Arnould | Avenson | Baxter | Blanshan |
| Brammer | Branstad | Buhr | Carl |
| Chapman | Chiodo | Clark | Connolly |
| Connors | Copenhaver | Diemer | Doderer |
| Fey | Groninga | Gronstal | Halvorson, R. N. |
| Hammond | Haverland | Holveck | Jochum |
| Lloyd-Jones | Loneragan | Norland | O'Kane |
| Ollie | Osterberg | Parker | Pavich |
| Renaud | Rosenberg | Running | Sherzan |
| Shoultz | Spear | Sturgeon | Sullivan |
| Swartz | Varn | Woods | Mr. Speaker (Hanson) |

Absent or not voting, none.

Amendment H—6187 was adopted.

Tofte of Winneshiek offered the following amendment H—6244 filed from the floor by Tofte, Menke, Pellett, Royer and Diemer:

H—6244

- 1 Amend House File 2520 as follows:
- 2 1. Page 12, by inserting after line 12 the
- 3 following:
- 4 "2. For maintenance of state fair buildings and
- 5 grounds \$ 74,358".
- 6 2. By renumbering as required by this amendment.

Speaker Avenson in the chair at 11:06 a.m.

Tofte of Winneshiek moved the adoption of amendment H—6244

Roll call was requested by Stromer of Hancock and Pavich of Pottawattamie.

On the question "Shall amendment H—6244 be adopted?"

The ayes were, 30:

| | | | |
|-------------|------------|------------------|---------|
| Anderson | Bennett | Carpenter | Daggett |
| Diemer | Grandia | Halvorson, R. A. | Handorf |
| Harbor | Hermann | Hummel | Krewson |
| Lageschulte | Maulsby | McIntee | Menke |
| Mullins | Pellett | Renken | Rensink |
| Royer | Schnekloth | Schroeder | Skow |

| | | | |
|----------|----------|------------|-------|
| Stromer | Stueland | Swearingen | Tofte |
| Torrence | Van Camp | | |

The nays were, 66:

| | | | |
|------------|-------------|------------------|-------------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Branstad | Buhr | Carl |
| Carter | Chapman | Chiodo | Clark |
| Cochran | Connolly | Cooper | Copenhaver |
| Corey | Davitt | De Groot | Doderer |
| Fey | Fogarty | Groninga | Gronstal |
| Groth | Gruhn | Halvorson, R. N. | Hammond |
| Hanson | Haverland | Holveck | Hughes |
| Jay | Jochum | Koenigs | Lloyd-Jones |
| Lonergan | McKean | Miller | Muhlbauer |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Poncy | Renaud | Rosenberg | Running |
| Sherzan | Shoultz | Spear | Sturgeon |
| Sullivan | Swartz | Tabor | Van Gerpen |
| Van Maanen | Varn | Welden | Woods |
| Zimmerman | Mr. Speaker | | |

Absent or not voting, 4:

| | | | |
|---------|-----------------|-------|---------|
| Connors | Hoffmann-Bright | Knapp | Norland |
|---------|-----------------|-------|---------|

Amendment H—6244 lost.

Hermann of Scott offered the following amendment H—6219 filed by him and moved its adoption:

H—6219

- 1 Amend House File 2520 as follows:
- 2 1. Page 13, line 26, by striking the figure
- 3 "14,580" and inserting in lieu thereof the figure
- 4 "16,830".

A non-record roll call was requested.

The ayes were 30, nays 48.

Amendment H—6219 lost.

Diemer of Black Hawk offered the following amendment H—6245 filed by him from the floor:

H-6245

- 1 Amend House File 2520 as follows:
- 2 1. Page 9, line 9 by striking the figure
- 3 "2,794,078" and inserting in lieu thereof the
- 4 figure "3,010,078".

Diemer of Black Hawk offered the following amendment H-6247, to amendment H-6245, filed by him from the floor and moved its adoption:

H-6247

- 1 Amend House Amendment H-6245 to House File
- 2 2520 as follows:
- 3 1. By inserting after line 1 the following:
- 4 "1. Page 9, line 7, by striking the word
- 5 "sixty-one" and inserting in lieu thereof the word
- 6 "sixty-five".
- 7 2. Page 1, line 2, by striking the figure "1."
- 8 and inserting in lieu thereof the figure "2."

Amendment H-6247 was adopted.

Diemer of Black Hawk moved the adoption of amendment H-6245, as amended.

A non-record roll call was requested.

The ayes were 27, nays 51.

Amendment H-6245, as amended, 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. 2520)

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

IMMEDIATE MESSAGE

(House File 2520)

Norland of Worth asked and received unanimous consent to immediately message House File 2520 to the Senate.

House File 2521, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards and commissions, was taken up for consideration.

(House File 2521 pending at recess.)

On motion by Norland of Worth, the House was recessed at 11:59 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 April 10, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2470, a bill for an act relating to the platting requirements upon the subdivision of a parcel of land and the vacating of certain public streets, alleys, and other public lands.

K. MARIE THAYER, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2335, by committee on appropriations, a bill for an act relating to appropriations to the department of human services for the fiscal year beginning July 1, 1983, and ending June 30, 1984, by appropriating funds for payments to certain recipients of aid to dependent children under the unemployed parent program due to denial of a portion of benefits to them in the 1982-1983 fiscal year and for reimbursement to the United States department of health and human services for audit exceptions relating to federal funds received pursuant to Title XIX of the federal Social Security Act, by removing the prohibition on the expenditure of certain funds for job training, and by requiring that excess social services block grant funds replace state funds previously appropriated for the purchase of local services.

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

The House stood at ease at 1:07 p.m., until the fall of the gavel.

The House resumed session at 2:17 p.m., Arnould of Scott in the chair.

BUSINESS PENDING AT RECESS

The House resumed consideration of **House File 2521**, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards and commissions.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Holveck of Polk, for the remainder of the day, on request of Hammond of Story.

Schroeder of Pottawattamie offered the following amendment H-6211 filed by him and moved its adoption:

H-6211

- 1 Amend House File 2521 as follows:
- 2 1. Page 1, by striking lines 2 and 3 and inserting
- 3 in lieu thereof the following: "of the state for
- 4 each of the fiscal years beginning July 1, 1984 and
- 5 July 1, 1985, to the following boards the following".
- 6 2. Page 1, by striking lines 6 and 7.
- 7 3. Page 1, by striking line 24 and inserting in
- 8 lieu thereof the following: "each of the fiscal years
- 9 beginning July 1, 1984 and July 1,".
- 10 4. Page 1, by striking lines 27 and 28.
- 11 5. Page 5, by striking lines 3 and 4 and inserting
- 12 in lieu thereof the following: "established in section
- 13 422.100 for each of the fiscal years beginning July
- 14 1, 1984 and July 1, 1985, the following amount,".
- 15 6. Page 5, by striking lines 7 and 8.
- 16 7. Page 5, by striking lines 12 and 13 and
- 17 inserting in lieu thereof the following: "in section
- 18 334A.1, for each of the fiscal years beginning July
- 19 1, 1984 and July 1, 1985, the following amount, or
- 20 so much".
- 21 8. Page 5, line 18, by inserting after the figure
- 22 "1984" the following: "and on July 1, 1985".
- 23 9. Page 5, by striking lines 20 and 21.
- 24 10. Page 5, by striking lines 25 and 26 and
- 25 inserting in lieu thereof the following: "section
- 26 405.1, for each of the fiscal years beginning July
- 27 1, 1984 and July 1, 1985, the following amount, or
- 28 so much".
- 29 11. Page 5, line 30, by inserting after the figure
- 30 "1984" the following: "and on July 1, 1985".
- 31 12. Page 5, by striking lines 32 and 33.
- 32 13. Page 6, by striking lines 1 and 2 and inserting
- 33 in lieu thereof the following: "tax fund to the
- 34 department of revenue for each of the fiscal years
- 35 beginning July 1, 1984 and July 1, 1985, the
- 36 following".
- 37 14. Page 6, by striking lines 7 and 8.
- 38 15. Page 6, by striking lines 11 and 12 and

39 inserting in lieu thereof the following: "employees'
40 retirement system fund for each of the fiscal years
41 beginning July 1, 1984 and July 1, 1985, to the Iowa
42 department".
43 16. Page 6, by striking lines 15 and 16.

Amendment H—6211 lost.

Hanson of Delaware offered the following amendment H—6210
filed by Hanson, et al.:

H—6210

1 Amend House File 2521 as follows:
2 1. Page 1, by striking lines 11 through 14.
3 2. Page 9, by inserting after line 17 the
4 following:
5 "Sec. . Section 118.17, Code 1983, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. Landscape architects in the
8 practice of landscape architecture.
9 Sec. . Section 258A.1, subsection 1, paragraph
10 f, Code Supplement 1983, is amended by striking the
11 paragraph.
12 Sec. . Section 258A.3, subsection 2, paragraph
13 a, Code Supplement 1983, is amended to read as follows:
14 a. Revoke a license, or suspend a license either
15 until further order of the board or for a specified
16 period, upon the grounds specified in sections 114.21,
17 116.21, 117.29, 118.13, ~~118A.16~~, 120.10, 147.55,
18 148B.7, 153.34, 154A.24, 169.13, 455B.219 and 602.3203
19 and chapters 135E, 151, 507B and 522 or upon any other
20 grounds specifically provided for in this chapter
21 for revocation of the license of a licensee subject
22 to the jurisdiction of that board, or upon failure
23 of the licensee to comply with a decision of the board
24 imposing licensee discipline;
25 Sec. . Section 258A.4, subsection 1, paragraph
26 f, Code Supplement 1983, is amended to read as follows:
27 f. Define by rule acts or omissions which are
28 grounds for revocation or suspension of a license
29 under sections 114.21, 116.21, 117.29, 118.13, ~~118A.16~~,
30 120.10, 147.55, 148B.7, 153.34, 154A.24, 169.13,
31 455B.187 and 602.3203 and chapters 135E, 151, 507B
32 and 522, and to define by rule acts or omissions which
33 constitute negligence, careless acts or omissions
34 within the meaning of section 258A.3, subsection 2,
35 paragraph "b", which licensees are required to report
36 to the board pursuant to section 258A.9, subsection
37 2;

- 38 Sec. Section 258A.5, subsection 2, paragraph
 39 c, Code 1983, is amended to read as follows:
 40 c. Shall state whether the procedures are an
 41 alternative to or an addition to the procedures stated
 42 in sections 114.22, 116.23, 117.35, 117.36, 118A.15,
 43 147.58 to 147.71, 148.6 to 148.9, 153.23 to 153.30,
 44 153.33, 154A.23, and 155.14 to 155.16.
 45 Sec. Chapter 118A, Code 1983, is repealed."

Chiodo of Polk rose on a point of order that amendment H—6210 was not germane.

The Speaker ruled the point well taken and amendment H—6210 not germane.

Norland of Worth asked and received unanimous consent that House File 2521 be deferred and that the bill retain its place on the calendar.

Speaker Avenson in the chair at 2:38 p.m.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 110

Hammond of Story called up for consideration House Concurrent Resolution 110, a concurrent resolution in support of a United States Academy of peace and conflict resolution, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 120

Poncy of Wapello called up for consideration House Concurrent Resolution 120, relating to American POW's and MIA's, and moved its adoption.

The motion prevailed and the resolution was adopted.

SENATE AMENDMENT CONSIDERED House Refused To Concur

Chiodo of Polk called up for consideration **House File 2491**, a bill for an act relating to public utilities by providing for an income tax checkoff for the low income home energy assistance program, the

right of parties to appeal the final decision in a rate proceeding, the notification of the office of consumer advocate when a public utility is engaged in certain legal actions, procedures establishing excess electric generating capacity, the use of competitive bidding procedures by public utilities, by requiring investor-owned utilities to purchase combustible gas from municipalities under certain circumstances, making civil penalties applicable and providing effective dates, amended by the Senate amendment H—6026 as follows:

H—6026

- 1 Amend House File 2491 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 5, by striking the words "the
- 4 pendency of".
- 5 2. Page 2, by inserting after line 27 the
- 6 following:
- 7 "Sec. . Section 476.42, subsection 1, Code
- 8 Supplement 1983, is amended by adding the following
- 9 new paragraph:
- 10 . NEW PARAGRAPH. d. A facility producing electricity
- 11 as a by-product."
- 12 3. By striking page 2, line 28 through page 3,
- 13 line 27.
- 14 4. By striking page 4, line 5 through page 5,
- 15 line 12.
- 16 5. Page 5, by striking lines 15 through 17.
- 17 6. Title page, lines 6 and 7, by striking the
- 18 words "procedures establishing excess electric
- 19 generating capacity,".
- 20 7. Title page, lines 7 and 8, by striking the
- 21 words "the use of competitive bidding procedures by
- 22 public utilities,".
- 23 8. Title page, line 9, by inserting after the
- 24 word "by" the following: "including a facility
- 25 producing electricity as a by-product in the definition
- 26 of an alternate energy production facility, by".
- 27 9. Renumber sections as necessary.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendments H—6101 and 6108 (to the Senate amendment H—6026) filed by him on April 4 and 5, 1984 respectively.

Chiodo of Polk moved that the House concur in the Senate amendment H—6026.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 46, nays 51.

The motion lost and the House refused to concur in the Senate amendment H—6026.

IMMEDIATE MESSAGE
(House File 2491)

Norland of Worth asked and received unanimous consent to immediately message House File 2491 to the Senate.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 11, 1984, he approved and transmitted to the Secretary of State the following bills:

House File 580, an act relating to the authority of licensing boards under the continuing education chapter.

House File 590, an act relating to the requirements that certain buildings be designed by registered architects.

House File 2111, an act authorizing cities to issue revenue bonds or pledge orders to refund general obligation bonds if they were issued or the proceeds were expended for certain city projects.

House File 2243, an act providing that a person who provides assistance or advice in the abatement or attempted abatement or cleanup of a hazardous condition is not liable for damages resulting from the assistance or advice.

House File 2265, an act permitting certain teachers at the Iowa School for the Deaf and Iowa Braille and Sight-Saving School to be eligible for certain repayment criteria for loan programs.

House File 2380, an act authorizing the dissemination of criminal history data to certain youth service agencies.

House File 2400, an act providing for uniform search warrants, applications for search warrants, endorsements for search warrants, and returns of search warrants.

House File 2412, an act relating to informing defendants of an applicable mandatory minimum sentence.

Senate File 441, 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.

Senate File 2002, an act relating to ownership rights to dies, molds, and forms.

Senate File 2129, an act to make nonsubstantive corrections to the Code.

Senate File 2184, an act relating to the qualifications of the Superintendent of Public Instruction.

Senate File 2243, an act specifying which claims paid to county employees must be published in official newspapers.

Senate File 2263, an act requiring the Department of Public Instruction to adopt rules relating to the review of an action or omission relating to special education programs by state or local authorities.

Senate File 2283, an act relating to the death of a fire fighter during an arson and providing a penalty.

Senate File 2295, an act prohibiting reductions in sick leave, vacation leave, or compensatory time entitlements while an employee is receiving weekly workers' compensation benefits.

Senate File 2312, an act relating to the deposit of interest earnings in designated employee insurance funds.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 10, 1964. Had I been present, I would have voted "aye" on Senate File 2289.

DE GROOT of Lyon

PRESENTATION OF VISITORS

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

Thirty-six sixth, seventh and eighth grade students from Washington Middle School, Clinton, accompanied by Mrs. Margret Dihlmann. By Ollie of Clinton.

Forty-five fourth and fifth grade students from Jefferson Elementary School, Creston, accompanied by Joyce Anderson, Julie Squires and Edith McFee. By Hughes of Union.

Twenty-six Honor Society students from Iowa Falls, accompanied by Sponsor Carmen Hammerburg and Verv Davidson. By Welden of Hardin.

Thirty-four fifth grade students from Beaman-Conrad-Liscomb Elementary School, Conrad, accompanied by John Ehn and Mary Pieper. By Handorf of Marshall and Renken of Grundy.

Seventeen fifth grade students from Colo Elementary School, Colo, accompanied by Elizabeth Robinson. By Rosenberg of Story.

Sixty-five eighth grade students from St. Edwards School, Waterloo, accompanied by Don Sullivan and Duane Wince. By McIntee, Shoultz and Van Gerpen, all of Black Hawk.

Thirty-three Camp Fire Girls from the Cedar Rapids area, accompanied by Leader Susan Vrba. By Osterberg, Oxley, Chapman, Brammer, Running and Peick, all of Linn, and McKean of Jones.

Thirty students from Contemporary Affairs Class, Denison, accompanied by Martin Peterson. By Muhlbauer of Crawford.

Forty-three twelfth grade students from Nora Springs Rock Falls Junior Senior High School, Nora Springs, accompanied by Frank Altman. By Norland of Worth and Clark of Cerro Gordo.

Fifty-four sixth grade students from Milford Elementary School, Milford, accompanied by Eileen Anderson, Judy Hagedorn and Barb Mayer. By Gruhn of Dickinson.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 800 Finance

Relating to economic development in the state by providing that the development commission monitor, oversee and spend certain federal funds, establish a primary research and marketing center and satellite centers, establish an informal export advisory group, be responsible for agriculture marketing by establishing an agriculture marketing division and board, be responsible for the operation of the existing Iowa community development loan program, participate in the certified development program of the United States small business administration through a state certified development program, and is solely responsible for coordinating and adopting rules for the existing Iowa industrial-new jobs training program; by allowing insurance companies, state

banks, and state savings and loan associations to invest their assets in venture capital firms making investments in small businesses in the state, and public safety police officers, Iowa public employees and policemen and firemen retirement funds to be invested in venture capital firms making investments in small businesses in the state; by establishing an export loan program as part of the Iowa housing finance authority's small business loan program to aid in providing financing for export sales by small businesses; and increasing the bonding limits of the Iowa housing finance authority and its small business loan program and redefining "small business" and "dominant in its field of operation" for purposes of the small business loan program.

S.B. 801 Finance

Relating to government contracts by providing for set-asides in state procurement contracts for small businesses owned and operated by socially or economically disadvantaged persons.

S.B. 802 Ways and Means

Relating to the special property valuations for certain machinery and equipment under sections 427B.10 to 427B.14.

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

Senate File 2333, a bill for an act relating to the administration and financing of correctional, mental health, mental retardation and veterans programs and capital projects under the jurisdiction of the department of corrections, the department of human services, or the board of parole.

Fiscal note is not required.

Recommended Amend and Do Pass with amendment H-6254, April 11, 1984

Pursuant to House Rule 33, Senate File 2333 was referred to the committee on finance.

AMENDMENTS FILED

| | | | |
|--------|------|------|-------------------------------------|
| H-6246 | S.F. | 2333 | Schroeder of Pottawattamie |
| H-6248 | H.F. | 2470 | Senate Amendment |
| H-6249 | S.F. | 2333 | Maulsby of Calhoun |
| H-6250 | H.F. | 2521 | Blanshan of Greene |
| H-6251 | S.F. | 2333 | McKean of Jones Spear of Lee |
| H-6252 | H.F. | 224 | Davitt of Warren Krewson of Polk |
| H-6253 | H.F. | 2521 | Stromer of Hancock |
| H-6254 | S.F. | 2333 | Committee on Appropriations |

On motion by Norland of Worth, the House adjourned at 3:01 p.m., until 9:00 a.m., Thursday, April 12, 1984.

JOURNAL OF THE HOUSE

Ninety-fifth Calendar Day—Sixty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 12, 1984

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

Prayer was offered by Reverend Walter Phelps, pastor of the Trinity United Methodist Church, Waverly.

The Journal of Wednesday, April 11, 1984 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Wayne Rouse, M.D., Boone.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Baxter of Des Moines and Gronstal of Pottawattamie on request of Varn of Johnson; Running of Linn on request of Sherzan of Polk; Jay of Appanoose on request of Sullivan of Van Buren, all until their arrival.

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.

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 10, 1984, insisted on its amendment to House File 595, a bill for an act relating to the deferring of judgment or deferring of sentence of a person previously convicted of a felony, and the members of the conference committee, appointed April 11, 1984, on the part of the Senate are: The Senator from Polk, Senator Mann, Chair; the Senator from Webster, Senator Coleman; the Senator from Woodbury, Senator Doyle; the Senator from Polk, Senator Gentleman; and the Senator from Clay, Senator Holt.

Also: That the Senate has on April 10, 1984, receded from the Senate amendment, and passed the following bill:

House File 2247, a bill for an act relating to the reimbursement of law enforcement officer training costs incurred by cities or counties.

Also: That the Senate has on April 10, 1984, 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 2471, a bill for an act creating a hazardous waste remedial fund and providing for the cleanup of hazardous conditions and the management and cleanup of abandoned or uncontrolled hazardous waste disposal sites.

Also: That the Senate has on April 10, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2503, a bill for an act relating to the taxation of engraving, photography, retouching, printing, and binding under the state sales, services, and use tax.

Also: That the Senate has on April 4, 1984, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 106, citing legislative approval of the plan of operation for the state of Iowa federal surplus property program of the department of general services.

Also: That the Senate has on April 11, 1984, adopted the following bill in which the concurrence of the House is asked:

Senate Concurrent Resolution 115, urging Congress to revise the asset limits for eligibility, increase exemptions for resources, simplify application procedures, and expand guidelines for emergency assistance.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS

Appropriations Calendar

The House resumed consideration of **House File 2521**, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards and commissions, deferred on April 11, 1984.

Varn of Johnson in the chair at 9:18 a.m.

Anderson of Audubon offered the following amendment H-6216 filed by him and moved its adoption:

H-6216

1 Amend House File 2521 as follows:

2 1. Page 1, by inserting after line 31 the

3 following:

4 "The auditor may expend additional funds, if those
5 additional expenditures are actual expenses which
6 exceed the funds budgeted for savings and loan
7 association examinations and directly result from
8 examinations of savings and loan associations. Before
9 the auditor expends or encumbers an amount in excess
10 of the funds budgeted for examinations, the state
11 comptroller shall approve the expenditure or
12 encumbrance. Before approval is given, the state
13 comptroller shall determine that the examination
14 expenses exceed the funds budgeted by the general
15 assembly to the auditor and that the auditor does
16 not have other funds from which examination expenses
17 can be paid. Upon approval of the state comptroller
18 the auditor may expend and encumber funds for excess
19 examination expenses. The amounts necessary to fund
20 the excess examination expenses shall be collected
21 from those savings and loan associations being examined
22 which caused the excess expenditures and the
23 collections shall be treated as repayment receipts
24 as defined in section 8.2, subsection 5."

25 2. Page 1, by inserting after line 34 the fol-
26 lowing:

27 "The banking department may expend additional
28 funds, if those additional expenditures are actual
29 expenses which exceed the funds budgeted for state
30 bank examinations and directly result from examinations
31 of state banks. Before the department expends or
32 encumbers an amount in excess of the funds budgeted
33 for examinations, the state comptroller shall approve
34 the expenditure or encumbrance. Before approval is
35 given, the state comptroller shall determine that
36 the examination expenses exceed the funds budgeted
37 by the general assembly to the department and that
38 the department does not have other funds from which
39 examination expenses can be paid. Upon approval of
40 the state comptroller the department may expend and
41 encumber funds for excess examination expenses. The
42 amounts necessary to fund the excess examination
43 expenses shall be collected from those state banks
44 being examined which caused the excess expenditures
45 and the collections shall be treated as repayment
46 receipts as defined in section 8.2, subsection 5."

47 3. Page 3, by inserting after line 5 the fol-
48 lowing:

49 "The credit union department may expend additional
50 funds, if those additional expenditures are actual

Page 2

1 expenses which exceed the funds budgeted for credit
 2 union examinations and directly result from
 3 examinations of credit unions. Before the department
 4 expends or encumbers an amount in excess of the funds
 5 budgeted for examinations, the state comptroller shall
 6 approve the expenditure or encumbrance. Before
 7 approval is given, the state comptroller shall
 8 determine that the examination expenses exceed the
 9 funds budgeted by the general assembly to the
 10 department and that the department does not have other
 11 funds from which examination expenses can be paid.
 12 Upon approval of the state comptroller the department
 13 may expend and encumber funds for excess examination
 14 expenses. The amounts necessary to fund the excess
 15 examination expenses shall be collected from those
 16 credit unions being examined which caused the excess
 17 expenditures and the collections shall be treated
 18 as repayment receipts as defined in section 8.2,
 19 subsection 5."

Amendment H—6216 lost.

Anderson of Audubon offered the following amendment
 H—6217 filed by him and Renken of Grundy and moved its adoption:

H—6217

1 Amend House File 2521 as follows:
 2 1. Page 2, line 3, by striking the figure
 3 "18,626,164" and inserting in lieu thereof the figure
 4 "18,668,914".
 5 2. Page 2, line 22, by striking the figure
 6 "4,070,837" and inserting in lieu thereof the figure
 7 "4,241,637".

Roll call was requested by Haverland of Polk and Jochum of
 Dubuque.

On the question "Shall amendment H—6217 be adopted?"

The ayes were, 30:

| | | | |
|----------|---------|------------------|-------------|
| Anderson | Bennett | Carpenter | Daggett |
| Diemer | Grandia | Halvorson, R. A. | Handorf |
| Harbor | Hermann | Hoffmann-Bright | Lageschulte |
| Maulsby | McKean | Menke | Mullins |
| Paulin | Pellett | Renken | Reinsink |

| | | | |
|----------|------------|-----------|----------|
| Royer | Schnekloth | Schroeder | Stromer |
| Stueland | Swearingen | Tofte | Torrence |
| Van Camp | Van Gerpen | | |

The nays were, 61:

| | | | |
|-----------------------|-------------|-----------|-----------|
| Arnould | Avenson | Black | Blanshan |
| Brammer | Buhr | Carl | Chapman |
| Clark | Cochran | Connolly | Connors |
| Cooper | Copenhaver | Corey | Davitt |
| De Groot | Doderer | Fey | Fogarty |
| Groninga | Gronstal | Groth | Gruhn |
| Halvorson, R. N. | Hammond | Hanson | Haverland |
| Holveck | Hughes | Jochum | Knapp |
| Koenigs | Lloyd-Jones | Lonergan | McIntee |
| Miller | Muhlbauer | Norland | O'Kane |
| Osterberg | Oxley | Parker | Peick |
| Poney | Renaud | Rosenberg | Running |
| Sherzan | Shoultz | Skow | Spear |
| Sturgeon | Sullivan | Swartz | Tabor |
| Van Maanen | Welden | Woods | Zimmerman |
| Mr. Speaker (Varn) | | | |

Absent or not voting, 9:

| | | | |
|--------|----------|---------|--------|
| Baxter | Branstad | Carter | Chiodo |
| Hummel | Jay | Krewson | Ollie |
| Pavich | | | |

Amendment H—6217 lost.

Anderson of Audubon offered the following amendment H—6218 filed by him and Benken of Grundy and moved its adoption:

H—6218

- 1 Amend House File 2521 as follows:
- 2 1. Page 2, line 3, by striking the figure
- 3 "18,626,164" and inserting in lieu thereof the figure
- 4 "18,676,864".
- 5 2. Page 2, line 12, by striking the figure
- 6 "5,611,319" and inserting in lieu thereof the figure
- 7 "5,612,879".
- 8 3. Page 4, line 17, by striking the figure
- 9 "15,760,007" and inserting in lieu thereof the figure
- 10 "15,761,357".

Roll call was requested by Arnould of Scott and Jochum of Dubuque.

On the question "Shall amendment H—6218 be adopted?"

The ayes were, 23:

| | | | |
|------------------|----------|-----------------|-----------|
| Anderson | Bennett | Branstad | Diemer |
| Halvorson, R. A. | Harbor | Hoffmann-Bright | Maulsby |
| Menke | Mullins | Pellett | Renken |
| Rensink | Royer | Schnekloth | Schroeder |
| Stromer | Stueland | Swearingen | Tofte |
| Torrence | Van Camp | Van Gerpen | |

The nays were, 70:

| | | | |
|-----------|-----------------------|-------------|------------------|
| Arnould | Avenson | Black | Blanshan |
| Brammer | Buhr | Carl | Carpenter |
| Chapman | Clark | Cochran | Connolly |
| Connors | Cooper | Copenhaver | Corey |
| Daggett | Davitt | De Groot | Doderer |
| Fey | Fogarty | Grandia | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. N. |
| Hammond | Handorf | Hanson | Haverland |
| Holveck | Hughes | Jochum | Knapp |
| Koenigs | Lageschulte | Lloyd-Jones | Loneragan |
| McIntee | McKean | Miller | Muhlbauer |
| Norland | O'Kane | Ollie | Osterberg |
| Oxley | Parker | Paulin | Pavich |
| Peick | Poncy | Renaud | Rosenberg |
| Running | Sherzan | Shoultz | Skow |
| Spear | Sturgeon | Sullivan | Swartz |
| Tabor | Van Maanen | Welden | Woods |
| Zimmerman | Mr. Speaker (Varn) | | |

Absent or not voting, 7:

| | | | |
|--------|--------|---------|---------|
| Baxter | Carter | Chiodo | Hermann |
| Hummel | Jay | Krewson | |

Amendment H—6218 lost.

Stromer of Hancock offered the following amendment H—6220 filed by him:

H—6220

- 1 Amend House File 2521 as follows:
- 2 1. Page 2, by inserting the following after
- 3 line 9:
- 4 "As a condition of receipt of the third and
- 5 fourth quarters of this appropriation, the campaign

6 finance disclosure commission shall promulgate
7 rules by January 1, 1985 which will make it illegal
8 for an incumbent legislator to generate funds while
9 the general assembly is in session by soliciting or
10 accepting contributions from political action
11 committees except state and county statutory
12 committees."

Stromer of Hancock offered the following amendment H-6253,
to amendment H-6220, filed by him and moved its adoption:

H-6253

1 Amend amendment H-6220 to House File 2521 as
2 follows:
3 1. Page 1, by striking line 10 and inserting
4 in lieu thereof the following: "accepting contri-
5 butions from registered lobbyists or political
6 action".

Amendment H-6253 was adopted.

Jochum of Dubuque rose on a point of order that amendment
H-6220 was not germane.

The Speaker ruled the point well taken and amendment
H-6220 not germane.

The House stood at ease at 9:58 a.m., until the fall of the gavel.

The House resumed session and consideration of House File
2521 at 11:01 a.m., Speaker Avenson in the chair.

Skow of Guthrie in the chair at 11:03 a.m.

Anderson of Audubon offered the following amendment
H-6239 filed by Anderson, et al., and moved its adoption:

H-6239

1 Amend House File 2521 as follows:
2 1. Page 2, line 19, by striking the figure
3 "1,178,029" and inserting in lieu thereof the
4 figure "1,478,029".
5 2. Page 2, line 22, by striking the figure
6 "4,070,837" and inserting in lieu thereof the
7 figure "6,070,837".

8 3. By striking page 2, line 27 through page
 9 3, line 2 and inserting in lieu thereof the fol-
 10 lowing:
 11 "Pursuant to the authority granted by section
 12 8.6, Code Supplement 1983, the state comptroller,
 13 through the office of the inspector general, shall
 14 assist agencies in identifying and implementing
 15 recommendations of the governor's task force on
 16 efficiencies and cost-effectiveness. Cash savings
 17 so identified and documented by the inspector
 18 general shall revert to the fund of origin."

Roll call was requested by Haverland of Polk and Jochum of Dubuque.

On the question "Shall amendment H—6239 be adopted?"

The ayes were, 28:

| | | | |
|----------|----------|------------------|-----------------|
| Anderson | Bennett | Carpenter | Corey |
| Daggett | Diemer | Halvorson, R. A. | Handorf |
| Hanson | Harbor | Hermann | Hoffmann-Bright |
| Krewson | Maulsby | Menke | Pellett |
| Renken | Rensink | Royer | Schnekloth |
| Stromer | Stueland | Swearingen | Tofte |
| Torrence | Van Camp | Van Gerpen | Welden |

The nays were, 68:

| | | | |
|-------------|-----------|-----------|-----------------------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carter | Chapman | Chiodo | Clark |
| Cochran | Connolly | Cooper | Copenhaver |
| Davitt | De Groot | Doderer | Fey |
| Fogarty | Grandia | Groninga | Gronstal |
| Groth | Gruhn | Hammond | Haverland |
| Holveck | Hughes | Hummel | Jay |
| Jochum | Knapp | Koenigs | 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 | Spear | Sturgeon |
| Sullivan | Swartz | Tabor | Van Maanen |
| Varn | Woods | Zimmerman | Mr. Speaker (Skow) |

Absent or not voting, 4:

| | | | |
|----------|---------|------------------|-----------|
| Branstad | Connors | Halvorson, R. N. | Schroeder |
|----------|---------|------------------|-----------|

Amendment H—6239 lost.

Schroeder of Pottawattamie offered the following amendment H-6193 filed by him:

H-6193.

1 Amend House File 2521 as follows:
2 1. Page 2, by inserting after line 22 the
3 following:
4 "Funds appropriated by this paragraph shall not
5 be expended for data processing personnel, services,
6 or equipment to be used by or provided for the
7 legislative branch of government. Bill drafting,
8 research, fiscal, office automation, and bill status
9 computer programs for the general assembly and
10 legislative agencies shall be provided by the
11 comptroller's data processing division during the
12 fiscal year beginning July 1, 1984. Expenditures
13 for such personnel, services, and equipment shall
14 be paid for from funds appropriated pursuant to section
15 2.12 or from available funds appropriated to the
16 legislative agencies. The comptroller's data
17 processing division shall bill the general assembly
18 and legislative agencies for the cost of personnel,
19 services, and equipment. State funds shall not be
20 expended for the purchase or lease of a computer
21 system which would replace the system provided by
22 the comptroller's data processing division during
23 the fiscal year beginning July 1, 1984."

Renaud of Polk rose on a point of order that amendment H-6193 was not germane.

Speaker Avenson in the chair at 11:20 a.m.

The Speaker ruled the point not well taken and amendment H-6193 germane.

Schroeder of Pottawattamie moved the adoption of amendment H-6193.

Roll call was requested by Schroeder of Pottawattamie and Hoffmann-Bright of Muscatine.

Rule 76 was invoked.

On the question "Shall amendment H—6193 be adopted?"

The ayes were, 31:

| | | | |
|-----------------|-----------|------------|------------------|
| Bennett | Carpenter | Corey | Daggett |
| Diemer | Grandia | Gronstal | Halvorson, R. A. |
| Handorf | Hanson | Harbor | Hermann |
| Hoffmann-Bright | Hummel | Krewson | Lageschulte |
| Maulsby | McKean | Menke | Mullins |
| Paulin | Pellett | Renken | Royer |
| Schroeder | Stueland | Swearingen | Tofte |
| Torrence | Van Camp | Van Gerpen | |

The nays were, 66:

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

Absent or not voting, 3:

| | | |
|----------|---------|---------|
| Branstad | Connors | Stromer |
|----------|---------|---------|

Amendment H—6193 lost.

Koenigs of Mitchell in the chair at 11:23 a.m.

Hanson of Delaware offered the following amendment H—6198 filed by him and Jochum of Dubuque and moved its adoption:

H—6198

- 1 Amend House File 2521 as follows:
- 2 1. By striking page 2, line 27 through page 3,
- 3 line 2 and inserting in lieu thereof the following:

4 "The state comptroller, through the office of the
5 inspector general, shall assist state agencies in
6 identifying and implementing efficiency and cost-
7 effectiveness measures, as recommended by the
8 governor's task force on efficiencies and cost-
9 effectiveness. Notwithstanding any conflicting
10 provisions of chapter 8, the state comptroller may
11 make the first two quarterly allocations to the state
12 comptroller as if the amount appropriated in paragraph
13 "a" contained three hundred thousand dollars more
14 than actually specified and in paragraph "b" contained
15 two million dollars more than actually specified,
16 and the state comptroller may reduce the last two
17 quarterly allocations in order to offset the first
18 two quarterly allocations. The state comptroller
19 may reduce quarterly allocations of funds appropriated
20 to other agencies to reflect savings made as a result
21 of implementing recommendations of the governor's
22 task force on efficiencies and cost effectiveness.
23 Not more than three hundred thousand dollars for
24 paragraph "a" and two million dollars for paragraph
25 "b" of the savings resulting from implementing the
26 recommendations may be transferred by the state
27 comptroller to the state comptroller to be used for
28 the purposes provided in those paragraphs."

Amendment H—6198 was adopted.

Woods of Polk offered the following amendment H—6223 filed
by him and moved its adoption:

H—6223

1 Amend House File 2521 as follows:
2 1. Page 4, line 13, by striking the figure
3 "196,400" and inserting in lieu thereof the figure
4 "323,400".

Amendment H—6223 lost.

Peick of Linn offered amendment H—6186 filed by Peick, et al.
Division was requested as follows:

H—6186

1 Amend House File 2521 as follows:

H—6186A

2 1. Page 4, by striking lines 25 through 27.

H-6186B

3 2. Page 4, by striking lines 28 through 32.

On motion by Peick of Linn, amendment H-6186A was adopted, placing out of order amendment H-6206 filed by Krewson of Polk on April 9, 1984.

On motion by Peick of Linn, amendment H-6186B was adopted.

(House File 2521 pending at recess.)

On motion by Norland of Worth, the House was recessed at 12:22 p.m., until 1:00 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 members of the conference committee, appointed April 11, 1984, to Senate File 513, a bill for an act relating to the name of a state bank, on the part of the Senate are: the Senator from Polk, Senator Palmer, Chair; the Senator from Story, Senator Bruner; the Senator from Bremer, Senator Jensen; the Senator from Polk, Senator Kinley; and the Senator from Clayton, Senator Tieden.

Also: That the Senate has on April 10, 1984, concurred in the House amendment, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2098, a bill for an act relating to the liability for torts committed by offenders assigned to perform unpaid community service.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILL

House File 2524, by committee on ways and means, a bill for an act increasing the limit on the tax rate that may be certified by the board of directors of a school corporation to be levied on taxable property in a school district for the use of a free public library by residents of the school district.

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

BUSINESS PENDING AT RECESS

The House resumed consideration of **House File 2521**, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards and commissions.

Chiodo of Polk in the chair at 1:17 p.m.

Hoffmann-Bright of Muscatine offered the following amendment H-6207 filed by her and Branstad of Winnebago:

H-6207

- 1 Amend House File 2521 as follows:
- 2 1. By striking page 6, line 22 through page 7,
- 3 line 4.
- 4 2. By striking page 7, line 9 through page 9,
- 5 line 17.

Connors of Polk in the chair at 1:52 p.m.

Speaker Avenson in the chair at 2:14 p.m.

Buhr of Polk in the chair at 2:40 p.m.

Hoffmann-Bright of Muscatine moved the adoption of amendment H-6207.

Roll call was requested by Jochum of Dubuque and Halvorson of Webster.

On the question "Shall amendment H-6207 be adopted?"

The ayes were, 35:

| | | | |
|------------|------------------|-----------------|------------|
| Anderson | Bennett | Branstad | Copenhaver |
| Corey | Daggett | De Groot | Diemer |
| Grandia | Halvorson, R. A. | Handorf | Hanson |
| Harbor | Hermann | Hoffmann-Bright | Hummel |
| Maulsby | McIntee | Menke | Paulin |
| Pellet | Renken | Rensink | Royer |
| Schneklöth | Schroeder | Stromer | Stueland |
| Tofte | Torrence | Van Camp | Van Gerpen |
| Van Maanen | Welden | Woods | |

The nays were, 61:

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

Absent or not voting, 4:

| | | | |
|-------|---------|-------|------------|
| Knapp | Mullins | Poncy | Swearingen |
|-------|---------|-------|------------|

Amendment H—6207 lost.

Blanshan of Greene offered the following amendment H—6225 filed by him:

H—6225

- 1 Amend House File 2521 as follows:
- 2 1. Page 7, line 15, by inserting after the word
- 3 "Africa" the words "whose principal business office
- 4 is not located in the state".
- 5 2. Page 8, line 23, by inserting after the word
- 6 "Africa" the words "whose principal business offices
- 7 are not located in the state".

Speaker Avenson in the chair at 3:02 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mullins of Kossuth, until her arrival, on request of Buhr of Polk.

Blanshan of Greene offered the following amendment H—6250, to amendment H—6225, filed by him and moved its adoption:

H-6250

- 1 Amend amendment H-6225 to House File 2521 as follows:
 2 1. Line 4, by adding after the word "state" the
 3 following: ", unless such person has an Iowa facility
 4 employing more than 500 persons".
 5 2. Line 7, by adding after the word "state" the
 6 following: ", unless such person has an Iowa facility
 7 employing more than 500 persons".

Amendment H-6250 lost.

Blanshan of Greene moved the adoption of amendment H-6225.

Roll call was requested by McIntee of Black Hawk and Schnekloth of Scott.

On the question "Shall amendment H-6225 be adopted?"

The ayes were, 31:

| | | | |
|------------|----------|------------|-----------------|
| Anderson | Blanshan | Cooper | Copenhaver |
| Corey | De Groot | Diemer | Grandia |
| Hanson | Harbor | Hermann | Hoffmann-Bright |
| Maulsby | McIntee | Menke | Paulin |
| Pellett | Renken | Rensink | Royer |
| Schnekloth | Stueland | Swartz | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Welden | Woods | Zimmerman | |

The nays were, 61:

| | | | |
|-------------|-------------|------------------|-----------|
| Arnould | Baxter | Black | Brammer |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Connors | Davitt | Doderer |
| Fey | Fogarty | Groninga | Gronstal |
| Groth | Gruhn | Halvorson, R. N. | Hammond |
| Handorf | Haverland | Holveck | Hughes |
| Hummel | Jay | Jochum | Koenigs |
| Krewson | Lageschulte | 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 | Tabor | Varn |
| Mr. Speaker | | | |

Absent or not voting, 8:

| | | | |
|---------|-----------|---------|------------------|
| Bennett | Branstad | Daggett | Halvorson, R. A. |
| Knapp | Schroeder | Stromer | Swearingen |

Amendment H — 6225 lost.

McIntee of Black Hawk offered the following amendment H—6257 filed from the floor by McIntee, Stromer, Chapman and Varn and moved its adoption:

H—6257

- 1 Amend House File 2521 as follows:
- 2 1. Page 2, by inserting the following after
- 3 line 9:
- 4 "As a condition of receipt of this appropriation,
- 5 the campaign finance disclosure commission shall
- 6 promulgate rules by January 1, 1985 that a holder of
- 7 or a candidate for a state office who receives a
- 8 campaign contribution from a registered lobbyist or
- 9 a political action committee while the general
- 10 assembly is in session must disclose that contribu-
- 11 tion to the campaign finance disclosure commission
- 12 within fourteen days of receipt of the contribution."

A non-record roll call was requested.

The ayes were 50, nays 6.

Amendment H — 6257 was adopted.

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. 2521)

The ayes were, 75:

| | | | |
|------------------|------------------|----------|------------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Buhr | Carl | Carpenter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Connors | Cooper | Copenhaver |
| Davitt | Diemer | Doderer | Fey |
| Fogarty | Groninga | Gronstal | Gruhn |
| Halvorson, R. A. | Halvorson, R. N. | Hammond | Hanson |
| Haverland | Hermann | Holveck | Hughes |

| | | | |
|-----------|------------|-------------|-------------|
| Hummel | Jay | Jochum | Knapp |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Loneragan | McIntee | McKean | Miller |
| Muhlbauer | Mullins | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Pavich | Peick | Poncy | Renaud |
| Rosenberg | Running | Sherzan | Shoultz |
| Skow | Spear | Sturgeon | Sullivan |
| Swartz | Swearingen | Tabor | Tofte |
| Van Camp | Van Gerpen | Varn | Welden |
| Woods | Zimmerman | Mr. Speaker | |

The nays were, 23:

| | | | |
|----------|-----------------|------------|---------|
| Anderson | Bennett | Branstad | Corey |
| Daggett | De Groot | Grandia | Handorf |
| Harbor | Hoffmann-Bright | Maulsby | Menke |
| Paulin | Pellett | Renken | Rensink |
| Royer | Schnekloth | Schroeder | Stromer |
| Stueland | Torrence | Van Maanen | |

Absent or not voting, 2:

| | |
|--------|-------|
| Carter | Groth |
|--------|-------|

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

IMMEDIATE MESSAGE (House File 2521)

Norland of Worth asked and received unanimous consent to immediately message House File 2521 to the Senate.

Ways and Means Calendar

House File 2504, a bill for an act relating to the interest and penalty on delinquent property taxes, was taken up for consideration.

Stromer of Hancock offered the following amendment H-6192 filed by him and moved its adoption:

H-6192

- 1 Amend House File 2504 as follows:
- 2 1. Page 2, by inserting after line 17 the
- 3 following:

4 "Sec. . . . Section 443.2, unnumbered paragraph
 5 1, Code 1983, is amended to read as follows:
 6 Before the first day of July in each year, the
 7 county auditor shall transcribe the assessments of
 8 the townships and cities into a book or record, to
 9 be known as the tax list, properly ruled and headed,
 10 with separate columns, in which shall be entered the
 11 names of the taxpayers, descriptions of lands, number
 12 of acres and value, numbers of city lots and value,
 13 value of personal property and each description of
 14 tax, with a column for polls and one for payments,
 15 and shall complete it by entering the amount due on
 16 each installment, separately, and carrying out the
 17 total of both installments. The total of all columns
 18 of each page of each book or other record shall balance
 19 with the tax totals. After computing the amount of
 20 tax due and payable on each property, the county
 21 auditor shall may round the total amount of tax due
 22 and payable on the property to the nearest even whole
 23 dollar."
 24 2. Renumber sections and correct internal
 25 references as necessary in accordance with this
 26 amendment.

Roll call was requested by Stromer of Hancock and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H—6192 be adopted?"

The ayes were, 47:

| | | | |
|------------------|-----------------|-----------|-----------|
| Anderson | Bennett | Carl | Carpenter |
| Chapman | Clark | Cooper | Corey |
| Daggett | De Groot | Diemer | Grandia |
| Halvorson, R. A. | Handorf | Hanson | Harbor |
| Hermann | Hoffmann-Bright | Hughes | Hummel |
| Krewson | Lageschulte | Lonergan | Maulsby |
| McKeon | Menke | Muhlbauer | Mullins |
| Paulin | Pellet | Renken | Rensink |
| Royer | Schnekloth | Schroeder | Skow |
| Stromer | Stueland | Sullivan | Swartz |
| Swearingen | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | |

The nays were, 49:

| | | | |
|----------|----------|---------|------------------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Buhr | Carter | Chiodo |
| Cochran | Connolly | Connors | Copenhaver |
| Davitt | Doderer | Fey | Fogarty |
| Groninga | Gronstal | Gruhn | Halvorson, R. N. |

| | | | |
|-------------|-----------|-------------|-----------|
| Hammond | Haverland | Holveck | Jay |
| Knapp | Koenigs | Lloyd-Jones | McIntee |
| Norland | O'Kane | Ollie | Osterberg |
| Oxley | Parker | Pavich | Peick |
| Poncy | Renaud | Rosenberg | Running |
| Sherzan | Shoultz | Spear | Sturgeon |
| Tabor | Varn | Woods | Zimmerman |
| Mr. Speaker | | | |

Absent or not voting, 4:

| | | | |
|----------|-------|--------|--------|
| Branstad | Groth | Jochum | Miller |
|----------|-------|--------|--------|

Amendment H—6192 lost.

Osterberg of Linn offered the following amendment H—6258 filed by him:

H—6258

- 1 Amend House File 2504 as follows:
- 2 1. Page 3, line 34, by inserting after the word
- 3 "percent" the words "on any amount of taxes delinquent
- 4 in excess of one thousand dollars per person".
- 5 2. Page 3, line 34, by inserting after the word
- 6 "added" the words "on October 1 of each year".

HOUSE FILE 2504 DEFERRED

Osterberg of Linn asked and received unanimous consent, that House File 2504 be temporarily deferred and that the bill retain its place on the calendar.

(Amendment H—6258 pending.)

Krewson of Polk in the chair at 3:45 p.m.

House File 2509, a bill for an act relating to the imposition of a local option wheel tax by referendum, was taken up for consideration.

Schneklath of Scott offered the following amendment H—5876 filed by him and moved its adoption:

H—5876

- 1 Amend House File 2509 as follows:
- 2 1. Page 1, by striking lines 10 and 11 and
- 3 inserting in lieu thereof the words "imposed by a

4 county, it shall only apply to those incorporated
5 areas and the unincorporated area of that county in
6 which a majority of those voting in that area favors
7 the imposition."

8 2. Page 2, line 8, by inserting after the word
9 "period." the words "However, the tax shall not be
10 imposed in any incorporated area or the unincorporated
11 area if the majority of those voting on the tax in
12 that area did not favor its imposition."

13 3. Page 2, line 16, by inserting after the word
14 "tax" the words ", except that the question of repeal
15 or rate change shall be voted on only in those areas
16 which have imposed the local vehicle tax".

17 4. Page 2, line 26, by inserting after the word
18 "within" the words "an incorporated area or the
19 unincorporated area of".

Amendment H—5876 was adopted.

Schneklath of Scott offered the following amendment H—5995
filed by him and moved its adoption:

H—5995

1 Amend House File 2509 as follows:

2 1. Page 2, line 8, by inserting after the word
3 "period." the following: "However, every four years
4 the eligible electors of the county where the tax
5 is imposed shall vote on the question of continuing
6 the tax. This election shall be held at the time
7 of the state general election and the conditions for
8 calling and holding this election as provided in
9 subsections 3 and 4 do not apply. If a majority of
10 those voting on the question of the continuation of
11 the tax do not favor its continuation, the tax shall
12 be repealed as of December 31 immediately following
13 the election. This four-year period begins with the
14 election at which the tax is imposed or continued
15 or the rate is increased or decreased whichever is
16 the latest."

Amendment H—5995 was adopted.

Schneklath of Scott asked and received unanimous consent to
withdraw amendment H—6042 filed by him on April 2, 1984.

O'Kane of Woodbury offered the following amendment H—6058
filed by him and Carpenter of Polk and moved its adoption:

H-6058

- 1 Amend House File 2509 as follows:
- 2 1. Page 3, line 21, by striking the word "monthly"
- 3 and inserting in lieu thereof the word "quarterly".
- 4 2. Page 3, line 28, by striking the word "month"
- 5 and inserting in lieu thereof the word "quarter".
- 6 3. Page 8, line 28, by striking the words "public
- 7 transit" and inserting in lieu thereof the words and
- 8 figure "for a public transit system, as defined in
- 9 section 601J.1."

Amendment H-6058 was adopted.

Hummel of Benton offered the following amendment H-5866
filed by him:

H-5866

- 1 Amend House File 2509 as follows:
- 2 1. Page 3, line 26, by striking the word "Moneys"
- 3 and inserting in lieu thereof the words "Fifty percent
- 4 of the moneys".
- 5 2. Page 3, line 31 by inserting after the figure
- 6 "312.6." the words and figure "The remaining fifty
- 7 percent of the moneys received by a city or county
- 8 shall be credited to the special account for property
- 9 tax relief of that city or county to be used as
- 10 provided in section 10 of this Act."
- 11 3. Page 4, by inserting after line 20 the
- 12 following:
- 13 "Sec. 10. NEW SECTION. PROPERTY TAX RELIEF.
- 14 The financial officer of the city or the county
- 15 treasurer, as applicable, shall credit fifty percent
- 16 of the local vehicle tax moneys received to a special
- 17 account for property tax relief to be granted and
- 18 moneys used as provided in subsection 1 for a city
- 19 or subsection 2 for a county.
- 20 1. The city's tax levy limit for the general fund
- 21 provided in section 384.1 shall be lowered for the
- 22 fiscal year by subtracting from that levy limit the
- 23 levy amount that is needed to raise, based upon the
- 24 taxable valuations to be used for the fiscal year,
- 25 the amount of local vehicle tax moneys credited to
- 26 the special account for property tax relief during
- 27 the twelve-month period ending on March 1 of the
- 28 fiscal year. On March 1 of the fiscal year, the
- 29 financial officer shall transfer the funds in the
- 30 special account for property tax relief to the city
- 31 general fund to be used for any purpose for which

32 moneys of the general fund may be used.
 33 2. The county's tax levy limit for rural county
 34 services as provided in section 331.423, subsection
 35 2, shall be lowered for the fiscal year by subtracting
 36 from that levy limit the levy amount that is needed
 37 to raise, based upon the taxable valuations to be
 38 used for the fiscal year, the amount of local vehicle
 39 tax moneys credited to the special account for property
 40 tax relief during the twelve-month period ending on
 41 March 1 of the fiscal year. On March 1 of the fiscal
 42 year, the county treasurer shall transfer the funds
 43 in the special account for property tax relief to
 44 the rural services fund to be used for any purpose
 45 provided in section 331.428."
 46 4. Page 5, by inserting after line 3 the following:
 47 "Sec. . Section 331.423, subsection 2, Code
 48 Supplement 1983, is amended to read as follows:
 49 2. For rural county services, three dollars and
 50 ninety-five cents per thousand dollars, adjusted as

Page 2

1 provided in section 10 of this Act, of the assessed
 2 value of taxable property in the county outside of
 3 incorporated areas.
 4 Sec. . Section 384.1, Code 1983, is amended
 5 to read as follows:
 6 384.1 TAXES CERTIFIED. A city may certify taxes
 7 to be levied by the county on all taxable property
 8 within the city limits, for all city government
 9 purposes. However, the tax levied by a city on tracts
 10 of land and improvements thereon used and assessed
 11 for agricultural or horticultural purposes, may not
 12 exceed three dollars and three-eighths cents per
 13 thousand dollars of assessed value in any year.
 14 Improvements and personal property located on such
 15 tracts of land and not used for agricultural or
 16 horticultural purposes and all residential dwellings
 17 shall be subject to the same rate of tax levied by
 18 the city on all other taxable property within the
 19 city. A city's tax levy for the general fund may
 20 not exceed eight dollars and ten cents per thousand
 21 dollars of taxable value, adjusted as provided in
 22 section 10 of this Act, in any tax year, except for
 23 the levies authorized in section 384.12."
 24 5. By numbering, renumbering, and correcting
 25 internal references as necessary.

Hummel of Benton offered the following amendment H-5870,
 to amendment H-5866, filed by him and moved its adoption:

H-5870

- 1 Amend the Hummel amendment H-5866 to House File
 2 2509 as follows:
 3 1. Page 1, by striking lines 2 through 10 and
 4 inserting in lieu thereof the following:
 5 "1. Page 3, by striking lines 27 through 31 and
 6 inserting in lieu thereof the words and figure "from
 7 this fund shall be credited to the special account
 8 for property tax relief of that city or county to
 9 be used as provided in section 10 of this Act." "
 10 2. Page 1, line 15, by striking the words "fifty
 11 percent" and inserting in lieu thereof the word "all".

Amendment H-5870 was adopted.

On motion by Hummel of Benton, amendment H-5866, as amended, lost.

Pavich of Pottawattamie asked and received unanimous consent to withdraw amendment H-5853 filed by him on March 26, 1984, placing out of order amendment H-5901, to amendment H-5853, filed by him on March 27, 1984.

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. 2509)

The ayes were, 72:

| | | | |
|------------------|------------------|------------|------------|
| Arnould | Baxter | Blanshan | Brammer |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Clark | Cochran | Connolly |
| Connors | Cooper | Copenhaver | Davitt |
| Diemer | Doderer | Fey | Fogarty |
| Groninga | Gronstal | Groth | Gruhn |
| Halvorson, R. A. | Halvorson, R. N. | Hammond | Handorf |
| Hanson | Harbor | Haverland | Hermann |
| Hoffmann-Bright | Holveck | Jay | Jochum |
| Lageschulte | Lloyd-Jones | McIntee | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Paulin |
| Pavich | Peick | Pellett | Poncy |
| Renaud | Rensink | Rosenberg | Running |
| Schneklath | Schroeder | Sherzan | Shoultz |
| Spear | Stueland | Sturgeon | Swearingen |

Tabor
Varn

Torrence
Weiden

Van Camp
Woods

Van Gerpen
Mr. Speaker
(Krewson)

The nays were, 24:

Anderson
Daggett
Hummel
Maulsby
Royer
Swartz

Bennett
De Groot
Knapp
McKean
Skow
Tofte

Black
Grandia
Koenigs
Oxley
Stromer
Van Maanen

Corey
Hughes
Lonerган
Renken
Sullivan
Zimmerman

Absent or not voting, 4:

Avenson

Branstad

Chiodo

Parker

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

IMMEDIATE MESSAGE

(House File 2509)

Norland of Worth asked and received unanimous consent to immediately message House File 2509 to the Senate.

SENATE AMENDMENTS CONSIDERED

Harbor of Mills called up for consideration **House File 2015**, a bill for an act relating to the holding of games of skills, chance, and raffles including bingo and providing penalties, amended by the Senate amendment H-6014 as follows:

H-6014

- 1 Amend House File 2015 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, by inserting after line 9 the following:
- 4 "Sec. 102. NEW SECTION. 99B.9B LOCAL OPTION
- 5 BINGALOT OPERATION PERMITTED - PENALTIES.
- 6 1. As used in this section, "governing body" means
- 7 a city council of an incorporated city or a county
- 8 board of supervisors of a county.
- 9 2. The governing body of a city or county may
- 10 authorize by ordinance a bingalot operation in the
- 11 city or county. A bingalot operation shall only be
- 12 initiated after an election in the city or county
- 13 at which a majority of those voting on the question

14 favors implementation. If a bingalot operation is
15 implemented, the bingalot operation shall be limited
16 to the city limits of that city or the boundaries
17 of the county. The bingalot cards shall not be offered
18 for sale outside the city limits of the city or the
19 boundaries of the county.

20 3. Upon its own motion or upon receipt of a
21 petition signed by eligible electors of the city or
22 county equal in number to five percent of the persons
23 of the city or county who voted in the preceding state
24 general election requesting implementation of a
25 bingalot operation, the governing body, within sixty
26 days of its motion or receipt of the petition, shall
27 direct the county commissioner of elections to submit
28 the question of implementation of a bingalot operation
29 to the qualified electors of the city or county.

30 4. The county commissioner of elections shall
31 submit the question of implementation of a bingalot
32 operation at a state general election or at a special
33 election as requested by the board of supervisors
34 or city council. The election shall not be held
35 sooner than sixty days after publication of notice
36 of the ballot proposition. The ballot proposition
37 shall ask the question "Should _____
38 (name of city or county) conduct a bingalot operation?"

39 5. If a majority of those voting on the question
40 of implementation of a bingalot operation favor
41 implementation, the governing body shall conduct a
42 bingalot operation subject to this chapter. The
43 authority to conduct a bingalot operation shall extend
44 for two years and may be continued for additional
45 two-year periods by a majority vote of the governing
46 body.

47 6. A city or county that implements a bingalot
48 operation shall hire or designate an existing employee
49 to be the director of the bingalot operation.

50 7. The governing body and the bingalot director

Page 2

1 shall employ personnel necessary to conduct a bingalot
2 operation. All personnel shall be fingerprinted.

3 8. The governing body may require the bingalot
4 director or employees to give a bond in amounts the
5 governing body determines. Each bond when executed
6 and approved shall be filed in the office of city
7 or county clerk, whichever is applicable, and the
8 cost shall come from the general fund of the city
9 or county.

10 9. The bingalot operation shall be administered
11 to produce the maximum amount of net revenues for
12 the county consistent with the general welfare of

13 the people.

14 10. The governing body may enter into contracts
15 for the operation and promotion of the bingalot
16 operation, including contracts with business
17 organizations or individuals experienced in the design
18 and operation of bingalot operations or similar
19 operations in other states or counties.

20 11. The governing body shall enact an ordinance
21 specifying the rules for the conduct of the bingalot
22 operation. The ordinance rules shall include but
23 not be limited to the following:

24 a. The types of bingalot games to be conducted.
25 Each card in the game shall bear a consecutive serial
26 number distinguishing it from each other card in the
27 game. Each bingalot number or symbol shall be
28 accompanied by a confirming caption consisting of
29 a representation of a symbol or a description of the
30 symbol in words.

31 b. The price of the cards in the bingalot, in-
32 cluding but not limited to authorization of sales
33 of cards at a discount for promotional purposes.

34 c. The number and size of the prizes on the winning
35 cards, including but not limited to prizes of free
36 cards in bingalot games conducted and merchandise
37 prizes. However, the bingalot director shall maintain
38 and make available for public inspection at city hall
39 or the county courthouse during regular business hours
40 a detailed listing of the estimated number of prizes
41 of each particular denomination that are expected
42 to be awarded in any game that is on sale, and after
43 the end of the claim period, shall maintain and make
44 available a listing of the total number of cards sold
45 in a game and the number of prizes of each denomination
46 which were awarded.

47 d. The method of selecting the winning cards and
48 the manner of payment of prizes to the holders of
49 winning cards. The rules may provide for payment
50 by the purchase of annuities in the case of prizes

Page 3

1 payable in installments. Persons working in connection
2 with the bingalot operation shall examine claims and
3 shall not pay a prize for altered, stolen, or
4 counterfeit cards nor cards which fail to meet
5 validation rules established for a bingalot game.
6 A prize shall not be paid more than once. If it is
7 determined that more than one person is entitled to
8 a prize, the sole remedy of the claimants is to receive
9 an equal share in the single prize. The rules may
10 provide for payment of prizes up to twenty-five dollars
11 directly by licensed agents.

- 12 e. Requirements for eligibility for participation
13 in runoff drawings, including but not limited to
14 requirements for submission of evidence of eligibility.
15 f. The locations at which cards may be sold.
16 However, cards shall not be sold outside the boundaries
17 of the city or county.
18 g. The method used for printing and selling cards.
19 An elected official's name shall not be printed on
20 the cards. The overall estimated odds of winning
21 a prize in a given game shall be printed on each card.
22 h. The licensing of agents to sell cards. A
23 person under the age of eighteen shall not be licensed
24 as an agent.
25 i. The compensation paid to licensed sales agents
26 including but not limited to a provision for variable
27 compensation based on sales volume or incentive
28 considerations.
29 j. The apportionment of the annual revenues
30 accruing from the sale of bingalot cards and from
31 other sources for the payment of prizes to the holders
32 of winning cards and for the following:
33 (1) The payment of costs incurred in the operation
34 and administration of the bingalot operation, including
35 the expenses of the bingalot operation and the cost
36 resulting from contracts entered into for the
37 consulting or operational services, or for promotional
38 and advertising services.
39 (2) Independent audits which shall be performed
40 annually, in addition to the audits required by section
41 114, subsection 3.
42 (3) Incentive programs for bingalot sales agents
43 and bingalot employees.
44 (4) Payment of compensation to agents necessary
45 to provide adequate availability of cards or services
46 to prospective buyers and for the convenience of the
47 public.
48 (5) The purchase or lease of bingalot equipment,
49 cards, and materials.
50 (6) The repayment of money budgeted to the bingalot

Page 4

- 1 operation.
2 (7) Transfers to the general fund of the city
3 or county.
4 12. As nearly as is practicable, not less than
5 forty-five percent of the annual revenue, computed
6 on a year-round average basis for each type of bingalot
7 game, accruing from the sale of bingalot cards shall
8 be apportioned for payment of prizes to the holders
9 of winning cards. However, the prizes shall not be
10 paid out in a particular bingalot game in excess of

11 the total revenue from sales of that game. After
12 payment of prizes, the reasonable expenses of
13 conducting the bingalot shall be paid. Revenue
14 remaining after expenses are paid shall be deposited
15 in the city or county general fund. Revenue divided
16 shall not be less than thirty percent of the total
17 revenues accruing from the sale of bingalot cards.

18 13. The bingalot director or the director's
19 designee is authorized to conduct an inquiry,
20 investigation, or hearing under this section. The
21 bingalot director or the director's designee may
22 administer oaths and take testimony under oath relative
23 to the matter of inquiry or investigation. At a
24 hearing ordered by the bingalot director, the director
25 or the designee may subpoena witnesses and require
26 the production of records, papers, and documents
27 pertinent to the inquiry. A witness under subpoena
28 authorized by this section shall not be excused from
29 testifying or from producing records, papers, or
30 documents on the ground that the testimony or the
31 production of evidence would tend to incriminate the
32 witness, but the evidence produced shall not be used
33 in a criminal proceeding against the witness. If
34 a person disobeys process or, having appeared, refuses
35 to answer a pertinent question put to the person by
36 the bingalot director or an authorized designee or
37 to produce a subpoenaed document, the bingalot director
38 or the authorized designee may apply to the district
39 court setting forth the disobedience to process or
40 refusal to answer, and the court shall cite the person
41 to appear before the court to answer the question
42 or to produce the documents and, upon the person's
43 refusal, shall commit the person to jail until the
44 person testifies, but not for a longer period than
45 sixty days. Notwithstanding the serving of a term
46 of commitment by a witness, the bingalot director
47 may proceed with the inquiry and examination as if
48 the witness had not previously been called upon to
49 testify.

50 14. a. The governing body shall license persons

Page 5

1 to sell bingalot cards to best serve public
2 convenience. A licensee shall not engage in business
3 exclusively to sell bingalot cards. Before issuing
4 a license the governing body shall consider the
5 financial responsibility and security of the applicant,
6 the applicant's business or activity, the accessibility
7 of the applicant's place of business or activity to
8 the public, the sufficiency of existing licensees
9 to serve the public convenience, and the volume of

10 expected sales.

11 b. The governing body may require a bond from
12 a licensee in an amount as provided by ordinance,
13 and may purchase a blanket bond covering the activities
14 of all licensees.

15 c. The board of supervisors may authorize
16 compensation to licensees if the board finds that
17 compensation is necessary to assure adequate
18 availability of bingalot cards.

19 d. A licensee shall not sell a bingalot card
20 outside the city limits of the city or the boundaries
21 of the county which granted the license.

22 15. The governing body which issued the license
23 may suspend or revoke the license of a licensee who
24 violates this section.

25 16. The following sales of bingalot cards are
26 prohibited:

27 a. A card shall not be sold at a price greater
28 than that fixed by the governing body and a sale shall
29 only be made by a licensee. A person who violates
30 this paragraph is guilty of a simple misdemeanor.

31 b. A card shall not be sold to a person under
32 the age of eighteen. A card may be purchased for
33 the purpose of making a gift by a person eighteen
34 years of age or older to a person less than eighteen.
35 A licensee who knowingly sells or offers to sell a
36 bingalot card or share to a person under the age of
37 eighteen is guilty of a simple misdemeanor. A prize
38 won by a person under age eighteen who purchased a
39 card in violation of this paragraph shall be forfeited.

40 c. A card shall not be purchased by and a prize
41 shall not be paid to a bingalot employee or to a
42 spouse, child, stepchild, brother-in-law, sister-in-
43 law, stepbrother, stepsister, parent, parent-in-law,
44 stepparent, brother, or sister of a bingalot employee
45 residing in the principal residence of the employee.

46 d. A person who, with intent to defraud, falsely
47 makes, alters, forges, utters, passes, or counterfeits
48 a bingalot card is guilty of a class D felony.

49 e. A person shall not sell or attempt to sell
50 a bingalot card outside the city limits of a city

Page 6

1 or the boundaries of a county which issued the person
2 a license to sell bingalot cards. Violation of this
3 paragraph is a class D felony.

4 17. The bingalot director shall award the
5 designated prize to the card holder upon presentation
6 of the winning card. Unclaimed prize money for the
7 prize on a winning card or share shall be retained
8 by the city or county for ninety days after the drawing

9 in which the prize was won in the case of a drawing
10 prize and for ninety days after the announced end
11 of the game in the case of a prize determined in a
12 manner other than by drawing. If a claim is not made
13 for the money within the applicable period, the prize
14 money shall be added to future prize pools and given
15 to holders of winning cards in addition to amounts
16 already allocated.

17 18. If the person entitled to a prize is under
18 the age of eighteen, and the prize is more than one
19 thousand dollars, the bingalot director shall direct
20 payment of the prize by transfer to the guardian of
21 the minor of a check payable to the order of the
22 guardian. If less than one thousand dollars, the
23 bingalot director may direct payment of the prize
24 to the adult member of the minor's family who is
25 legally responsible for the care and custody of the
26 minor. The bingalot director is discharged of all
27 further liability upon payment of a prize to a minor
28 pursuant to this subsection.

29 19. The right of a person to a prize drawn is
30 not assignable, except that payment of a prize may
31 be made to the estate of a deceased prize winner or
32 to another person pursuant to an appropriate judicial
33 order. The bingalot director is discharged of all
34 further liability upon payment of a prize pursuant
35 to this subsection.

36 20. The bingalot director may require agents to
37 deposit, to the credit of the bingalot in institutions
38 designated by the governing body, money received by
39 agents from sale of cards, less the amount of
40 compensation, if any, authorized and to file with
41 the bingalot director reports of receipts and
42 transactions in the sale of cards in the form and
43 containing the information the bingalot director
44 requires.

45 21. A bingalot fund shall be created by a city
46 or county which conducts a bingalot operation. The
47 fund shall consist of all revenues received from the
48 sale of bingalot cards and all other moneys lawfully
49 credited or transferred to the fund. Interest earnings
50 of the fund shall be considered additional profits

Page 7

1 of a bingalot operation. The bingalot director shall
2 certify quarterly that portion of the fund that is
3 distributed pursuant to subsection 12.

4 22. The city or county auditor or a certified
5 public accountant firm appointed by the city or county
6 auditor shall conduct quarterly audits of all accounts
7 and transactions of a bingalot operation and other

8 special audits as a governing body may require. The
9 auditor or a designee conducting an audit under this
10 section shall have access and authority to examine
11 any and all records of agents and licensees."

12 2. Page 1, by inserting after line 17 the
13 following:

14 "Sec. 103. Section 99B.1, Code 1983, is amended
15 by adding the following new subsection:

16 NEW SUBSECTION. 23. "Bingalot" means a game of
17 chance played pursuant to section 99B.9B where a
18 person purchases a bingalot card which is designed
19 similar to a bingo card except the person must scratch
20 off coverings concealing numbers to determine whether
21 the person wins a prize."

22 3. Page 1, line 18, by striking the number and
23 word "3 and" and inserting in lieu thereof the numbers
24 and word "2, 3, and".

25 4. Page 1, line 18, by striking the number and
26 word "3 and" and inserting in lieu thereof the numbers
27 and word "2, 3, and".

28 5. Page 1, by inserting after line 19 the follow-
29 ing:

30 "2. "Game of chance" means a game whereby the
31 result is determined by chance and the player in order
32 to win aligns or uncovers objects or balls in a
33 prescribed pattern or order or makes certain color
34 patterns appear and specifically includes but is not
35 limited to the game games defined as bingo and
36 bingalot. Game of chance does not include a slot
37 machine."

38 6. Page 1, by inserting after line 19 the follow-
39 ing:

40 "2. "Game of chance" means a game whereby the
41 result is determined by chance and the player in order
42 to win aligns or uncovers objects or balls in a
43 prescribed pattern or order or makes certain color
44 patterns appear and specifically includes but is not
45 limited to the game games defined as bingo and pull-
46 tab bingo. Game of chance does not include a slot
47 machine."

48 7. Page 1, by inserting after line 29 the
49 following:

50 "Sec. 102. Section 99B.1, Code 1983, is amended

Page 8

1 by adding the following new subsection:

2 NEW SUBSECTION. 23. "Pull-tab bingo" means a
3 game of chance in which numbers or symbols are
4 concealed by a tear-off covering and a prize is won
5 if the numbers or symbols match a predetermined number
6 or pattern of symbols."

7 8. Page 2, line 20, by inserting after the word
8 "approved." the words "When a bingo license has been
9 issued by the department the licensee shall be not-
10 ified by the department of the renewal date for the
11 license ten days prior to that date."

12 9. Page 6, line 18, by inserting after the word
13 "hours," the following: "However, a qualified
14 organization, which is a senior citizens' center or
15 a residents' council at a senior citizen housing
16 project or a group home, may hold more than fourteen
17 bingo occasions per month and more than three bingo
18 occasions per week within the same structure or
19 building, and bingo occasions conducted by such a
20 qualified organization may last for longer than four
21 consecutive hours, if the majority of the patrons
22 of the qualified organization's bingo occasions also
23 participate in other activities of the senior citizens'
24 center or are residents of the housing project."

25 10. Page 6, by inserting after line 23 the
26 following:

27 "Sec. 104. Section 99B.7, subsection 1, paragraph
28 d, Code Supplement 1983, is amended to read as follows:

29 d e. Cash prizes shall not be awarded in games
30 other than bingo and bingalot. The actual retail
31 value of any merchandise prizes shall not exceed fifty
32 dollars and merchandise prizes shall not be
33 repurchased. However, one raffle may be conducted
34 in a twelve-month period at which a merchandise prize
35 having a value not greater than ten thousand dollars
36 as determined by purchase price paid by the
37 organization or donor may be awarded.

38 Sec. 105. Section 99B.7, subsection 1, paragraph
39 i, Code Supplement 1983, is amended to read as follows:

40 i. Concealed numbers or conversion Conversion
41 charts shall not be used to play any game and a game
42 or raffle shall not be adapted with any control device
43 to permit manipulation of the game by the operator
44 in order to prevent a player from winning or to
45 predetermine who the winner will be, and the object
46 of the game must be attainable and possible to perform
47 under the rules stated from the playing position of
48 the player."

49 11. Page 6, by inserting after line 23 the
50 following:

Page 9

1 "Sec. 103. Section 99B.7, subsection 1, Code
2 Supplement 1983, is amended by adding the following
3 new paragraph d and relettering the subsequent
4 paragraphs:
5 NEW PARAGRAPH. d. Cash prizes may be awarded

6 in the game of pull-tab bingo and shall not exceed
7 one hundred dollars. Merchandise prizes may be awarded
8 in the game of pull-tab bingo. However, the actual
9 retail value of the prize, or if the prize consists
10 of more than one item, unit, or part, the aggregate
11 retail value of all items, units or parts, shall not
12 exceed one hundred dollars.

13 Sec. 104. Section 99B.7, subsection 1, paragraph
14 d, Code Supplement 1963, is amended to read as follows:

15 d e. Cash prizes shall not be awarded in games
16 other than bingo and pull-tab bingo. The actual
17 retail value of any merchandise prizes shall not
18 exceed fifty dollars and merchandise prizes shall
19 not be repurchased. However, one raffle may be
20 conducted in a twelve-month period at which a
21 merchandise prize having a value not greater than
22 ten thousand dollars as determined by purchase price
23 paid by the organization or donor may be awarded.

24 Sec. 105. Section 99B.7, subsection 1, paragraph
25 i, Code Supplement 1963, is amended to read as follows:

26 i. ~~Concealed numbers or conversion~~ Conversion
27 charts shall not be used to play any game and a game
28 or raffle shall not be adapted with any control device
29 to permit manipulation of the game by the operator
30 in order to prevent a player from winning or to
31 predetermine who the winner will be, and the object
32 of the game must be attainable and possible to perform
33 under the rules stated from the playing position of
34 the player."

35 12. Page 8, line 30, by striking the word "three"
36 and inserting in lieu thereof the word "two".

37 13. Page 9, by inserting after line 6 the
38 following:

39 "Sec. 106. Section 537A.4, unnumbered paragraph
40 2, Code Supplement 1963, is amended to read as follows:

41 This section does not apply to a contract for the
42 operation of or for the sale or rental of equipment
43 for games of skill or games of chance, if both the
44 contract and the games are in compliance with chapter
45 99B. This section does not apply to wagering under
46 the pari-mutuel method of wagering authorized by
47 chapter 99D. This chapter does not apply to the
48 purchase or redemption of a card in a city or county
49 bingalot operation held in compliance with chapter
50 99B."

Tabor of Jackson offered amendment H-6097, to the Senate amendment H-6014, filed by him. Division was requested as follows:

H-6097

- 1 Amend Senate Amendment H-6014 to House File 2015
- 2 as amended, passed and reprinted by the House, as
- 3 follows:

H-6097A

- 4 1. By striking page 1, line 3 through page 7,
- 5 line 24.

H-6097B

- 6 2. Page 7, by striking lines 25 through 27.

H-6097A

- 7 3. Page 7, by striking lines 28 through 37.

H-6097B

- 8 4. By striking page 7, line 38 through page 8,
- 9 line 6.

H-6097A

- 10 5. Page 8, by striking lines 25 through 48.

H-6097B

- 11 6. By striking page 8, line 49 through page 9,
- 12 line 34.

H-6097A

- 13 7. Page 9, by striking lines 37 through 50.
- 14 8. Renumber as necessary.

Shultz of Black Hawk asked and received unanimous consent to defer action on amendment H-6097A.

Speaker Avenson in the chair at 4:18 p.m.

Tabor of Jackson moved the adoption of amendment H-6097B, to the Senate amendment H-6014.

A non-record roll call was requested.

The ayes were 33, nays 44.

Amendment H—6097B lost.

Poncy of Wapello offered the following amendment H—6188, to the Senate amendment H—6014, filed by him and requested division as follows:

H—6188

- 1 Amend the Senate amendment H—6014 to House File
- 2 2015 as amended, passed and reprinted by the House
- 3 as follows:

H—6188A

- 4 1. Page 9, by inserting before line 35 the
- 5 following:
- 6 " . Page 7, line 3, by inserting after the word
- 7 "occasions" the words "or participates in an
- 8 educational, civic, public, charitable, patriotic,
- 9 or religious organization to which the net receipts
- 10 are dedicated by the qualified organization".

H—6188B

- 11 . By striking page 7, line 34 through page
- 12 8, line 1 and inserting in lieu thereof the following:
- 13 "personnel, accountants and bookkeepers. This section
- 14 does not prohibit".
- 15 2. Renumber as necessary.

Poncy of Wapello asked and received unanimous consent to withdraw amendment H—6188B.

On motion by Poncy of Wapello, amendment H—6188A, to the Senate amendment H—6014, was adopted.

The House resumed consideration of amendment H—6097A, to the Senate amendment H—6014, previously deferred.

Tabor of Jackson moved the adoption of amendment H—6097A, to the Senate amendment H—6014.

A non-record roll call was requested.

The ayes were 49, nays 8.

Amendment H—6097A was adopted.

Hummel of Benton called up for consideration the motion to reconsider filed by him from the floor and moved to reconsider the vote by which amendment H-6097B, to the Senate amendment H-6014, failed to be adopted by the House on April 12, 1984.

A non-record roll call was requested.

The ayes were 76, nays 11.

The motion prevailed and the House reconsidered amendment H-6097B.

On motion by Tabor of Jackson amendment H-6097B, to the Senate amendment H-6014, was adopted.

On motion by Harbor of Mills, the House concurred in the Senate amendment H-6014, as amended.

Harbor of Mills 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. 2015)

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 | De Groot | Diemer |
| Doderer | Fey | Fogarty | Grandia * |
| Groninga | Gronstal | Groth | Gruhn |
| Halvorson, R. A. | Halvorson, R. N. | Hanson | Harbor |
| Haverland | Hermann | Hoffmann-Bright | Holveck |
| Hughes | Hummel | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lageschulte |
| Lloyd-Jones | Loneragan | Maulsby | McIntee |
| McKean | Menke | Miller | Muhlbauer |
| Mullins | Norland | Ollie | Osterberg |
| Oxley | Parker | Pavich | Peick |
| Pellett | Poncy | Renaud | Renken |
| Rensink | Rosenberg | Royer | Schneklath |
| 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:

| | | | |
|---------|---------|--------|--------|
| Davitt | Handorf | O'Kane | Paulin |
| Running | Woods | | |

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
(House File 2015)

Norland of Worth asked and received unanimous consent to immediately message House File 2015 to the Senate. .

SENATE AMENDMENT CONSIDERED

Black of Jasper called up for consideration **House File 2401**, a bill for an act relating to the creation of a public outdoor recreation and resources program, an advisory council, and a county conservation board fund, amended by the Senate amendment H-5961 as follows:

H-5961

- 1 Amend House File 2401 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 3, by striking the word "Fifty"
- 4 and inserting in lieu thereof the word "Forty".
- 5 2. Page 1, line 23, by inserting after the word
- 6 "subsection." the words "The agreement shall not
- 7 provide for the payment by the commission of more
- 8 than fifty percent of the cost of the project and
- 9 the agreement shall specify that the county
- 10 conservation board or county board of supervisors,
- 11 whichever is applicable, shall provide funds for the
- 12 remaining cost of the project covered by the
- 13 agreement."
- 14 3. Page 1, line 26, by striking the word "Fifty"
- 15 and inserting in lieu thereof the word "Forty".
- 16 4. Page 2, by inserting after line 5 the following:
- 17 "3. Twenty percent of the funds credited to the
- 18 public outdoor recreation and resources fund shall
- 19 be expended on advertising which shall promote the
- 20 use of recreational facilities and tourist attractions

- 21 in the state. The commission shall enter into an
 22 agreement with the Iowa development commission for
 23 the expenditure of these funds for this purpose.”
 24 5. Page 3, line 12, by striking the word “five”
 25 and inserting in lieu thereof the word “four”.
 26 6. Page 3, by striking line 17.
 27 7. Page 3, by striking lines 27 through 29 and
 28 inserting in lieu thereof the following:
 29 “The public outdoor recreation and resources fund
 30 consists of all moneys credited to it by law or
 31 appropriated to it by the general assembly.”
 32 8. Page 4, line 10, by striking the word,
 33 “paragraphs” and inserting in lieu thereof the word
 34 “paragraph”.
 35 9. Page 4, line 11, by striking the word “Fifty”
 36 and inserting in lieu thereof the word “Forty”.
 37 10. Page 4, by striking lines 18 through 31.

Sullivan of Van Buren offered the following amendment
 H—6109, to the Senate amendment H—5961, filed by him and
 moved its adoption:

H—6109

- 1 Amend Senate amendment H—5961 to House File 2401
 2 as amended, passed and reprinted by the House as
 3 follows:
 4 1. Page 1, by striking lines 3 and 4.
 5 2. Page 1, line 8, by striking the word “fifty”
 6 and inserting in lieu thereof the word “seventy-five”.
 7 3. Page 1, line 15, by striking the word “Forty”
 8 and inserting in lieu thereof the word “Forty-five”.
 9 4. Page 1, by inserting after line 15 the
 10 following:
 11 “ . Page 1, line 29, by striking the word
 12 “counties” and inserting in lieu thereof the words
 13 “unincorporated communities”.
 14 . Page 1, line 31, by striking the word “county”
 15 and inserting in lieu thereof the words “unincorporated
 16 community”.
 17 . Page 1, line 33, by inserting after the word
 18 “grant” the words “, except that an unincorporated
 19 community shall submit the application through the
 20 county board of supervisors”.
 21 . Page 2, line 2, by inserting after the word
 22 “amounts.” the words “Grants made to an unincorporated
 23 community shall be paid to the county board of
 24 supervisors to be used for the project of the
 25 unincorporated community.”
 26 . Page 2, line 5, by striking the word “county”

27 and inserting in lieu thereof the words "unincorporated
28 community".

29 5. Page 1, line 17, by striking the word "Twenty"
30 and inserting in lieu thereof the word "Five".

31 6. Page 1, by striking lines 24 through 37.

Amendment H—6109 was adopted.

On motion by Black of Jasper the House concurred in the Senate amendment H—5961, as amended.

Black of Jasper 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. 2401)

The ayes were, 82:

| | | | |
|-----------|-----------------|------------------|------------------|
| Arnould | Baxter | Bennett | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carter | Chapman | Clark | Cochran |
| Connolly | Connors | Cooper | Copenhaver |
| Corey | Daggett | Davitt | Diemer |
| Doderer | Fey | Fogarty | Groninga |
| Gronstal | Gruhn | Halvorson, R. A. | Halvorson, R. N. |
| Hammond | Hanson | Harbor | Haverland |
| Hermann | Hoffmann-Bright | Holveck | Hughes |
| Jay | Jochum | Knapp | Koenigs |
| Krewson | Lageschulte | Lloyd-Jones | McIntee |
| McKean | Menke | Miller | Muhlbauer |
| Mullins | Norland | O'Kane | Ollie |
| Osterberg | Parker | Paulin | Pavich |
| Peick | Pellett | Poncy | Renaud |
| Rensink | Rosenberg | Royer | Schnekloth |
| Schroeder | Sherzan | Shoultz | Skow |
| Spear | Stromer | Stueland | Sullivan |
| Swartz | Swearingen | Tabor | Tofte |
| Torrence | Van Gerpen | Varn | Welden |
| Zimmerman | Mr. Speaker | | |

The nays were, 16:

| | | | |
|----------|----------|------------|----------|
| Anderson | Branstad | Carpenter | De Groot |
| Grandia | Handorf | Hummel | Lonergan |
| Maulsby | Oxley | Renken | Running |
| Sturgeon | Van Camp | Van Maanen | Woods |

Absent or not voting, 2:

Chiodo, Groth

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

IMMEDIATE MESSAGE
(House File 2401)

Norland of Worth asked and received unanimous consent to immediately message House File 2401 to the Senate.

Arnould of Scott in the chair at 5:08 p.m.

HOUSE REFUSED TO CONCUR

Swartz of Marshall called up for consideration **Senate File 2291**, a bill for an act relating to the finance charges permitted in open-end credit accounts including credit cards, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-6080 to the House amendment:

H-6080

1 Amend the House amendment S-5734 to Senate File
2 2291 as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking lines 5 through 20 and
5 inserting in lieu thereof the following:

6 "Section . Section 537.2202, Code 1983, is
7 amended to read as follows:

8 **537.2202 FINANCE CHARGE FOR CONSUMER CREDIT SALES**
9 **PURSUANT TO OPEN END CREDIT.**

10 1. With respect to a consumer credit sale made
11 pursuant to open end credit, a creditor may contract
12 for and receive a any finance charge not exceeding
13 that permitted in this section as agreed to by the
14 parties.

15 2. For each billing cycle, a charge may be made
16 which is a percentage of an amount not exceeding the
17 greatest of the following:

18 a. The average daily balance of the open end
19 account in the billing cycle for which the charge
20 is made, which is the sum of the amount unpaid each
21 day during that cycle, divided by the number of days
22 in that cycle. The amount unpaid on a day is
23 determined by adding to the balance, if any, unpaid
24 as of the beginning of that day all purchases and
25 other debits and deducting all payments and other
26 credits made or received as of that day.

27 b. The balance of the open end account at the
28 beginning of the first day of the billing cycle, after
29 deducting all payments and credits made in the cycle

30 except credits attributable to purchases charged to
31 the account during the cycle.

32 c. The median amount within a specified range
33 including the balance of the open end account not
34 exceeding that permitted by paragraph "a" or "b".
35 A charge may be made pursuant to this paragraph only
36 if the creditor, subject to classifications and
37 differentiations he may reasonably establish, makes
38 the same charge on all balances within the specified
39 range and if the percentage when applied to the median
40 amount within the range does not produce a charge
41 exceeding the charge resulting from applying that
42 percentage to the lowest amount within the range by
43 more than eight percent of the charge on the median
44 amount.

45 3. If the billing cycle is monthly, the charge
46 may not exceed an amount equal to one and one-half
47 percent of that part of the maximum amount pursuant
48 to subsection 2 which is five hundred dollars or less
49 and one and one-fourth percent of that part of the
50 maximum amount which is more than five hundred dollars.

Page 2

1 If the billing cycle is not monthly, the maximum
2 charge for the billing cycle shall bear the same
3 relation to the applicable monthly maximum charge
4 as the number of days in the billing cycle bears to
5 three hundred sixty-five divided by twelve. A billing
6 cycle is monthly if the closing date of the cycle
7 is the same date each month or does not vary by more
8 than four days from the regular date.

9 4 3. If the charge determined pursuant to
10 subsection 3 this section is less than fifty cents,
11 a charge may be made which does not exceed fifty cents
12 if the billing cycle is monthly or longer, or the
13 pro rata part of fifty cents which bears the same
14 relation to fifty cents as the number of days in the
15 billing cycle bears to three hundred sixty-five divided
16 by twelve if the billing cycle is shorter than
17 monthly."

A non-record roll call was requested.

The ayes were 37, nays 56.

The motion lost and the House refused to concur in the Senate amendment H-6080, to the House amendment.

IMMEDIATE MESSAGE
(Senate File 2291)

Norland of Worth asked and received unanimous consent to immediately message Senate File 2291 to the Senate.

Unfinished Business Calendar

Norland of Worth asked and received unanimous consent to resume consideration of Senate File 407, a bill for an act relating to the eligibility for and annuities of the senior judge program, placed on the unfinished business calendar on March 30, 1984.

Chapman of Linn offered the following amendment H-5796 filed by the committee on judiciary and law enforcement:

H-5796

- 1 Amend Senate File 407, as passed by the Senate,
2 as follows:
3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. Section 602.9208, subsection 3, Code
6 Supplement 1983, is amended to read as follows:
7 3. A person who relinquishes a senior judgeship
8 in the manner provided in subsection 1 or who is
9 removed as provided in subsection 2 shall be paid
10 a retirement annuity in an amount determined according
11 to section 602.9107 in lieu of section 602.9204,
12 commencing that commences on the effective date of
13 the relinquishment or removal, and is in an amount
14 equal to the amount of the annuity the person is
15 receiving on the effective date of the relinquishment
16 in lieu of an amount determined according to section
17 602.9204. A person who is removed from a senior
18 judgeship as provided in subsection 2 shall be paid
19 a retirement annuity that commences on the effective
20 date of the removal and is in an amount determined
21 according to section 602.9107 in lieu of section
22 602.9204, and for such purposes any service and annuity
23 of the person as a senior judge is disregarded.
24 Sec. 2. Section 602.9209, Code Supplement 1983,
25 is amended to read as follows:
26 602.9209 SURVIVOR'S ANNUITY.
27 1. A survivor of a senior judge, or a retired
28 senior judge, or a person who relinquished a senior
29 judgeship under section 602.9208, subsection 1, shall

30 be paid an annuity in lieu of that specified in section
31 602.9115, which is equal to one-half the amount of
32 the annuity the senior judge, or retired senior judge,
33 or person who relinquished a senior judgeship was
34 receiving at the time of his or her death, provided
35 the survivor is qualified under section 602.9115 to
36 receive an annuity.

37 2. A survivor of a person whose name is stricken
38 from the roster of senior judges because of removal
39 from a senior judgeship under section 602.9208,
40 subsection 2, shall be paid an annuity equal to one-
41 half of the amount the person was receiving at the
42 time of his or her death, provided the survivor is
43 qualified under section 602.9115 to receive an
44 annuity."

Doderer of Johnson offered the following amendment H-6152, to the committee amendment H-5796, filed by her and Chapman of Linn and moved its adoption:

H-6152

1 Amend amendment H-5796 to Senate File 407 as
2 amended, passed and reprinted by the Senate as follows:
3 1. Page 1, by striking lines 13 through 16 and
4 inserting in lieu thereof the following: "the
5 relinquishment or removal, and shall be based upon
6 the number of years the person served as a senior
7 judge. A person who serves six or more years as a
8 senior judge shall be paid a retirement annuity that
9 is in an amount equal to the amount of the annuity
10 the person is receiving on the effective date of the
11 relinquishment in lieu of an amount determined
12 according to section 602.9204. If the person serves
13 less than six years as a senior judge, the person
14 shall be paid a retirement annuity that is in an
15 amount equal to an amount determined according to
16 section 602.9107 added to an amount equal to the
17 number of years the person served as a senior judge,
18 divided by six, multiplied by the difference between
19 the amount of the annuity the person is receiving
20 on the effective date of the relinquishment and the
21 amount determined according to section 602.9107."
22 2. Page 1, line 17, by striking the figure
23 "602.9204."

Amendment H-6152 was adopted.

On motion by Chapman of Linn, the committee amendment H-5796, as amended, was adopted.

Schroeder of Pottawattamie moved to refer Senate File 407 to the committee on state government.

Doderer of Johnson asked for unanimous consent to refer Senate File 407 to the committee on appropriations.

Objection was raised.

Schroeder of Pottawattamie moved as a substitute motion to refer Senate File 407 to the committee on appropriations.

The motion lost.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw his motion to refer Senate File 407 to the committee on state government.

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. 407)

The ayes were, 69:

| | | | |
|--------------------------|------------|------------------|-------------|
| Avenson | Baxter | Black | Blanshan |
| Brammer | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Connors | Corey | Daggett |
| Diemer | Fey | Fogarty | Groninga |
| Gronstal | Gruhn | Halvorson, R. A. | Hammond |
| Hanson | Haverland | Hoffmann-Bright | Holveck |
| Hughes | Jay | Jochum | Knapp |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Lonergan | McIntee | McKean | Menke |
| Miller | Mullins | Norland | Ollie |
| Osterberg | Oxley | Parker | Paulin |
| Pavich | Peick | Poncy | Renaud |
| Rosenberg | Running | Schneklloth | Sherzan |
| Shoultz | Skow | Spear | Stromer |
| Stueland | Sullivan | Tabor | Tofte |
| Torrence | Van Gerpen | Varn | Zimmerman |
| Mr. Speaker (Arnould) | | | |

The nays were, 29:

| | | | |
|-----------|------------|------------------|------------|
| Anderson | Bennett | Branstad | Buhr |
| Cooper | Copenhaver | De Groot | Doderer |
| Grandia | Groth | Halvorson, R. N. | Handorf |
| Harbor | Hermann | Hummel | Maulsby |
| Muhlbauer | O'Kane | Pellett | Renken |
| Rensink | Royer | Schroeder | Sturgeon |
| Swartz | Swearingen | Van Camp | Van Maanen |
| Woods | | | |

Absent or not voting, 2:

Davitt 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 407)

Norland of Worth asked and received unanimous consent to immediately message Senate File 407 to the Senate.

SENATE AMENDMENTS CONSIDERED

Chapman of Linn called up for consideration **House File 2211**, a bill for an act making changes in the practice act relating to physical therapy, amended by the Senate amendment H—5957 as follows:

H—5957

- 1 Amend House File 2211 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 21, by inserting after the word
- 4 "physician" the words "as defined in section 135.1,
- 5 subsection 5, Code 1983,".
- 6 2. Page 1, by striking lines 30 and 31.

Chiodo of Polk offered the following amendment H—6071, to the Senate amendment H—5957, filed by him and moved its adoption:

H—6071

- 1 Amend amendment H—5957 to House File 2211 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 1, by striking lines 4 and 5 and inserting
- 4 in lieu thereof the following: "physician" the word
- 5 ", chiropractor".

Amendment H—6071 was adopted.

Chiodo of Polk offered the following amendment H—6072, to the Senate amendment H—5957, filed by him and moved its adoption:

H—6072

- 1 Amend amendment H—5957 to House File 2211 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 1, by striking lines 3 through 5.
- 4 2. Renumber as necessary.

Amendment H—6072 was adopted, placing out of order amendment H—6071, previously adopted.

On motion by Chapman of Linn the House concurred in the Senate amendment H—5957, as amended.

Chapman of Linn 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. 2211)

The ayes were, 99:

| | | | |
|------------------|------------------|--------------------------|------------|
| Anderson | Avenson | 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 |
| 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 | Loneragan |
| Maulsby | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellet | 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 (Arnould) | |

The nays were, none.

Absent or not voting, 1:

Davitt

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

IMMEDIATE MESSAGE
(House File 2211)

Norland of Worth asked and received unanimous consent to immediately message House File 2211 to the Senate.

Chiodo of Polk called up for consideration **Senate File 2220**, a bill for an act relating to financial institutions by allowing savings and loan associations, savings banks and credit unions to accept public funds, requiring a commitment to community reinvestment to receive state public funds, providing for the giving of notice on minimum interest rates for public funds, providing for the pledging of assets, providing for the dissolution of the state sinking fund, expanding the deposit limits for bank holding companies, and providing reciprocity for credit unions, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-6100 to the House amendment:

H-6100

- 1 Amend the House amendment S-5701 to Senate File
- 2 2220 as amended, passed and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 3, by inserting after line 3 the following:
- 5 " Page 9, line 25, by inserting after the
- 6 word "insurance" the following: ", and before the
- 7 investment of public funds in investments authorized
- 8 in section 452.10 which either are not obligations
- 9 of or guaranteed by the United States government of
- 10 any of its agencies, are in excess of the amount
- 11 insured by federal deposit insurance or federal savings
- 12 and loan insurance, or are investments by the treasurer
- 13 of state specifically authorized by section 452.10
- 14 to be made as additional investments under section
- 15 97B.7, subsection 2, paragraph "b" "
- 16 . Page 9, line 26, by inserting after the word
- 17 "deposit" the words "or investment"."
- 18 2. Renumber as necessary.

The motion prevailed and the House concurred in the Senate amendment H—6100.

Chiodo 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. 2220)

The ayes were, 100:

| | | | |
|------------|------------------|------------------|--------------------------|
| Anderson | 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 |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Loneragan | 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 |
| Shultz | Skow | Spear | Stromer |
| Stueland | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Tofte | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Varn |
| Welden | Woods | Zimmerman | Mr. Speaker (Arnould) |

The nays were, none.

Absent or not voting, none.

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

HOUSE INSISTS
(Senate File 2262)

Halvorson of Clayton called up for consideration **Senate File 2262**, a bill for an act relating to health insurance by requiring that coverage for educational programs for diabetes be offered, and moved that the House insist on its amendment.

The motion prevailed and the House insisted on its amendment.

The House stood at ease at 5:45 p.m., until the fall of the gavel.

The House resumed session at 6:05 p.m., Arnould of Scott in the chair.

SENATE AMENDMENT CONSIDERED

Rosenberg of Story called up for consideration **House File 582**, a bill for an act relating to the postconviction procedure Act, amended by the Senate amendment H-3766 as follows:

H-3766

- 1 Amend House File 582 as amended, passed and reprint-
- 2 ed by the House as follows:
- 3 1. Page 1, line 13, by inserting after the word
- 4 "ground" the words "of fact or law".

McIntee of Black Hawk asked and received unanimous consent to temporarily defer action on amendment H-5003, to the Senate amendment H-3766.

Jay of Appanoose offered the following amendment H-6263, to the Senate amendment H-3766, filed from the floor by Jay, Rosenberg and McIntee and moved its adoption:

H-6263

- 1 Amend the Senate amendment H-3766 to House File
- 2 582 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by striking line 3 and inserting in
- 5 lieu thereof the following:
- 6 "1. Page 1, line 10, by striking the word "six"
- 7 and inserting in lieu thereof the word "three".
- 8 2. Page 1, line 13, by inserting after the word"

Amendment H-6263 was adopted.

McIntee of Black Hawk asked and received unanimous consent to withdraw amendment H—5003 filed by him on January 16, 1984.

On motion by Rosenberg of Story the House concurred in the Senate amendment H—3766, 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. 582)

The ayes were, 95:

| | | | |
|------------------|------------|--------------------------|------------------|
| Anderson | Avenson | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Chiodo |
| Clark | Gochran | 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 | Hughes |
| Hummel | Jay | Jochum | Knapp |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Loneragan | Maulsby | McIntee | McKean |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellet | 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 (Arnould) | |

The nays were, none.

Absent or not voting, 5:

| | | | |
|--------|---------|--------|---------|
| Carter | Chapman | Harbor | Holveck |
| Menke | | | |

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

IMMEDIATE MESSAGE
(House File 582)

Norland of Worth asked and received unanimous consent to immediately message House File 582 to the Senate.

Ways and Means Calendar

The House resumed consideration of **House File 2504**, a bill for an act relating to the interest and penalty on delinquent property taxes, and amendment H-6258 temporarily deferred.

Osterberg of Linn asked and received unanimous consent to withdraw amendment H-6258.

Osterberg of Linn offered amendment H-6262 filed by him from the floor. Division was requested as follows:

H-6262

1 Amend House File 2504 as follows:

H-6262A

2 1. Page 3, line 34, by inserting after the word
3 "percent" the words "on any amount of taxes delinquent
4 in excess of one thousand dollars per person".

H-6262B

5 2. Page 3, line 34, by inserting after the word
6 "added" the words "on October 1 of each year".

H-6262A

7 3. Page 4, line 3, by inserting after the period
8 the words "If a person owns more than one parcel of
9 property, that person shall only be allowed to receive
10 a penalty exclusion of up to one thousand dollars
11 on one parcel of property. For purposes of this
12 section, if property is owned jointly by two or more
13 persons, all of the owners shall be considered to
14 be one owner."

Osterberg of Linn moved the adoption of amendment H-6262A.

A non-record roll call was requested.

The ayes were 45, nays 38.

Amendment H—6262A was adopted.

On motion by Osterberg of Linn amendment H—6262B was adopted.

Spear of Lee called up for consideration the motion to reconsider filed by him from the floor and moved to reconsider the vote by which amendment H—6192 failed to be adopted by the House on April 12, 1984.

The motion prevailed and the House reconsidered amendment H—6192.

On motion by Stromer of Hancock amendment H—6192 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.

Rule 76 was invoked.

On the question "Shall the bill pass?" (H.F. 2504)

The ayes were, 52:

| | | | |
|-------------|-----------|------------|--------------------------|
| Avenson | Baxter | Black | Blanshan |
| Brammer | Buhr | Carl | Carter |
| Chapman | Chiodo | Cochran | Connolly |
| Connors | Cooper | Copenhaver | Doderer |
| Fey | Groninga | Gronstal | Halvorson, R. N. |
| Hammond | Haverland | Holveck | Hughes |
| Jay | Jochum | Knapp | Koenigs |
| Lloyd-Jones | Loneragan | Miller | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Pavich | Peick | Renaud |
| Rosenberg | Running | Schroeder | Sherzan |
| Shoultz | Spear | Sullivan | Swartz |
| Tabor | Varn | Zimmerman | Mr. Speaker (Arnould) |

The nays were, 46:

| | | | |
|----------|---------|----------|-----------|
| Anderson | Bennett | Branstad | Carpenter |
| Clark | Corey | Daggett | Davitt |
| De Groot | Diemer | Fogarty | Grandia |

| | | | |
|----------|------------------|-----------------|------------|
| Gruhn | Halvorson, R. A. | Handorf | Hanson |
| Harbor | Hermann | Hoffmann-Bright | Hummel |
| Krewson | Lageschulte | Maulsby | McIntee |
| McKean | Muhlbauer | Mullins | Paulin |
| Pellett | Poncy | Renken | Rensink |
| Royer | Schneklath | Skow | Stromer |
| Stueland | Sturgeon | Swearingen | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Weiden | Woods | | |

Absent or not voting, 2:

Groth Menke

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 6:58 p.m., until the fall of the gavel.

The House resumed session at 8:25 p.m., Speaker Avenson in the chair.

MOTION TO RECONSIDER PREVAILED (Senate File 2289)

Chiodo of Polk called up for consideration the motion to reconsider Senate File 2289, filed on April 10, 1984, and moved to reconsider the vote by which Senate File 2289, a bill for an act relating to the involvement of the state in a world trade center, failed to pass the house and was placed on its last reading on April 10, 1984.

A non-record roll call was requested.

The ayes were 67, nays 14.

The motion prevailed and the House reconsidered Senate File 2289.

Norland of Worth asked and received unanimous consent to suspend the rules to reconsider the vote by which amendment H-6224, as amended, (found on pages 1851 through 1862 of the House Journal) failed to be adopted by the House on April 10, 1984.

Norland of Worth asked and received unanimous consent to

reconsider the vote by which amendment H-6234, to amendment H-6224, (found on pages 1869 through 1872 of the House Journal) was adopted by the House on April 10, 1984.

Cochran of Webster asked and received unanimous consent to withdraw amendment H-6234, to amendment H-6224, placing in order the following amendments, to amendment H-6224, previously adopted:

H-6228, by Pavich of Pottawattamie and found on page 1866 of the House Journal.

H-6232 by De Groot of Lyon and found on page 1866 of the House Journal.

H-6230 by Rosenberg of Story and found on page 1866 of the House Journal.

H-6231 by De Groot of Lyon and found on page 1867 of the House Journal.

H-6236 by Schroeder of Pottawattamie and found on page 1868 of the House Journal.

H-6242 (to amendment H-6236) by Schroeder of Pottawattamie and found on page 1868 of the House Journal.

Branstad of Winnebago asked and received unanimous consent to reconsider the vote by which amendment H-6233, to amendment H-6224, (found on page 1867 of the House Journal) failed to be adopted by the House on April 10, 1984.

Jochum of Dubuque in the chair at 8:54 p.m.

Speaker Avenson in the chair at 9:10 p.m.

Halvorson of Clayton moved the adoption of amendment H-6233, to amendment H-6224.

Roll call was requested by Schnekloth of Scott and O'Kane of Woodbury.

On the question "Shall amendment H-6233, to amendment H-6224, be adopted?"

The ayes were, 39:

Anderson
Carpenter
De Groot

Bennett
Clark
Diemer

Branstad
Corey
Grandia

Carl
Daggett
Halvorson, R. A.

| | | | |
|-----------------|------------|----------|-------------|
| Handorf | Hanson | Harbor | Hermann |
| Hoffmann-Bright | Hummel | Krewson | Lageschulte |
| Maulsby | McKeap | Menke | Pellett |
| Renken | Rensink | Royer | Schneklloth |
| Schroeder | Stromer | Stueland | Swartz |
| Swearingen | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | |

The nays were, 60:

| | | | |
|-----------|------------|------------------|-------------|
| 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 | McIntee | Miller | Muhlbauer |
| Mullins | Norland | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Pavich |
| Peick | Poncy | Renaud | Rosenberg |
| Running | Sherzan | Shoultz | Skow |
| Spear | Sturgeon | Sullivan | Tabor |
| Varn | Woods | Zimmerman | Mr. Speaker |

Absent or not voting, 1:

Paulin

Amendment H—6233 lost.

Norland of Worth offered the following amendment H—6271, to amendment H—6224, filed from the floor by Norland, Davitt and Black, and moved its adoption:

H—6271

- 1 Amend amendment H—6224 to Senate File 2289 as
- 2 amended, passed and reprinted by the Senate as follows:
- 3 1. Page 7, by striking line 31 and inserting in
- 4 lieu thereof the following: "board. The temporary
- 5 board and the executive council shall not approve
- 6 the initial lease unless they have reviewed a
- 7 feasibility study which shall include, but not be
- 8 limited to, the consideration of all of the following:
- 9 1. The purposes, types, and site considerations
- 10 of world trade centers, including their advantages
- 11 and benefits and incentives needed or useful. In
- 12 looking at site locations and characteristics,

13 consideration should be given to, but is not limited
14 to, the benefits or usefulness of outdoor exhibitions,
15 demonstrations, and other activities, and future need
16 for the trade center to expand.

17 2. The creation of a world trade center, including
18 the study of what businesses and industries should
19 and would have an interest in and gain profit from
20 such an endeavor.

21 3. What types of job categories will be affected
22 by the creation of a world trade center, and how many
23 jobs will be created in each category.

24 A lease or any provision thereof shall not".

A non-record roll call was requested.

The ayes were 53, nays 32.

Amendment H—6271 was adopted.

McIntee of Black Hawk asked and received unanimous consent to temporarily defer action on amendment H—6224, as amended.

Norland of Worth asked and received unanimous consent that Senate File 2289 be temporarily deferred and that the bill retain its place on the calendar.

CONFERENCE COMMITTEES APPOINTED (House File 595)

The Speaker announced the appointment of the conference committee to consider the differences between the House and the Senate concerning House File 595: Varn of Johnson, Chair; Corey of Louisa; Paulin of Plymouth; Tabor of Jackson and Rosenberg of Story.

(House File 2491)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 2491: Chiodo of Polk, Chair; Gronstal of Pottawattamie; Parker of Jasper; McIntee of Black Hawk and Hummel of Benton.

(Senate File 2262)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 2262: Parker of Jasper, Chair; Chiodo of Polk; Hanson of Delaware; Hoffmann-Bright of Muscatine and Skow of Guthrie.

INTRODUCTION OF BILL

House File 2525, by committee on ways and means, a bill for an act to increase the authorized property tax levy for a benefited law enforcement district.

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

MOTION TO RECONSIDER WITHDRAWN
(Senate File 24)

Woods of Polk asked and received unanimous consent to withdraw the motion to reconsider Senate File 24, a bill for an act relating to procedures in small claims actions, filed by him on March 29, 1984.

The House stood at ease at 9:20 p.m., until the fall of the gavel.

The House resumed session at 9:37 p.m., Speaker Avenson in the chair.

The House resumed consideration of **Senate File 2289**, a bill for an act relating to the involvement of the state in a world trade center, and amendment H-6224, as amended.

Schroeder of Pottawattamie offered the following amendment H-6276, to amendment H-6224, filed from the floor by him and Gronstal of Pottawattamie and moved its adoption:

H-6276

- 1 Amend amendment H-6224 to Senate File 2289 as
- 2 amended, passed and reprinted by the Senate as follows:
- 3 1. Page 7, line 26, by inserting after the word
- 4 "section." the words "Before the authority approves
- 5 the initial lease, a concurrent resolution approving

6 the lease shall be passed by both chambers of the
 7 general assembly. However, if such concurrent
 8 resolution is not acted on by either chamber within
 9 thirty days of the convening of the general assembly
 10 or within thirty days of receipt of the proposed
 11 lease, whichever is the later, the lease is deemed
 12 approved by the general assembly."

Amendment H—6276 was adopted.

Arnould of Scott in the chair at 9:43 p.m.

Speaker Avenson in the chair at 10:15 p.m.

Norland of Worth moved the adoption of amendment H—6224,
 as amended.

Roll call was requested by Norland of Worth and Chiodo of Polk.

On the question "Shall amendment H—6224, as amended, be
 adopted?"

The ayes were, 36:

| | | | |
|---------|-----------|-----------|-------------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Chiodo | Connors | Copenhaver |
| Davitt | Fey | Groninga | Gronstal |
| Groth | Haverland | Holveck | Hughes |
| Jay | Koenigs | Krewson | Lloyd-Jones |
| Norland | O'Kane | Ollie | Parker |
| Pavich | Renaud | Schroeder | Sherzan |
| Shoultz | Spear | Swartz | Tabor |
| Varn | Woods | Zimmerman | Mr. Speaker |

The nays were, 63:

| | | | |
|------------------|-----------|-----------------|------------------|
| Anderson | Bennett | Buhr | Carl |
| Carpenter | Carter | Chapman | Clark |
| Cochran | Connolly | Cooper | Corey |
| Daggett | De Groot | Diemer | Doderer |
| Fogarty | Grandia | Gruhn | Halvorson, R. A. |
| Halvorson, R. N. | Hammond | Handorf | Hanson |
| Harbor | Hermann | Hoffmann-Bright | Hummel |
| Jochum | Knapp | Lageschulte | Loneragan |
| Maulsby | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Osterberg |
| Oxley | Paulin | Peick | Pellett |
| Poncy | Renken | Rensink | Rosenberg |

| | | | |
|------------|------------|------------|----------|
| Royer | Running | Schneklath | Skow |
| Stromer | Stueland | Sturgeon | Sullivan |
| Swearingen | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Weiden | |

Absent or not voting, 1:

Branstad

Amendment H—6224, as amended, lost.

Cochran of Webster offered the following amendment H—6272 filed by him from the floor:

H—6272

1 Amend Senate File 2289 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. PURPOSE—INTENT. The general assembly
6 of this state desires to promote and enhance economic
7 development within the state. The establishment of
8 a world trade center may be useful in the development
9 of commercial, agricultural, and industrial activities
10 within the state. A study shall be done as provided
11 in this Act for the purpose of determining the
12 feasibility, practicality, advantages, disadvantages,
13 benefits, and disincentives to businesses, the state,
14 and local communities of having a world trade center
15 within the state. It is the intent of the general
16 assembly that to the extent time and resources allow
17 the study shall encompass all aspects of the question
18 of the merits of establishing different types of world
19 trade centers and the question of how to and what
20 is needed to establish the different types of world
21 trade centers.

22 Sec. 2. IOWA WORLD TRADE CENTER STUDY COMMISSION.

23 There is created an Iowa world trade center study
24 commission consisting of eleven members. Two of the
25 members shall be appointed by and serve at the pleasure
26 of the governor. These two members shall consist
27 of a recognized authority on international trade and
28 a recognized authority on economic development. Eight
29 of the members shall be members of the general
30 assembly. The speaker of the house of representatives
31 and the majority leader of the senate shall each
32 appoint four members. The speaker of the house of
33 representatives, after consultation with the minority
34 leader of the house, shall appoint one majority member

35 and one minority member each from the house standing
36 committee on agriculture and the house standing
37 committee on small business and commerce. The majority
38 leader of the senate, after consultation with the
39 minority leader of the senate, shall appoint one
40 majority member and one minority member each from
41 the senate standing committee on agriculture and the
42 senate standing committee on small business and
43 economic development. The director of the Iowa
44 development commission shall appoint an employee of
45 the Iowa development commission with applicable
46 knowledge and experience in national and world trade
47 and development to serve as a member of the commission.
48 The nonlegislative members are nonvoting members.
49 Sec. 3. ORGANIZATION AND PARTICIPATION.
50 1: The chairperson and vice chairperson of the

Page 2

1 Iowa world trade center study commission shall be
2 elected by the legislative members. The chairperson
3 and vice chairperson shall direct and coordinate the
4 activities of the commission.
5 2. State officers and state departments and
6 agencies shall cooperate with and provide technical
7 assistance to the commission upon request of the
8 chairperson.
9 3. The nonlegislative members of the commission
10 shall be reimbursed for their travel and other
11 necessary expenses actually incurred in the performance
12 of their official duties from the state general fund
13 from funds not otherwise appropriated. The legislative
14 members shall receive, when the general assembly is
15 not in session, a per diem of forty dollars and their
16 travel and other necessary expenses actually incurred
17 in the performance of their official duties from funds
18 appropriated by section 2.12.
19 4. The commission may hire a consulting firm to
20 assist the commission in its considerations and
21 recommendations relative to the scope of the study
22 as provided in section 4 subject to approval of the
23 legislative council and funds being available from
24 the legislative council.
25 5. The chairperson shall develop and provide to
26 the governor or the governor's designee interim reports
27 of the activities of the commission and shall complete
28 and transmit copies of its final report to the governor
29 and the members of the general assembly who request
30 it by January 15, 1985. The final report shall contain
31 a brief summary of its activities, listing of its
32 findings, and its recommendations, including additions

33 or changes to existing law.

34 6. The Iowa world trade center study commission
35 shall cease to exist on February 1, 1985.

36 Sec. 4. SCOPE OF THE STUDY. The commission shall
37 consider and its recommendations shall address, but
38 are not limited to, the following:

39 1. The purposes, types, and site considerations
40 of world trade centers, including their advantages
41 and benefits and incentives needed or useful. In
42 looking at site locations and characteristics,
43 consideration should be given to, but is not limited
44 to, the benefits or usefulness of outdoor exhibitions,
45 demonstrations, and other activities, and future need
46 for the trade center to expand.

47 2. The creation of a world trade center, including
48 the study of what businesses and industries should
49 and would have an interest in and gain profit from
50 such an endeavor.

Page 3

1 3. What types of job categories will be affected
2 by the creation of a world trade center, and how many
3 jobs will be created in each category.

4 4. The organization of a world trade center
5 authority, including the composition of the governing
6 body of the authority, bonding of the officers, and
7 employee qualifications and compensation.

8 5. The powers and duties of a world trade center
9 authority, including the establishing and charging
10 of rates and fees for its services, property
11 acquisitions, constructions and improvements to its
12 property or other property within the jurisdiction,
13 annexations, eminent domain, regulatory functions
14 within its jurisdiction, acceptance and distribution
15 of funds, funding mechanisms such as issuance of bonds
16 and levying of taxes.

17 6. The tax status of property within the
18 jurisdiction of the authority.

19 7. The administrative powers, including liability
20 of the authority, annual reports, employees, public
21 bidding for services, and ability to accept grants,
22 loans, and appropriations.

23 8. The authority of the world trade center to
24 own and operate commercial facilities.

25 9. The regulation by the state of the world trade
26 center, including the degree of regulation and the
27 state departments or agencies that will regulate.

28 10. Potential governmental assistance including
29 technical and financial assistance.

30 11. Methods or sources of funding for a world

31 trade center authority and the state's involvement
32 in a world trade center. The tax study committee
33 established under chapter 211, section 2 of the laws
34 of the Seventieth General Assembly, 1983 Session,
35 shall provide assistance and data and recommend methods
36 and sources of funding to the commission to aid it
37 in this area. Any recommendations for funding by
38 the tax study committee shall be sent to the
39 commission, the governor and the legislature by January
40 15, 1985.

41 12. Enabling legislation needed.

42 Sec. 5. STAFF SUPPORT. Staff for the Iowa world
43 trade center study commission will be provided from
44 staff of the legislative service bureau and legislative
45 fiscal bureau upon approval of the legislative
46 council."

Van Gerpen of Black Hawk offered the following amendment
H-6273, to amendment H-6272, filed by him from the floor and re-
quested division as follows:

H-6273

1 Amend the Cochran amendment H-6272 to Senate File
2 2289 as amended, passed and reprinted by the Senate
3 as follows:

H-6273A

4 1. Page 1, line 8, by inserting before the word
5 "world" the words "midwest agricultural".

6 2. Page 1, line 10, by inserting after the word
7 "state." the words "To increase the effectiveness
8 of this center by a greater concentration of minor
9 agricultural products, the first priority should be
10 to explore a joint venture with two or more states
11 participating."

12 3. Page 1, line 14, by striking the word "a" and
13 inserting in lieu thereof the words "an agricultural".

14 4. Page 1, line 15, by inserting after the word
15 "within" the words "or near".

H-6273B

16 5. Page 1, line 24, by striking the word "eleven"
17 and inserting in lieu thereof the word "fifteen".

18 6. Page 1, line 24, by striking the word "Two"
19 and inserting in lieu thereof the word "Six".

20 7. Page 1, line 28, by striking the word "two"
21 and inserting in lieu thereof the word "six".

22 8. Page 1, line 48, by striking the word
 23 "nonlegislative" and inserting in lieu thereof the
 24 word "legislative".
 25 9. Page 2, line 2, by striking the word
 26 "legislative" and inserting in lieu thereof the word
 27 "nonlegislative".

H-6273A

28 10. Page 2, line 44, by inserting after the word
 29 "to," the words "proximity to major agricultural
 30 manufacturers,".
 31 11. Page 2, line 47, by striking the word "a"
 32 and inserting in lieu thereof the words "an
 33 agricultural".
 34 12. Page 3, line 2, by striking the word "a" and
 35 inserting in lieu thereof the words "an agricultural".

Van Gerpen of Black Hawk asked and received unanimous consent to withdraw amendment H-6273B.

Blanshan of Greene in the chair at 10:34 p.m.

Van Gerpen of Black Hawk moved the adoption of amendment H-6273A.

A non-record roll call was requested.

The ayes were 34, nays 53.

Amendment H-6273A lost.

Cochran of Webster moved the adoption of amendment H-6272.

Roll call was requested by Cochran of Webster and Davitt of Warren.

On the question "Shall amendment H-6272 be adopted?"

The ayes were, 48:

| | | | |
|----------|------------|------------------|------------------|
| Carl | Clark | Cochran | Connors |
| Cooper | Copenhaver | Corey | Daggett |
| Davitt | De Groot | Diemer | Fogarty |
| Groninga | Gruhn | Halvorson, R. A. | Halvorson, R. N. |

| | | | |
|-----------|------------|-------------|---------------------------|
| Hanson | Harbor | Hermann | Hoffmann-Bright |
| Hummel | Koenigs | Lageschulte | Lloyd-Jones |
| Lonergan | Maulsby | McIntee | McKean |
| Muhlbauer | Mullins | Norland | Peick |
| Renken | Rensink | Royer | Schnekloth |
| Skow | Spear | Swearingen | Tofte |
| Torrence | Van Gerpen | Van Maanen | Varn |
| Welden | Woods | Zimmerman | Mr. Speaker (Blanshan) |

The nays were, 51:

| | | | |
|----------|-----------|----------|-----------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Brammer | Branstad |
| Buhr | Carpenter | Carter | Chapman |
| Chiodo | Connolly | Doderer | Fey |
| Grandia | Gronstal | Groth | Hammond |
| Handorf | Haverland | Holveck | Hughes |
| Jay | Jochum | Knapp | Krewson |
| Menke | Miller | O'Kane | Osterberg |
| Oxley | Parker | Paulin | Pavich |
| Pellett | Poncy | Renaud | Rosenberg |
| Running | Schroeder | Sherzan | Shoultz |
| Stromer | Stueland | Sturgeon | Sullivan |
| Swartz | Tabor | Van-Camp | |

Absent or not voting, 1:

Ollie

Amendment H—6272 lost.

Speaker Avenson in the chair at 10:53 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.

Rule 76 was invoked.

On the question "Shall the bill pass?" (S.F. 2289)

The ayes were, 46:

| | | | |
|------------|----------|----------|----------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Branstad | Carl |
| Carpenter | Chiodo | Clark | Connors |
| Copenhaver | Corey | Daggett | De Groot |
| Diemer | Fey | Fogarty | Groninga |

| | | | |
|----------|-------------|------------|---------|
| Handorf | Harbor | Haverland | Holveck |
| Krewson | Maulsby | McIntee | Menke |
| Norland | O'Kane | Paulin | Pellett |
| Renaud | Schroeder | Spear | Stromer |
| Stueland | Swartz | Swearingen | Tabor |
| Van Camp | Van Gerpen | Van Maanen | Welden |
| Woods | Mr. Speaker | | |

The nays were, 53:

| | | | |
|------------|------------------|------------------|-----------|
| Brammer | Buhr | Carter | Chapman |
| Cochran | Connolly | Cooper | Davitt |
| Doderer | Grandia | Gronstal | Groth |
| Gruhn | Halvorson, R. A. | Halvorson, R. N. | Hammond |
| Hanson | Hermann | Hoffmann-Bright | Hughes |
| Hummel | Jay | Jochum | Knapp |
| Koenigs | Lageschulte | Lloyd-Jones | Loneragan |
| McKean | Miller | Muhlbauer | Mullins |
| Ollie | Osterberg | Oxley | Parker |
| Pavich | Peick | Poncy | Renken |
| Rensink | Rosenberg | Royer | Running |
| Schnekloth | Sherzan | Shoultz | Skow |
| Sturgeon | Sullivan | Torrence | Varn |
| Zimmerman | | | |

Absent or not voting, 1:

Tofte

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Torrence of Muscatine, for the remainder of the evening, on request of Van Camp of Scott.

Unfinished Business Calendar

Norland of Worth asked for unanimous consent to resume consideration of Senate File 244.

Objection was raised.

Norland of Worth moved to suspend the rules for the consideration of Senate File 244.

A non-record roll call was requested.

The ayes were 61, nays 32.

The motion prevailed and the House resumed consideration of **Senate File 244**, a bill for an act relating to the care given under workers' compensation medical benefits, placed on the unfinished business calendar on March 30, 1984, with report of committee recommending amendment and passage.

Sturgeon of Woodbury offered the following amendment H-5799 filed by the committee on labor and industrial relations:

H-5799

1 Amend Senate File 244, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:

5 "Section 1. Section 85.27, unnumbered paragraph
6 4, Code 1983, is amended to read as follows:

7 For purposes of this section, the employer is
8 ~~obliged to shall~~ furnish reasonable services and
9 supplies to treat an injured employee, and has the
10 right to the employee may choose the care. The
11 treatment ~~must be offered promptly and be reasonably~~
12 ~~suited to treat the injury without undue inconvenience~~
13 ~~to the employee.~~ If the employee employer has reason
14 to be dissatisfied with the care offered given, he
15 ~~should the employer shall~~ communicate in writing the
16 basis of such the dissatisfaction to the employer,
17 in writing if requested employee, following which
18 the employer and the employee may agree to alternate
19 care reasonably suited to treat the injury. If the
20 employer and employee cannot agree on such alternate
21 care, the commissioner may, upon application and
22 reasonable proofs of the necessity therefor, allow
23 and order other care. In an emergency, the employee
24 may choose his care at the employer's expense, provided
25 the employer or his agent cannot be reached
26 immediately.

27 If the industrial commissioner disapproves a claim
28 or a portion of a claim for benefits under this section
29 because it did not meet the reasonable or necessary
30 standards of this section, the employee shall reimburse
31 the employer for the cost or that portion of the cost
32 of the care which did not meet the reasonable or
33 necessary standards."

34 2. Title page, by striking lines 1 and 2 and
35 inserting in lieu thereof the words "An Act allowing
36 employees to choose the care given under workers'
37 compensation medical benefits."

(Senate File 244 and amendment H—5799 pending at adjournment.)

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 12, 1984, 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 2306, a bill for an act permitting the conservation commission to alter or restrict the taking of wildlife.

Also: That the Senate has on April 12, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2326, a bill for an act to eliminate the county auditor's annual property valuation and tax report to the department of revenue.

Also: That the Senate has on April 12, 1984, receded from the Senate amendment to, and passed the following bill:

House File 2340, a bill for an act relating to the investigations and findings of a complaint filed against a health care facility.

Also: That the Senate has, on April 12, 1984, insisted on its amendment to House File 2491, a bill for an act relating to public utilities by providing for an income tax checkoff for the low income home energy assistance program, and the members of the conference committee, on the part of the Senate are: The Senator from Scott, Senator Deluhery, Chair; the Senator from Story, Senator Bruner; the Senator from Scott, Senator Holden; the Senator from Dallas, Senator Rodgers; and the Senator from Clayton, Senator Tieden.

Also: That the Senate has on April 12, 1984, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 117, relating to the bonding authority of the state board of regents.

Also: That the Senate has on April 12, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2178, a bill for an act to exempt from the individual income tax the income of a taxpayer who is a member of the armed forces of the United States who is killed in a hostile action for the year in which the death of the taxpayer occurs and making the Act retroactive.

Also: That the Senate has on April 12, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2183, a bill for an act relating to sexual abuse committed by engaging in a sex act against the will of the other participant.

Also: That the Senate has on April 12, 1984, 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 2298, a bill for an act to require the state department of transportation to include all federal funds in its annual or biennial budget which funds are subject to appropriation to the department.

Also: That the Senate has on April 12, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2337, a bill for an act relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety and public defense.

Also: That the Senate has on April 12, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2334, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons.

Also: That the Senate has on April 12, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2342, a bill for an act relating to regional transit systems by defining the systems to include systems which receive state or federal funds, by providing motor fuel and special fuel tax exemptions for these systems, and by providing free registration plates and validation stickers for these systems.

K. MARIE THAYER, Secretary

CONFERENCE COMMITTEE REPORT FILED

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill

has been received and is on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

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.

SPONSOR WITHDRAWN
(House Resolution 104)

Lloyd-Jones of Johnson requested to be withdrawn as a sponsor of House Resolution 104.

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 April, 1984: House Files 601, 2372, 2454, 2474, 2485 and 2502.

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 April 12, 1984, he approved and transmitted to the Secretary of State the following bills:

House File 2284, an act relating to agreements for indemnification by the state in the event of loss of or damage to certain art objects and artifacts borrowed by non-profit organizations or governmental entities for special exhibits.

Senate File 510, an act relating to liens against crops and livestock to secure payment for agricultural chemicals, seed, petroleum products, and feed used in the production of growing crops and livestock and providing for the perfection, enforcement, assignment, and satisfaction of these liens, and providing for statutory damages.

EXPLANATION OF VOTE

I inadvertently voted "nay" on House File 2504. I meant to vote "aye" on April 12, 1984.

VAN CAMP of Scott

PRESENTATION OF VISITORS

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

Sixty fifth grade students from E. A. Kreft Elementary School, Lewis Central Community School District, Council Bluffs, accompanied by Mr. McBurney. By Gronstal, Pavich and Schroeder, all of Pottawattamie.

Twenty-five twelfth grade students from Rockwell-Swaledale High School, Rockwell, accompanied by Jim Fredrickson. By Clark of Cerro Gordo and Norland of Worth.

Thirty-five tenth grade government students from Bennett Junior-Senior High School, Bennett, accompanied by Bill Huckstadt and Joe Looker. By Osterberg of Linn.

Thirty fifth and sixth grade students from Saint Paul's Lutheran School, Waverly, accompanied by Mrs. Wheeler, Mr. Kingery, Mrs. Eagen, Miss Langholz and Mrs. Ott. By Lageschulte of Bremer.

Twenty-eight eighth grade students from Sentral Middle School, Fenton, accompanied by Wiley Hansen, Lois Crouch, Karl Kielshoal and Tom Garman. By Branstad of Winnebago.

Ten twelfth grade students from Thompson High School, Thompson, accompanied by Larry D. Hill. By Branstad of Winnebago.

One hundred twenty eighth grade students from Winterset Middle School, Winterset, accompanied by Mr. Christiansen and Mr. Messer. By Skow of Guthrie.

Forty fifth grade students from Lincoln Elementary School Mechanicsville, accompanied by Gladys Rife and Ruth Miller. By Osterberg of Linn and McKean of 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
Chief Clerk of the House

COMMITTEE ON FINANCE

House File 2522, a bill for an act relating to the disposition of unclaimed property.

Fiscal note is required.

Recommended **Do Pass** April 11, 1984.

House File 2523, a bill for an act relating to the issuance of bonds by certain counties for the 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 county residents, establishment of special tax district, and taxation of real property located within the special tax district.

Fiscal note is not required.

Recommended **Do Pass** April 11, 1984.

Senate File 2333, a bill for an act relating to the administration and financing of correctional, mental health, mental retardation and veterans programs and capital projects under the jurisdiction of the department of corrections, the department of human services, or the board of parole.

Fiscal note is not required.

Recommended **Do Pass** April 11, 1984.

COMMITTEE ON WAYS AND MEANS

Senate File 2156, a bill for an act relating to the administration of the extraordinary property tax credit or reimbursement.

Fiscal note is required.

Recommended **Do Pass** April 11, 1984.

Committee Bill (Formerly Study Bill 724), to provide a partial property tax exemption for warehouses and distribution centers on which improvements have been made.

Fiscal note is required.

Recommended **Amend and Do Pass** April 11, 1984.

Committee Bill (Formerly Study Bill 796), increasing the limit on the tax rate that may be certified by the board of directors of a school corporation to be levied on taxable property in a school district for the use of a free public library by residents of the school district.

Fiscal note is not required.

Recommended **Do Pass** April 11, 1984.

Committee Bill (Formerly House File 2029), to increase the authorized property tax levy for a benefited law enforcement district.

Fiscal note is not required.

Recommended **Do Pass** April 11, 1984.

RESOLUTIONS FILED

HCR 121, by Krewson, Mullins, Lonergan, Halvorson of Clayton, Harbor, Diemer, Royer, Chiodo, McIntee, O'Kane, Sturgeon, Renken, Anderson, Brammer, Tofte, Swearingen, Schroeder, Hoffmann-Bright, McKean, Rosenberg, Jay, Carl, Zimmerman, Rensink, De Groot, Hammond, Haverland, Copenhaver, Van Gerpen, Corey, Carpenter, Lloyd-Jones, Poncy, Van Maanen, Peick, Paulin, Renaud, Holveck, Maulsby, Hanson, Hermann, Daggett, Sherzan, Running, Gronstal, Shoultz, Tabor, Muhlbauer, Gruhn, Grandia, Spear, Van Camp, Osterberg, Buhr, Carter, Koenigs, Hughes, Knapp, Cochran, Oxley, Stromer, Welden, Swartz, Groth, Branstad, Fogarty, Handorf, Blanshan, Stueland, Pellett, Skow, Black, Lageschulte, Clark, Varn, Ollie, Halvorson of Webster, Parker, Connors, Arnould, Doderer and Fey, a concurrent resolution regarding the development of business and industry in the state of Iowa.

Laid over under **Rule 25**.

HCR 122, by Running, Clark, Chiodo, Daggett, Halvorson of Clayton, Skow, Zimmerman, Lonergan, Connors and Peick, a concurrent resolution relating to a study of the availability of health care insurance or benefit coverages.

Laid over under **Rule 25**.

SCR 106, by committee on state government, a concurrent resolution citing legislative approval of the plan of operation for the state of Iowa federal surplus property program of the department of general services as drafted in accordance with Public Law 94-519.

Laid over under **Rule 25**.

SCR 115, by Mann, Bruner, Anderson, Brown, Carr, Coleman, Colton, Deluhery, Dieleman, Doyle, Gallagher, Gettings, Hall, Horn, Husak, Hutchins, Junkins, Kinley, Miller of Cerro Gordo, Miller of Des Moines, Palmer, Priebe, Rodgers, Slater, Small, Van Gilst, Wells, Welsh, Gentleman, Lind, Nystrom, Readinger, Rife, Schwengels, Soorholtz and Vande Hoef, a concurrent resolution relating to the food and hunger problems in Iowa.

Laid over under **Rule 25**.

AMENDMENTS FILED

| | | | |
|--------|------|------|----------------------------|
| H-6255 | H.F. | 224 | Renken of Grundy |
| H-6256 | H.F. | 489 | Schroeder of Pottawattamie |
| H-6259 | S.F. | 2215 | Carter of Henry |
| | | | Ollie of Clinton |
| | | | Groth of Buena Vista |
| | | | Hughes of Union |
| | | | Krewson of Polk |
| H-6260 | S.F. | 2215 | Hughes of Union |
| H-6261 | S.F. | 2298 | Senate Amendment |
| H-6264 | S.F. | 2215 | Haverland of Polk |
| | | | Jay of Appanoose |
| | | | Spear of Lee |
| | | | Black of Jasper |
| | | | Rosenberg of Story |
| | | | Skow of Guthrie |
| | | | Muhlbauer of Crawford |
| | | | Fogarty of Palo Alto |
| H-6265 | S.F. | 2215 | Varn of Johnson |
| H-6266 | S.F. | 2215 | Haverland of Polk |
| | | | Haverland of Polk |
| | | | Spear of Lee |

| | | | |
|--------|------|------|----------------------------|
| H-6267 | S.F. | 2215 | Shoultz of Black Hawk |
| H-6268 | S.F. | 2333 | Royer of Page |
| | | | Harbor of Mills |
| | | | Poncy of Wapello |
| | | | Gronstal of Pottawattamie |
| | | | Daggett of Taylor |
| | | | Pellett of Cass |
| H-6269 | H.F. | 422 | Schroeder of Pottawattamie |
| H-6270 | S.F. | 244 | Sturgeon of Woodbury |
| H-6274 | H.F. | 2394 | Hanson of Delaware |
| | | | Jay of Appanoose |
| | | | Swearingen of Keokuk |
| | | | McKean of Jones |
| H-6277 | S.F. | 244 | Halvorson of Clayton |

On motion by Norland of Worth, the House adjourned at 11:30 p.m., until 9:30 a.m., Friday, April 13, 1984.

JOURNAL OF THE HOUSE

Ninety-sixth Calendar Day—Sixty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 13, 1984

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

Prayer was offered by Reverend Robert Ossman, pastor of the Green Mountain UCC and Chapel United Methodist Churches, Green Mountain.

The Journal of Thursday, April 12, 1984 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By Gruhn of Dickinson, from one hundred seventy constituents favoring the enactment of the Medically Needy Program in Iowa and urging the General Assembly to adopt legislation creating such a program in Iowa.

By Hughes of Union, from twenty-two constituents favoring uniform school opening after Labor Day.

INTRODUCTION OF BILL

House File 2526, by committee on ways and means, a bill for an act to provide a partial property tax exemption for warehouses and distribution centers on which improvements have been made and allow cities and counties to contract with persons whose real property is exempt or partially exempt from property taxation to provide certain services.

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

SENATE MESSAGES CONSIDERED

Senate File 2178, by Hutchins and Schwengels, a bill for an act to exempt from the individual income tax the income of a taxpayer who is a member of the armed forces of the United States who is

killed in a hostile action for the year in which the death of the taxpayer occurs and making the Act retroactive.

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

Senate File 2334, by committee on appropriations, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1984 and ending June 30, 1985 and making a supplemental appropriation to the department of health for reallocation to the state board of regents for certain programs under the Iowa specialized child health care services for the fiscal year beginning July 1, 1983 and ending June 30, 1984, and providing an effective date.

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

Senate File 2337, by committee on appropriations, a bill for an act relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety and public defense.

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

Senate File 2342, by committee on ways and means, a bill for an act relating to regional transit systems by defining the systems to include systems which receive state or federal funds, by providing motor fuel and special fuel tax exemptions for these systems, and by providing free registration plates and validation stickers for these systems.

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

ADOPTION OF HOUSE MEMORIAL RESOLUTION 106

Daggett of Taylor offered the following House Memorial Resolution 106 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 106

Whereas, The Honorable Katheryn C. Metz of Decatur County, Iowa, who was a member of the Fifty-third and Fifty-fourth General Assemblies, passed away December 6, 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 her 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.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 107

Doderer of Johnson offered the following House Memorial Resolution 107 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 107

Whereas, The Honorable John J. Swaner of Johnson County, Iowa, who was a member of the Forty-ninth, Fiftieth, and Fifty-first General Assemblies, passed away October 15, 1981; 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 Doderer of Johnson, Lloyd-Jones of Johnson and Varn of Johnson.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 108

Hammond of Story offered the following House Memorial Resolution 108 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 108

Whereas, The Honorable Charles H. Everett of Story County, Iowa, who was a member of the Fifty-third General Assembly, passed away on May 1, 1981; 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 Hammond of Story, Rosenberg of Story and Lonergan of Boone.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 109

Van Maanen of Mahaska offered the following House Memorial Resolution 109 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 109

Whereas, The Honorable Dick H. Vanderwilt of Mahaska County, Iowa, who was a member of the Fifty-first General Assembly, passed away September 23, 1980; 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 Van Maanan of Mahaska, Grandia of Marion and Swearingen of Keokuk.

The House stood at ease at 9:54 a.m., until the fall of the gavel.

The House resumed session at 10:34 a.m., Speaker Avenson in the chair.

SPECIAL PRESENTATION

Blanshan of Greene escorted to the Speaker's station and presented Dr. George Gallup, accompanied by his wife Ophelia.

Dr. Gallup was present in the capitol to receive the Iowa Award from Governor Terry Branstad. He was chosen as the tenth recipient of this award by the Iowa Centennial Memorial Foundation.

In 1935, Dr. Gallup, who was born in Jefferson, Iowa on November 18, 1901, founded The Gallup Poll to measure the public's attitudes on social, political, and economic issues of the day. He is currently Chairman of The Gallup Poll and Chairman of the Board of The Gallup Organization, Inc. Since 1937, public opinion affiliates of The Gallup Poll have been organized in 35 foreign countries, making periodic soundings of public opinion in their respective countries.

Dr. Gallup reminisced about his early involvement in politics and the beginning of public opinion polls on the issues of the day.

The House rose and expressed its opinion with a standing ovation.

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **Senate File 244**, a bill for an act relating to the care given under workers' compensation

medical benefits, and the committee amendment H—5799 (found on pages 1966 and 1967 of the House Journal).

Jochum of Dubuque in the chair at 10:55 a.m.

Halvorson of Clayton offered the following amendment H—6076, to the committee amendment H—5799, filed by Halvorson of Clayton, et al.:

H—6076

1 Amend amendment H—5799 to Senate File 244, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, by striking lines 3 through 37 and
5 inserting in lieu thereof the following:
6 "1. By striking everything after the enacting
7 clause and inserting in lieu thereof the following:
8 "Section 1. Section 85.27, unnumbered paragraph
9 4, Code 1983, is amended by striking the unnumbered
10 paragraph.
11 Sec. 2. Section 85.27, Code 1983, is amended by
12 numbering the unnumbered paragraphs and by adding
13 the following new subsections:
14 **NEW SUBSECTION.** The employer shall select and
15 maintain a panel of physicians who are not employees
16 of the employer and who are reasonably accessible
17 to the employees of the employer. The panel selected
18 and maintained by an employer with three hundred or
19 fewer employees per site shall contain at least three
20 physicians and the panel selected and maintained by
21 an employer with more than three hundred employees
22 per site shall contain at least seven physicians.
23 The employer shall post the list of the physicians
24 on the panel in a place accessible to the employees.
25 a. An employer required to select and maintain
26 a panel of physicians may apply to the industrial
27 commissioner for a total or partial waiver of the
28 panel requirement. The application for waiver shall
29 state the reasons for the submission of the application
30 and that the employer has attempted to select and
31 maintain the required panel. A copy of the application
32 for waiver shall be posted in a place accessible to
33 the employer's employees. The industrial commissioner
34 may deny the waiver or grant the employer a partial
35 or total waiver of the panel requirement. However,
36 a total or partial waiver to the panel requirement
37 shall only be granted if the employer can demonstrate
38 that the community lacks a sufficient number of

39 physicians who are located in or reasonably near the
40 community in which the medical services are required
41 and who are qualified to perform the medical services
42 necessary to meet the needs of the employer's
43 employees.
44 b. The industrial commissioner may order necessary
45 changes in an employer's panel of physicians if the
46 commissioner finds that the panel fails to contain
47 a sufficient number of physicians who are conveniently
48 available to or in the community in which medical
49 services are required and who are qualified to perform
50 the medical services necessary to meet the particular

Page 2

1 needs of the employer's employees. The commissioner
2 may suspend or remove a physician from a panel of
3 physicians under rules adopted by the commissioner
4 pursuant to chapter 17A.

5 **NEW SUBSECTION.** An employee may accept the medical
6 services of a physician selected by the employer or
7 may select a physician from the employer's panel of
8 physicians. The employee may select an alternative
9 physician from the panel if the employee is not
10 satisfied with the physician first selected.

11 a. In an emergency, the employee may choose a
12 physician at the employer's expense, provided the
13 employer or the employer's agent cannot be reached
14 immediately.

15 b. The physician selected may arrange for a
16 consultation, referral, extraordinary or other
17 specialized medical services as the nature of the
18 injury requires.

19 c. The employer is not responsible for the charges
20 for medical services furnished or ordered by a
21 physician or other person selected by the employee
22 in disregard of the provisions of this subsection
23 and the employer is not responsible for compensation
24 for an aggravation of the employee's injury
25 attributable to improper medical services by the
26 physician or other person.

27 **NEW SUBSECTION.** If an employer required to select
28 and maintain a panel of physicians has knowledge of
29 an injury to an employee and the necessity for medical
30 services, and fails to maintain a panel of physicians
31 and a waiver has not been granted, or fails to permit
32 the injured employee to select a physician from the
33 panel, the employee may select a physician to provide
34 medical services at the expense of the employer.
35 A claim for the medical services shall not be valid
36 or enforceable against the employer unless the

37 physician providing the services furnishes a report
38 of the injury and services to the employer within
39 ten days following the first services provided by
40 the physician. However, the commissioner, in the
41 interests of justice, may excuse the failure to furnish
42 the report within the ten days and may, upon
43 application of a party in interest, award the
44 reasonable value of the medical services provided
45 to the employee.

46 Sec. 3. Section 86.38, Code 1983, is amended to
47 read as follows:

48 86.38 EXAMINATION BY PHYSICIAN – FEE. The
49 industrial commissioner may appoint a duly qualified,
50 impartial physician to examine the injured employee

Page 3

1 and make a report. The fee for this service shall
2 be five dollars, to be paid by the industrial
3 commissioner, together with traveling expenses, but
4 the commissioner may allow additional reasonable
5 amounts in extraordinary cases. Any A physician so
6 examining any an injured employee shall not be
7 prohibited from testifying before the industrial
8 commissioner, or any other another person, commission,
9 or court, as to the results of his the physician's
10 examination or the condition of the injured employee.
11 The fee for services under this section shall be taxed
12 as costs pursuant to section 86.40.

13 Sec. 4. This Act applies to injuries incurred
14 on or after July 1, 1984." "

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.

Halvorson of Clayton moved the adoption of amendment
H-6076, to the committee amendment H-5799.

A non-record roll call was requested.

The ayes were 42, nays 50.

Amendment H-6076 lost.

Arnould of Scott in the chair at 11:30 a.m.

The House stood at ease at 11:33 a.m., until the fall of the gavel.

The House resumed session at 1:35 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-one members present, nineteen absent.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lageschulte of Bremer on request of Pellett of Cass; Branstad of Winnebago on request of Bennett of Ida; Connolly of Dubuque on request of O'Kane of Woodbury, all for the remainder of the day.

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, 1984, receded from its amendment and passed the following bill:

House File 558, 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 human services.

Also: That the Senate has on April 11, 1984, 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 2180, a bill for an act relating to vehicle requirements by allowing a county treasurer to transfer title by operation of law in the county of the new owner's residence, and making odometer statement requirements affect model years after the eleventh year prior to the current registration year.

Also: That the Senate has on April 10, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2217, a bill for an act to establish a board of educational examiners to issue certificates and provide for their renewal, and to prescribe their duties.

Also: That the Senate has on April 11, 1984, 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 2373, a bill for an act relating to attorney fees in proceedings to enforce or modify orders or decrees relating to dissolution of marriage.

Also: That the Senate has on April 11, 1984, 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 2436, a bill for an act relating to the licensure and operation of a hospice program.

Also: That the Senate has on March 27, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2486, a bill for an act to provide a deterrent to persons operating a motor vehicle while under the influence of an alcoholic beverage or other drug.

Also: That the Senate has on April 10, 1984, 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 2268, a bill for an act providing for the mandatory assignment of a person's income when the person is delinquent in paying court-ordered support and providing a penalty.

Also: That the Senate has on April 11, 1984, concurred in the House amendment, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2323, a bill for an act relating to the state inheritance tax by changing the due date of the tax, providing for monthly interest, taxing gifts made within three years of death, and making technical corrections.

Also: That the Senate has on April 11, 1984, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 110, encouraging passage of a federal house joint resolution declaring November 4 - 10 as National Medical Assistants' Week.

Also: That the Senate has on April 12, 1984, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 114, relating to the Taxpayer Antitrust Enforcement Act of 1983.

K. MARIE THAYER, Secretary

BUSINESS PENDING

The House resumed consideration of the committee amendment H—5799, to **Senate File 244**, a bill for an act relating to the care given under workers' compensation medical benefits.

Sturgeon of Woodbury moved the adoption of the committee amendment H—5799.

Roll call was requested by Sturgeon of Woodbury and Haverland of Polk.

On the question "Shall the committee amendment H—5799 be adopted?"

The ayes were, 51:

| | | | |
|------------------|-------------|-------------|------------|
| Arnould | Baxter | Black | Brammer |
| Buhr | Carl | Carter | Chapman |
| Chiodo | Coehran | Cooper | Copenhaver |
| Davitt | Fey | Gronstal | Gruhn |
| Halvorson, R. N. | Hammond | Haverland | Holveck |
| Hughes | Jay | Jochum | Knapp |
| Krewson | Lloyd-Jones | Loneragan | McKean |
| Miller | Muhlbauer | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Pavich |
| Peick | Poncy | Renaud | Rosenberg |
| Running | Sherzan | Shoultz | Skow |
| Sturgeon | Sullivan | Swartz | Tabor |
| Woods | Zimmerman | Mr. Speaker | |

The nays were, 45:

| | | | |
|------------|------------|------------------|-----------------|
| Anderson | Bennett | Blanshan | Carpenter |
| Clark | Corey | Daggett | De Groot |
| Diemer | Doderer | Fogarty | Grandia |
| Groninga | Groth | Halvorson, R. A. | Handorf |
| Hanson | Harbor | Hermann | Hoffmann-Bright |
| Hummel | Koenigs | Maulsby | McIntee |
| Menke | Mullins | Norland | Paulin |
| Pellett | Renken | Rensink | Royer |
| Schneklath | Schroeder | Spear | Stromer |
| Stueland | Swearingen | Tofte | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Varn |
| Welden | | | |

Absent or not voting, 4:

| | | | |
|----------|----------|---------|-------------|
| Branstad | Connolly | Connors | Lageschulte |
|----------|----------|---------|-------------|

The committee amendment H—5799 was adopted, placing out of order the following amendments:

H—5798 filed by Halvorson of Clayton, et al., on March 22, 1984.

H—5989 filed by Halvorson of Clayton, et al., on March 29, 1984.

H—6270 filed by Sturgeon of Woodbury on April 12, 1984.

H—6279, to amendment H—6270, filed by Schroeder of Pottawattamie from the floor.

H—6277, to amendment H—6270, filed by Halvorson of Clayton on April 12, 1984.

H—6278, to amendment H—6270, filed by Halvorson of Clayton from the floor.

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.

Rule 76 was invoked.

On the question "Shall the bill pass?" (S.F. 244)

The ayes were, 51:

| | | | |
|-------------|-----------|-------------|------------------|
| Arnould | Baxter | Black | Brammer |
| Buhr | Carl | Carter | Chapman |
| Chiodo | Cochran | Copenhaver | Davitt |
| Fey | Gronstal | Gruhn | Halvorson, R. N. |
| Hammond | Haverland | Holveck | Hughes |
| Jay | Jochum | Knapp | Krewson |
| Lloyd-Jones | Lonergan | McKean | Miller |
| 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, 45:

| | | | |
|-----------------|----------|-----------|------------------|
| Anderson | Bennett | Blanshan | Carpenter |
| Clark | Cooper | Corey | Daggett |
| De Groot | Diemer | Doderer | Fogarty |
| Grandia | Groninga | Groth | Halvorson, R. A. |
| Handorf | Hanson | Harbor | Hermann |
| Hoffmann-Bright | Hummel | Koenigs | Maulsby |
| McIntee | Menke | Muhlbauer | Mullins |
| Norland | Paulin | Pellet | Renken |

| | | | |
|----------|----------|------------|------------|
| Rensink | Royer | Schnekloth | Schroeder |
| Stromer | Stueland | Swearingen | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Welden | | | |

Absent or not voting, 4:

| | | | |
|----------|----------|---------|-------------|
| Branstad | Connolly | Connors | Lageschulte |
|----------|----------|---------|-------------|

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

IMMEDIATE MESSAGES (Senate Files 244 and 2220)

Norland of Worth asked and received unanimous consent to immediately message Senate Files 244 and 2220 to the Senate.

Regular Calendar

House File 2496, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education, 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?" (H.F. 2496)

The ayes were, 92:

| | | | |
|------------------|------------------|-----------|-----------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Buhr |
| Carl | Carpenter | Carter | Chapman |
| Chiodo | Clark | Cochran | Cooper |
| Copenhaver | Corey | 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 | 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 | 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:

| | | | |
|----------|----------|-------------|---------|
| Branstad | Connolly | Connors | Daggett |
| Groninga | Jochum | Lageschulte | Skow |

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

IMMEDIATE MESSAGE
(House File 2496)

Norland of Worth asked and received unanimous consent to immediately message House File 2496 to the Senate.

RULES SUSPENDED

Norland of Worth asked for unanimous consent to immediately consider Senate File 2333.

Objection was raised.

Norland of Worth moved to suspend the rules to immediately consider Senate File 2333.

A non-record roll call was requested.

The ayes were 51, nays 33.

The motion prevailed and **Senate File 2333**, a bill for an act relating to the administration and financing of correctional, mental health, mental retardation and veterans programs and capital projects under the jurisdiction of the department of corrections, the department of human services, or the board of parole, with report of committee recommending amendment and passage, was taken up for consideration.

Buhr of Polk in the chair at 2:33 p.m.

The House stood at ease at 2:45 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 2333 at 3:37 p.m., Hanson of Delaware in the chair.

Jochum of Dubuque offered the following amendment H—6254 filed by the committee on appropriations:

H—6254

- 1 Amend Senate File 2333 as amended; passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, line 10, by striking the figure
- 4 "48,209,723" and inserting in lieu thereof the figure
- 5 "48,120,374".
- 6 2. Page 5, line 15, by striking the figure
- 7 "162,467" and inserting in lieu thereof the figure
- 8 "161,472".
- 9 3. Page 6, line 25, by striking the figure
- 10 "1,410,618" and inserting in lieu thereof the figure
- 11 "1,408,318".
- 12 4. Page 8, line 34, by striking the figure
- 13 "17,858,523" and inserting in lieu thereof the figure
- 14 "17,810,507".
- 15 5. Page 9, by striking lines 4 through 9.
- 16 6. Page 9, line 19, by striking the figure
- 17 "30,410,362" and inserting in lieu thereof the figure
- 18 "30,373,015".
- 19 7. Page 11, line 29, by striking the figure
- 20 "47,532,810" and inserting in lieu thereof the figure
- 21 "47,400,996".

Royer of Page offered the following amendment H—6268, to the committee amendment H—6254, filed by Royer, et al., and moved its adoption:

H—6268

- 1 Amend House amendment H—6254 to Senate File 2333
- 2 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by striking line 15, and inserting
- 5 in lieu thereof the following:
- 6 "5. Page 9, by striking lines 7 through 9, and
- 7 inserting in lieu thereof the following: "the
- 8 department for use at the Iowa veteran's home for
- 9 purposes identified by the department." "

Amendment H-6268 was adopted.

On motion by Jochum of Dubuque the committee amendment H-6254, as amended, was adopted.

UNANIMOUS CONSENT

Norland of Worth asked and received unanimous consent that members attending the Legislative Council meeting be allowed to vote on record roll calls on Senate File 2333 within fifteen minutes after adjournment, providing their vote does not change the outcome.

Schroeder of Pottawattamie offered the following amendment H-6222 filed by him:

H-6222

1 Amend Senate File 2333 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, by striking lines 2 and 3 and inserting
4 in lieu thereof the following: "of the state for
5 each of the fiscal years beginning July 1, 1984 and
6 July 1, 1985, to the department of corrections for".

7 2. Page 1, by striking lines 7 and 8.

8 3. Page 1, by striking lines 13 and 14 and
9 inserting in lieu thereof the following: "the state
10 for each of the fiscal years beginning July 1, 1984
11 and July 1, 1985, to the department of corrections
12 the".

13 4. Page 1, by striking lines 17 and 18.

14 5. Page 8, by striking lines 13 and 14 and
15 inserting in lieu thereof the following: "the state
16 for each of the fiscal years beginning July 1, 1984
17 and July 1, 1985, to the board of parole, including".

18 6. Page 8, by striking lines 17 and 18.

19 7. Page 8, by striking lines 27 and 28 and
20 inserting in lieu thereof the following: "the state
21 for each of the fiscal years beginning July 1, 1984
22 and July 1, 1985, to the department of human services".

23 8. Page 8, by striking lines 32 and 33.

24 9. Page 9, by striking lines 11 and 12 and
25 inserting in lieu thereof the following: "the state
26 for each of the fiscal years beginning July 1, 1984
27 and July 1, 1985, to the department of human
28 services,".

29 10. Page 9, by striking lines 15 and 16.

30 11. Page 11, by striking lines 21 and 22 and

31 inserting in lieu thereof the following: "the state
32 for each of the fiscal years beginning July 1, 1984
33 and July 1, 1985, to the department of human
34 services,".

35 12. Page 11, by striking lines 25 and 26.

36 13. Page 12, by striking lines 19 and 20 and
37 inserting in lieu thereof the following: "the state
38 for each of the fiscal years beginning July 1, 1984
39 and July 1, 1985, to the state community mental
40 health".

41 14. Page 12, by striking lines 24 and 25.

42 15. Page 14, by striking lines 7 and 8 and
43 inserting in lieu thereof the following: "fund of
44 the state to the following state agencies for each
45 of the fiscal years beginning July 1, 1984 and July
46 1, 1985,".

47 16. Page 14, by striking lines 11 and 12.

48 17. Page 15, by striking lines 5 and 6 and
49 inserting in lieu thereof the following: "Act for
50 each of the fiscal years beginning July 1, 1984 and

Page 2

1 July 1, 1985 remaining on June 30, 1988 shall".

Schroeder of Pottawattamie offered the following amendment
H—6246, to amendment H—6222, filed by him and moved its adop-
tion:

H—6246

1 Amend House amendment H—6222 to Senate File 2333
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. By striking page 1, line 42 through page 2,
5 line 1.

Amendment H—6246 was adopted.

On motion by Schroeder of Pottawattamie amendment H—6222,
as amended, lost.

McKean of Jones offered the following amendment H—6251
filed by him and Spear of Lee and moved its adoption:

H—6251

1 Amend Senate File 2333 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 3, by striking line 35 and inserting in
4 lieu thereof the following: "lotion within the medium
5 security facility of the men's reformatory at Anamosa".

6 2. Page 4, by striking line 7 and inserting in
 7 lieu thereof the following: "the medium security
 8 facility of the men's reformatory at Anamosa if the
 9 in".

Amendment H—6251 was adopted.

Spear of Lee offered the following amendment H—6281 filed by him from the floor and moved its adoption:

H—6281

1 Amend Senate File 2333 as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 4, line 31, by inserting after the word
 4 "proceedings." the following: "The department shall
 5 use funds appropriated by this subsection to employ,
 6 at a minimum, two additional qualified hearing officers
 7 to provide coverage at disciplinary hearings at the
 8 state penitentiary, the men's reformatory, the medium
 9 security unit at Mt. Pleasant, and the medical and
 10 security facility. The department shall develop a
 11 plan for coverage by qualified hearing officers at
 12 all state correctional institutions and submit the
 13 report to the General Assembly by January 15, 1985."

Amendment H—6281 was adopted.

Maulsby of Calhoun asked and received unanimous consent to
 • withdraw amendment H—6249 filed by him on April 11, 1984.

Hummel of Benton asked and received unanimous consent to
 withdraw amendment H—6240 filed by him and Sherzan of Polk on
 April 10, 1984.

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. 2333)

The ayes were, 82:

| | | | |
|----------|-----------|---------|------------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Brammer | Buhr |
| Carl | Carpenter | Chapman | Chiodo |
| Clark | Cochran | Cooper | Copenhaver |

| | | | |
|------------------|-------------------------|-----------------|------------------|
| Corey | Daggett | Davitt | De Groot |
| Diemer | Fey | Fogarty | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. A. |
| Halvorson, R. N. | Hammond | Handorf | Harbor |
| Haverland | Hermann | Hoffmann-Bright | Holveck |
| Hummel | Jay | Jochum | Knapp |
| Koenigs | Krewson | Lloyd-Jones | Lonergan |
| McIntee | McKean | Miller | Muhlbauer |
| Mullins | Norland | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Pavich |
| Peick | Pellett | Poncy | Renaud |
| Rensink | Rosenberg | Royer | Running |
| Schneklath | Schroeder | Sherzan | Shoultz |
| Skow | Spear | Stueland | Sturgeon |
| Swartz | Swearingen | Tabor | Van Camp |
| Van Gerpen | Varn | Weiden | Woods |
| Zimmerman | Mr. Speaker (Hanson) | | |

The nays were, 5:

| | | | |
|------------|---------|--------|--------|
| Grandia | Maulsby | Paulin | Renken |
| Van Maanen | | | |

Absent or not voting, 13:

| | | | |
|----------|----------|----------|-------------|
| Blanshan | Branstad | Carter | Connolly |
| Connors | Doderer | Hughes | Lageschulte |
| Menke | Stromer | Sullivan | Tofte |
| Torrence | | | |

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

IMMEDIATE MESSAGE (Senate File 2333)

Halvorson of Webster asked and received unanimous consent to immediately message Senate File 2333 to the Senate.

INTRODUCTION OF BILL

House File 2527, by committee on finance, a bill for an act relating to economic development in the state by providing that the development commission monitor, oversee and spend certain federal funds, establish a primary research and marketing center and satellite centers, establish an informal export advisory group, be responsible for agriculture marketing by establishing an

agriculture marketing division and board, be responsible for the operation of the existing Iowa community development loan program, participate in the certified development program of the United States small business administration through a state certified development program, and be solely responsible for coordinating and adopting rules for the existing Iowa industrial new jobs training program; by allowing insurance companies, state banks, and state savings and loan associations to invest their assets in venture capital firms making investments in small businesses in the state, and public safety police officers, Iowa public employees and policemen and firemen retirement funds to be invested in venture capital firms making investments in small businesses in the state; by establishing an export loan program as part of the Iowa housing finance authority's small business loan program to aid in providing financing for export sales by small businesses; and by increasing the bonding limits of the Iowa housing finance authority and its small business loan program and redefining "small business" and "dominant in its field of operation" for purposes of the small business loan program.

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 members of the conference committee to Senate File 2262, a bill for an act relating to health insurance by requiring that coverage for educational programs for diabetes be offered, on the part of the Senate, appointed April 13, 1984, are: The Senator from Black Hawk, Senator Gallagher, Chair; the Senator from Bremer, Senator Jensen; the Senator from Boone, Senator Nystrom; the Senator from Kossuth, Senator Priebe; and the Senator from Clayton, Senator Tieden.

Also: That the Senate has, on April 13, 1984, insisted on the Senate amendment to the House amendment to Senate File 2291, a bill for an act relating to the finance charges permitted in open-end credit accounts including credit cards, and the members of the conference committee on the part of the Senate are: The Senator from Polk, Senator Kinley, Chair; the Senator from Black Hawk, Senator Gallagher; the Senator from Scott, Senator Holden; the Senator from Polk, Senator Palmer; and the Senator from Muscatine, Senator Rife.

K. MARIE THAYER, Secretary

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 13th day of April, 1984: House Files 257, 425, 509, 2387, 2391 and 2466.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

Hummel of Benton presented to the House the Honorable Russell L. "Dutch" Wyckoff, former member of the House representing Benton County.

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

Fifty-two sixth grade students from East Elementary School, Ankeny, accompanied by Joyce Anderson. By Haverland of Polk.

Students from St. Patrick School, Cedar Falls, accompanied by Sister Brigid Stanley. By Diemer and Van Gerpen of Black Hawk.

Forty-five third and fourth grade students from Semco Elementary School, Laurel, accompanied by Mrs. Jones and Mrs. Peterson. By Swartz of Marshall.

Twenty-eight sixth grade students from Orient Elementary School, Orient, accompanied by Randy Platt. By Hughes of Union and Skow of Guthrie.

Thirty-six fourth grade students from Woodward Elementary School, Woodward, accompanied by Janice Young and Sharon Harris. By Zimmerman of Dallas.

Thirty sixth grade students from Rock Valley Netherlands Elementary School, Rock Valley, accompanied by Janet Short. By Rensink of Sioux.

Fifty sixth grade students from Park View Elementary School, Ankeny, accompanied by Margret Law and Bill Devitt. By Haverland of Polk.

SUBCOMMITTEE ASSIGNMENTS**House File 2521**

Finance: Jochum, Chair; Arnould and Branstad.

House File 2522

Finance: Doderer, Chair; Halvorson of Webster and Hummel.

House File 2523

Finance: Chiodo, Chair; Connolly and Hummel.

Senate File 2318

Ways and Means: Groninga, Chair; Lageschulte and Oxley.

Senate File 2327

Ways and Means: Koenigs, Chair; Daggett and Swartz.

Senate File 2328

Ways and Means: Brammer, Chair; Pavich and Schnekloth.

Senate File 2333

Finance: Jochum, Chair; Arnould and Krewson.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS**Study Bill 799**

Ways and Means: Gronstal, Chair; Connolly and Renken.

Study Bill 800

Finance: Chiodo, Chair; Arnould, Branstad, Connolly and Hummel.

Study Bill 801

Finance: Arnould, Chair; Doderer and Krewson.

Study Bill 802

Ways and Means: Groninga, Chair; Carpenter and Osterberg.

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

Committee Bill (Formerly Study Bill 800), relating to economic development in the state by providing that the development commission monitor, oversee and spend certain federal funds, establish a primary research and marketing center and satellite centers, establish an informal export advisory group, be responsible for agriculture marketing by establishing an agriculture marketing division and board, be responsible for the operation of the existing Iowa community development loan program, participate in the certified development program of the United States small business administration through a state certified development program, and is solely responsible for coordinating and adopting rules for the existing Iowa industrial new jobs training program; by allowing insurance companies, state banks, and state savings and loan associations to invest their assets in venture capital firms making investments in small businesses in the state, and public safety police officers, Iowa public employees and policemen and firemen retirement funds to be invested in venture capital firms making investments in small businesses in the state; by establishing an export loan program as part of the Iowa housing finance authority's small business loan program to aid in providing financing for export sales by small businesses; and increasing the bonding limits of the Iowa housing finance authority and its small business loan program and redefining "small business" and "dominant in its field of operation" for purposes of the small business loan program.

Fiscal Note is required.

Recommended Amend and Do Pass April 13, 1984.

RESOLUTIONS FILED

HCR 123, by O'Kane, a concurrent resolution relating to the investment of idle public funds.

Laid over under **Rule 25**.

SCR 110, by Colton, a concurrent resolution encouraging passage of a federal house joint resolution declaring November 4-10 as National Medical Assistants' Week.

Laid over under **Rule 25**.

SCR 114, by Doyle, a concurrent resolution relating to the Taxpayer Antitrust Enforcement Act of 1983.

Laid over under **Rule 25**.

AMENDMENTS FILED

| | | | |
|--------|------|------|----------------------------|
| H-6280 | S.F. | 2268 | Senate Amendment |
| H-6282 | H.F. | 2217 | Senate Amendment |
| H-6283 | H.F. | 2522 | Doderer of Johnson |
| H-6284 | S.F. | 2337 | Schroeder of Pottawattamie |
| H-6285 | H.F. | 2486 | Senate Amendment |
| H-6286 | S.F. | 420 | Groninga of Cerro Gordo |
| | | | Swartz of Marshall |
| | | | Varn of Johnson |
| | | | Maulsby of Calhoun |
| | | | Schroeder of Pottawattamie |
| | | | Rosenberg of Story |
| | | | Jay of Appanoose |
| H-6287 | S.F. | 2215 | Carl of Poweshiek |
| H-6288 | H.F. | 2183 | Van Camp of Scott |

On motion by Halvorson of Webster, the House adjourned at 4:25 p.m., until 10:00 a.m., Monday, April 16, 1984.

JOURNAL OF THE HOUSE

Ninety-ninth Calendar Day — Sixty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 16, 1984

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

The Lord's Prayer was sung by Beth Betts, a senior from East High School, Des Moines.

The Journal of Friday, April 13, 1984 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Kenneth Hunziker, M.D., Spencer.

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, 1984, 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 2211, a bill for an act making changes in the practice act relating to physical therapy.

Also: That the Senate has on April 13, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2444, a bill for an act to provide that the taxable value of a building shall not be increased where the dollar amount of normal and necessary repairs to the building does not exceed two thousand five hundred dollars.

Also: That the Senate has on April 13, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2507, a bill for an act relating to the penalties for certain taxes including cigarette and tobacco taxes, state motor vehicle fuel taxes, freight line and equipment car mileage taxes, income taxes, withholding taxes, franchise taxes, inheritance and estate taxes, sales and use taxes, and generation skipping transfer taxes.

Also: That the Senate has on April 13, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2518, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies.

Also: That the Senate has on April 13, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2519, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs for this state.

Also: That the Senate has on April 13, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 407, a bill for an act relating to the eligibility for and annuities of the senior judge program.

Also: That the Senator from Tama, Senator Husak has been appointed to replace the Senator from Black Hawk, Senator Gallagher, as a member of the conference committee to Senate File 2291, a bill for an act relating to the finance charges permitted in open-end credit accounts including credit cards.

Also: That the Senate has on April 13, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2340, a bill for an act relating to the structure of certain divisions within the department of public safety.

Also: That the Senate has on April 13, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2346, a bill for an act to suspend the Iowa dairy industry commission during the effective period of a national promotional order established pursuant to the 1963 dairy Act.

K. MARIE THAYER, Secretary

ADOPTION OF HOUSE MEMORIAL RESOLUTION 110

Zimmerman of Dallas offered the following House Memorial Resolution 110 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 110

Whereas, The Honorable Maurice M. Neal of Dallas County, Iowa, who was a member of the Fifty-second General Assembly, passed away March 19, 1983; *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 Zimmerman of Dallas, Skow of Guthrie and Davitt of Warren.

**MOTION TO RECONSIDER WITHDRAWN
(House File 2183)**

Van Camp of Scott asked and received unanimous consent to withdraw the motion to reconsider House File 2183, a bill for an act relating to the regulation of business entities and workers engaging in the removal or encapsulation of asbestos and providing penalties, filed by him on April 4, 1984, placing out of order amendment H-6288 filed by him on April 13, 1984.

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 2522, a bill for an act relating to the disposition of unclaimed property, was taken up for consideration.

Doderer of Johnson offered the following amendment H-6283 filed by her and moved its adoption:

H-6283

- 1 Amend House File 2522 as follows:
- 2 1. Page 3, line 26, by striking the word "two"
- 3 and inserting in lieu thereof the word "five".
- 4 2. Page 3, line 34, by inserting after the word
- 5 "based" the words "and shall be presumed abandoned
- 6 and to be unclaimed funds as defined in this section
- 7 if unclaimed and unpaid for more than two years
- 8 thereafter".
- 9 3. Page 3, line 35, by striking the word
- 10 "preceding" and inserting in lieu thereof the word
- 11 "preceeding".
- 12 4. Page 4, line 1, by striking the words "two
- 13 years" and inserting in lieu thereof the words "years
- 14 two-year period".

Amendment H-6283 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. 2522)

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 | 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 | Loneragan | Maulsby | McIntee |
| McKean | Menke | Miller | Muhlbauer |
| Mullins | Norland | Ollie | Osterberg |
| Oxley | Parker | Paulin | Pavich |
| Peick | Pellett | Poncy | Renaud |
| Renken | Rensink | Rosenberg | Royer |
| Running | Schneklath | Sherzan | Shultz |
| 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:

Schroeder

Absent or not voting, 5:

| | | | |
|---------|-------|-----|--------|
| Connors | Groth | Jay | O'Kane |
| 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:

Tofte of Winneshiek, until his arrival, on request of Van Camp of Scott.

House File 2525, a bill for an act to increase the authorized property tax levy for a benefited law enforcement district, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2525)

The ayes were, 85:

| | | | |
|------------------|------------------|----------|-----------------|
| 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 | Gronstal | Gruhn |
| Halvorson, R. A. | Halvorson, R. N. | Hammond | Handorf |
| Harbor | Haverland | Hermann | Hoffmann-Bright |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lageschulte |
| Lonergan | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Pellet |
| Poncy | Renaud | Renken | Rensink |
| Rosenberg | Royer | Running | Sherzan |
| Shoultz | Skow | Spear | Stromer |
| Stueland | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Van Camp | Van Gerpen |
| Varn | Welden | Woods | Zimmerman |
| Mr. Speaker | | | |

The nays were, 7:

| | | | |
|------------|----------|------------|---------|
| Grandia | Groninga | Hummel | Maulsby |
| Schnekloth | Torrence | Van Maanen | |

Absent or not voting, 8:

| | | | |
|-------------|---------|-----------|--------|
| Carpenter | Connors | Groth | Hanson |
| Lloyd-Jones | O'Kane | Schroeder | Tofte |

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

House File 2523, a bill for an act relating to the issuance of bonds by certain counties for the 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 county residents, establishment of a special tax district, and taxation of real property located within the special tax district, was taken up for consideration.

Norland of Worth asked and received unanimous consent that House File 2523 be deferred and that the bill retain its place on the calendar.

Regular Calendar

Senate Joint Resolution 2001, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor, with report of committee recommending amendment and passage was taken up for consideration.

Halvorson of Webster offered the following amendment H-5954 filed by the committee on state government:

H-5954

- 1 Amend Senate Joint Resolution 2001 as amended,
- 2 passed and reprinted by the Senate, as follows:
- 3 1. Page 3, line 13, by inserting after the word
- 4 "governor." the words "The lieutenant governor shall
- 5 also be president of the senate but shall vote only
- 6 when the senate is equally divided. The senate shall
- 7 choose a president pro tempore in case of the
- 8 lieutenant governor's absence or impeachment or when
- 9 the lieutenant governor is acting as governor."
- 10 2. Page 3, by striking line 14 through page 4,
- 11 line 2.

The following amendment H-6296, to the committee amendment H-5954, filed by Schroeder of Pottawattamie from the floor was adopted by unanimous consent:

H-6296

- 1 Amend amendment H-5954 to Senate Joint Resolution
- 2 2001 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, line 6, by inserting before the word
- 5 "is" the word "vote".

Halvorson of Webster moved the adoption of the committee amendment H—5954, as amended.

A non-record roll call was requested.

The ayes were 44, nays 49.

The committee amendment H—5954, as amended, lost.

Norland of Worth asked and received unanimous consent that Senate Joint Resolution 2001 be deferred and that the resolution retain its place on the calendar.

On motion by Norland of Worth, the House was recessed at 11:13 a.m., until 1:00 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 16, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2348, a bill for an act to increase from five thousand dollars to seven thousand dollars the threshold to qualify for claiming a credit for special assessments due and payable under the extraordinary property tax relief law.

Also: That the Senate has on April 16, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2354, a bill for an act to treat the sale of vulcanizing, recapping, and retreading services under the state sales, services, and use tax as a sale of tangible personal property, and providing retroactive effect.

K. MARIE THAYER, Secretary

SENATE MESSAGES CONSIDERED.

Senate File 2340, by committee on finance, a bill for an act relating to the structure of certain divisions within the department of public safety.

Read first time and referred to committee on state government.

Senate File 2346, by committee on ways and means, a bill for an act to suspend the Iowa dairy industry commission during the effective period of a national promotional order established pursuant to the 1983 dairy Act.

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

Senate File 2348, by committee on ways and means, a bill for an act to increase from five thousand dollars to seven thousand dollars the threshold to qualify for claiming a credit for special assessments due and payable under the extraordinary property tax relief law.

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

Senate File 2354, by committee on finance, a bill for an act to treat the sale of vulcanizing, recapping, and retreading services under the state sales, services, and use tax as a sale of tangible personal property, and providing retroactive effect.

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

IMMEDIATE MESSAGES (House Files 2522 and 2525)

Norland of Worth asked and received unanimous consent to immediately message House Files 2522 and 2525 to the Senate.

CONSIDERATION OF BILLS

The House resumed consideration of **House File 2523**, a bill for an act relating to the issuance of bonds by certain counties for the 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 county residents, establishment of a special tax district, and taxation of real property located within the special tax district, temporarily deferred.

Fey of Scott in the chair at 1:29 p.m.

Carpenter of Polk offered the following amendment H-6293 filed by her from the floor and moved its adoption:

H-6293

- 1 Amend House File 2523 as follows:
- 2 1. Page 1, by striking line 15 and inserting in lieu
- 3 thereof the following: "property that is taxed as
- 4 agricultural property on the effective date of this Act."

Roll call was requested by Carpenter of Polk and Swearingen of Keokuk.

Rule 76 was invoked.

On the question "Shall amendment H-6293 be adopted?"

The ayes were, 44:

| | | | |
|-------------|------------------|-----------------|-----------|
| Anderson | Bennett | Branstad | Carpenter |
| Clark | Cochran | Copenhaver | Corey |
| Daggett | De Groot | Diemer | Doderer |
| Grandia | Halvorson, R. A. | Handorf | Hanson |
| Harbor | Hermann | Hoffmann-Bright | Hummel |
| Lageschulte | Lloyd-Jones | Maulsby | McIntee |
| McKean | Menke | Mullins | Osterberg |
| Oxley | Paulin | Pellet | Renken |
| Rensink | Royer | Schnekloth | Schroeder |
| Stromer | Stueland | Swearingen | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Weiden |

The nays were, 50:

| | | | |
|-----------|----------------------|----------|-----------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carter | Chiodo | Connolly | Davitt |
| Fogarty | Groninga | Gronstal | Groth |
| Gruhn | Halvorson, R. N. | Hammond | Haverland |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Koenigs | Miller | Muhlbauer |
| Norland | O'Kane | Ollie | Parker |
| Pavich | Peick | Poncy | Renaud |
| Rosenberg | Running | Sherzan | Shoultz |
| Skow | Spear | Sturgeon | Sullivan |
| Swartz | Tabor | Varn | Woods |
| Zimmerman | Mr. Speaker (Fey) | | |

Absent or not voting, 6:

| | | | |
|----------|---------|--------|---------|
| Chapman | Connors | Cooper | Krewson |
| Lonergan | Tofte | | |

Amendment H-6293 lost.

Carpenter of Polk offered the following amendment H-6292 filed by her from the floor and moved its adoption:

H-6292

- 1 Amend House File 2523 as follows:
- 2 1. Page 1, line 28, by inserting after the period
- 3 the following: "Notwithstanding section 75.1, approval
- 4 of the proposal requires the favorable vote of not less
- 5 than fifty-five percent of the total vote cast for and
- 6 against the proposal at the election."

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 42, nays 49.

Amendment H-6292 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.

Rule 76 was invoked.

On the question "Shall the bill pass?" (H.F. 2523)

The ayes were, 55:

| | | | |
|-----------|-----------|----------------------|------------|
| Arnould | Avenson | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carter | Chiodo |
| Cochran | Connolly | Cooper | Copenhaver |
| Davitt | Fogarty | Groninga | Gronstal |
| Groth | Gruhn | Halvorson, R. N. | Hammond |
| Haverland | Holveck | Jay | Jochum |
| Knapp | Koenigs | Loneragan | Miller |
| Muhlbauer | Norland | Ollie | Oxley |
| Parker | Pavich | Peick | Poncy |
| Renaud | Rosenberg | Running | Schroeder |
| Sherzan | Shoultz | Skow | Spear |
| Sullivan | Swartz | Tabor | Varn |
| Woods | Zimmerman | Mr. Speaker (Fey) | |

The nays were, 39:

| | | | |
|------------------|-----------------|----------|-----------|
| Anderson | Carpenter | Clark | Corey |
| Daggett | De Groot | Diemer | Grandia |
| Halvorson, R. A. | Handorf | Hanson | Harbor |
| Hermann | Hoffmann-Bright | Hughes | Hummel |
| Lageschulte | Maulsby | McIntee | McKean |
| Menke | Mullins | O'Kane | Osterberg |
| Paulin | Pellett | Renken | Rensink |
| Royer | Schneklath | Stromer | Stueland |
| Sturgeon | Swearingen | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | |

Absent or not voting, 6:

| | | | |
|-------------|---------|---------|---------|
| Chapman | Connors | Doderer | Krewson |
| Lloyd-Jones | 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:

Chapman of Linn, until her arrival, on request of Running of Linn.

Ways and Means Calendar

House File 2524, a bill for an act increasing the limit on the tax rate that may be certified by the board of directors of a school corporation to be levied on taxable property in a school district for the use of a free public library by residents of the school district, 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. 2524)

The ayes were, 72:

| | | | |
|----------|------------|---------|----------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carter | Clark | Cochran | Connolly |
| Cooper | Copenhaver | Davitt | Diemer |

| | | | |
|-----------|-----------|------------------|----------------------|
| Doderer | Fogarty | Groninga | Gronstal |
| Groth | Gruhn | Halvorson, R. N. | Hammond |
| Hanson | Harbor | Haverland | Hoffmann-Bright |
| Holveck | Hughes | Hummel | Jay |
| Jochum | Koenigs | McIntee | McKean |
| Menke | Miller | Muhlbauer | Mullins |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Renaud | Rosenberg | Royer | Running |
| Schroeder | Sherzan | Shoultz | Skow |
| Spear | Stromer | Stueland | Sturgeon |
| Sullivan | Swartz | Swearingen | Tabor |
| Torrence | Van Camp | Van Gerpen | Varn |
| Welden | Woods | Zimmerman | Mr. Speaker (Fey) |

The nays were, 20:

| | | | |
|-----------|---------|------------|-------------|
| Anderson | Bennett | Branstad | Carpenter |
| Corey | Daggett | De Groot | Grandia |
| Handorf | Hermann | Knapp | Lageschulte |
| Loneragan | Maulsby | Pellett | Poncy |
| Renken | Rensink | Schneklath | Van Maanen |

Absent or not voting, 8:

| | | | |
|---------|-------------|---------|------------------|
| Chapman | Chiodo | Connors | Halvorson, R. A. |
| Krewson | Lloyd-Jones | Norland | 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 2517, a bill for an act to legalize proceedings by the city council of the city of Ryan, Iowa relating to the sale of certain property, 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?" (H.F. 2517)

The ayes were, 90:

| | | | |
|----------|---------|---------|----------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Brammer | Branstad |

| | | | |
|------------------|----------------------|-----------|-------------|
| Buhr | Carl | Carter | Clark |
| Cochran | Connolly | Cooper | Copenhaver |
| Corey | Daggett | Davitt | De Groot |
| Diemer | Doderer | Fogarty | Grandia |
| Groninga | Gronstal | Groth | Grubn |
| Halvorson, R. A. | Halvorson, R. N. | Hammond | Handorf |
| Hanson | Harbor | Haverland | Hermann |
| Hoffmann-Bright | Holveck | Hummel | Jay |
| Jochum | Knapp | Koenigs | 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 | Shoultz |
| Skow | Spear | Stromer | Stueland |
| Sturgeon | Sullivan | Swartz | Swearingen |
| Tabor | Torrence | Van Camp | Van Gerpen |
| Van Maanen | Varn | Welden | Woods |
| Zimmerman | Mr. Speaker (Fey) | | |

The nays were, 1:

Hughes

Absent or not voting, 9:

| | | | |
|----------|-----------|-------------|---------|
| Blanshan | Carpenter | Chapman | Chiodo |
| Connors | Krewson | Lloyd-Jones | Sherzan |
| 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 2524 and 2517)

Norland of Worth asked and received unanimous consent to immediately message House Files 2524 and 2517 to the Senate.

MOTION TO RECONSIDER LOST

(House File 2523)

The motion to reconsider House File 2523 filed by Bennett of Ida from the floor was taken up for consideration. Bennett of Ida moved to reconsider the vote by which House File 2523, a bill for an act relating to the issuance of bonds by certain counties for the 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 county residents, establishment of a special tax district, and taxation of real property located within the special tax district, passed the House and was placed on its last reading on April 16, 1984.

A non-record roll call was requested.

The ayes were 38, nays 48.

The motion to reconsider lost.

SENATE AMENDMENTS CONSIDERED

Halvorson of Clayton called up for consideration **House File 2459**, a bill for an act allowing a vendor to charge for reasonable attorneys fees in the forfeiture of a real estate contract, amended by the Senate, and moved that the House concur in the following Senate amendment H-6031:

H-6031

- 1 Amend House File 2459 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 6, by striking the words "one
- 4 hundred" and inserting in lieu thereof the word
- 5 "fifty".

The motion prevailed and the House concurred in the Senate amendment H-6031.

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

On the question "Shall the bill pass?" (H.F. 2459)

The ayes were, 92:

| | | | |
|----------|----------|---------|------------|
| Anderson | Arnould | Avenson | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carter | 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 | Hummel |
| Jay | Jochum | Knapp | Koenigs |
| Krewson | Lageschulte | Lonergan | Maulsby |
| McIntee | McKean | Menke | Miller |
| Muhlbauer | Mullins | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Paulin |
| Pavich | Peick | Pellet | Poncy |
| Renaud | Renken | Rensink | Rosenberg |
| Royer | Running | Schneklath | 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 (Fey) |

The nays were, 1:

Baxter

Absent or not voting, 7:

| | | | |
|-------------|---------|--------|---------|
| Carpenter | Chapman | Chiodo | Connors |
| Lloyd-Jones | Norland | 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.

Varn of Johnson called up for consideration **House File 2470**, a bill for an act relating to the platting requirements upon the subdivision of a parcel of land and the vacating of certain public streets, alleys, and other public lands, amended by the Senate, and moved that the House concur in the following Senate amendment H—6248:

H—6248

- 1 Amend House File 2470, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking page 1, line 4 through page 2,
- 4 line 5, and inserting in lieu thereof the following:
- 5 "A proprietor of a parcel of land of any size who
- 6 divides the property into three or more parts any
- 7 of which are described by metes and bounds description

8 and are ten acres or less, shall have a plat made
9 of the subdivision. The plat shall be made by a
10 registered land surveyor holding a certificate under
11 chapter 114. The plat shall make reference to
12 monuments of record or permanent control monuments
13 and shall give bearing and distance from some corner
14 of the plat to two corners of the congressional
15 division of which it is a part. The plat shall
16 accurately describe each part of the subdivision by
17 giving its dimensions, length and breadth and shall
18 number the parts by progressive number.

19 A plat prepared pursuant to the requirements of
20 this subsection is subject only to sections 409.3,
21 409.14, 409.15, 409.16, 409.30, 409.31, 409.32, 409.33,
22 and 409.37, and is exempt from the other provisions
23 of this chapter, where either of the following
24 conditions exist:

25 1. No street, road, alley, or other public in-
26 terest is being conveyed.

27 2. The plat is for assessment and taxation pur-
28 poses under section 441.65.

29 A deed, contract, or other conveyance which is
30 presented to the county recorder in violation of this
31 subsection and is not being platted for assessment
32 and taxation purposes under section 441.65, shall
33 not be accepted for recording until the plat or survey
34 has been recorded as required by this section."

35 2. Page 2, by striking lines 6 through 22.

36 3. Page 2, by inserting after line 22 the
37 following:

38 "Sec. . The provisions of this Act shall not
39 apply to land located outside of an incorporated
40 area."

The motion lost and the House refused to concur in the Senate amendment H-6248.

SENATE AMENDMENT CONSIDERED

Rosenberg of Story called up for consideration **House File 2465**, a bill for an act relating to the discharge of seriously mentally impaired persons who have been involuntarily hospitalized in connection with a criminal conviction or unresolved criminal charge or pursuant to an acquittal due to insanity or diminished responsibility, amended by the Senate, and moved that the House concur in the following Senate amendment H-6053:

H-6053

1 Amend House File 2465 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:

4 "Section 1. Section 226.27, Code 1983, is amended
5 by striking the section and inserting in lieu thereof
6 the following:

7 226.27 PATIENT ACCUSED OR ACQUITTED OF CRIME OR
8 AWAITING JUDGMENT. If a patient was committed to
9 a state hospital for evaluation or treatment under
10 chapter 812 or the rules of criminal procedure, further
11 proceedings shall be had under chapter 812 or the
12 applicable rule when the evaluation has been completed
13 or the patient has regained mental capacity, as the
14 case may be.

15 Sec. 2. Section 229.1, subsection 1, Code
16 Supplement 1983, is amended to read as follows:

17 1. "Mental illness" means every type of mental
18 disease or mental disorder, except that it does not
19 refer to mental retardation as defined in section
20 222.2, subsection 5, or to insanity, diminished
21 responsibility, or mental incompetency as the terms
22 are defined and used in the Iowa criminal code or
23 in the rules of criminal procedure, Iowa court rules,
24 2d ed.

25 Sec. 3. Section 229.26, Code 1983, is amended
26 to read as follows:

27 229.26 EXCLUSIVE PROCEDURE FOR INVOLUNTARY
28 HOSPITALIZATION. Sections 229.6 to ~~229.39~~ shall
29 229.19 constitute the exclusive procedure for
30 involuntary hospitalization of persons by reason of
31 serious mental impairment in this state, except that
32 nothing in this chapter shall ~~negate~~ negates the
33 provisions of sections 245.12 and 246.16 relative
34 relating to transfer of mentally ill prisoners to
35 state hospitals for the mentally ill or applies to
36 commitments of persons under chapter 812 or the rules
37 of criminal procedure, Iowa court rules, 2d ed.

38 Sec. 4. Rule of criminal procedure 1, section
39 2, Iowa court rules, 2d ed., is amended by adding
40 the following new subsection:

41 NEW SUBSECTION. "Mentally ill", as used in these
42 rules, describes the condition of a person who is
43 suffering from a mental disease or disorder and who,
44 by reason of that condition, lacks sufficient judgment
45 to make responsible decisions regarding treatment
46 and is reasonably likely to injure the person's self
47 or others who may come into contact with the person
48 if the person is allowed to remain at liberty without
49 treatment.

50 Sec. 5. Rule of criminal procedure 21, section

Page 2

1 8. Iowa court rules, 2d ed., is amended by striking
2 the section and inserting in lieu thereof the
3 following:

4 **8. ACQUITTAL ON GROUND OF INSANITY OR DIMINISHED**
5 **RESPONSIBILITY; COMMITMENT; HEARING.**

6 a. **JURY FINDING.** If the defense is insanity or
7 diminished responsibility, the jury must be instructed
8 that, if it acquits the defendant on either of those
9 grounds, it shall state that fact in its verdict.

10 b. **COMMITMENT FOR EVALUATION.** Upon a verdict
11 of not guilty by reason of insanity or diminished
12 responsibility, the court shall immediately order
13 the defendant committed to a state mental health
14 institute or other appropriate facility for a complete
15 psychiatric evaluation and shall set a date for a
16 hearing to inquire into the defendant's present mental
17 condition. The court shall prepare written findings
18 which shall be delivered to the facility at the time
19 the defendant is admitted fully informing the chief
20 medical officer of the facility of the reason for
21 the commitment. The chief medical officer shall
22 report to the court within fifteen days of the
23 admission of the defendant to the facility, stating
24 the chief medical officer's diagnosis and opinion
25 as to whether the defendant is mentally ill and
26 dangerous to the defendant's self or to others. The
27 court shall promptly forward a copy of the report
28 to the defendant's attorney and to the attorney for
29 the state. An extension of time for the evaluation,
30 not to exceed fifteen days, may be granted upon the
31 chief medical officer's request after due consideration
32 of any objections or comments the defendant may have.

33 c. **INDEPENDENT EXAMINATION.** The defendant may
34 have a separate examination conducted at the facility
35 by a licensed physician of the defendant's choice
36 and the report of the independent examiner shall be
37 submitted to the court.

38 d. **RETURN FOR HEARING.** Upon filing the report
39 required by this rule or the filing of any subsequent
40 report regarding the defendant's mental condition,
41 the chief medical officer shall give notice to the
42 sheriff and county attorney of the county from which
43 the defendant was committed and the sheriff shall
44 receive and hold the defendant for hearing. However,
45 if the chief medical officer believes continued custody
46 of the defendant at the facility is necessary to
47 ensure the defendant's safety or the safety of others
48 and states that finding in the report, the court shall
49 make arrangements for the hearing to be conducted
50 as soon as practicable at a suitable place within

Page 3

1 the facility to which the defendant was committed.

2 e. HEARING; RELEASE OR RETENTION IN CUSTODY.

3 If, upon hearing, the court finds that the defendant
4 is not mentally ill and no longer dangerous to the
5 defendant's self or to others, the court shall order
6 the defendant released. If, however, the court finds
7 that the defendant is mentally ill and dangerous to
8 the defendant's self or to others, the court shall
9 order the defendant committed to a state mental health
10 institute or to the Iowa security and medical facility
11 and retained in custody until the court finds that
12 the defendant is no longer mentally ill and dangerous
13 to the defendant's self or to others. The court shall
14 give due consideration to the chief medical officer's
15 findings and opinion along with any other relevant
16 evidence that may be submitted.

17 No more than thirty days after entry of an order
18 for continued custody, and thereafter at intervals
19 of not more than sixty days as long as the defendant
20 is in custody, the chief medical officer of the
21 facility to which the defendant is committed shall
22 report to the court which entered the order. Each
23 periodic report shall describe the defendant's
24 condition and state the chief medical officer's
25 prognosis if the defendant's condition has remained
26 unchanged or has deteriorated. The court shall forward
27 a copy of each report to the defendant's attorney
28 and to the attorney for the state.

29 If the chief medical officer reports at any time
30 that the defendant is no longer mentally ill and is
31 no longer dangerous to the defendant's self or to
32 others, the court shall, upon hearing, order the
33 release of the defendant unless the court finds that
34 continued custody and treatment are necessary to
35 protect the safety of the defendant's self or others
36 in which case the court shall order the defendant
37 committed to the Iowa security and medical facility
38 for further evaluation, treatment, and custody.

39 Sec. 6. Rule of criminal procedure 22, section
40 3, subsections b and c, Iowa court rules, 2d ed.,
41 are amended by striking the subsections and inserting
42 in lieu thereof the following:

43 b. WHAT MAY BE SHOWN FOR CAUSE. The defendant
44 may show for cause against the entry of judgment any
45 sufficient ground for a new trial or in arrest of
46 judgment.

47 c. INCOMPETENCY. If it reasonably appears to
48 the court that the defendant is suffering from a
49 mental disorder which prevents the defendant from
50 appreciating or understanding the nature of the

Page 4

- 1 proceedings or effectively assisting defendant's
- 2 counsel, judgment shall not be immediately entered
- 3 and the defendant's mental competency shall be
- 4 determined according to the procedures described in
- 5 sections 812.3 through 812.5.
- 6 Sec. 7. Sections 226.28, 226.29, and 229.20, Code
- 7 1963, are repealed."

The motion prevailed and the House concurred in the Senate amendment H—6053.

Rosenberg of Story 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. 2465)

The ayes were, 93:

| | | | |
|----------------------|------------------|------------------|------------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Branstad |
| Buhr | 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 |
| 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 | Running |
| Schneklath | Schroeder | Sherzan | Shoultz |
| Skow | Spear | Stromer | Stueland |
| Sturgeon | Sullivan | Swartz | Swearingen |
| Tabor | Torrence | Van Camp | Van Gerpen |
| Van Maanen | Varn | Woods | Zimmerman |
| Mr. Speaker (Fey) | | | |

The nays were, none.

Absent or not voting, 7:

Brammer
Lloyd-Jones

Chapman
Tofte

Connors
Welden

Groninga

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 2215**, a bill for an act to provide for the issuance of an extracurricular contract by school boards, to set criteria for receipt of the contract including the establishment of a coaching authorization, and to provide for termination of the extracurricular contract, placed on the unfinished business calendar on March 29, 1984.

Carter of Henry asked and received unanimous consent to temporarily defer action on the committee amendment H-5808.

Carter of Henry offered the following amendment H-6259 filed by Carter, et al.:

H-6259

- 1 Amend Senate File 2215, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting in lieu thereof the following:
- 5 "Section 1. 279.19A NEW SECTION. EXTRACURRICULAR
- 6 CONTRACTS.
- 7 1. School districts employing individuals to coach
- 8 interscholastic athletic activities shall issue a
- 9 separate extracurricular contract for each of these
- 10 activities. An extracurricular contract offered under
- 11 this section shall be separate from the contract
- 12 issued under section 279.13. Wages for employees
- 13 who coach these activities shall be paid pursuant
- 14 to established or negotiated supplemental pay
- 15 schedules. An extracurricular contract shall be in
- 16 writing, and shall state the number of contract days,
- 17 the annual compensation to be paid, and any other
- 18 matters as may be mutually agreed upon. The contract
- 19 shall be for a single school year and may be continued
- 20 as provided in subsection 2.
- 21 2. An extracurricular contract shall be continued
- 22 automatically in force and effect for equivalent

23 periods, except as modified or terminated by mutual
24 agreement of the board of directors and the employee,
25 or terminated in accordance with this section. An
26 extracurricular contract shall initially be offered
27 by the employing board to an individual on the same
28 date that contracts are offered to teachers under
29 section 279.13. An extracurricular contract may be
30 terminated at the end of a school year pursuant to
31 sections 279.15 through 279.19 except as provided
32 in section 279.19B. If the school district offers
33 an extracurricular contract for an activity for the
34 subsequent school year to an employee who is currently
35 performing under an extracurricular contract for that
36 activity, and the employee does not wish to accept
37 the extracurricular contract for the subsequent year,
38 the employee may resign from the extracurricular
39 contract within twenty-one days after it has been
40 received.

41 Section 279.13, subsection 3, applies to this
42 section.

43 3. The board of directors of a school district
44 may require an employee who has resigned from an
45 extracurricular contract to accept, as a condition
46 of employment under section 279.13, the extracurricular
47 contract for the subsequent school year if all of
48 the following conditions apply:

49 a. The employee has accepted a teaching contract
50 issued by the board pursuant to section 279.13 for

Page 2

1 the subsequent school year.

2 b. The board of directors has made a good faith
3 effort to fill the coaching position with a qualified
4 replacement.

5 c. The position has not been filled by June 1
6 of the year in which the employee resigned the
7 extracurricular contract.

8 4. As a condition of employment under section
9 279.13, the board of directors of a school district
10 may require an employee who has been issued a teaching
11 contract pursuant to section 279.13 to accept an
12 extracurricular contract, or may require as a condition
13 of employment that an applicant for a teaching contract
14 under section 279.13 accept an extracurricular contract
15 if all of the following conditions apply:

16 a. The individual who held the coaching position
17 during the year has not been issued a teaching contract
18 by the board pursuant to section 279.13 for the
19 subsequent school year because of declining enrollment,
20 or has been terminated from the extracurricular

21 contract.

22 b. The board has made a good faith effort to fill
23 the coaching position with a qualified replacement.

24 c. The position has not been filled by June 1
25 of the year in which the vacancy occurred for the
26 interscholastic athletic activity.

27 5. By June 1 of that year, the board shall notify
28 the employee in writing if the board intends to require
29 the employee to accept the extracurricular contract
30 for the subsequent school year under subsection 3
31 or 4. If the employee believes that the board did
32 not make a good faith effort to fill the position,
33 the employee may appeal the decision by notifying
34 the board in writing within seven school days after
35 receiving the notification.

36 The appeal shall state why the employee believes
37 that the board did not make a good faith effort to
38 fill the position. If the parties are unable to
39 informally resolve the dispute, the parties shall
40 attempt to agree upon an alternative means of resolving
41 the dispute.

42 If the dispute is not resolved by mutual agreement,
43 either party may appeal to the district court.

44 6. Subsections 3, 4, and 5 do not apply if the
45 terms of a collective bargaining agreement provide
46 otherwise.

47 7. An extracurricular contract, except an
48 extracurricular contract held by an individual who
49 possesses a coaching authorization, may be terminated
50 prior to the expiration of that contract pursuant

Page 3

1 to section 279.27.

2 8. A termination proceeding of an extracurricular
3 contract either by the board pursuant to subsection
4 2 or pursuant to section 279.27 does not affect a
5 contract issued pursuant to section 279.13.

6 A termination of a contract entered into pursuant
7 to section 279.13, or a resignation from that contract
8 by the teacher, constitutes an automatic termination
9 or resignation of the extracurricular contract in
10 effect between the same teacher and the employing
11 school board.

12 9. For the purposes of this section, "good faith
13 effort" includes advertising for the position in an
14 appropriate publication, interviewing applicants,
15 and giving serious consideration to those qualified
16 applicants who apply.

17 Sec. 2. NEW SECTION. 279.19B COACHING ENDORSEMENT
18 AND AUTHORIZATION. The board of directors of a school

19 district shall offer an extracurricular contract for
20 varsity head coach of the interscholastic athletic
21 activities of football, basketball, track, baseball,
22 softball, volleyball, gymnastics, hockey, and wrestling
23 only to an individual possessing a teaching certificate
24 with a coaching endorsement issued pursuant to chapter
25 260.

26 The board of directors of a school district may
27 employ for head coach of other interscholastic athletic
28 activities or for assistant coach of any
29 interscholastic athletic activity, an individual who
30 possesses a coaching authorization issued by the
31 department of public instruction. An individual who
32 has been issued a coaching authorization and is
33 employed by the board of directors of a school district
34 is not subject to sections 279.13 through 279.19A
35 or section 279.27.

36 Sec. 3. NEW SECTION. 260.13 COACHING
37 AUTHORIZATION.

38 1. The minimum requirements for the board to award
39 a coaching authorization to an applicant are:

40 a. Successful completion of one semester credit
41 hour or ten contact hours in a course relating to
42 knowledge and understanding of the structure and
43 function of the human body in relation to physical
44 activity.

45 b. Successful completion of one semester credit
46 hour or ten contact hours in a course relating to
47 knowledge and understanding of human growth and
48 development of children and youth in relation to
49 physical activity.

50 c. Successful completion of two semester credit

Page 4

1 hours or twenty contact hours in a course relating
2 to knowledge and understanding of the prevention and
3 care of athletic injuries and medical and safety
4 problems relating to physical activity.

5 d. Successful completion of one semester credit
6 hour or ten contact hours relating to knowledge and
7 understanding of the techniques and theory of coaching
8 interscholastic athletics.

9 2. Sections 260.6, 260.7, 260.10, 260.11, 260.14,
10 260.15, 260.21, and 260.23 and chapter 272A apply
11 to coaching authorizations issued under this chapter.

12 3. The board of educational examiners shall adopt
13 rules under chapter 17A for approval of courses offered
14 for a coaching authorization. The board of educational
15 examiners shall work with institutions of higher
16 education, private colleges and universities, merged

17 area schools, and area education agencies to insure
 18 that the courses required under subsection 1 are
 19 offered throughout the state at convenient times and
 20 at a reasonable cost.

21 Sec. 4. Extracurricular contracts shall be offered
 22 pursuant to this Act on or after March 15, 1985 for
 23 the school year commencing July 1, 1985."

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk on request of Arnould of Scott.

The House stood at ease at 2:38 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H-6259 at 4:37 p.m., Speaker Avenson in the chair.

Haverland of Polk offered amendment H-6265, to amendment H-6259, filed by him and requested division as follows:

H-6265

- 1 Amend the amendment H-6259 to Senate File 2215,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:

H-6265A

- 4 1. Page 1, by striking lines 31 and 32 and
- 5 inserting in lieu thereof the following: "sections
- 6 279.15 through 279.19. If the school district offers".
- 7 2. Page 2, by striking lines 47, 48, and 49 and
- 8 inserting in lieu thereof the following:
- 9 "7. An extracurricular contract may be terminated".

H-6265B

- 10 3. Page 3, by inserting after line 16 the
- 11 following:
- 12 "Sec. NEW SECTION. OTHER EXTRACURRICULAR
- 13 ACTIVITIES. School districts may employ individuals
- 14 to sponsor, direct, or coach extracurricular
- 15 activities, other than interscholastic athletic
- 16 activities who do not possess certificates issued
- 17 under chapter 260. An individual who is employed
- 18 to sponsor, direct, or coach these activities shall
- 19 meet all of the following:

H-6265B

- 20 a. The individual meets the necessary
 21 qualifications to competently sponsor the activity.
 22 b. The individual will function under the
 23 supervision of an employee of the school district
 24 who possesses a certificate issued under chapter 260."

Haverland of Polk moved the adoption of amendment H-6265A, to amendment H-6259.

A non-record roll call was requested.

The ayes were 54, nays 20.

Amendment H-6265A was adopted, placing out of order amendment H-6266 (to amendment H-6259) filed by Haverland of Polk and Spear of Lee on April 12, 1984.

Lloyd-Jones of Johnson in the chair at 4:48 p.m.

Haverland of Polk offered the following amendment H-6264, to amendment H-6259, filed by Haverland, et al., and moved its adoption:

H-6264

- 1 Amend the amendment H-6259 to Senate File 2215,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, line 19, by striking the words "because
 5 of declining enrollment".

Roll call was requested by Haverland of Polk and Arnould of Scott.

On the question "Shall amendment H-6264, to amendment H-6259, be adopted?"

The ayes were, 57:

| | | | |
|----------|------------|---------|----------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Brammer | Carl | Chapman |
| Chiodo | Clark | Cochran | Connolly |
| Cooper | Copenhaver | Davitt | De Groot |
| Doderer | Fey | Fogarty | Groninga |

| | | | |
|--------------------------------|------------|-------------|------------------|
| Gronstal | Groth | Gruhn | Halvorson, R. N. |
| Hammond | Hanson | Haverland | Hughes |
| Hummel | Jay | Jochum | Knapp |
| Koenigs | Krewson | Lageschulte | Lonergan |
| McIntee | McKean | Muhlbauer | Mullins |
| Norland | Ollie | Osterberg | Parker |
| Pavich | Renaud | Rosenberg | Sherzan |
| Skow | Spear | Sturgeon | Swartz |
| Tabor | Van Maanen | Varn | Zimmerman |
| Madam Speaker (Lloyd-Jones) | | | |

The nays were, 39:

| | | | |
|------------|------------|------------------|----------|
| Anderson | Bennett | Branstad | Buhr |
| Carpenter | Carter | Corey | Daggett |
| Diemer | Grandia | Halvorson, R. A. | Handorf |
| Harbor | Hermann | Hoffmann-Bright | Holveck |
| Maulsby | Miller | O'Kane | Oxley |
| Paulin | Peick | Pellet | Poncy |
| Renken | Rensink | Royer | Running |
| Schnekloth | Schroeder | Shoultz | Stromer |
| Stueland | Swearingen | Torrence | Van Camp |
| Van Gerpen | Welden | Woods | |

Absent or not voting, 4:

| | | | |
|---------|-------|----------|-------|
| Connors | Menke | Sullivan | Tofte |
|---------|-------|----------|-------|

Amendment H—6264 was adopted.

Speaker Avenson in the chair at 5:20 p.m.

Shoultz of Black Hawk offered the following amendment H—6267, to amendment H—6259, filed by him and moved its adoption:

H—6267

- 1 Amend amendment H—6259 to Senate File 2215 as
- 2 amended, passed and reprinted by the Senate as follows:
- 3 1. Page 2, by striking lines 8 through 26.
- 4 2. Page 2, line 31, by striking the word and
- 5 figure "or 4".
- 6 3. Page 2, line 44, by striking the figure "
- 7 4."
- 8 4. By renumbering subsections as necessary.

Roll call was requested by Shoultz of Black Hawk and Running of Linn.

On the question "Shall amendment H—6267, to amendment H—6259, be adopted?"

The ayes were, 13:

| | | | |
|---------|------------|------------|---------|
| Buhr | Groninga | Hermann | Miller |
| Oxley | Peick | Poncy | Running |
| Shoultz | Swearingen | Van Gerpen | Weiden |
| Woods | | | |

The nays 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 | Gronstal | Groth |
| Gruhn | Halvorson, R. N. | Hammond | Handorf |
| Hanson | Harbor | Haverland | Hoffmann-Bright |
| Holveck | Hughes | Hummel | Jay |
| Jochum | Knapp | Koenigs | Lageschulte |
| Lloyd-Jones | Loneragan | Maulsby | McIntee |
| McKean | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Parker |
| Paulin | Pavich | Pellett | Renaud |
| Renken | Rensink | Rosenberg | Royer |
| Schneklath | Schroeder | Sherzan | Skow |
| Spear | Stueland | Sturgeon | Sullivan |
| Swartz | Tabor | Torrence | Van Camp |
| Van Maanen | Varn | Zimmerman | Mr. Speaker |

Absent or not voting, 7:

| | | | |
|----------|---------|------------------|---------|
| Branstad | Connors | Halvorson, R. A. | Krewson |
| Menke | Stromer | Tofte | |

Amendment H—6267 lost.

The House resumed consideration of H—6265B, to amendment H—6259.

Groninga of Cerro Gordo in the chair at 5:44 p.m.

Haverland of Polk moved the adoption of amendment H—6265B, to amendment H—6259.

A non-record roll call was requested.

The ayes were 63, nays 16.

Amendment H—6265B was adopted.

Carl of Poweshiek asked and received unanimous consent to withdraw amendment H—6287, to amendment H—6259, filed by her on April 13, 1984.

Carl of Poweshiek offered the following amendment H—6301, to amendment H—6259, filed by her from the floor and moved its adoption:

H—6301

- 1 Amend the amendment H—6259 to Senate File 2215,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, lines 17 and 18, by striking the words
- 5 "ENDORSEMENT AND AUTHORIZATION" and inserting in lieu
- 6 thereof the word "REQUIREMENTS".
- 7 2. By striking page 3, line 30, through page 4,
- 8 line 20, and inserting in lieu thereof the following:
- 9 "does not possess a certificate issued under chapter
- 10 260. An individual employed by a board of directors
- 11 under this section who does not possess a certificate
- 12 issued under chapter 260 is not subject to sections
- 13 279.13 through 279.19A or section 279.27."

Amendment H—6301 lost.

Daggett of Taylor offered the following amendment H—6315, to amendment H—6259, filed by him from the floor and moved its adoption:

H—6315

- 1 Amend the amendment H—6259 filed to Senate File
- 2 2215 as amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, line 20, by striking the word "the" and
- 5 inserting in lieu thereof the word "all".
- 6 2. Page 3, by striking lines 21 and 22 and insert-
- 7 ing in lieu thereof the word "activities".
- 8 3. Page 3, by striking lines 27 and 28 and in-
- 9 serting in lieu thereof the following: "employ for
- 10 assistant coach of any".

A non-record roll call was requested.

The ayes were 32, nays 52.

Amendment H—6315 lost.

Hammond of Story offered the following amendment H—6302, to amendment H—6259, filed by her from the floor and moved its adoption:

H—6302

- 1 Amend amendment H—6259 to Senate File 2215 as
- 2 amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, line 22, by inserting after the word
- 5 "hockey," the word "swimming,".
- 6 2. Page 3, line 31, by inserting after the word
- 7 "instruction." the following: "An individual
- 8 possessing a coaching authorization who is employed
- 9 as an assistant varsity coach of football, basketball,
- 10 track, baseball, softball, volleyball, gymnastics,
- 11 hockey, swimming or wrestling shall work under the
- 12 direct supervision of a varsity head coach."

Amendment H—6302 lost.

Clark of Cerro Gordo offered the following amendment H—6314, to amendment H—6259, filed by her from the floor and moved its adoption:

H—6314

- 1 Amend the amendment H—6259 filed to Senate
- 2 File 2215 as amended, passed and reprinted by the
- 3 Senate, as follows:
- 4 1. Page 3, by striking lines 18 through 25
- 5 and inserting in lieu thereof the following: "AND
- 6 AUTHORIZATION".
- 7 2. Page 3, line 27, by striking the word
- 8 "other".
- 9 3. Page 3, line 31, by striking the word
- 10 "instruction." and inserting in lieu thereof the
- 11 following: "instruction or a teaching certificate
- 12 with a coaching endorsement issued pursuant to
- 13 chapter 260."

Amendment H—6314 lost.

Hughes of Union asked and received unanimous consent to withdraw amendment H—6260, to amendment H—6259, filed by him on April 12, 1984.

Speaker Avenson in the chair at 6:35 p.m.

Maulsby of Calhoun offered the following amendment H—6316, to amendment H—6259, filed by him from the floor and moved its adoption:

H—6316

- 1 Amend the amendment H—6259, filed to Senate
- 2 File 2215 as amended, passed and reprinted by the
- 3 Senate, as follows:
- 4 1. Page 4, line 23, by striking the figure
- 5 "1985" and inserting in lieu thereof the figure
- 6 "1986".
- 7 2. Page 4, line 23, by striking the figure
- 8 "1985" and inserting in lieu thereof the figure
- 9 "1986".

Amendment H—6316 lost.

Stromer of Hancock offered the following amendment H—6308, to amendment H—6259, filed from the floor by him and Halvorson of Clayton and moved its adoption:

H—6308

- 1 Amend the amendment H—6259, filed to Senate
- 2 File 2215 as amended, passed and reprinted by the
- 3 Senate, as follows:
- 4 1. Page 1, line 7, by inserting after the
- 5 word "districts" the following: "having an enrollment
- 6 of over two thousand students".

A non-record roll call was requested.

The ayes were 28, nays 48.

Amendment H—6308 lost.

Handorf of Marshall offered the following amendment H—6313, to amendment H—6259, filed by him from the floor and moved its adoption:

H—6313

- 1 Amend the amendment H—6259, filed to Senate
- 2 File 2215 as amended, passed and reprinted by the

3 Senate, as follows:

4 1. Page 1, line 7, by inserting after the
5 word "districts" the following: "having an enroll-
6 ment of over one thousand students".

A non-record roll call was requested.

The ayes were 24, nays 49.

Amendment H—6313 lost.

Halvorson of Clayton offered the following amendment H—6326, to amendment H—6259, filed by him from the floor and moved its adoption:

H—6326

1 Amend the amendment H—6259 to Senate File 2215,
2 as amended, passed and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 8, by striking the words
5 "interscholastic athletic" and inserting in lieu
6 thereof the words ", direct, or sponsor
7 extracurricular".

8 2. Page 1, line 13, by inserting after the word
9 "coach" the words ", direct, or sponsor".

10 3. Page 2, line 3, by striking the word "coaching"
11 and inserting in lieu thereof the word
12 "extracurricular".

13 4. Page 2, line 16, by striking the word "coaching"
14 and inserting in lieu thereof the word
15 "extracurricular".

16 5. Page 2, line 23, by striking the word "coaching"
17 and inserting in lieu thereof the word
18 "extracurricular".

19 6. Page 2, by striking line 26 and inserting in
20 lieu thereof the words "extracurricular activity."

Amendment H—6326 lost.

Peick of Linn in the chair at 7:11 p.m.

Stromer of Hancock offered the following amendment H—6307, to amendment H—6259, filed by him from the floor and moved its adoption:

H-6307

1 Amend the amendment H-6259, filed to Senate
2 File 2215 as amended, passed and reprinted by the
3 Senate, as follows:

4 1. Page 1, by striking lines 5 through 20 and
5 inserting in lieu thereof the following:

6 "Section 1. 279.19A. NEW SECTION. EXTRA-
7 CURRICULAR CONTRACTS.

8 1. School districts employing individuals
9 to coach interscholastic athletic activities shall
10 issue a separate contract for each of these activities.
11 An extracurricular contract offered under this section
12 shall be separate from the contract issued under
13 section 279.13. Wages for employees who coach these
14 activities shall be paid pursuant to pay schedules
15 established by the board of directors of the school
16 district and shall not be subject to the provisions
17 of section 20.9. An extracurricular contract shall
18 be in writing and shall state the number of contract
19 days and the annual compensation to be paid. The
20 contract shall be for a single school year and may
21 be continued as provided in subsection 2."

A non-record roll call was requested.

The ayes were 34, nays 52.

Amendment H-6307 lost.

Speaker Avenson in the chair at 7:30 p.m.

Swearingen of Keokuk offered the following amendment
H-6310, to amendment H-6259, filed by him from the floor and
moved its adoption:

H-6310

1 Amend the amendment H-6259, filed to Senate
2 File 2215 as amended, passed and reprinted by the
3 Senate, as follows:

4 1. By striking page 1, line 5 through page 3,
5 line 16.

6 2. Page 3, line 19, by striking the words
7 "offer an extracurricular contract" and insert in
8 lieu thereof the words "employ an individual".

9 3. Page 3, by striking lines 31 through 35
10 and inserting in lieu thereof the following:
11 "department of public instruction".

12 4. Page 4, by striking lines 21 through 23 and
 13 inserting in lieu thereof the following:
 14 "Sec. . This Act shall be effective for the
 15 school year commencing July 1, 1985."

A non-record roll call was requested.

The ayes were 30, nays 44.

Amendment H—6310 lost.

Carter of Henry moved the adoption of amendment H—6259, as amended.

Roll call was requested by Shoultz of Black Hawk and Sherzan of Polk.

On the question "Shall amendment H—6259, as amended, be adopted?"

The ayes were, 65:

| | | | |
|-------------|------------------|-----------|-----------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Buhr | Carl | Carter |
| Chapman | Chiodo | Cochran | Connolly |
| Cooper | Davitt | Diemer | Fey |
| Fogarty | Groninga | Gronstal | Groth |
| Gruhn | Halvorson, R. N. | Hammond | Hanson |
| Haverland | Holveck | Hughes | Jay |
| Jochum | Knapp | Koenigs | Krewson |
| Lageschulte | Lloyd-Jones | Lonerган | McIntee |
| McKean | Miller | Muhlbauer | Mullins |
| Norland | O'Kane | Ollie | Osterberg |
| Oxley | Parker | Pavich | Peick |
| Renaud | Rosenberg | Running | Sherzan |
| Shoultz | Skow | Spear | Sturgeon |
| Sullivan | Swartz | Tabor | Torrence |
| Van Gerpen | Varn | Woods | Zimmerman |
| Mr. Speaker | | | |

The nays were, 32:

| | | | |
|------------|------------|------------|------------------|
| Anderson | Bennett | Branstad | Carpenter |
| Clark | Copenhaver | Corey | Daggett |
| De Groot | Doderer | Grandia | Halvorson, R. A. |
| Handorf | Harbor | Hermann | Hoffmann-Bright |
| Hummel | Maulsby | Paulin | Pellett |
| Poney | Renken | Rensink | Royer |
| Schneklath | Schroeder | Stromer | Stueland |
| Swearingen | Van Camp | Van Maanen | Welden |

Absent or not voting, 3:

Connors Menke Tofte

Amendment H—6259, as amended, was adopted placing out of order the following amendments:

H—5808 (temporarily deferred) filed by the committee on education on March 23, 1984.

H—6136 filed by Carter, et al., on April 5, 1984.

H—6087 filed by Haverland of Polk on April 4, 1984.

H—6037 filed by Hughes of Union on April 2, 1984.

H—5872 filed by Carl of Poweshiek on March 27, 1984.

H—6088 filed by Haverland of Polk on April 4, 1984.

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. 2215)

The ayes were, 58:

| | | | |
|-----------|-------------|-------------|------------------|
| Arnould | Baxter | Black | Brammer |
| Buhr | Carter | Chapman | Chiodo |
| Cochran | Connolly | Cooper | Davitt |
| Doderer | Fey | Fogarty | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. N. |
| Hammond | Hanson | Haverland | Holveck |
| Hughes | Hummel | Jay | Knapp |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Lonergan | McIntee | McKean | Miller |
| Mullins | Norland | Ollie | Osterberg |
| Oxley | Parker | Pavich | Peick |
| Poncy | Renaud | Running | Sherzan |
| Shoultz | Spear | Sturgeon | Sullivan |
| Swartz | Tabor | Varn | Woods |
| Zimmerman | Mr. Speaker | | |

The nays were, 40:

| | | | |
|----------|------------------|----------|------------|
| Anderson | Bennett | Blanshan | Branstad |
| Carl | Carpenter | Clark | Copenhaver |
| Corey | Daggett | De Groot | Diemer |
| Grandia | Halvorson, R. A. | Handorf | Harbor |
| Hermann | Hoffmann-Bright | Jochum | Maulsby |
| Menke | Muhlbauer | O'Kane | Paulin |
| Pellett | Renken | Rensink | Rosenberg |

| | | | |
|----------|------------|------------|----------|
| Royer | Schneklath | Schroeder | Skow |
| Stromer | Stueland | Swearingen | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Welden |

Absent or not voting, 2:

Connors 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 March 28, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 434, a bill for an act authorizing cities to enter agreements to jointly invest public funds.

Also: That the Senate has on April 16, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2437, a bill for an act relating to the regulation of advanced emergency medical technicians and paramedics and providing a penalty.

Also: That the Senate has on April 16, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2520, 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 April 16, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2521, 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 16, 1984, 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 2293, a bill for an act creating foster care review boards.

Also: That the Senate has on April 16, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2349, a bill for an act relating to the establishment of and improvements within a secondary road assessment district.

Also: That the Senate has on April 16, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2353, a bill for an act relating to the funding of and to substance abuse treatment and prevention programs.

Also: That the Senate has on April 16, 1984, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 118, authorizing the legislative fiscal bureau to conduct a program evaluation of the mental health institutes and the state hospital schools.

K. MARIE THAYER, Secretary

CONFERENCE COMMITTEE APPOINTED (Senate File 2291)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 2291: Swartz of Marshall, Chair; Arnould of Scott, Chiodo of Polk, Schneklath of Scott, and Schroeder of Pottawattamie.

IMMEDIATE MESSAGES (House File 2470 and Senate File 2215)

Norland of Worth asked and received unanimous consent to immediately message House File 2470 and Senate File 2215 to the Senate.

SENATE AMENDMENT CONSIDERED

Jay of Appanoose called up for consideration **House File 2487**, a bill for an act relating to liability in tort by 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 and modifying governmental immunity for certain public improvements and places, amended by the Senate amendment H-6147 as follows:

H-6147

- 1 Amend House File 2487 as amended, passed and
2 reprinted by the House as follows:
- 3 1. Page 1, line 18, by inserting after the word
4 "property" the words "unless the claimant bears a
5 greater percentage of fault than the combined
6 percentage of fault attributed to the defendants,
7 third-party defendants and persons who have been
8 released pursuant to section 668.7".
- 9 2. Page 1, line 22, by striking the word
10 "defendants," and inserting in lieu thereof the words
11 "defendants and".
- 12 3. Page 1, by striking line 24, and inserting
13 in lieu thereof the words "the court,".
- 14 4. Page 1, line 31, by inserting after the words
15 "third-party defendant," the word "and".
- 16 5. Page 1, lines 32 through 34, by striking the
17 words ", and person who is determined to have been
18 at fault but who is not a party to the action".
- 19 6. Page 2, by inserting after line 13, the
20 following:
- 21 "6. If the claim is tried to a jury, the court
22 shall give instructions and permit evidence and
23 argument with respect to the effects of the answers
24 to be returned to the interrogatories submitted under
25 this section.
- 26 7. In an action brought under this chapter and
27 tried to a jury, the court shall not discharge the
28 jury until the court has determined that the verdict
29 or verdicts are consistent with the total damages
30 and percentages of fault, and if inconsistencies exist
31 the court shall do all of the following:
- 32 1. Inform the jury of the inconsistencies.
33 2. Order the jury to resume deliberations to
34 correct the inconsistencies.
35 3. Instruct the jury that it is at liberty to
36 change any portion or portions of the verdicts to
37 correct the inconsistencies."
- 38 7. Page 3, by striking lines 5 and 6.
- 39 8. Striking page 3, line 34, through page 4, line
40 2, and inserting in lieu thereof the following:
41 "Sec. 8. NEW SECTION. 668.8 TOLLING OF STATUTE.
42 The filing of a petition under this chapter tolls
43 the statute of limitations for the commencement of
44 an action against all parties, whether or not initially
45 named, who may be assessed any percentage of fault
46 under this chapter."
- 47 9. Striking page 4, line 3, through page 5, line
48 4, and inserting in lieu thereof the following:
49 "Sec. 9. NEW SECTION. 668.9 INSURANCE PRACTICE.
50 It shall be an unfair trade practice, as defined in

Page 2

1 chapter 507B, if an insurer assigns a percentage of
2 fault to a claimant, for the purpose of reducing a
3 settlement, when there exists no reasonable evidence
4 upon which the assigned percentage of fault could
5 be based. The prohibitions and sanctions of chapter
6 507B shall apply to violations of this section.

7 Sec. 10. NEW SECTION. 668.10 GOVERNMENTAL
8 EXEMPTIONS. In any action brought pursuant to this
9 chapter, the state or a municipality shall not be
10 assigned a percentage of fault for any of the
11 following:

12 1. The failure to place, erect, or install a stop
13 sign, traffic control device, or other regulatory
14 sign as defined in the uniform manual for traffic
15 control devices adopted pursuant to section 321.252.
16 However, once a regulatory device has been placed,
17 erected or installed, the state or municipality may
18 be assigned a percentage of fault for its failure
19 to maintain the device.

20 2. The failure to remove natural or unnatural
21 accumulations of snow or ice or to place sand, salt,
22 or other abrasive material on a highway, road, or
23 street if the state or municipality establishes that
24 it has complied with its policy or level of service
25 for snow and ice removal or placing sand, salt or
26 other abrasive material on its highways, roads, or
27 streets.

28 3. For contribution or indemnity, unless the party
29 claiming contribution or indemnity has given the
30 municipality notice of this claim as provided in
31 section 613A.5.

32 Sec. 11. Section 364.12, subsection 2, paragraph
33 b, Code 1983, as amended by House File 359, enacted
34 by the Seventieth General Assembly, 1984 Session,
35 is amended by striking the paragraph and inserting
36 in lieu thereof the following:

37 b. The abutting property owner may be required
38 by ordinance to remove the natural accumulations of
39 snow and ice from the sidewalks within a reasonable
40 length of time. A person traveling upon a sidewalk
41 assumes the risk of injury due to the natural
42 accumulations of snow and ice.

43 If damages are to be claimed under this paragraph,
44 the claimant has the burden of proving the amount
45 of the damages. To authorize recovery of more than
46 a nominal amount, facts must exist and be shown by
47 the evidence which afford a reasonable basis for
48 measuring the amount of the claimant's actual damages,
49 and the amount of actual damages shall not be
50 determined by speculation, conjecture or surmise.

Page 3

1 The city's general duty under this subsection does
2 not include a duty to remove natural accumulations
3 of snow or ice on the sidewalks. However, when the
4 city is the abutting property owner, it has the
5 specific duty of the abutting property owner set forth
6 in this paragraph."

7 10. Striking page 5, line 5, through page 6, line
8 8.

9 11. Page 6, by inserting after line 8 the
10 following:

11 "Sec. 11. Section 613A.12, Code Supplement 1983,
12 is amended to read as follows:

13 613A.12 OFFICERS AND EMPLOYEES—PERSONAL LIABILITY.

14 All officers and employees of municipalities are not
15 personally liable for any claim which is exempted
16 under section 613A.4, except a claim for punitive
17 damages, and actions permitted under section 85.20.
18 An officer or employee of a municipality is not liable
19 for punitive damages as a result of acts in the
20 performance of a law enforcement or emergency duty
21 their duties, unless actual malice or willful, wanton
22 and reckless misconduct is proven."

23 12. Page 6, by inserting after line 16 the
24 following:

25 "Sec. 14. The commissioner of insurance shall
26 study and report to the legislative council and the
27 senate committee on judiciary and the house committee
28 on judiciary and law enforcement by January 15, 1985,
29 on the issue of insurance practices developed in
30 response to the adoption of comparative fault in the
31 state of Iowa. The report shall include proposals
32 for legislative action and an explanation of the steps
33 taken by the department of insurance to alleviate
34 problems in insurance practice under comparative
35 fault."

36 13. Page 6, line 17, by striking the words "causes
37 which accrue" and inserting in lieu thereof the words
38 "cases filed or commenced".

39 14. Renumbering as necessary.

Ollie of Clinton in the chair at 7:50 p.m.

Speaker Avenson in the chair at 8:09 p.m.

Hummel of Benton offered the following amendment H—6203,
to the Senate amendment H—6147, filed by him and Copenhagen of
Buchanan and moved its adoption:

H-6203

- 1 Amend the amendment H-6147 to House File 2487 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 1, by striking lines 3 through 8.
- 4 2. By renumbering as necessary.

Roll call was requested by Doderer of Johnson and Copenhaver of Buchanan.

On the question "Shall amendment H-6203, to the Senate amendment H-6147, be adopted?"

The ayes were, 38:

| | | | |
|------------|------------|-------------|-----------|
| Anderson | Bennett | Buhr | Chapman, |
| Clark | Connolly | Copenhaver | Davitt |
| Doderer | Grandia | Groninga | Gronstal |
| Hanson | Harbor | Haverland | Hummel |
| Jay | Krewson | Lloyd-Jones | Loneragan |
| Maulsby | McIntee | Miller | O'Kane |
| Paulin | Pavich | Pellett | Rosenberg |
| Running | Schnekloth | Shoultz | Spear |
| Stromer | Stueland | Sturgeon | Sullivan |
| Van Gerpen | Woods | | |

The nays were, 57:

| | | | |
|------------------|-------------|----------|------------------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Branstad | Carl | Carpenter |
| Chiodo | Cochran | Cooper | Corey |
| Daggett | De Groot | Diemer | Fey |
| Fogarty | Groth | Gruhn | Halvorson, R. A. |
| Halvorson, R. N. | Hammond | Handorf | Hermann |
| Hoffmann-Bright | Holveck | Hughes | Jochum |
| Koenigs | Lageschulte | McKean | Menke |
| Muhlbauer | Mullins | Norland | Ollie |
| Osterberg | Oxley | Parker | Peick |
| Poncy | Renaud | Renken | Rensink |
| Royer | Schroeder | Skow | Swartz |
| Swearingen | Tabor | Torrence | Van Camp |
| Van Maanen | Varn | Welden | Zimmerman |
| Mr. Speaker | | | |

Absent or not voting, 5:

| | | | |
|--------|---------|-------|---------|
| Carter | Connors | Knapp | Shefzan |
| Tofte | | | |

Amendment H-6203 lost.

Copenhaver of Buchanan asked and received unanimous consent to withdraw amendments H-6205 and H-6221, to the Senate amendment H-6147, filed by Copenhaver, et al., on April 9 and April 10, 1984 respectively.

Jay of Appanoose offered the following amendment H-6328, to the Senate amendment H-6147, filed from the floor by Jay, Halvorson of Clayton and Skow:

H-6328

- 1 Amend the amendment H-6147 to House File 2487 as
- 2 amended, passed, and reprinted by the House as follows:
- 3 1. By striking page 1, line 3, through page 3,
- 4 line 39, and inserting in lieu thereof the following:
- 5 "1. Page 1, by inserting after line 13, the follow-
- 6 ing:
- 7 "Sec. 2. NEW SECTION. 668.2 PARTY DEFINED.
- 8 As used in this chapter, unless otherwise required,
- 9 "party" means any of the following:
- 10 1. A claimant.
- 11 2. A person named as defendant.
- 12 3. A person who has been released pursuant to
- 13 section 668.7.
- 14 4. A third-party defendant."
- 15 2. Page 1, by striking line 14, and inserting
- 16 in lieu thereof the following:
- 17 "Sec. 3. NEW SECTION. 668.3 COMPARATIVE FAULT-
- 18 EFFECT."
- 19 3. Page 1, line 16, by striking the words "person
- 20 or the person's legal representative" and inserting
- 21 in lieu thereof the word "claimant".
- 22 4. Page 1, line 18, by inserting after the word
- 23 "property" the following: "unless the claimant bears
- 24 a greater percentage of fault than the combined
- 25 percentage of fault attributed to the defendants,
- 26 third-party defendants and persons who have been
- 27 released pursuant to section 668.7".
- 28 5. Page 1, lines 19 and 20, by striking the words
- 29 "person recovering" and inserting in lieu thereof
- 30 the word "claimant".
- 31 6. Page 1, line 22, by striking the word
- 32 "defendants," and inserting in lieu thereof the words
- 33 "defendants and".
- 34 7. Page 1, by striking line 24, and inserting
- 35 in lieu thereof the words "the court,".
- 36 8. Page 1, line 31, by inserting after the words
- 37 "third-party defendant," the word "and".
- 38 9. Page 1, lines 32 through 34, by striking the
- 39 words ", and person who is determined to have been

40 at fault but who is not a party to the action".

41 10. Page 1, line 35, by striking the words "party,
42 but" and inserting in lieu thereof the word "party."

43 11. Page 2, by striking lines 1 and 2.

44 12. Page 2, by striking lines 10 through 13, and
45 inserting in lieu thereof the following:

46 "5. If the claim is tried to a jury, the court
47 shall give instructions and permit evidence and
48 argument with respect to the effects of the answers
49 to be returned to the interrogatories submitted under
50 this section.

Page 2

1 6. In an action brought under this chapter and
2 tried to a jury, the court shall not discharge the
3 jury until the court has determined that the verdict
4 or verdicts are consistent with the total damages
5 and percentages of fault, and if inconsistencies exist
6 the court shall do all of the following:

7 a. Inform the jury of the inconsistencies.

8 b. Order the jury to resume deliberations to
9 correct the inconsistencies.

10 c. Instruct the jury that it is at liberty to
11 change any portion or portions of the verdicts to
12 correct the inconsistencies."

13 13. Page 2, by striking lines 14 through 31, and
14 inserting in lieu thereof the following:

15 "Sec. 4. NEW SECTION. 668.4 JOINT AND SEVERAL
16 LIABILITY. In actions brought under this chapter,
17 the rule of joint and several liability shall not
18 apply to defendants who are found to bear less than
19 fifty percent of the total fault assigned to all
20 parties."

21 14. By striking page 2, line 32, through page
22 3, line 24, and inserting in lieu thereof the
23 following:

24 "Sec. 5. NEW SECTION. 668.5 RIGHT OF
25 CONTRIBUTION.

26 1. A right of contribution exists between or among
27 two or more persons who are liable upon the same
28 indivisible claim for the same injury, death, or harm,
29 whether or not judgment has been recovered against
30 all or any of them. It may be enforced either in
31 the original action or by a separate action brought
32 for that purpose. The basis for contribution is each
33 person's equitable share of the obligations, including
34 the share of fault of a claimant, as determined in
35 accordance with section 668.3.

36 2. Contribution is available to a person who
37 enters into a settlement with the claimant only if
38 the liability of the person against whom contribution

39 is sought has been extinguished and only to the extent
40 that the amount paid in settlement was reasonable.

41 **Sec. 6. NEW SECTION. 668.6 ENFORCEMENT OF CONTRI-**
42 **BUTION.**

43 1. If the percentages of fault of each of the
44 parties to a claim for contribution have been
45 established previously by the court as provided in
46 section 668.3, a party paying more than the party's
47 percentage share of damages may recover judgment for
48 contribution upon motion to the court or in a separate
49 action.

50 2. If the percentages of fault of each of the

Page 3

1 parties to a claim for contribution have not been
2 established by the court, contribution may be enforced
3 in a separate action, whether or not a judgment has
4 been rendered against either the person seeking
5 contribution or the person from whom contribution
6 is sought.

7 3. If a judgment has been rendered, an action
8 for contribution must be commenced within one year
9 after the judgment becomes final. If a judgment has
10 not been rendered, a claim for contribution is
11 enforceable only upon satisfaction of one of the fol-
12 lowing sets of conditions:

13 a. The person bringing the action for contribution
14 must have discharged the liability of the person from
15 whom contribution is sought by payment made within
16 the period of the statute of limitations applicable
17 to the claimant's right of action and must have
18 commenced the action for contribution within one year
19 after the date of that payment.

20 b. The person seeking contribution must have
21 agreed while the action of the claimant was pending
22 to discharge the liability of the person from whom
23 contribution is sought and within one year after the
24 date of the agreement must have discharged that
25 liability and commenced the action for contribution."

26 15. Page 3, by striking line 33, and inserting
27 in lieu thereof the word and figures "668.3, subsection
28 4."

29 16. By striking page 3, line 34, through page
30 4, line 2, and inserting in lieu thereof the following:
31 "Sec. 8. NEW SECTION. 668.8 TOLLING OF STATUTE.

32 The filing of a petition under this chapter tolls
33 the statute of limitations for the commencement of
34 an action against all parties who may be assessed
35 any percentage of fault under this chapter."

36 17. By striking page 4, line 3 through page 6,
37 line 8, and inserting in lieu thereof the following:

38 "Sec. 9. NEW SECTION. 668.9 INSURANCE PRACTICE.

39 It shall be an unfair trade practice, as defined in
40 chapter 507B, if an insurer assigns a percentage of
41 fault to a claimant, for the purpose of reducing a
42 settlement, when there exists no reasonable evidence
43 upon which the assigned percentage of fault could
44 be based. The prohibitions and sanctions of chapter
45 507B shall apply to violations of this section.

46 Sec. 10. NEW SECTION. 668.10 GOVERNMENTAL EXEMP-

47 TIONS. In any action brought pursuant to this chapter,
48 the state or a municipality shall not be assigned
49 a percentage of fault for any of the following:

50 1. The failure to place, erect, or install a stop

Page 4

1 sign, traffic control device, or other regulatory
2 sign as defined in the uniform manual for traffic
3 control devices adopted pursuant to section 321.252.
4 However, once a regulatory device has been placed,
5 created or installed, the state or municipality may
6 be assigned a percentage of fault for its failure
7 to maintain the device.

8 2. The failure to remove natural or unnatural
9 accumulations of snow or ice, or to place sand, salt,
10 or other abrasive material on a highway, road, or
11 street if the state or municipality establishes that
12 it has complied with its policy or level of service
13 for snow and ice removal or placing sand, salt or
14 other abrasive material on its highways, roads, or
15 streets.

16 3. For contribution unless the party claiming
17 contribution has given the state or municipality
18 notice of the claim pursuant to sections 25A.13 and
19 613A.5."

20 18. Page 6, lines 9 and 10, by striking the words
21 "to the general assembly during the 1985 session".

22 19. Page 6, by striking lines 14 through 16, and
23 inserting in lieu thereof the following:

24 "Sec. 13. Section 619.17, Code 1983, is amended
25 to read as follows:

26 619.17 CONTRIBUTORY NEGLIGENCE FAULT—BURDEN.

27 In all actions brought in the courts of this state
28 to recover damages of a defendant in which contributory
29 negligence of the plaintiff, actual or imputed, was
30 heretofore a complete defense or bar to recovery,
31 the A plaintiff shall does not hereafter, have the
32 burden of pleading and proving his the plaintiff's
33 freedom from contributory negligence, and if the
34 fault. If a defendant relies upon negligence of the
35 plaintiff as a complete defense or bar to plaintiff's
36 recovery contributory fault of a plaintiff to diminish

37 ~~the amount to be awarded as compensatory damages.~~
38 ~~the defendant shall have~~ has the burden of pleading
39 ~~and proving negligence~~ fault of the plaintiff, if
40 any, and that it was a proximate cause of the injury
41 or damage. As used in this section, the term
42 "plaintiff" ~~shall include~~ includes a defendant filing
43 a counterclaim or cross-petition, and the term
44 "defendant" ~~shall include~~ includes a plaintiff against
45 whom a counterclaim or cross-petition has been filed."
46 20. Page 6, by inserting after line 16 the follow-

47 ing:

48 "Sec. 14. The commissioner of insurance shall
49 study and report to the legislative council and the
50 senate committee on judiciary and the house committee

Page 5

1 on judiciary and law enforcement by January 15, 1985,
2 on the issue of insurance practices developed in
3 response to the adoption of comparative fault in the
4 state of Iowa. The report shall include proposals
5 for legislative action and an explanation of the steps
6 taken by the department of insurance to alleviate
7 existing or potential problems in insurance practice
8 under comparative fault."

9 21. Page 6, by striking lines 17 and 18, and
10 inserting in lieu thereof the following:

11 "Sec. 15. This Act, except for section 4, applies
12 to all cases filed on or after July 1, 1984. Section
13 4 of this Act applies to all cases tried on or after
14 July 1, 1984."

15 22. Title page, by striking lines 4 and 5, and
16 inserting in lieu thereof the following: "a person
17 or harm to property and modifying the liability of
18 governmental entities."

19 23. By renumbering as necessary."

De Groot of Lyon in the chair at 8:37 p.m.

Speaker Avenson in the chair at 8:52 p.m.

Jay of Appanoose moved the adoption of amendment H-6328,
to the Senate amendment H-6147.

A non-record roll call was requested.

The ayes were 58, nays 26.

Amendment H-6328 was adopted.

On motion by Jay of Appanoose, the House concurred in the Senate amendment H—6147, as amended.

Jay of Appanoose 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. 2487)

The ayes were, 68:

| | | | |
|-----------|----------|------------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Branstad | Carl |
| Carpenter | Carter | Chiodo | Clark |
| Cochran | Cooper | Corey | Daggett |
| De Groot | Diemer | Fey | Fogarty |
| Groth | Gruhn | Halvorson, R. A. | Halvorson, R. N. |
| Hammond | Handorf | Hanson | Harbor |
| Haverland | Hermann | Hoffmann-Bright | Hughes |
| Koenigs | Krewson | Lageschulte | McIntee |
| McKean | Menke | Miller | Muhlbaueq |
| Mullins | Norland | Oxley | Parker |
| Paulin | Peick | Pellett | Poncy |
| Renaud | Renken | Royer | Schneklath |
| Schroeder | Skow | Spear | Stromer |
| Stueland | Sullivan | Swartz | Swearingen |
| Tabor | Torrence | Van Camp | Van Gerpen |
| Varn | Welden | Zimmerman | Mr. Speaker |

The nays were, 30:

| | | | |
|------------|----------|---------|--------------|
| Brammer | Buhr | Chapman | Connolly |
| Copenhaver | Davitt | Doderer | Grandia |
| Groninga | Gronstal | Holveck | Hummel |
| Jay | Jochum | Knapp | Lloyd-Jones, |
| Loneragan | Maulsby | O'Kane | Ollie |
| Osterberg | Pavich | Rensink | Rosenberg |
| Running | Sherzan | Shoultz | Sturgeon |
| Van Maanen | Woods | | |

Absent or not voting, 2:

| | |
|---------|-------|
| Connors | Tofte |
|---------|-------|

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

INTRODUCTION OF BILL

House File 2528, by committee on appropriations, a bill for an act relating to the administration and benefits of certain public retirement and benefit systems and to make an appropriation.

Read first time and referred to committee on finance.

SENATE MESSAGE CONSIDERED

Senate File 2349, by committee on ways and means, a bill for an act relating to the establishment of and improvements within a secondary road assessment district.

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

IMMEDIATE MESSAGE

(House File 2487)

Norland of Worth asked and received unanimous consent to immediately message House File 2487 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 16th day of April, 1984: House Files 111, 456, 2048, 2067, 2428 and 2471.

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 April 13, 1984, he approved and transmitted to the Secretary of State the following bills:

House File 2136, an act relating to the licensing and regulation of social workers, the deposit of license fees for the purpose of administration, and providing penalties for violations.

House File 2189, an act creating a Commission on Children, Youth and Families and providing its purpose and duties.

House File 2232, an act to allow the operation of articulated buses not exceeding sixty-one feet in length on the public streets and highways.

House File 2301, an act relating to transferring responsibility for issuing commercial licenses and permits for the sale, use, purchase, possession and transportation, reporting of theft or loss, and regulation of disposal of explosives, to the State Fire Marshal, and the sale, possession, or use of the explosive nitroglycerin, providing a penalty, and transferring the responsibility for the inspection of explosive storage facilities from county sheriffs to the State Fire Marshal while reducing the number of inspections per year.

House File 2458, an act relating to school district reorganization procedures.

Senate File 517, an act relating to missing persons and the time and manner in which missing person investigations are to be performed, and providing a penalty.

Senate File 2053, an act specifying the number of affirmative votes of the board of directors of the Iowa Product Development Corporation that are necessary before action may be taken by the board.

Senate File 2138, an act relating to the time within which to contest wills, file claims, make spousal elections and take certain other actions with respect to decedents' estates.

Senate File 2202, an act relating to the procedure required for a savings and loan association chartered in another state or country to transact business in Iowa.

Senate File 2205, an act relating to the fees for the registration of vessels.

Senate File 2221, an act relating to tests and standards for motor vehicle fuel.

Senate File 2248, an act relating to the collection and dissemination of information regarding hazardous chemicals and providing penalties and authorizing the Department of Water, Air, and Waste Management to adopt hazardous waste rules in respect to hazardous chemicals which are more restrictive than, but consistent with, federal requirements.

Also: That on April 16, 1984, he approved and transmitted to the Secretary of State the following bills:

House File 601, an act relating to appeal of bond set after parole revocation.

House File 2372, an act relating to real property legalizing acts.

House File 2454, an act relating to the filing of a list of unpaid obligations by state agencies with the State Comptroller.

House File 2474, an act relating to the form of probate inventory.

House File 2485, an act relating to the management of state government forms.

House File 2502, an act relating to material lift elevators.

Senate File 2082, an act relating to the confidentiality of Iowa Department of Corrections records and providing a penalty.

Senate File 2116, an act to provide resale rights to a holder of a farm implements or parts franchise upon termination of the franchise.

Senate File 2163, an act relating to child custody.

GOVERNOR'S VETO MESSAGE

A copy of the following communication was received and placed on file:

April 13, 1984

The Honorable Robert T. Anderson
President of the Senate
State Capitol Building
L O C A L

Dear Governor Anderson:

I am enclosing Senate File 2270, an act relating to the Crime Victim Reparation Program's application to victims of a person operating a motor vehicle while under the influence of alcohol or a drug, which I hereby disapprove and transmit to you.

Senate File 2270 expands the definition of "crime" and Chapter 912, titled "Crime Victim Reparation Program" to include operating a motor vehicle while intoxicated or drugged as specified in Code Section 321.281. Further, the bill adds a civil penalty to Code Chapter 321B, Intoxicated Drivers, providing that a person whose license to operate a motor vehicle is revoked pursuant to the provisions of Chapter 321B, should pay \$100 for license reinstatement.

Senate File 2270 permits the revenue from this new civil penalty to be earmarked exclusively for the crime victim reparation fund. Civil funds collected under Chapter 321B which remain in the crime victim reparation fund at the end of any annual or biennial period would remain there rather than reverting to the state's general fund. In addition, the General Assembly could supplement the fund by an appropriation. This objectionable earmarking provision is the sole basis of my disapproval of this bill.

My position on enforcement of drunk driving is clear. This session I have urged the legislature to pass a bill which would stiffen drunk driving penalties. Drunk drivers should not be permitted to slide through our criminal justice system without paying a penalty for their senseless action. It is time that we toughen our drunk driving laws so that the crime is truly viewed as a crime rather than a social blunder.

I have spoken throughout the state on the need for stricter drunk driving laws. The public response has been strongly supportive. It is still my hope that this General Assembly will afford me the opportunity to sign an acceptable drunk driving bill.

Obviously, the great tragedy of drunk driving is the human pain and suffering of the innocent victims and drivers which occurs all too frequently as the result of motor vehicle accidents. Under present Chapter 912, victims of drunk drivers are not eligible for crime victim reparation funds. Senate File 2270 would make these victims eligible, and they should be eligible.

Unfortunately, Senate File 2270 provides for earmarking of funds by providing that a civil fine paid by drunk drivers would be rifled directly into the victim reparation fund. Earmarking of tax funds for specific uses is generally poor public policy. When a government program is funded by earmarked funds, it becomes less likely that the legislative and executive branches of government will scrutinize the program to ensure that public funds are spent in the most productive and cost-efficient manner. When funds are assured year after year, it is more likely that the recipient programs will be less responsive to the people. Further, the lack of assured funding stimulates program employees to strive for excellence.

Earmarking funds would set a troublesome precedent, particularly when the excess at the end of any fiscal period does not revert to the general fund. While other programs starve for lack of support from the general fund, programs with earmarked funds that do not revert to the general fund could accumulate "savings accounts." This could very likely occur in a program such as the crime victim reparation fund, where the maximum amount a victim can claim is \$2,000 and the amount expended is totally dependent upon an unknown number of eligible victims who may apply in any one year.

Only in a rare case should earmarking be considered as an approach to funding an existing program. If earmarking is routinely accepted and carried to its logical extreme, all programs could be funded by earmarking, leaving less incentive for effective legislative and executive review and less flexibility in budgeting. Generally speaking, the public interest in an effective, flexible government far outweighs the rigidity of earmarking.

I am disappointed that the legislature chose to earmark funds in Senate File 2270. Prior to final legislative completion of this bill, I informed legislative leaders that the earmarking provision was unacceptable. It is my hope that the legislature will expand the definition of "crime" in section 912.1(4) to include victims of drunk driving and continue the Crime Victim Reparation Program without the objectionable earmarking provision.

Very truly yours,
Terry E. Branstad
Governor

COMMUNICATION FROM SECRETARY OF STATE

April 13, 1984

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 Waterloo Courier Record, published in Waterloo, Iowa, I hereby designate the Waterloo Courier Cedar Falls Record, a newspaper published in Waterloo, Iowa to publish Senate File 2160.

I further certify that Senate File 2160 was published in The Red Oak Express, Red Oak, Iowa on April 6, 1984 and in the Waterloo Courier Cedar Falls Record, Waterloo, Iowa on April 9, 1984.

Respectfully submitted,
 MARY JANE ODELL
 Secretary of State

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

- | | |
|---------|---|
| 1984-24 | Ventura Lady Vikes, Ventura — Was a contender in the 1984 state girls basketball tournament. |
| 1984-25 | John V. Regan, LaSalle High School, Cedar Rapids — Won the state 1984 Class 2-A 119 pound wrestling championship. |
| 1984-26 | Tim Krieger, Mason City — Winning state wrestling championships in his division in 1982, 1983, and 1984. |
| 1984-27 | City of Kingsley — Centennial of its founding on June 22, 23, and 24, 1984. |
| 1984-28 | Keota Fire Department, Keota — Centennial of its founding on June 28, 29, and 30, 1984. |
| 1984-29 | LaSalle High School Boys Football Team, Cedar Rapids — Won the Class 2-A state championship in November, 1983. |
| 1984-30 | Mr. Lowell Hamilton, President, Hamilton Produce, Co., Inc., Bloomfield — Celebrating the fiftieth anniversary of its founding. |

PRESENTATION OF VISITORS

Krewson of Polk presented to the House the Honorable Fred Schwengels, former member of the House and United States Congressman.

De Groot of Lyon presented to the House, Foreign Exchange Student Ineke Christina Draisma from Makkum, Netherlands. She is staying with the Ranzie Hoekstra family of Ocheyèdan.

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

Twenty-one junior and senior high school students from Extended Learning Program, Cedar Rapids School District, Cedar Rapids, accompanied by Linda O'Neil. By Brammer, Chapman, Oxley, Peick and Running, all of Linn.

Fifty fourth grade students from Northwest Elementary School, Ankeny, accompanied by Shirley Crawford. By Haverland of Polk.

Thirty-eight fourth grade students from Sacred Heart Elementary School, West Des Moines, accompanied by Ms. Munoz and Ed Garza. By Carpenter of Polk.

Thirty 4-H members from Linn County, accompanied by Wendy Brock. By Oxley and Peick of Linn.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 803 Ways and Means

Relating to the establishment of and improvements within a secondary road assessment district.

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 2170, a bill for an act to provide temporary funding for the brucellosis and tuberculosis eradication fund.

Fiscal Note is not required.

Recommended **Do Pass** April 16, 1984.

Pursuant to House Rule 33, Senate File 2170 was referred to the committee on Finance.

Senate File 2337, a bill for an act relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety and public defense.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-6322**, April 16, 1984.

Pursuant to House Rule 33, Senate File 2337 was referred to the committee on Finance.

Committee Bill, relating to the administration and benefits of certain public retirement and benefit systems and to make an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 16, 1984,

COMMITTEE ON FINANCE

House File 2528, a bill for an act relating to the administration and benefits of certain public retirement and benefit systems and to make an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** April 16, 1984.

Senate File 2337, a bill for an act relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety and public defense.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-6341**, April 16, 1984.

COMMITTEE ON WAYS AND MEANS

House File 2441, a bill for an act relating to urban renewal.

Fiscal Note is required.

Recommended **Do Pass** April 16, 1984.

Senate File 2073, a bill for an act relating to income tax checkoffs for the state capitol restoration fund, state historical building fund and fish and game protection fund.

Fiscal Note is required.

Recommended **Do Pass** April 16, 1984.

Pursuant to House Rule 33, Senate File 2073 was referred to the committee on Finance.

Committee Bill (Formerly House File 2235), to provide for a refund of the sales, services, and use tax paid on industrial machinery and equipment and for a limitation on the refund, and providing a penalty.

Fiscal Note is not required.

Committee Action **Failed to Pass** April 16, 1984.

RESOLUTIONS FILED

HCR 124, by Schroeder, a concurrent resolution for sine die adjournment.

Referred to committee on **Rules and Administration**.

HR 106, by Halvorson of Clayton, Skow, Renken, Royer, Anderson, Maulsby, Van Maanen, Stueland and McKean, a resolution relating to the liabilities and immunities of governmental entities.

Laid over under **Rule 25**.

SCR 118, by committee on appropriations, a concurrent resolution relating to state mental health institutes.

Referred to committee on **appropriations**.

AMENDMENTS FILED

| | | |
|--------|-----------|--------------------|
| H-6289 | S.F. 2337 | Maulsby of Calhoun |
| H-6290 | H.F. 2217 | Corey of Louisa |

H-6291 H.F. 2527
 H-6294 H.F. 2518
 H-6295 H.F. 2519
 H-6297 S.F. 2337
 H-6298 H.F. 2486

Haverland of Polk
 Grandia of Marion
 Halvorson of Clayton
 Corey of Louisa
 Royer of Page
 Hermann of Scott
 Menke of O'Brien
 Schnekloth of Scott

H-6299 S.F. 2334
 H-6300 S.F. 32
 H-6303 H.F. 434
 H-6304 H.F. 2518
 H-6305 H.F. 2527
 H-6306 H.F. 2518
 H-6317 S.F. 2337

H-6318 H.F. 2527
 H-6319 H.F. 2527
 H-6320 H.F. 2527
 H-6321 S.F. 420

Swartz of Marshall
 Maulsby of Calhoun
 Rosenberg of Story

H-6322 S.F. 2337

H-6323 H.F. 2527

Cochran of Webster
 Branstad of Winnebago
 De Groot of Lyon
 Anderson of Audubon
 Skow of Guthrie
 Stueland of Clinton
 Harbor of Mills
 Copenhagen of Buchanan

Maulsby of Calhoun
 Senate Amendment
 Senate Amendment
 Schroeder of Pottawattamie
 Van Camp of Scott
 Branstad of Winnebago
 Bennett of Ida
 Daggett of Taylor
 Van Gerpen of Black Hawk
 Maulsby of Calhoun
 Renken of Grundy
 • Anderson of Audubon
 Welden of Hardin
 Schroeder of Pottawattamie
 Paulin of Plymouth
 Senate Amendment
 Baxter of Des Moines
 Baxter of Des Moines
 Baxter of Des Moines
 Koenigs of Mitchell
 Cooper of Lucas
 Van Camp of Scott
 Corey of Louisa
 Spear of Lee
 Spear of Lee
 Spear of Lee
 Groninga of Cerro Gordo
 Varn of Johnson
 Schroeder of Pottawattamie
 Jay of Appanoose
 Holveck of Polk
 Committee on
 Appropriations
 Pellett of Cass
 Muhlbauer of Crawford
 Fogarty of Palo Alto
 Rensink of Sioux
 Handorf of Marshall
 Oxley of Linn
 Schnekloth of Scott
 Halvorson of Clayton
 Corey of Louisa

| | | | |
|-------------------------|------|------|----------------------------|
| Royer of Page | | | Bennett of Ida |
| Cooper of Lucas | | | Van Maanen of Mahaska |
| Hughes of Union | | | Daggett of Taylor |
| Gruhn of Dickinson | | | Knapp of Dubuque |
| Davitt of Warren | | | Maulsby of Calhoun |
| H-6324 | H.F. | 2527 | Renken of Grundy |
| H-6325 | H.F. | 2217 | Mullins of Kossuth |
| H-6327 | H.F. | 2527 | Daggett of Taylor |
| Bennett of Ida | | | Mullins of Kossuth |
| Gruhn of Dickinson | | | McIntee of Black Hawk |
| Rosenberg of Story | | | Blanshan of Greene |
| H-6329 | H.F. | 2437 | Hammond of Story |
| H-6330 | H.F. | 2520 | Maulsby of Calhoun |
| H-6331 | H.F. | 2527 | Senate Amendment |
| H-6332 | H.F. | 2527 | Senate Amendment |
| H-6333 | H.F. | 2527 | Blanshan of Greene |
| H-6334 | H.F. | 2521 | Spear of Lee |
| H-6335 | S.F. | 2293 | Swartz of Marshall |
| H-6336 | H.F. | 2527 | Senate Amendment |
| H-6337 | S.F. | 2337 | Senate Amendment |
| H-6338 | H.F. | 2527 | Swartz of Marshall |
| Chiodo of Polk | | | Schroeder of Pottawattamie |
| Groninga of Cerro Gordo | | | Swartz of Marshall |
| Parker of Jasper | | | O'Kane of Woodbury |
| McIntee of Black Hawk | | | Arnould of Scott |
| H-6339 | H.F. | 2486 | Halvorson of Clayton |
| H-6340 | H.F. | 2217 | Peick of Linn |
| H-6341 | S.F. | 2337 | Krewson of Polk |
| | | | Rosenberg of Story |
| | | | Groth of Buena Vista |
| | | | Committee on Finance |

On motion by Norland of Worth, the House adjourned at 9:12 p.m., until 9:00 a.m., Tuesday, April 17, 1984.

JOURNAL OF THE HOUSE

One Hundredth Calendar Day — Sixty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 17, 1984

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, April 16, 1984 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Dale Wulf, M.D., Clinton.

SENATE MESSAGE CONSIDERED

Senate File 2353, by committee on appropriations, a bill for an act relating to the funding of and to substance abuse treatment and prevention programs by making appropriations to the department of substance abuse for the fiscal year beginning July 1, 1984 and ending June 30, 1985 for administration, program grants, treatment programs not licensed by the department, and prevention programs, requiring the treasurer of state to deposit certain amounts of the sales made by the state liquor stores in a special fund, requiring the beer and liquor control council to adjust the sales margin on liquor August 1, 1984 to raise certain revenue, requiring the state to incur one hundred percent of the cost of substance abuse treatment at certain programs for the fiscal year beginning July 1, 1984 and ending June 30, 1985, crediting certain fees to the beer and liquor control fund, requiring the department of substance abuse to distribute program grant funding by a certain formula, requiring an assessment of a patient before admittance to a state mental health institute for substance abuse treatment, prohibiting counties from certifying a supplemental levy for certain substance abuse treatment facilities, requiring the county auditor to recompute the levy rates to reduce the amount budgeted for certain substance abuse treatment programs in the fiscal year beginning July 1, 1984 and ending June 30, 1985, and providing an effective date.

Read first time and referred to committee on appropriations.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 13, 1984, 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 2015, a bill for an act relating to the holding of games of skill, chance, and raffles including bingo and providing penalties.

Also: That the Senate has on April 16, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2043, a bill for an act authorizing a partial exemption from property taxation for new warehouses and new warehouse machinery and equipment.

K. MARIE THAYER, Secretary

ADOPTION OF HOUSE MEMORIAL RESOLUTION 111

Hughes of Union offered the following House Memorial Resolution 111 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 111

Whereas, The Honorable Henry William Siefkas of Clarke County, Iowa, who was a member of the Forty-eighth, Forty-ninth, Fiftieth, Fifty-first, Fifty-second, and Fifty-third General Assemblies, passed away February 26, 1981; *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, Cooper of Lucas and Davitt of Warren.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 108

Zimmerman of Dallas called up for consideration House Concurrent Resolution 108, requesting an interim study of the cattle industry, and moved its adoption:

The motion prevailed and the resolution was adopted.

SENATE MESSAGE CONSIDERED

Senate File 2043, by Junkins and Miller of Des Moines, a bill for an act authorizing a partial exemption from property taxation for new warehouses and new warehouse machinery and equipment.

Read first time and referred to committee on finance.

MOTION TO RECONSIDER PREVAILED
(Senate File 2271)

Schroeder of Pottawattamie called up for consideration the motion to reconsider Senate File 2271, filed on March 29, 1984, and moved to reconsider the vote by which Senate File 2271, a bill for an act relating to the criminal and civil liability of state employees by modifying the definition of "claim" under the state tort claims Act, modifying the requirements of representation of, indemnification for, and restitution from state employees, providing for representation of department of public safety members in criminal actions and providing for the designation of department members as department administrative hearing officers, passed the House and was placed on its last reading on March 29, 1984.

A non-record roll call was requested.

The ayes were 84, nays none.

The motion prevailed and the House reconsidered Senate File 2271, placing out of order the motion to reconsider filed by Hoffmann-Bright of Muscatine on March 29, 1984.

Jay of Appanoose offered the following amendment H-6124 filed by him and moved its adoption:

H-6124

- 1 Amend Senate File 2271 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 17 and 18, and
- 4 inserting in lieu thereof the words "or of any state."
- 5 2. Page 2, by striking lines 1 and 2, and inserting
- 6 in lieu thereof the words "employee. The duty to".
- 7 3. Page 2, by striking lines 11 through 16, and
- 8 inserting in lieu thereof the words and figure "under
- 9 section 25A.14."

Amendment H-6124 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. 2271)

The ayes were, 95:

| | | | |
|------------------|------------|-------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| 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 | Lageschulte |
| Lloyd-Jones | Loneragan | Maulsby | McIntee |
| McKean | Menke | Miller | Mullins |
| Norland | O'Kane | Ollie | Osterberg |
| Oxley | Parker | Paulin | Pavich |
| Peick | Pellett | Poncy | Renaud |
| Renken | Rensink | Rosenberg | Royer |
| Running | Schneklath | 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:

| | | | |
|---------|---------|---------|-----------|
| Chiodo | Connors | Krewson | Muhlbauer |
| Sherzan | | | |

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

Haverland of Polk in the chair at 9:50 a.m.

CONSIDERATION OF BILLS

Unfinished Business Calendar

Norland of Worth asked and received unanimous consent to resume consideration of **Senate File 420**, a bill for an act relating to the collection of dishonored checks, drafts, or other negotiable instruments, placed on the unfinished business calendar on March 29, 1984.

Groninga of Cerro Gordo offered the following amendment H-5823 filed by the committee on small business and commerce:

H-5823

1 Amend Senate File 420 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. Section 537.2301, Code 1983, is amended
6 by adding the following new subsection:
7 **NEW SUBSECTION. 5.** The holder of a dishonored
8 instrument may assess against the maker of that
9 instrument a surcharge of not more than twenty dollars
10 for each dishonored instrument.
11 Sec. 2. Section 554.3507, Code 1983, is amended
12 by adding the following new subsection:
13 **NEW SUBSECTION. 5.** The holder of a dishonored
14 instrument may assess against the maker of that
15 instrument a surcharge of not more than twenty dollars
16 for each dishonored instrument.
17 Sec. 3. Section 625.22, unnumbered paragraph 2,
18 Code 1983, is amended to read as follows:
19 In an action against the maker to recover payment
20 on a dishonored negotiable check, or draft, or written
21 instrument, written in violation of chapter 714 as
22 defined in section 554.3104, the plaintiff, if
23 successful, may recover, in addition to all other
24 costs or surcharges provided by law, all court costs
25 incurred, including a reasonable attorney's fee, or
26 an individual's cost of processing a small claims
27 recovery such as lost time and transportation costs
28 from the maker of the check, draft, or written
29 instrument."

The following amendments, to the committee amendment H-5823, were withdrawn by unanimous consent:

H—5883 filed by Groninga of Cerro Gordo on March 27, 1984.

H—5980 filed by Varn of Johnson on March 29, 1984.

H—5950 filed by Parker of Jasper and Varn of Johnson on March 29, 1984.

H—5955 filed by Holveck of Polk and Miller of Woodbury on March 29, 1984.

H—6286 filed by Groninga, et al., on April 13, 1984.

Groninga of Cerro Gordo offered the following amendment H—6321, to the committee amendment H—5823, filed by Groninga, et al., and moved its adoption:

H—6321

1 Amend amendment H—5823 to Senate File 420 as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 1 through 29 and
5 inserting in lieu thereof the following:

6 "Amend Senate File 420 as amended, passed, and
7 reprinted by the Senate, as follows:

8 1. By striking everything after the enacting
9 clause and inserting in lieu thereof the following:

10 "Sec. . Section 554.3507, Code 1983, is amended
11 by adding the following new subsection:

12 NEW SUBSECTION. 5. The holder of a dishonored
13 instrument may assess against the maker of that
14 instrument a surcharge of not more than ten dollars
15 for each dishonored instrument. The surcharge
16 authorized by this section shall not be assessed
17 unless the holder clearly and conspicuously posts
18 a notice at the usual place of payment, or in the
19 billing statement of the holder, stating that a
20 surcharge will be assessed and the amount of the
21 surcharge. However, such a surcharge shall not be
22 assessed against the maker if the reason for the
23 dishonor of the instrument is that the maker has
24 stopped payment pursuant to section 554.4403.

25 Sec. . Section 625.22, unnumbered paragraph
26 2, Code 1983, is amended to read as follows:

27 In an action against the maker to recover payment
28 on a dishonored check, or draft, or ~~written instrument~~
29 written in violation of chapter 714 as defined in
30 section 554.3104, the plaintiff, if successful, may
31 recover, in addition to all other costs or surcharges
32 provided by law, all court costs incurred, including
33 a reasonable attorney's fee, or an individual's cost
34 of processing a small claims recovery such as lost
35 time and transportation costs from the maker of the

36 check, or draft, or written instrument Any such
 37 additional charges shall be determined by the court.
 38 If the defendant is successful in the action and the
 39 court determines the action was frivolous, the court
 40 may award the defendant reasonable attorney's fees."
 41 2. By renumbering as necessary."

Amendment H—6321 was adopted.

On motion by Groninga of Cerro Gordo, the committee amendment H—5823, as amended, was adopted placing out of order the following amendments:

H—3848 filed by Schroeder of Pottawattamie on April 25, 1983 and found on pages 2382 and 2383 of the 1983 House Journal.

H—3605 filed by Maulsby of Calhoun on April 8, 1983 and found on page 2348 of the 1983 House Journal.

H—5942 filed by Holveck of Polk and Miller of Woodbury on March 28, 1984.

H—3698 filed by Miller of Woodbury on April 12, 1983 and found on page 2358 of the 1983 House Journal.

H—3571 filed by Spear of Lee on April 7, 1983 and found on page 2344 of the 1983 House Journal.

H—3604 filed by Maulsby of Calhoun on April 8, 1983 and found on page 2347 of the 1983 House Journal.

H—3632 filed by Gronstal of Pottawattamie on April 11, 1983 and found on page 2350 of the 1983 House Journal.

H—3592 filed by Schroeder of Pottawattamie on April 8, 1983 and found on page 2347 of the 1983 House Journal.

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. 420)

The ayes were, 91:

| | | | |
|----------|---------|------------|-----------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| Branstad | Buhr | Carl | Carpenter |
| Carter | Chapman | Clark | Cochran |
| Connolly | Cooper | Copenhaver | Corey |
| Daggett | Davitt | De Groot | Diemer |
| Doderer | Fey | Fogarty | Grandia |

| | | | |
|------------------|------------|----------------------------|------------------|
| Groninga | 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 | Loneragan | Maulsby | McIntee |
| McKean | Menke | Miller | Muhlbauer |
| Mullins | Norland | Ollie | Osterberg |
| Parker | Paulin | Pavich | Peick |
| Pellet | Poncy | Renaud | Renken |
| Rensink | Rosenberg | Royer | Schneklath |
| Schroeder | Sherzan | Skow | Spear |
| Stromer | Stueland | Sullivan | Swartz |
| Swearingen | Tabor | Tofte | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Varn |
| Welden | Woods | Mr. Speaker (Haverland) | |

The nays were, 7:

| | | | |
|----------|----------|-----------|---------|
| Gronstal | O'Kane | Oxley | Running |
| Shoultz | Sturgeon | Zimmerman | |

Absent or not voting, 2:

| | |
|--------|---------|
| Chiodo | Connors |
|--------|---------|

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

Norland of Worth asked and received unanimous consent to resume consideration of **Senate File 2254**, a bill for an act relating to the state employee suggestion system, placed on the unfinished business calendar on March 30, 1984.

Parker of Jasper offered the following amendment H-6048 filed by him and moved its adoption:

H-6048

- 1 Amend Senate File 2254 as passed by the Senate
- 2 as follows:
- 3 1. Page 1, by striking lines 9 through 12 and
- 4 inserting in lieu thereof the following: "shall be
- 5 awarded ten percent of the first year's net savings,
- 6 not exceeding two thousand five hundred dollars or
- 7 a certificate. A cash award shall".
- 8 2. Page 1, by striking line 16 and inserting in
- 9 lieu thereof the words "the amount to be awarded.
- 10 Appeals of".

Amendment H—6048 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?" (S.F. 2254)

The ayes were, 83:

| | | | |
|------------------|------------|----------------------------|------------------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Clark | Cochran | Connolly |
| Cooper | Copenhaver | Daggett | De Groot |
| Diemer | Doderer | Fey | Fogarty |
| Groninga | Gronstal | Gruhn | Halvorson, R. A. |
| Halvorson, R. N. | Hammond | Handorf | Hanson |
| Harbor | Hermann | Hoffmann-Bright | Holveck |
| Hughes | Hummel | Jochum | Knapp |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Lonergan | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Pellett |
| Poncy | Renaud | Rensink | Rosenberg |
| Royer | Schneklath | Schroeder | Sherzan |
| Skow | Spear | Stromer | Stueland |
| Sturgeon | Sullivan | Swartz | Swearingen |
| Van Gerpen | Van Maanen | Varn | Welden |
| Woods | Zimmerman | Mr. Speaker (Haverland) | |

The nays were, 15:

| | | | |
|----------|----------|----------|---------|
| Branstad | Corey | Davitt | Grandia |
| Groth | Jay | Maulsby | Peick |
| Renken | Running | Shoultz | Tabor |
| Tofte | Torrence | Van Camp | |

Absent or not voting, 2:

| | |
|--------|---------|
| Chiodo | Connors |
|--------|---------|

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

IMMEDIATE MESSAGES (Senate Files 420 and 2254)

Norland of Worth asked and received unanimous consent to immediately message Senate Files 420 and 2254 to the Senate.

Unfinished Business Calendar

Norland of Worth asked and received unanimous consent to resume consideration of **Senate File 2232**, a bill for an act relating to charges by industrial loan licensees by authorizing industrial loan licensees to collect an appraisal fee on loans secured by a mortgage and requiring industrial loan licensees to pay interest on funds held in escrow in connection with a single-family or two-family home loan, placed on the unfinished business calendar on March 30, 1984.

Groninga of Cerro Gordo offered the following amendment H-5811 filed by the committee on small business and commerce:

H-5811

1 Amend Senate File 2232 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. NEW SECTION. DEFINITIONS. As used
6 in sections 1 through 6 of this Act, unless the context
7 otherwise requires:

8 1. "Building standards" means the structural,
9 mechanical, electrical, and quality standards of the
10 home building industry for the geographic area in
11 which the dwelling is situated.

12 2. "Dwelling" means a new building, not previously
13 occupied, constructed for the purpose of habitation;
14 but does not include appurtenant recreational
15 facilities, detached garages, driveways, walkways,
16 patios, boundary walls, retaining walls not necessary
17 for the structural stability of the dwelling,
18 landscaping, fences, nonpermanent construction
19 materials, off-site improvements, and all other similar
20 items.

21 3. "Initial vendee" means a person who first
22 contracts to purchase a dwelling from a vendor for
23 the purpose of habitation and not for resale in the
24 ordinary course of trade.

25 4. "Major construction defect" means actual damage
26 to the load-bearing portion of the dwelling, including
27 damage due to subsidence, expansion or lateral movement
28 of the soil, which affects its load-bearing function
29 and which vitally affects or is imminently likely
30 to vitally affect use of the dwelling for residential
31 purposes. "Major construction defect" does not include
32 damage due to movement of the soil caused by flood,
33 earthquake or other natural disaster.

34 5. "Vendee" means any purchaser of a dwelling
35 and includes the initial vendee and any subsequent
36 purchasers.

37 6. "Vendor" means any person, firm, or corporation
38 which constructs dwellings for the purpose of sale,
39 including the construction of dwellings on land owned
40 by vendees.

41 7. "Warranty date" means the date from and after
42 which the statutory warranties provided in section
43 2 of this Act shall be effective, and which is the
44 earliest of the following:

45 a. The date of the initial vendee's first occupancy
46 of the dwelling.

47 b. The date on which the initial vendee takes
48 legal or equitable title in the dwelling.

49 **Sec. 2. NEW SECTION. STATUTORY WARRANTIES.**

50 1. In every sale of a completed dwelling, and

Page 2

1 in every contract for the sale of a dwelling to be
2 completed, the vendor shall warrant to the vendee
3 all of the following:

4 a. That during the one-year period from and after
5 the warranty date the dwelling shall be free from
6 defects caused by faulty workmanship and defective
7 materials due to noncompliance with building standards.

8 b. That during the two-year period from and after
9 the warranty date, the dwelling shall be free from
10 defects caused by faulty installation of plumbing,
11 electrical, heating, and cooling systems.

12 c. That during the ten-year period from and after
13 the warranty date, the dwelling shall be free from
14 major construction defects.

15 2. The statutory warranties provided in this
16 section shall survive the passing of legal or equitable
17 title in the dwelling to the vendee.

18 **Sec. 3. NEW SECTION. EXCLUSIONS.** The liability
19 of the vendor under sections 1 to 6 of this Act is
20 limited to the specific items set forth in sections
21 1 to 6 of this Act and does not extend to any of the
22 following:

23 1. Loss or damage not reported by the vendee to
24 the vendor in writing within six months after the
25 vendee discovers or should have discovered the loss
26 or damage.

27 2. Loss or damage caused by defects in design,
28 installation, or materials which the vendee supplied,
29 installed, or had installed under the vendee's
30 direction.

31 3. Secondary loss or damage such as personal
32 injury or property damage.

- 33 4. Loss or damage from normal wear and tear.
34 5. Loss or damage from normal shrinkage caused
35 by drying of the dwelling within tolerances of building
36 standards.
37 6. Loss or damage from dampness and condensation
38 due to insufficient ventilation after occupancy.
39 7. Loss or damage from negligence, improper
40 maintenance or alteration of the dwelling by parties
41 other than the vendor.
42 8. Loss or damage from changes in grading of the
43 ground around the dwelling by parties other than the
44 vendor.
45 9. Landscaping or insect loss or damage.
46 10. Loss or damage from failure to maintain the
47 dwelling in good repair.
48 11. Loss or damage which the vendee, whenever
49 feasible, has not taken timely action to minimize.
50 12. Loss or damage which occurs after the dwelling

Page 3

- 1 is no longer used primarily as a residence.
2 13. Accidental loss or damage usually described
3 as acts of God, including, but not limited to, fire,
4 explosion, smoke, water escape, windstorm, hail or
5 lightning, falling trees, aircraft and vehicles,
6 flood, and earthquake, except when the loss or damage
7 is caused by failure to comply with building standards.
8 14. Loss or damage from soil movement which is
9 compensated by legislation or covered by insurance.
10 15. Loss or damage due to soil conditions where
11 construction is done upon lands owned by the vendee
12 and obtained by the vendee from a source independent
13 of the vendor.
14 Sec. 4. NEW SECTION. WAIVER AND MODIFICATION
15 LIMITED.
16 1. Except as provided in subsections 2 and 3,
17 sections 1 to 6 of this Act cannot be waived or
18 modified by contract or, otherwise, An agreement which
19 purports to waive or modify sections 1 to 6 of this
20 Act, except as provided in subsections 2 and 3, shall
21 be void.
22 2. At any time after a contract for the sale of
23 a dwelling is entered into by and between a vendor
24 and a vendee, any of the statutory warranties provided
25 for in section 2 of this Act may be excluded or
26 modified only by a written instrument, printed in
27 bold face type of a minimum size of ten points, which
28 is signed by the vendee and which sets forth in detail
29 the warranty involved, the consent of the vendee,
30 and the terms of the new agreement contained in the
31 writing. An exclusion or modification shall not be

32 effective unless the vendor provides substitute express
33 warranties offering substantially the same protections
34 to the vendee as the statutory warranties set forth
35 in section 2 of this Act.

36 3. If a major construction defect is discovered
37 prior to the sale of a dwelling, the statutory warranty
38 set forth in section 2, subsection 1, paragraph "c",
39 of this Act may be waived for the defect identified
40 in the waiver instrument, after full oral disclosure
41 of the specific defect, by an instrument which sets
42 forth in detail the specific defect; the difference
43 between the value of the dwelling without the de-
44 fect, and the value of the dwelling with the defect,
45 as determined and attested to by an independent
46 appraiser, contractor, insurance adjuster, engineer
47 or any other similarly knowledgeable person selected
48 by the vendee; the price reduction; the date the
49 construction was completed; the legal description
50 of the dwelling; the consent of the vendee to the

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1 waiver; and the signatures of the vendee, the vendor,
2 and two witnesses.

3 A single waiver agreed to pursuant to this
4 subsection may not apply to more than one major
5 construction defect in a dwelling.

6 The waiver shall not be effective unless filed
7 for recording with the county recorder or registrar
8 of titles who shall file the waiver for record.

9 4. If the vendor excludes, modifies, or waives
10 any of the statutory warranties provided in section
11 2 of this Act, or if the vendor fails to provide
12 substitute express warranties offering substantially
13 the same protections to the vendee as the statutory
14 warranties set forth in section 2 of this Act the
15 statute of limitations provided in section 614.1,
16 subsection 11, shall not apply to an action arising
17 from any defect in the dwelling for which a statutory
18 warranty or a substitute express warranty was excluded,
19 modified, or waived.

20 **Sec. 5. NEW SECTION. REMEDIES.** Upon breach of
21 a warranty imposed by section 2 of this Act, the
22 vendee shall have a cause of action against the vendor
23 for damages arising out of the breach, or for specific
24 performance. Damages shall be limited to either of
25 the following:

26 1. The amount necessary to remedy the defect or
27 breach.

28 2. The difference between the value of the dwelling
29 without the defect and the value of the dwelling with
30 the defect.

31 Sec. 6. NEW SECTION. OTHER WARRANTIES. The
 32 statutory warranties provided for in section 2 of
 33 this Act shall be in addition to all other warranties
 34 imposed by law or agreement. The remedies provided
 35 in section 5 of this Act shall not be construed as
 36 limiting the remedies in any action not predicated
 37 upon breach of the statutory warranties imposed by
 38 section 2 of this Act."

39 2. Page 1, line 12, by striking the figure "1983"
 40 and inserting in lieu thereof the figure "1984".

41 3. Page 2, by inserting after line 4 the following:

42 "Sec. 9. Section 614.1, Code Supplement 1983,

43 is amended by adding the following new subsection:

44 NEW SUBSECTION. 11. IMPROVEMENTS TO REAL PROPERTY.

45 In addition to limitations contained elsewhere in
 46 this section, an action arising out of the unsafe
 47 or defective condition of an improvement to real
 48 property based on tort and implied warranty and for
 49 contribution and indemnity, and founded on injury
 50 to property, real or personal, or injury to the person

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1 or wrongful death, shall not be brought more than
 2 fifteen years after the date on which occurred the
 3 act or omission of the defendant alleged in the action
 4 to have been the cause of the injury or death.

5 However, this subsection shall not be construed to
 6 bar an action against a person solely in the person's
 7 capacity as an owner, occupant, or operator of an
 8 improvement to real property."

9 3. Title page, by striking lines 1 through 5 and
 10 inserting in lieu thereof the following:

11 "An Act relating to improvements on real property
 12 by providing for a warranty on the construction of
 13 a dwelling, establishing a maximum statute of
 14 limitations for actions arising out of improvements
 15 to real property, authorizing industrial loan licensees
 16 to collect an appraisal fee on loans secured by a
 17 real estate mortgage or deed of trust, and requiring
 18 industrial loan licensees to pay interest on funds
 19 held in escrow in connection with a single-family
 20 or two-family home loan."

21 4. Renumber as necessary.

Jay of Appanoose asked and received unanimous consent to withdraw amendments H-6045, H-6044, and H-6077, all to the committee amendment H-5811, filed by him on April 3, 1984.

Rosenberg of Story asked and received unanimous consent to withdraw amendment H-5940, to the committee amendment H-5811, filed by him on March 28, 1984.

Jay of Appanoose rose on a point of order that the committee amendment H-5811 was not germane.

The Speaker ruled the point well taken and the committee amendment H-5811 not germane.

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. 2232)

The ayes were, 94:

| | | | |
|------------------|----------------------------|-----------------|------------------|
| Anderson | Arnould | Avenson | 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 | Hermann | Hoffmann-Bright | Holveck |
| Hughes | Jay | Jochum | Knapp |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Loneragan | Maulsby | McIntee | McKean |
| Menke | Miller | Muhlbauer | Mullins |
| Norland | O'Kane | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellett | Poncy | Renaud | Renken |
| Rensink | Rosenberg | Royer | Running |
| Schnekiloth | 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 (Haverland) | | |

The nays were, none.

Absent or not voting, 6:

| | | | |
|--------|--------|---------|--------|
| Carter | Chiodo | Connors | Hummel |
| Ollie | Welden | | |

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

Norland of Worth asked and received unanimous consent to resume consideration of **Senate File 32**, a bill for an act to prohibit the recording of speeding tickets for certain violations ten miles per hour or less over the posted limit, subject to a penalty provided by law, placed on the unfinished business calendar on March 30, 1984.

Muhlbauer of Crawford offered the following amendment H-5787 filed by the committee on transportation:

H-5787

- 1 Amend Senate File 32, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 5, by inserting after the word
- 4 "limit" the words "in speed zones posted for thirty
- 5 miles per hour or greater".
- 6 2. Page 1, line 28, by inserting after the word
- 7 "limits" the words "in speed zones posted for thirty
- 8 miles per hour or greater".

Carter of Henry asked and received unanimous consent to withdraw amendment H-6002, to the committee amendment H-5787, filed by him on March 30, 1984.

On motion by Muhlbauer of Crawford, the committee amendment H-5787 was adopted.

Speaker Avenson in the chair at 10:45 a.m.

Chapman of Linn offered the following amendment H-5646 filed by her:

H-5646

- 1 Amend Senate File 32, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 1 through 18.
- 4 2. Page 1, by striking lines 29 and 30 and
- 5 inserting in lieu thereof the following: "ten miles
- 6 per hour or less."

Norland of Worth asked and received unanimous consent that Senate File 32 be deferred and that the bill retain its place on the calendar.

(Amendment H-5646 pending.)

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 ways and means meeting upon recess.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 4, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2274, a bill for an act relating to the designation of moneys to be paid to the state fish and game protection fund by a taxpayer on an income tax return.

Also: That the Senate has on April 17, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2352, a bill for an act appropriating federal funds made available from federal block grants.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 10:58 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-seven members present, twenty-three absent.

**REFERRED TO COMMITTEE ON FINANCE
(House File 2441)**

The Speaker announced that House File 2441, recommended do pass by the committee on **ways and means** on April 16, 1984, was referred to the committee on **finance**.

Sturgeon of Woodbury in the chair at 1:22 p.m.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 2337.

CONSIDERATION OF BILLS

Appropriations Calendar

Senate File 2337, a bill for an act relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety and public defense, with reports of committees recommending amendment and passage was taken up for consideration.

Pavich of Pottawattamie offered the following amendment H—6322 filed by the committee on appropriations:

H—6322

| | | |
|----|---|--------------------|
| 1 | Amend Senate File 2337, as amended, passed, and | |
| 2 | reprinted by the Senate, as follows: | |
| 3 | 1. By striking everything after the enacting | |
| 4 | clause and inserting in lieu thereof the following: | |
| 5 | "Section 1. There is appropriated from the general | |
| 6 | fund of the state to the following named agencies | |
| 7 | for the fiscal year beginning July 1, 1984 and ending | |
| 8 | June 30, 1985, the following amounts, or so much | |
| 9 | thereof as is necessary, for the purposes designated: | |
| 10 | | 1984-1985 |
| 11 | | <u>Fiscal Year</u> |
| 12 | 1. IOWA LAW ENFORCEMENT | |
| 13 | ACADEMY | |
| 14 | For salaries, support, main- | |
| 15 | tenance, and miscellaneous pur- | |
| 16 | poses | \$ 787,300 |
| 17 | 2. DEPARTMENT OF PUBLIC | |
| 18 | DEFENSE | |
| 19 | Military division | |
| 20 | For salaries, support, main- | |
| 21 | tenance, and miscellaneous pur- | |
| 22 | poses | \$ 2,940,250 |
| 23 | Notwithstanding section 29A.33, the per capita | |
| 24 | annual allowance to units will be five dollars per | |

25 capita to be paid on a semiannual basis in installments
 26 of two dollars fifty cents per capita for the fiscal
 27 year beginning July 1, 1984 and ending June 30, 1985.
 28 The per capita allowance shall be used for morale
 29 purposes and be for the welfare of the troops and
 30 in no circumstances expended for support and
 31 maintenance.

32 **3. OFFICE OF DISASTER SERVICES**

33 For salaries, support, main-
 34 tenance, and miscellaneous pur-
 35 poses

\$ 118,296

36 Sec. 2. There is appropriated from the general
 37 fund of the state to the department of public safety
 38 for the fiscal year beginning July 1, 1984 and ending
 39 June 30, 1985, the following amounts, or so much
 40 thereof as is necessary, to be used for funding the
 41 following functions and programs for the purposes
 42 designated:

1984-1985
Fiscal Year

45 **DEPARTMENT OF PUBLIC SAFETY**

46 **1. ADMINISTRATIVE FUNCTION**

47 a. For salaries, support,
 48 maintenance, and miscellaneous
 49 purposes of the department,
 50 criminal justice information sys-

Page 2

1 tem, and radio communications \$ 4,656,530
 2 b. For payment of claims
 3 filed under the victim reparation
 4 program and for the payment of
 5 operational expenses \$ 200,000

6 It is the intent of the general assembly that only
 7 ten percent of the funds appropriated under this
 8 paragraph shall be used for the payment of operational
 9 expenses.

10 **2. INSPECTION FUNCTION**

11 For salaries, support, main-
 12 tenance, and miscellaneous pur-
 13 poses of fire marshal's inspec-
 14 tions, administration of the
 15 state building code, arson in-
 16 vestigators including the state's
 17 contribution to the peace offi-
 18 cers' retirement, accident, and
 19 disability provided in chapter
 20 97A in the amount of sixteen per-
 21 cent of the salaries for which
 22 the funds are appropriated \$ 980,251

23 3. SECURITY FUNCTION

24 For salaries, support, maintenance, and miscellaneous purposes
25 of the capitol security division \$ 670,799

27 4. INVESTIGATION FUNCTION

28 a. For salaries, support, maintenance, and miscellaneous purposes, including lease or lease
29 purchase of laboratory equipment, of the division of criminal investigation containing the
30 bureaus of identification, drug law enforcement, welfare fraud,
31 and beer and liquor law enforcement, including the state's contribution to the peace officers'
32 retirement, accident, and disability system provided in chapter 97A in the amount of sixteen
33 percent of the salaries for which the funds are appropriated \$ 4,588,750

34 b. For undercover purchases by the division of criminal investigation agents and local law
35 enforcement agents \$ 200,000

36 It is the intent of the general assembly that the division of criminal investigation of the department
37 of public safety shall purchase not more than three

Page 3

1 motor vehicles of any make or model based upon
2 specifications submitted by the department.

3 5. DIVISION OF HIGHWAY SAFETY
4 AND UNIFORMED FORCE

5 For various crime prevention programs sponsored within the
6 department of public safety \$ 53,125

7 The Iowa highway safety patrol shall endeavor to
8 purchase one-half of the motor fuel and special fuel
9 necessary to operate motor vehicles from state
10 department facilities. For the fiscal year beginning
11 July 1, 1984 and ending June 30, 1985, the general
12 assembly assumes substantial compliance with this
13 requirement if the Iowa highway safety patrol purchases
14 at least forty-five percent of the motor fuel and
15 special fuel necessary to operate motor vehicles from
16 state department facilities. If the state
17 comptroller's estimates of motor fuel and special
18 fuel prices exceeds the amount needed for purchase
19 of motor fuel and special fuel necessary to operate
20

21 Iowa highway safety patrol motor vehicles, the amount
 22 of the difference may be expended only for the
 23 maintenance of the motor vehicle fleet of the Iowa
 24 highway safety patrol. The Iowa highway safety patrol
 25 shall report the amount expended for the total
 26 purchases of motor fuel and special fuel and the
 27 amount expended for fleet maintenance to the
 28 transportation and law enforcement appropriations
 29 subcommittee not later than August 1 following the
 30 end of the fiscal year.

31 Sec. 3. There is appropriated from the general
 32 fund of the state to the state department of
 33 transportation for the fiscal year beginning July
 34 1, 1984 and ending June 30, 1985, the following
 35 amounts, or so much thereof as may be necessary, to
 36 be used for the following purposes:

| | 1984-1985 Fiscal Year |
|------------------------------------|--------------------------|
| 39 STATE DEPARTMENT OF TRANSPOR- | |
| 40 TATION | |
| 41 1. For salaries, support, | |
| 42 maintenance, and miscellaneous | |
| 43 purposes | \$ 1,886,100 |
| 44 2. For public transit purposes | |
| 45 to implement a state assistance | |
| 46 plan | \$ 1,854,600 |

47 Notwithstanding chapter 8, it is the intent of
 48 the general assembly that funds appropriated for
 49 public transit purposes to implement a state assistance
 50 plan shall be allocated in whole or in part to a

Page 4

1 public transit system prior to the time actual
 2 expenditures are incurred if the allocation is first
 3 approved by the state department of transportation.
 4 A public transit system shall make application for
 5 advance allocations to the state department of
 6 transportation specifically stating the reasons why
 7 an advance allocation is required and this allocation
 8 shall be included in the total to be audited.

| | |
|------------------------------------|------------|
| 9 3. For deposit in the rail- | |
| 10 road assistance fund for branch | |
| 11 line improvement | \$ 972,000 |

12 Sec. 4. There is appropriated from the road use
 13 tax fund to the state department of transportation
 14 for the fiscal year beginning July 1, 1984 and ending
 15 June 30, 1985, the following amounts, or so much
 16 thereof as may be necessary, to be used for the
 17 following purposes:

| | 1984-1985 |
|----|--------------------|
| | <u>Fiscal Year</u> |
| 18 | |
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STATE DEPARTMENT OF TRANSPORTATION

1. For salaries, support, maintenance, and miscellaneous purposes \$12,850,548

2. For the purpose of making payments to the Iowa merit employment department for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A \$ 18,000

3. Unemployment compensation \$ 12,250

Sec. 5. There is appropriated from the road use tax fund to the state comptroller for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the sum of twenty-three thousand (23,000) dollars, or so much thereof as is necessary, to be used for the purpose of paying workers' compensation claims under chapter 85 on behalf of employees of the state department of transportation.

Sec. 6. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

| | 1984-1985 |
|------------------------------------|--------------------|
| | <u>Fiscal Year</u> |
| STATE DEPARTMENT OF TRANSPORTATION | |

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1. For salaries, support, maintenance, and miscellaneous purposes \$121,421,214

2. To be deposited in the state department of transportation materials and equipment revolving fund established by section 307A.7 for funding the increased replacement cost of vehicles \$ 2,000,000

3. For the purpose of making payments to the Iowa merit employment department for expenses incurred in administering the merit system on behalf of the state department of transportation.

16 as required by chapter 19A \$ 342,000
 17 4. Unemployment compensation \$ 232,750

18 Sec. 7. There is appropriated from the primary
 19 road fund to the state comptroller for the fiscal
 20 year beginning July 1, 1984 and ending June 30, 1985,
 21 the sum of four hundred thirty-seven thousand (437,000)
 22 dollars, or so much thereof as is necessary, for the
 23 purpose of paying workers' compensation claims under
 24 chapter 85 on behalf of the employees of the state
 25 department of transportation.

26 Sec. 8. There is appropriated from the state
 27 aviation fund to the state department of transportation
 28 for the fiscal year beginning July 1, 1984 and ending
 29 June 30, 1985, the following amount, or so much thereof
 30 as may be necessary, to be used for the following
 31 purposes:

| | | |
|----|---------------------------------|--------------------|
| 32 | | 1984-1985 |
| 33 | | <u>Fiscal Year</u> |
| 34 | For salaries, support, main- | |
| 35 | tenance, and miscellaneous pur- | |
| 36 | poses | \$ 381,000 |

37 Sec. 9. 1983 Iowa Acts, chapter 198, section 31,
 38 is amended to read as follows:

39 SEC. 31. Notwithstanding the provisions of section
 40 423.24, there is transferred from revenues collected
 41 under chapter 423 during the fiscal year beginning
 42 July 1, 1983 and ending June 30, 1984, from the use
 43 tax imposed on motor vehicles, trailers and motor
 44 vehicle accessories and equipment under section 423.7
 45 the sum of one million (1,000,000) dollars which shall
 46 be transferred to the state department of
 47 transportation for public transit assistance for the
 48 fiscal year beginning July 1, 1983 and ending June
 49 30, 1984. The funds transferred under this section
 50 to the state department of transportation for public

Page 6

1 transit assistance shall be considered in advance
 2 an interest-free loan of funds to be received for
 3 public transit assistance under the Surface
 4 Transportation Assistance Act of 1982 and the road
 5 use tax fund shall receive reimbursement of the funds
 6 from receipts received by the state department of
 7 transportation for public transit assistance from
 8 the United States government pursuant to the Surface
 9 Transportation Assistance Act of 1982 loan during
 10 the fiscal period beginning July 1, 1983 1984 and
 11 ending June 30, 1985 1987.

12 Sec. 10. Section 101A.2, subsection 2, Code 1983,
 13 as amended by House File 2301, enacted by the

14 Seventieth General Assembly, 1984 Session is amended
15 to read as follows:

16 2. Licenses shall be issued by the state fire
17 marshal upon payment of a fee of sixty one hundred
18 dollars, valid for a period of one calendar year,
19 commencing on January 1 and terminating on December
20 31; however, an initial license may be issued during
21 any calendar year for the number of months remaining
22 in such calendar year, computed to the first day of
23 the month when the application for the license is
24 approved. The license fee shall be charged on a pro
25 rata basis for the number of months remaining in the
26 year of issue. Applications for renewal of licenses
27 shall be submitted within thirty days prior to the
28 license expiration date and shall be accompanied by
29 payment of the prescribed annual fee.

30 Sec. 11. NEW SECTION. 321.270 ACCIDENTS EXEMPT
31 FROM RECORDS. A motor vehicle accident involving
32 a motor vehicle operated by a peace officer as defined
33 under section 801.4, or by a member of a fire
34 department as defined under section 321.423, or a
35 volunteer fire fighter shall not be included as part
36 of the operating record of the peace officer or fire
37 department member if the accident occurred on or after
38 the effective date of this Act, and if all of the
39 following criteria are met:

40 1. The peace officer, the fire department member,
41 or volunteer fire fighter was involved in the
42 performance of official duties at the time the accident
43 occurred.

44 2. The peace officer, the fire department member,
45 or volunteer fire fighter was responding to what the
46 officer or member reasonably believed to be a bona
47 fide emergency situation when the accident occurred.

48 3. The peace officer, the fire department member,
49 or volunteer fire fighter exercised all due care under
50 the circumstances involved in the accident.

Page 7

1 The peace officer, the fire department member,
2 or volunteer fire fighter desiring that an accident
3 be excluded from the person's operating record under
4 this section, shall request the exclusion in writing
5 and the request shall be attached to the written
6 report of the accident forwarded to the department
7 under section 321.266.

8 Sec. 12. Section 321.200, Code 1983, is amended
9 to read as follows:

10 321.200 CONVICTION AND ACCIDENT FILE. The
11 department shall also file all accident reports and

12 abstracts of court records of convictions received
13 by it under the laws of this state and in connection
14 therewith maintain convenient records or make suitable
15 notations in order that an individual record of each
16 licensee showing the convictions of such the licensee
17 and the traffic accidents in which he the licensee
18 has been involved shall be are readily ascertainable
19 and available for the consideration of the department
20 upon any an application for renewal of license and
21 at other suitable times. However, the abstract shall
22 not include accidents excluded from the record under
23 section 321.270.

24 Sec. 13. Section 321.210, Code 1983, is amended
25 by adding the following new unnumbered paragraph:
26 NEW UNNUMBERED PARAGRAPH. The department shall
27 not consider or assess any points for accidents
28 excluded from a person's operating record under section
29 321.270 in determining a license suspension under
30 this section.

31 Sec. 14. Section 321A.3, subsection 1, Code
32 Supplement 1983, is amended to read as follows:
33 1. The director shall upon request furnish any
34 person a certified abstract of the operating record
35 of a person subject to chapter 321 or this chapter.
36 The abstract shall also fully designate the motor
37 vehicles, if any, registered in the name of the person.
38 If there is no record of a conviction of the person
39 having violated any law relating to the operation
40 of a motor vehicle or of any injury or damage caused
41 by the person, the director shall so certify. The
42 abstract shall not include reports of accidents
43 excluded from the person's operating record under
44 section 321.270. A fee of four dollars shall be paid
45 for each abstract except by state, county, city or
46 court officials.

47 Sec. 15. It is the intent of the general assembly
48 that the transportation and law enforcement
49 appropriations subcommittee shall follow the following
50 procedures in developing budgets for those agencies

Page 8

- 1 under its jurisdiction:
- 2 1. Budgeting shall begin with agency expenditures
- 3 for the preceding fiscal year.
- 4 2. The basic document to be used in budget
- 5 discussions shall be the governor's budget document.
- 6 3. A brief explanation shall be given by the
- 7 agencies on the success of the various programs in
- 8 completing the mission of the agency.
- 9 4. An explanation of why the state is sponsoring

10 each program rather than the private sector, the
 11 federal government or another source. The possibility
 12 of funding the program through user fees should be
 13 included by the agency or contracting out the services
 14 should be examined.

15 5. When the appropriations bill is written, a
 16 schedule showing the comparison figures for the
 17 previous year's appropriation for the same item, shall
 18 accompany the bill.

19 6. A comparison shall be made in the state
 20 comptroller's publication of the number of positions
 21 shown on the table of organization and the number
 22 of full-time employees currently employed by the
 23 agency. Any discrepancies should be evaluated.
 24 A ratio of supervisory personnel to staff should be
 25 provided to the subcommittee so its appropriateness
 26 can be evaluated.

27 7. Reversions shall be shown in the numbers used
 28 by the comptroller's office and should be reflected
 29 in the expenditures made versus those budgeted enabling
 30 the subcommittee to study the spending patterns of
 31 allocated funds.

32 8. All federal funds received by an agency should
 33 be reflected in the legislative fiscal bureau sheets
 34 whether or not these funds are assigned by the general
 35 assembly.

36 9. Suggested column headings for next year's
 37 budget sheets provided by the legislative fiscal
 38 bureau shall be:

| 39 FY '83 | FY '84 | FY '85 | FY '86 | FY '86 | FY '86 |
|-----------|--------|---------|-----------|------------|-----------|
| 40 Actual | Actual | Approp. | Leg. Act. | Dept. Req. | Gov. Rec. |

41 10. A workshop should be given for all members
 42 of the general assembly at the beginning of the
 43 biennium on the use of the governor's budget book
 44 and the legislative fiscal bureau's worksheets to
 45 enable members of the general assembly to evaluate
 46 the agencies' budgets.

47 Sec. 16. All federal grants to and the federal
 48 receipts of the agencies appropriated funds under
 49 this Act are appropriated for the purposes set forth
 50 in such federal grants and receipts unless otherwise

Page 9

1 provided by the general assembly."

Connolly of Dubuque offered amendment H—6341, to the committee amendment H—6322, filed by the committee on finance and moved its adoption:

H-6341

- 1 Amend amendment H-6322 to Senate File 2337 as
- 2 amended, passed and reprinted by the Senate as follows:
- 3 1. By striking page 7, line 47 through page 8,
- 4 line 46.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 49, nays 49.

The committee amendment H-6341 lost.

Pavich of Pottawattamie offered the following amendment H-6356, to the committee amendment H-6322, filed from the floor by him and Woods of Polk:

H-6356

- 1 Amend the Committee on Appropriations amendment
- 2 H-6322 to Senate File 2337 as amended, passed and
- 3 reprinted by the Senate as follows:
- 4 1. Page 2, by striking lines 2 through 5 and
- 5 inserting in lieu thereof the following:
- 6 "b. For salaries, support,
- 7 maintenance, and miscellaneous
- 8 purposes for the employment of
- 9 three new pari-mutuel law en-
- 10 forcement agencies, including the
- 11 state's contribution to the
- 12 peace officers' retirement, ac-
- 13 cident, and disability system
- 14 provided in chapter 97A in the
- 15 amount of sixteen percent of the
- 16 salaries for which the funds are
- 17 appropriated..... \$ 175,000".

The following amendment H-6360, to amendment H-6356, to the committee amendment H-6322, filed by Pavich of Pottawattamie from the floor was adopted by unanimous consent:

H-6360

- 1 Amend amendment H-6356 to amendment H-6322 to
- 2 Senate File 2337 as amended, passed and reprinted
- 3 by the Senate as follows:

- 4 1. Page 1, line 9, by striking the words
5 "three new".

Mullins of Kossuth asked and received unanimous consent to temporarily defer action on amendment H—6356, as amended.

Groninga of Cerro Gordo offered the following amendment H—6355, to the committee amendment H—6322, filed by him from the floor and moved its adoption:

H—6355

- 1 Amend amendment H—6322 to Senate File 2337 as
2 amended, passed and reprinted by the Senate as follows:
3 1. Page 6, line 11, by striking the figure "1987"
4 and inserting in lieu thereof the figure "1989".

Amendment H—6355 was adopted.

Mullins of Kossuth offered the following amendment H—6359, to the committee amendment H—6322, filed from the floor by Mullins, McIntee and Maulsby and moved its adoption:

H—6359

- 1 Amend amendment H—6322 to Senate File 2337, as
2 amended, passed and reprinted by the Senate, as
3 follows:
4 1. Page 8, by inserting the following after
5 line 46:
6 "Sec. . . Section 912.13, Code 1983, is
7 repealed."

Roll call was requested by Mullins of Kossuth and Tofte of Winneshiek.

Rule 76 was invoked.

On the question "Shall amendment H—6359, to the committee amendment H—6322, be adopted?"

The ayes were, 75: 9

| | | | |
|----------|-----------|----------|--------|
| Anderson | Baxter | Bennett | Black |
| Blanshan | Brammer | Branstad | Buhr |
| Carl | Carpenter | Chapman | Chiodo |
| Clark | Cochran | Connors | Cooper |

| | | | |
|------------|------------|---------------------------|------------------|
| Copenhaver | Corey | Daggett | De Groot |
| Diemer | Doderer | Fogarty | Grandia |
| Groninga | Gruhn | Halvorson, R. A. | Halvorson, R. N. |
| Hammond | Handorf | Hanson | Harbor |
| Haverland | Hermann | Hoffmann-Bright | Holveck |
| Hummel | Koenigs | Krewson | Lageschulte |
| Lonergan | Maulsby | McIntee | McKean |
| Menke | Mullins | Norland | Ollie |
| Osterberg | Oxley | Paulin | Peick |
| Pellett | Renaud | Renken | Rensink |
| Royer | Schnekloth | Schroeder | Sherzan |
| Skow | Spear | Stromer | Stueland |
| Swartz | Swearingen | Tofte | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Varn |
| Welden | Zimmerman | Mr. Speaker (Sturgeon) | |

The nays were, 22:

| | | | |
|-----------|----------|-------------|-----------|
| Arnould | Connolly | Davitt | Fey |
| Gronstal | Groth | Hughes | Jay |
| Jochum | Knapp | Lloyd-Jones | Muhlbauer |
| O'Kane | Parker | Pavich | Poncy |
| Rosenberg | Running | Shoultz | Sullivan |
| Tabor | Woods | | |

Absent or not voting, 3:

| | | |
|---------|--------|--------|
| Avenson | Carter | Miller |
|---------|--------|--------|

Amendment H—6359 was adopted.

Daggett of Taylor offered the following amendment H—6358, to the committee amendment H—6322, filed by him from the floor and moved its adoption:

H—6358

- 1 Amend amendment H—6322 to Senate File 2337 as
- 2 amended, passed, and reprinted by the Senate as follows:
- 3 1. Page 1, line 22, by striking the figure "\$2,940,250"
- 4 and inserting in lieu thereof the figure "\$3,045,834".

Amendment H—6358 lost.

Koenigs of Mitchell offered the following amendment H—6363, to the committee amendment H—6322, filed from the floor by Koenigs, Cooper, Van Camp and Corey:

H—6363

1 Amend the Committee on Appropriations amendment
2 H—6322 to Senate File 2337 as amended, passed and
3 reprinted by the Senate as follows:

4 1. Page 6, by inserting after line 11 the
5 following:

6 "Sec. . 1983 Iowa Acts, chapter 198, section
7 32, is amended to read as follows:

8 Sec. 32. Notwithstanding the provisions of section
9 423.24, there is transferred from revenues collected
10 under chapter 423 during each year of the fiscal
11 period year beginning July 1, 1983 and ending June
12 30, ~~1985 1984~~ from the use tax imposed on motor
13 vehicles, trailers and motor vehicle accessories and
14 equipment under section 423.7 the sum of seven million
15 five hundred thousand (7,500,000) dollars which shall
16 be transferred to the special railroad facility fund
17 to be used exclusively for the purposes provided in
18 this section. The Iowa railway finance authority
19 may enter into a partnership agreement as allowed
20 under section 307B.7, subsection 7, for the purpose
21 of acquiring the right-of-way of the Chicago, Rock
22 Island and Pacific railroad. The funds shall be
23 expended to supplement private investment capital
24 obtained for that purpose by matching any private
25 investment capital on an equal basis. The funds
26 transferred to the special railroad facility fund
27 under this section shall be considered an interest-
28 free loan to be repaid in ten equal annual installments
29 beginning July 1, 1985 to the road use tax fund from
30 receipts credited to the special railroad facility
31 fund under section 307B.23.

32 The Iowa railway finance authority shall obtain
33 a priority lien against the railroad right-of-way
34 and related materials to secure the loan and secure
35 repayment. If the purchase of the railroad right-
36 of-way is not completed by January 1, 1986, the entire
37 amount of the loan shall become due and payable."

Lloyd-Jones of Johnson rose on a point of order that amendment
H—6363 was not germane.

The Speaker ruled the point well taken and amendment
H—6363 not germane.

Koenigs of Mitchell moved that the rules be suspended to con-
sider amendment H—6363.

A non-record roll call was requested.

The ayes were 27, nays 55.

The motion lost.

Schroeder of Pottawattamie offered the following amendment H-6361, to the committee amendment H-6322, filed by him from the floor and moved its adoption:

H-6361

- 1 Amend amendment H-6322 to Senate File 2337 as
- 2 amended, passed and reprinted by the Senate as follows:
- 3 1. Page 8, by striking lines 41 through 46.

Amendment H-6361 was adopted.

The House resumed consideration of amendment H-6356, as amended, to the committee amendment H-6322.

Pavich of Pottawattamie asked and received unanimous consent to withdraw amendment H-6356.

Cochran of Webster called up for consideration the motion to reconsider filed by him from the floor to reconsider amendment H-6341.

The House stood at ease at 2:40 p.m., until the fall of the gavel.

The House resumed session at 6:29 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 April 17, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 446, a bill for an act providing for the creation, management, and administration of a protected water area system in this state.

Also: That the Senate has on April 17, 1984, 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 2183, a bill for an act relating to the regulation of business entities and workers engaging in the removal or encapsulation of asbestos and providing penalties.

Also: That the Senate has on April 17, 1984, 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 2487, a bill for an act relating to liability in tort by 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.

Also: That the Senate has on April 17, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2516, a bill for an act to provide funding for the removal or encapsulation of asbestos by school districts.

Also: That the Senate has on April 17, 1984, 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 2215, a bill for an act to provide for the issuance of an extra-curricular contract by school boards, to set criteria for a receipt of the contract including the establishment of a coaching authorization, and to provide for termination of the extracurricular contract.

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 7:25 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-seven members present, twenty-three absent.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Copenhaver of Buchanan, for the remainder of the evening, on request of Fey of Scott; Osterberg of Linn, until his arrival, on request of Gronstal of Pottawattamie.

The House resumed consideration of the motion to reconsider amendment H-6341 (to the committee amendment H-6322) to Senate File 2337, filed by Cochran of Webster.

Cochran of Webster moved to reconsider the vote by which the committee amendment H-6341 (to the committee amendment H-6322) failed to be adopted by the House on April 17, 1984.

A non-record roll call was requested.

The ayes were 42, nays 35.

The motion to reconsider prevailed and the House reconsidered the committee amendment H-6341, found on page 2081 of the House Journal.

Connolly of Dubuque moved the adoption of the committee amendment H-6341, to the committee amendment H-6322.

A non-record roll call was requested.

The ayes were 49, nays 40.

The committee amendment H-6341 was adopted, placing out of order amendment H-6361 (to the committee amendment H-6322), previously adopted.

Halvorson of Webster called up for consideration the motion to reconsider filed by him from the floor and moved to reconsider the vote by which amendment H-6359, to the committee amendment H-6322, was adopted by the House on April 17, 1984.

A non-record roll call was requested.

The ayes were 51, nays 36.

The motion prevailed and the House reconsidered amendment H-6359, found on page 2082 of the House Journal.

Tabor of Jackson in the chair at 8:02 p.m.

Speaker Avenson in the chair at 8:52 p.m.

Mullins of Kossuth moved the adoption of amendment H-6359, to the committee amendment H-6322.

Roll call was requested by Mullins of Kossuth and Lageschulte of Bremer.

On the question "Shall amendment H-6359, to the committee amendment H-6322, 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 | Pellet | Renken | Rensink |
| Royer | 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 | 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 | 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, 3:

| | | |
|------------|-------------|----------|
| Copenhaver | Lloyd-Jones | Sullivan |
|------------|-------------|----------|

Amendment H—6359 lost.

On motion by Pavich of Pottawattamie, the committee amendment H—6322, as amended, was adopted placing out of order the following amendments:

H—6337 filed by Schroeder of Pottawattamie on April 16, 1984.
 H—6297 filed by Schroeder of Pottawattamie on April 16, 1984.
 H—6284 filed by Schroeder of Pottawattamie on April 13, 1984.
 H—6289 filed by Maulsby of Calhoun on April 16, 1984.
 H—6317 filed by Koenigs, et al., on April 16, 1984.

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. 2337)

The ayes were, 65:

| | | | |
|-------------|-----------|------------------|-------------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Buhr | Carl | Carter |
| Chapman | Chioldo | Cochran | Connolly |
| Connors | Cooper | Davitt | Doderer |
| Fey | Fogarty | Groninga | Gronstal |
| Groth | Gruhn | Halvorson, R. N. | Hammond |
| Hanson | Haverland | Hermann | Holveck |
| Hughes | Hummel | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lloyd-Jones |
| Loneragan | Miller | Muhlbauer | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Pavich | Peick | Poncy |
| Renaud | Rosenberg | Running | Schroeder |
| Sherzan | Shoultz | Skow | Spear |
| Sturgeon | Swartz | Swearingen | Tabor |
| Van Camp | Varn | Woods | Zimmerman |
| Mr. Speaker | | | |

The nays were, 33:

| | | | |
|----------|-----------------|------------------|------------|
| Anderson | Bennett | Branstad | Carpenter |
| Clark | Corey | Daggett | De Groot |
| Diemer | Grandia | Halvorson, R. A. | Handorf |
| Harbor | Hoffmann-Bright | Lageschulte | Maulsby |
| McIntee | McKean | Menke | Mullins |
| Paulin | Pellet | Renken | Rensink |
| Royer | Schneklath | Stromer | Stueland |
| Tofte | Torrence | Van Gerpen | Van Maanen |
| Weiden | | | |

Absent or not voting, 2:

Copenhaver 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 2337)

Norland of Worth asked and received unanimous consent to immediately message Senate File 2337 to the Senate.

Halvorson of Webster in the chair at 9:05 p.m.

SENATE AMENDMENT CONSIDERED

Groth of Buena Vista called up for consideration **House File 2217**, a bill for an act to establish a board of educational examiners to issue certificates and provide for their renewal, and to prescribe their duties, amended by the Senate amendment H-6282 as follows:

H-6282

1 Amend House File 2217, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:

5 "Section 1. Section 257.10, subsection 11, Code
6 1983, is amended to read as follows:

7 11. Constitute the board of educational examiners
8 for the certification of administrative, supervisory
9 and instructional personnel for chief administrators
10 of school corporations and school service professionals
11 working in the public school systems of the state;
12 prescribe types and classes of certificates to be
13 issued, the subjects and fields and positions which
14 certificates cover and determine the requirements
15 for certificates, endorsements, approvals, or other
16 authorization; establish fees for the issuance and
17 renewal of certificates; prescribe the terms of years
18 and expiration dates of certificates; prescribe the
19 requirements for renewal of certificates; enter into
20 reciprocity agreements with other states and countries
21 that have similar certification requirements; suspend
22 or revoke a certificate for any cause that would have
23 authorized or required a refusal to grant a
24 certificate; establish standards for the acceptance
25 of degrees, credits, courses, and other evidences
26 of training and preparation of chief administrators
27 and school service professionals from institutions
28 of higher learning, junior colleges, or other training
29 institutions education, both public and private,
30 within or without the state. The state board shall
31 perform duties imposed upon the board of educational
32 examiners under chapter 260.

33 "School service professional" means a speech
34 pathologist, audiologist, psychologist, physical
35 therapist, occupational therapist, social worker,
36 or a member of another profession that the board has
37 identified by rule under chapter 17A, the members
38 of which are not directly involved in teaching, but
39 are trained to assist students in learning or removing
40 obstacles to learning. A "school service professional"
41 is not a school administrator, supervisor, or teacher.

42 Sec. 2. Section 257.18, Code Supplement 1983, is amended by
43 adding the following new subsection:

44 NEW SUBSECTION. 4A. Act as the executive officer
45 of the board of educational examiners pursuant to
46 chapter 260.

47 Sec. 3. Section 260.1, Code 1983, is amended by
48 striking the section and inserting in lieu thereof
49 the following:

50 260.1 STATE BOARD. There is established the state

Page 2

1 board of educational examiners consisting of nine
2 members appointed by the governor, subject to senate
3 confirmation. Associations interested in education
4 may recommend the names of potential board members
5 to the governor, but the governor is not bound by
6 the recommendations.

7 As used in this chapter, "board" means the state
8 board of educational examiners, unless otherwise
9 required by the context. The members shall include
10 the following:

11 1. Four members who possess professional
12 certificates to teach issued under this chapter or
13 who possess professional or permanent professional
14 certificates issued by the board of educational
15 examiners prior to the effective date of this Act.

16 2. One member who possesses endorsement as a
17 school principal.

18 3. One member of the teaching faculty of the
19 education college or department of a college or
20 university that has an approved teacher education
21 program.

22 4. Three members who do not hold certificates
23 issued under this chapter or professional or permanent
24 professional certificates issued by the board of
25 educational examiners prior to the effective date
26 of this Act and who represent the general public.

27 Not more than five members of the board shall be
28 members of the same political party.

29 Each teacher and principal on the board shall be
30 employed as a teacher or principal and shall have
31 been so employed for a period of three years just
32 preceding the member's appointment, the last two of
33 which shall be in this state.

34 Sec. 4. Section 260.3, Code 1983, is amended to
35 read as follows:

36 260.3 PERSONNEL. The state superintendent
37 executive administrator shall, with the approval of
38 the state board, direct the work of such personnel
39 as may be necessary to carry out the provisions of
40 this chapter.

41 Sec. 5. NEW SECTION. 260.4 TERM - COMPENSATION.

42 The members of the board shall serve four-year terms
43 that commence and end as provided in section 69.19.
44 A vacancy in the membership of the board shall be
45 filled by appointment of the governor, subject to
46 senate confirmation.

47 A member of the board shall receive forty dollars
48 per day from funds appropriated to the board for each
49 day the member is actually engaged in the discharge
50 of duties except that members of the board who are

Page 3

1 employed on a full-time basis by a public employer
2 shall not receive the per diem payment if they are
3 receiving compensation for that day from their
4 employer. The member shall also receive necessary
5 and actual travel and expenses from funds appropriated
6 to the board.

7 The board of directors of a school corporation
8 or authorities in charge of a college or university
9 shall allow members appointed to the board to serve
10 as members of the board and shall not discriminate
11 against the member in employment.

12 Sec. 6. Section 260.5, Code 1983, is amended to
13 read as follows:

14 260.5 DEFINITION OF FIELDS. For the purposes
15 of this Act the elementary school field shall be
16 constructed to include includes the kindergarten and
17 grades one to eight, inclusive; the secondary school
18 field shall be constructed to include includes the
19 junior high school, the senior high school and the
20 four-year high school; and the administrative and
21 supervisory field shall be constructed to include
22 includes all administrative and supervisory positions
23 in the public schools, except the chief administrator
24 of a school corporation.

25 Sec. 7. NEW SECTION. 260.5A DUTIES. The board
26 shall:

27 1. Issue professional, temporary, and substitute
28 certificates and other certificates deemed necessary
29 by the board to qualified applicants.

30 2. Provide endorsements and approvals for the
31 subjects and fields and positions which certificates
32 cover.

33 3. Establish standards for the acceptance of
34 degrees, credits, courses, and other evidences of
35 training and preparation from colleges and universities
36 in this state and out of this state and provide for
37 approval of teacher education programs at colleges
38 and universities in this state. The standards for
39 approval may include the adoption of national standards
40 for teacher education programs.

41 4. Prescribe requirements for renewal of
42 certificates.

43 5. Approve examinations required under this chapter
44 and other examinations deemed necessary by the board.

45 6. Establish standards for the certification and
46 renewal of certification of administrators except
47 the chief administrator, supervisors, and teachers
48 employed at the merged area schools.

49 7. Be authorized to prescribe requirements for
50 a professional evaluation.

Page 4

1 8. Provide for the issuance of the appropriate
2 certificates to applicants who are certificated in
3 other states and enter into reciprocity agreements
4 with other states that have similar requirements.

5 9. Establish fees for the issuance and renewal
6 of certificates, for changes in approvals and
7 endorsements, and for required examinations and the
8 costs of sustaining the board.

9 10. Develop criteria of professional practices
10 under section 261.31.

11 11. Employ an executive administrator, who shall
12 be responsible to the superintendent of public
13 instruction, and other personnel as may be neces-
14 sary to carry out its duties.

15 12. Receive federal funds on behalf of the state
16 for purposes related to its duties.

17 13. Adopt rules, pursuant to chapter 17A, to
18 implement its duties under this chapter.

19 Sec. 8. Section 260.6, Code 1983, is amended to
20 read as follows:

21 260.6 CERTIFICATES REQUIRED. The board of
22 educational examiners shall issue certificates pursuant
23 to section 267.10, subsection 11. A person employed
24 as an administrator except for the chief administrator
25 of a school corporation, supervisor, school service
26 person but not a school service professional as defined
27 in section 267.10, subsection 11, or teacher in the
28 public schools shall hold a certificate with
29 appropriate endorsement and approvals valid for the
30 type of position in which the person is employed.

31 Sec. 9. Section 260.7, Code 1983, is amended to
32 read as follows:

33 260.7 CERTIFICATE VALIDITY. A certificate is
34 valid for the subject matter fields or administrative,
35 supervisory, or school service activities covered
36 under this chapter for which an express statement
37 of approval or an endorsement is given by the issuing
38 authority.

39 Sec. 10. NEW SECTION. 260.8 EXAMINATIONS. The
40 board shall consult with state associations and state
41 agencies interested in education in this state in
42 adopting the examinations required in this chapter.
43 The board may consult with officials from other states
44 that administer similar examinations for teachers.

45 The board may contract with an institution of
46 higher education or an educational testing service
47 to develop, score, and provide appropriate analyses
48 of the examinations.

49 Sec. 11. NEW SECTION. 260.8A BASIC SKILLS
50 ASSESSMENT EXAMINATION. An applicant for a

Page 5

1 professional certificate shall present evidence to
2 the board that the applicant has successfully completed
3 the basic skills assessment examination adopted by
4 the board demonstrating competency in basic skills
5 required for teaching. The basic skills examination
6 shall first be administered during the fiscal year
7 beginning July 1, 1985 and is required for professional
8 certificates issued on or after October 1, 1987.
9 The examination shall be administered by the board
10 at least one time per year and may be given initially
11 to students during their sophomore year.

12 The examination shall test all of the following:

- 13 1. The ability to write in a logical and concise
14 style with appropriate grammar and sentence structure.
- 15 2. The ability to read, comprehend, and interpret
16 professional and other written material.
- 17 3. The ability to comprehend and work with
18 fundamental mathematical concepts.

19 An applicant for a professional certificate who
20 is from another state but otherwise meets the
21 requirements of this state shall take the examination
22 as prescribed by the board.

23 Sec. 12. Section 260.9, Code Supplement 1983,
24 is amended by striking the section and inserting in
25 lieu thereof the following:

26 **NEW SECTION. 260.9 PROFESSIONAL AND SUBJECT**
27 **MATTER PROFICIENCY EXAMINATIONS.** An applicant for
28 a professional certificate shall present evidence
29 to the board that the applicant has successfully
30 completed a professional and subject matter proficiency
31 examination for the appropriate endorsement and
32 approval areas. The examination shall test knowledge
33 of subject matter and education philosophy and
34 concepts.

35 The board may administer as many examinations per
36 year as are necessary, but shall administer the
37 examination for each subject matter proficiency at
38 least one time per year. The scope of the examinations
39 and the methods of procedure shall be prescribed by
40 the board.

41 The board may withdraw approval of the teacher
42 education program at an institution of higher education
43 in this state if, for each of three consecutive years,
44 more than fifty percent of its students taking the
45 examination before graduation receive failing scores.

46 The examination shall first be administered during
47 the fiscal year beginning July 1, 1986 and is required
48 for professional certificates issued on or after
49 October 1, 1987. The examination may be given to
50 students during their senior year in college.

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1 An applicant for a professional certificate who
2 is from another state, but otherwise meets the
3 requirements of this section, shall take the
4 examination as prescribed by the board.

5 Sec. 13. NEW SECTION. 260.9A EXAMINATION
6 PROCEDURE. An examination may be conducted by
7 representatives of the board. The identity of the
8 person taking the examination shall be concealed until
9 after the examination has been graded. An applicant
10 who has failed the examination once shall be allowed
11 to take the examination at the next scheduled time.
12 Thereafter, the applicant shall be allowed to take
13 the examination at the discretion of the board. An
14 applicant who has failed the examination may request
15 in writing information from the board concerning the
16 applicant's examination grade and questions which
17 the applicant failed to answer correctly, except that
18 if the board administers a uniform, standardized
19 examination, the board shall only be required to
20 provide the examination grade and other information
21 concerning the applicant's examination results that
22 are available to the board.

23 Sec. 14. Section 260.10, Code 1983, is amended
24 by striking the section and inserting in lieu thereof
25 the following:

26 260.10 PROFESSIONAL CERTIFICATE. Effective October
27 1, 1987, a professional certificate shall be issued
28 by the board to an individual possessing a
29 baccalaureate degree, who has completed the teacher
30 education program provided at a college or university
31 in this state that has been approved by the board,
32 or who has completed a teacher education program at
33 a college or university outside this state for which
34 the board has approved the program, and has passed
35 the basic skills assessment examination and the
36 professional and subject matter proficiency
37 examination. The term of a professional certificate
38 is five years from the date of its issuance, and the
39 board shall prescribe the conditions for its renewal.
40 The conditions for renewal shall include the completion
41 of continuing education requirements.

42 Effective October 1, 1987, a professional
43 certificate shall be issued by the board to an
44 applicant who is the holder of an expired professional
45 certificate and who has completed the continuing
46 education requirements established by the board for
47 renewal of a professional certificate.

48 Sec. 15. NEW SECTION. 260.13 INTERNSHIP. The
49 board shall adopt rules requiring that boards of
50 directors of school corporations provide for internship

Page 7

1 programs for teachers who are in their first year
2 of teaching. The rules shall provide that the board,
3 of directors of a school corporation assign teaching
4 and extracurricular responsibilities to a first-year
5 teacher that reflect the needs of these teachers for
6 additional time for professional growth and
7 development. The board of directors shall provide
8 for staff development and other assistance deemed
9 appropriate by the board of directors or authorities
10 for first-year teachers. The board of directors may
11 request staff development assistance from the area
12 education agency.

13 Sec. 16. Section 260.15, Code 1983, is amended
14 to read as follows:

15 **260.15 APPLICATIONS - DISBURSEMENT OF FEES.**

16 Applications for the issuance or renewal of all
17 teachers' certificates shall be made to the
18 superintendent of public instruction executive
19 administrator of the board. Fees for the issuance
20 or renewal of certificates paid under this chapter
21 shall be paid to the superintendent of public
22 instruction executive administrator of the board who
23 shall deposit each fee received from these sources
24 with the treasurer of state and credit the fee to
25 the general fund of the state. If an application
26 for the issuance or renewal of a certificate is not
27 approved, the superintendent of public instruction
28 shall remit the fee to the applicant by a state
29 comptroller's warrant issued on the general fund of
30 the state upon certification of the superintendent
31 of public instruction that the fee has not been earned
32 executive administrator of the board shall refund
33 a fee paid by an unsuccessful applicant. The
34 superintendent executive administrator shall keep
35 an accurate and detailed account of money received.

36 Sec. 17. **NEW SECTION. 260.18 TEMPORARY**
37 **CERTIFICATE.** The board shall prescribe requirements
38 for issuance of a temporary certificate. A temporary
39 certificate is valid for one year and may be issued
40 for an emergency or unusual situation.

41 Before a temporary certificate can be issued for
42 a teacher to be employed by the board of directors
43 of a school district, the board of directors shall
44 contact the department of job service to review the
45 certificated teacher registry.

46 Sec. 18. **NEW SECTION. 260.20 APPROVAL AREAS.**

47 Effective October 1, 1987, if a teacher possessing
48 a professional certificate changes or adds approval
49 areas to the certificate, the teacher is required
50 to pass the subject matter portion of the professional

Page 8

1 and subject matter proficiency examination for the
2 added approval area within one year after the change
3 or addition.

4 Sec. 19. Section 260.21, Code 1983, is amended
5 to read as follows:

6 **260.21 VALIDITY AND EXPIRATION OF CERTIFICATES.**

7 A certificate is valid throughout the state after
8 issuance by the board. An original or renewed
9 certificate shall expire on June 30 of the year in
10 which it expires, and the expiration date shall be
11 determined by counting each fraction of a year during
12 the term of the certificate following the date of
13 issuance as one year. A certificate issued by the
14 board prior to January 1, 1980 is valid until June
15 30 of the year in which the certificate expires.

16 Certificates issued prior to January 1, 1980, may
17 be renewed in a manner prescribed by the board.

18 **Sec. 20. NEW SECTION. 260.24 CERTIFICATED TEACHER**

19 **REGISTRY.** The board shall send to the department
20 of job service a list of certificated teachers in
21 this state that are interested in employment as a
22 teacher together with the teachers' endorsements and
23 approval areas. The department of job service shall
24 maintain a certificated teacher registry.

25 **Sec. 21. NEW SECTION. 260.25 DISCLOSURE OF**
26 **CONFIDENTIAL INFORMATION.** A member of the board shall
27 not disclose information relating to the following:

28 1. Information relating to the contents of the
29 examinations.

30 2. Information relating to the examination results
31 other than final score except for information about
32 the results of an examination which is given to the
33 person who took the examination.

34 A member of the board who willfully communicates
35 or seeks to communicate this information, and a person
36 who willfully obtains this information, is guilty
37 of a simple misdemeanor.

38 **Sec. 22. Section 260.28, Code 1983, is amended**
39 **to read as follows:**

40 **260.28 EXPENDITURES.** All expenditures Expenditures

41 authorized to be made by the board of educational
42 examiners shall be certified by the superintendent
43 of public instruction executive administrator of the
44 board to the state comptroller, and if found correct,
45 he the state comptroller shall approve the same them
46 and draw warrants therefor upon the treasurer of state
47 from the funds appropriated for that purpose.

48 **Sec. 23. NEW SECTION. 260.31 CRITERIA OF**
49 **PROFESSIONAL PRACTICES.** The board shall develop
50 criteria of professional practices including, but

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1 not limited to, such areas as:

2 1. Contractual obligations.

3 2. Competent performance of all members of the
4 teaching profession.

5 3. Ethical practice toward other members of the
6 profession, parents, students, and the community.

7 However, membership or nonmembership in a teachers'
8 organization is not a criterion of an individual's
9 professional standing. A violation, as determined
10 by the board following a hearing, of any of the
11 criteria so adopted is unprofessional practice and
12 a legal basis for the suspension or revocation of
13 a certificate by the board.

14 After a hearing, the board, in administering its
15 responsibilities under this section, shall exonerate,
16 warn or reprimand the member of the profession or
17 may suspend or revoke a certificate under section
18 260.23.

19 Sec. 24. NEW SECTION. 260.32 APPOINTMENT OF
20 HEARING OFFICERS. The board shall maintain a list
21 of qualified persons to serve as hearing officers
22 who are experienced in the educational system of this
23 state when a hearing is requested under section 279.24.
24 When requested under section 279.24, the board shall
25 submit a list of five qualified hearing officers to
26 the parties. The hearing shall be held pursuant to
27 chapter 17A relating to contested cases. The full
28 costs of the hearing shall be shared equally by the
29 parties. A person who is employed as a teacher or
30 administrator by a school district is not eligible
31 to serve as a hearing officer.

32 Sec. 25. NEW SECTION. 260.33 PRIOR CERTIFICATE
33 HOLDERS. A valid professional, preprofessional, or
34 substitute teacher's certificate issued by the board
35 of educational examiners prior to the effective date
36 of this Act is valid until its expiration date.

37 Individuals holding a permanent professional
38 certificate on the effective date of this Act need
39 not be issued a certificate under this chapter.

40 The board shall issue a professional certificate
41 under this chapter to an individual holding a valid
42 certificate from another state who submits evidence
43 to the board that the individual has passed the basic
44 skills assessment examination and the professional
45 and subject matter proficiency examination for the
46 appropriate endorsement and approval areas.

47 Individuals who hold life certificates or pre-
48 professional certificates converted from a term
49 certificate, based upon less than a baccalaureate
50 degree, that expire on or after September 30, 1987,

Page 10

1 may be issued a certificate pursuant to standards
2 prescribed by the board.

3 **Sec. 26. NEW SECTION. 260.34 ADMINISTRATIVE**
4 **PROCEDURES.** For the purposes of chapter 17A, the
5 board is the final administrative authority for issuing
6 certificates and for appeals relating to the initial
7 issuing of a license or its renewal and for revocation,
8 suspension, or other disciplinary action taken by
9 the board.

10 **Sec. 27. Section 273.3, subsection 12, Code**
11 **Supplement 1983, is amended to read as follows:**
12 12. Employ personnel to carry out the functions
13 of the area education agency which shall include the
14 employment of an administrator who shall possess a
15 certificate issued under ~~section 260.9~~ by the state
16 board of public instruction. The administrator shall
17 be employed pursuant to section 279.20 and sections
18 279.23, 279.24 and 279.25. The salary for an area
19 education agency administrator shall be established
20 by the board based upon the previous experience and
21 education of the administrator. ~~The provisions of~~
22 Section 279.13 shall apply applies to the
23 area education agency board and to all teachers
24 employed by the area education agency. ~~The provisions~~
25 ~~of sections Sections 279.23, 279.24 and 279.25 shall~~
26 apply to the area education board and to all
27 administrators employed by the area education agency.

28 **Sec. 28. Chapter 272A, Code 1983, is repealed.**

29 **Sec. 29. Sections 260.11, 260.12, and 260.14,**
30 **Code 1983; are repealed.**

31 **Sec. 30. Personnel, assets, liabilities, contracts,**
32 **equipment, unexpended balance of appropriations or**
33 **other funds employed, held by, or available to a state**
34 **agency or department for carrying out the functions**
35 **assigned to the board pursuant to this chapter, except**
36 **funds which revert to the general fund of the state,**
37 **are transferred to the board on July 1, 1984.**

38 **Sec. 31. Notwithstanding section 260.1, the**
39 **governor shall appoint initial members of the board**
40 **of educational examiners to staggered terms. The**
41 **term of one teacher and one member representing the**
42 **general public shall end the year following**
43 **appointment; one teacher and the faculty member shall**
44 **end two years after appointment; one teacher and one**
45 **member representing the general public shall end three**
46 **years after appointment; and the term of one teacher,**
47 **the principal, and one member representing the general**
48 **public shall end four years following appointment.**
49 **The governor shall appoint initial members in the**
50 **same manner as vacancies, subject to section 2.32.**

Page 11

- 1 Sec. 32. This Act takes effect July 1, 1984.
- 2 Rules promulgated by the department of public
- 3 instruction under chapter 17A that relate to
- 4 certification and program approval that are not
- 5 contrary to this Act shall remain in force until
- 6 changed by the board."

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H-6340, to the Senate amendment H-6282, filed by him on April 16, 1984.

Groth of Buena Vista offered amendment H-6346, to the Senate amendment H-6282 filed from the floor by Groth, Ollie, Haverland and Varn. Division was requested as follows:

H-6346

- 1 Amend the Senate amendment H-6282 to House File
- 2 2217, as amended, passed, and reprinted by the House,
- 3 as follows:

H-6346A

- 4 1. Page 1, line 9, by striking the word "chief".
- 5 2. Page 1, line 28, by striking the word "chief".

H-6346B

- 6 3. Page 1, line 35, by striking the words "social
- 7 worker,".

H^a-6346C

- 8 4. Page 1, by striking lines 36 and 37, and
- 9 inserting in lieu thereof the following: "or a member
- 10 of another profession that the board of educational
- 11 examiners has identified by rule under chapter 17A
- 12 will not be covered under chapter 260, the members".

H-6346A

- 13 5. Page 1, by inserting after line 41 the
- 14 following:
- 15 "For the purposes of this section and chapter 260,
- 16 "administrator" includes school superintendents,
- 17 assistant superintendents, educational directors,
- 18 principals, assistant principals, and other certified
- 19 school supervisors as defined under section 20.4."

H-6346D

- 20 6. Page 2, by striking lines 16 and 17.
21 7. Page 2, line 18, by striking the figure "3"
22 and inserting in lieu thereof the figure "2".
23 8. Page 2, line 22, by striking the figure and
24 word "4. Three" and inserting in lieu thereof the
25 following: "3. Four".
26 9. Page 2, by striking lines 29 and 30 and
27 inserting in lieu thereof the following:
28 "Each teacher on the board shall be employed as
29 a teacher and shall have".

H-6346E

- 30 10. Page 2, by inserting after line 33 the
31 following:
32 "When making appointments under subsections 1 and
33 2, the governor shall consider both public school
34 and nonpublic school enrollments in the educational
35 system in this state."

H-6346A

- 36 11. Page 3, by striking lines 22 through 25 and
37 inserting in lieu thereof the following: "all includes
38 administrative and supervisory positions in the public
39 schools, except school superintendents, assistant
40 superintendents, educational directors, principals,
41 assistant principals, and other certified school
42 supervisors as defined under section 20.4."

H-6346F

- 43 12. Page 3, by striking lines 46 and 47 and
44 inserting in lieu thereof the following: "renewal
45 of certification of administrators, supervisors, and
46 teachers employed at the merged area schools who are
47 covered under this chapter."

H-6346G

- 48 13. Page 3, by inserting after line 50 the
49 following:
50 "The board shall conduct a study of the need for

Page 2

- 1 the establishment of evaluation procedures for
2 certification purposes. Not later than January 20,
3 1986, the board shall submit a written report to the

H—6346G

4 general assembly containing the results of its study
5 and its recommendations.”

H—6346C

6 14. Page 4, by inserting after line 4 the
7 following:
8 “ Determine the school service professionals,
9 in addition to those listed in section 257.10,
10 subsection 11, that will be certificated under section
11 257.10, subsection 11.”

H—6346A

12 15. Page 4, by striking lines 24 and 25 and
13 inserting in lieu thereof the following: “, or
14 supervisor covered under this chapter, school service”.

H—6346H

15 16. Page 7, by striking lines 10 through 12 and
16 inserting in lieu thereof the following: “for first-
17 year teachers.”

H—6346D

18 17. Page 10, by striking lines 42 through 48 and
19 inserting in lieu thereof the following: “general
20 public shall end each of the four years following
21 their appointments. The term of the faculty member
22 shall end three years after appointment.”

On motion by Groth of Buena Vista, amendment H—6346A was adopted.

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H—6346B.

Groth of Buena Vista moved the adoption of amendment H—6346C, to the Senate amendment H—6282.

A non-record roll call was requested.

The ayes were 50, nays 32.

Amendment H—6346C was adopted.

Groth of Buena Vista asked and received unanimous consent to reconsider the vote by which amendment H-6346A, to the Senate amendment H-6282, was adopted by the House on April 17, 1984.

Groth of Buena Vista offered amendment H-6362, to amendments H-6346A and H-6346F, to the Senate amendment H-6282, filed by him from the floor and requested division as follows:

H-6362

- 1 Amend the amendment H-6346 to the Senate amendment
- 2 H-6282 to House File 2217, as amended, passed, and
- 3 reprinted by the House, as follows:

H-6362A

- 4 1. Page 1, line 43, by striking the word and
- 5 figure "and 47" and inserting in lieu thereof the
- 6 word and figure "through 48".

H-6362B

- 7 2. Page 2, line 13, by striking the word ", or"
- 8 and inserting in lieu thereof the words "as an
- 9 administrator, or".

Action on amendment H-6362A was temporarily deferred.

On motion by Groth of Buena Vista, amendment H-6362B was adopted.

On motion by Groth of Buena Vista, amendment H-6346A, as amended, was adopted.

Daggett of Taylor offered the following amendment H-6374, to the Senate amendment H-6282, filed by him from the floor and moved its adoption:

H-6374

- 1 Amend the Senate amendment H-6282, filed to
- 2 House File 2217 as amended, passed and reprinted by
- 3 the House as follows:
- 4 1. Page 2, line 11, by striking the word "Four"
- 5 and inserting in lieu thereof the word "Three".
- 6 2. Page 2, by striking lines 16 and 17 and
- 7 inserting in lieu thereof the following:
- 8 "2. Three members who possess endorsements as
- 9 school administrators."

- 10 3. Page 2, by striking lines 18 and 21.
 11 4. Page 2, line 29, by striking the word
 12 "principal" and inserting in lieu thereof the word
 13 "administrator".
 14 5. Page 2, line 30, by striking the word
 15 "principal" and inserting in lieu thereof the word
 16 "administrator".
 17 6. Page 10, line 43, by striking the words
 18 "the faculty member" and inserting in lieu thereof
 19 the words "one administrator".
 20 7. Page 10, line 44, by striking the word
 21 "teacher" and inserting in lieu thereof the word
 22 "administrator".
 23 8. Page 10, line 47, by striking the words
 24 "the principal" and inserting in lieu thereof the
 25 words "one administrator".

Amendment H—6374 lost.

Daggett of Taylor offered the following amendment H—6376, to the Senate amendment H—6282, filed by him from the floor and moved its adoption:

H—6376

- 1 Amend the Senate amendment H—6282, filed to
 2 House File 2217 as amended, passed and reprinted by
 3 the House as follows:
 4 1. Page 2, line 11, by striking the word
 5 "Four" and inserting in lieu thereof the word "Three".
 6 2. Page 2, by striking lines 16 and 17 and
 7 inserting in lieu thereof the following:
 8 "2. One member who is employed as an adminis-
 9 trator, supervisor, or instructor at a merged area
 10 school."
 11 3. Page 2, by striking lines 29 and 30 and
 12 inserting in lieu thereof the following:
 13 "Each teacher and merged area representative on
 14 the board shall be employed as a teacher or merged
 15 area administrator, supervisor, or instructor and shall
 16 have".

Amendment H—6376 lost.

The House resumed consideration of amendment H—6346D, to the Senate amendment H—6282.

On motion by Groth of Buena Vista, amendment H—6346D was adopted.

The House resumed consideration of amendment H-6346E, to the Senate amendment H-6282.

On motion by Groth of Buena Vista, amendment H-6346E was adopted.

The House resumed consideration of amendment H-6346F, to the Senate amendment H-6282.

The House resumed consideration of amendment H-6362A, to amendment H-6346F (to the Senate amendment H-6282).

On motion by Groth of Buena Vista, amendment H-6362A was adopted.

On motion by Groth of Buena Vista, amendment H-6346F, as amended, was adopted.

The House resumed consideration of amendment H-6346G, to the Senate amendment H-6282.

On motion by Groth of Buena Vista, amendment H-6346G was adopted.

Swearingen of Keokuk offered the following amendment H-6382, to the Senate amendment H-6282, filed by him from the floor and moved its adoption:

H-6382

- 1 Amend the Senate amendment H-6282 to House File
- 2 2217 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 4, by striking lines 9 and 10.
- 5 2. By striking page 8, line 48, through page 9,
- 6 line 31.
- 7 3. Page 10, by striking line 28.

A non-record roll call was requested.

The ayes were 37, nays 47.

Amendment H-6382 lost.

Daggett of Taylor offered the following amendment H—6375, to the Senate amendment H—6282, filed by him from the floor and moved its adoption:

H—6375

- 1 Amend the Senate amendment H—6282 to House File
- 2 2217, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 4, by striking lines 11 through 14.
- 5 2. Page 7, by striking lines 18 and 19 and
- 6 inserting in lieu thereof the following:
- 7 "superintendent of public instruction. Fees for the
- 8 issuance".
- 9 3. Page 7, by striking lines 21 and 22 and
- 10 inserting in lieu thereof the following: "shall be
- 11 paid to the superintendent of public instruction who".
- 12 4. Page 7, by striking lines 32 through 34 and
- 13 inserting in lieu thereof the following:
- 14 "superintendent of public instruction shall refund
- 15 a fee paid by an unsuccessful applicant. The
- 16 superintendent shall keep".
- 17 5. Page 8, by striking lines 42 and 43 and
- 18 inserting in lieu thereof the following: "examiners
- 19 shall be certified by the superintendent of public
- 20 instruction".
- 21 6. Page 8, line 44, by striking the word "board".

Amendment H—6375 lost.

Corey of Louisa offered the following amendment H—6290, to the Senate amendment H—6282, filed by him and moved its adoption:

H—6290

- 1 Amend H—6282, the Senate amendment to House File
- 2 2217 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 5, line 44, by striking the word "fifty" and
- 5 inserting in lieu thereof the word "twenty-five".

Amendment H—6290 lost.

The House resumed consideration of amendment H—6346H, to the Senate amendment H—6282.

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H—6346H.

McIntee of Black Hawk offered the following amendment H-6388, to the Senate amendment H-6282, filed by him from the floor and moved its adoption:

H-6388

1 Amend the Senate amendment H-6282 to House File
2 2217, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 10, by inserting after line 50 the
5 following:
6 "Sec. . The teaching quality subcommittee of
7 the education task force, created by the Iowa
8 legislative council, shall not make recommendations
9 to the education task force pertaining to teacher
10 certification. The education task force shall not
11 make recommendations to the Iowa general assembly
12 pertaining to teacher certification."

Amendment H-6388 lost.

Stromer of Hancock offered the following amendment H-6386, to the Senate amendment H-6282, filed by him from the floor and moved its adoption:

H-6386

1 Amend the Senate amendment H-6282 filed to
2 House File 2217 as amended, passed and reprinted by
3 the House as follows:
4 1. Page 1, by striking lines 5 through 41 and
5 inserting in lieu thereof the following:
6 "Section 1. Section 257.10, subsection 11, Code
7 1983, is amended to read as follows:
8 11. Constitute the board of educational examiners
9 for the certification of administrative, supervisory
10 and instructional personnel for the public school
11 systems of the state; prescribe types and classes of
12 certificates to be issued, the subjects and fields
13 and positions which certificates cover and determine
14 the requirements for certificates, endorsements,
15 approvals, or other authorization; establish fees
16 for the issuance and renewal of certificates; prescribe
17 the requirements for renewal of certificates; enter
18 into reciprocity agreements with other states and
19 countries that have similar certification requirements;
20 suspend or revoke a certificate for any cause that
21 would have authorized or required a refusal to grant
22 a certificate; establish standards for the acceptance

23 of degrees, credits, courses, and other evidences of
 24 training and preparation from institutions of higher
 25 learning, junior colleges, or other training institu-
 26 tions education, both public and private, within or
 27 without the state. The state board shall perform
 28 duties imposed upon the board of educational examiners
 29 under chapter 260."

30 2. By striking page 1, line 42 through page 6,
 31 line 22.

32 3. Page 6, by striking lines 34 through 37 and
 33 inserting in lieu thereof the following: "the board
 34 has approved the program. The term of a professional
 35 certificate".

36 4. Page 6, line 49, by striking the word
 37 "requiring" and inserting in lieu thereof the word
 38 "allowing".

39 5. Page 7, line 2, by striking the word "shall"
 40 and inserting in lieu thereof the word "may".

41 6. Page 7, by striking lines 7 through 12 and
 42 inserting in lieu thereof the following: "development."

43 7. Page 7, by striking lines 13 through 35.

44 8. By striking page 7, line 41, through page 8,
 45 line 3.

46 9. By striking page 8, line 18 through page 9,
 47 line 31.

48 10. By striking page 9, line 40 through page 10,
 49 line 28.

50 11. By striking page 10, line 31 through page 11.

Page 2

1 line 6.

A non-record roll call was requested.

The ayes were 39, nays 48.

Amendment H—6386 lost.

Swearingen of Keokuk offered the following amendment
 H—6387, to the Senate amendment H—6282, filed by him from the
 floor and moved its adoption:

H—6387

1 Amend the Senate amendment H—6282 to House File
 2 2217, as amended, passed, and reprinted by the House,
 3 as follows:

4 1. Page 1, by inserting after line 41 the
 5 following:

6 "Sec. . Section 257.10, Code 1983, is amended
 7 by adding the following new subsection:
 8 NEW SUBSECTION. 16. Provide for approval of
 9 teacher education programs at colleges and universities
 10 located in this state and for the approval of courses
 11 and other evidences of training and preparation from
 12 colleges and universities located outside the state."
 13 2. Page 3, by striking lines 33 through 40 and
 14 inserting in lieu thereof the following:
 15 " . Establish standards for the acceptance of
 16 degrees, credits, courses and other evidences of
 17 training from colleges and universities that have
 18 teacher education programs approved by the state board
 19 of public instruction."
 20 3. Page 5, by striking lines 41 through 45.
 21 4. Page 6, line 31, by striking the word "board"
 22 and inserting in lieu thereof the words "state board
 23 of public instruction".
 24 5. Page 6, line 34, by striking the word "board"
 25 and inserting in lieu thereof the words "state board
 26 of public instruction".

Roll call was requested by Swearingen of Keokuk and Daggett of Taylor.

On the question "Shall amendment H-6387, to the Senate amendment H-6282, be adopted?"

The ayes were, 41:

| | | | |
|-----------------|-----------|------------------|------------|
| Anderson | Bennett | Branstad | Carpenter |
| Clark | Corey | Daggett | De Groot |
| Diemer | Grandia | Halvorson, R. A. | Hammond |
| Handorf | Hanson | Harbor | Hermann |
| Hoffmann-Bright | Hummel | Lageschulte | Maulsby |
| McIntee | McKean | Menke | Mullins |
| Osterberg | Paulin | Pellett | Renken |
| Rensink | Rosenberg | Royer | Schnekloth |
| Stromer | 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 |
| Cannolly | Cooper | Davitt | Doderer |
| Fey | Fogarty | Groninga | Gronstal |
| Groth | Gruhn | Haverland | Holyeck |

| | | | |
|-----------|--|-----------|----------|
| Hughes | Jay | Jochum | Knapp |
| Koenigs | Lloyd-Jones | Loneragan | Miller |
| Muhlbauer | Norland | O'Kane | Ollie |
| Oxley | Parker | Pavich | Peick |
| Poncy | Renaud | Running | Sherzan |
| Shoultz | Skow | Spear | Sturgeon |
| Swartz | Tabor | Varn | Woods |
| Zimmerman | Mr. Speaker (Halvorson of Webster) | | |

Absent or not voting, 5:

| | | | |
|----------|------------|---------|-----------|
| Connors | Copenhaver | Krewson | Schroeder |
| Sullivan | | | |

Amendment H—6387 lost.

Speaker Avenson in the chair at 10:57 p.m.

Daggett of Taylor offered the following amendment H—6325, to the Senate amendment H—6282, filed by him and moved its adoption:

H—6325

1 Amend H—6282, the Senate amendment to House File
 2 2217, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. By striking page 1, line 3 through page 11,
 5 line 6, and inserting in lieu thereof the following:
 6 "1. By striking everything after the enacting
 7 clause and inserting in lieu thereof the following:
 8 "Section 1. Section 257.10, subsection 11, Code
 9 1983, is amended to read as follows:
 10 11. Constitute the board of educational examiners
 11 for the certification of administrative, supervisory
 12 and instructional personnel for the public school
 13 systems of the state; Not later than January 1,
 14 1985, the state board shall prescribe types and classes
 15 of certificates to be issued, the subjects and fields
 16 and positions which certificates cover and determine
 17 the requirements for certificates, endorsements,
 18 approvals, or other authorizations. The requirements
 19 for certification shall include performance criteria
 20 and examinations to be determined by the state board.
 21 The performance criteria and examinations shall measure
 22 communication skills, general knowledge, professional
 23 education concepts, teaching competencies, and
 24 knowledge in the teaching fields of the applicant.

25 The state board shall establish standards for the
26 approval of undergraduate and graduate teacher
27 education programs leading to teacher certification
28 and for the acceptance of degrees, credits, courses,
29 and other evidences of training and preparation from
30 institutions of higher learning, junior colleges,
31 or other training institutions education, both public
32 and private, within or without the state. The state
33 board shall perform duties imposed upon the board
34 of educational examiners under chapter 260.

35 **Sec. 2. NEW SECTION. 260.24 ELEMENTARY - SECONDARY**
36 **ADVISORY COMMITTEE.** The board of educational examiners
37 shall appoint an eleven-member elementary-secondary
38 advisory committee consisting of the following:

39 1. Four members who possess certificates issued
40 under this chapter, three of whom are employed as
41 classroom teachers in school districts in this state
42 and one of whom is employed as a classroom teacher
43 in an approved nonpublic school in this state.

44 2. One member who is employed as a principal in
45 this state.

46 3. One member who is employed as a superintendent
47 in this state.

48 4. Three members of the faculty of a college of
49 education, one from each institution of higher
50 education under the state board of regents.

Page 2

1 5. One member of the faculty of a college or
2 department of education of a private college or
3 university in this state.

4 6. One member who is employed by an area education
5 agency.

6 Members shall be appointed to staggered four-year
7 terms. The advisory committee shall advise the board
8 of educational examiners concerning the requirements
9 for certification of elementary and secondary school
10 personnel including performance criteria or
11 examinations.

12 Committee members shall be reimbursed for actual
13 and necessary expenses incurred in the performance
14 of their duties. The expense money shall be paid
15 from funds appropriated to the department of public
16 instruction.

17 **Sec. 3. NEW SECTION. 260.25 AREA SCHOOL ADVISORY**
18 **COMMITTEE.** The board of educational examiners shall
19 appoint a five member area school advisory committee
20 consisting of the following:

21 1. Two members of the teaching faculty of an area
22 school.

23 2. Two members who are administrators at an area
24 school.

25 3. One member of the teaching faculty of an
26 industrial technology education department or program
27 at a university or college in this state.

28 Members shall be appointed to staggered four-year
29 terms. The advisory committee shall advise the board
30 of educational examiners concerning the requirements
31 for certification of area school personnel.

32 Committee members shall be reimbursed for actual
33 and necessary expenses incurred in the performance
34 of their duties. The expense money shall be paid
35 from funds appropriated to the department of public
36 instruction."

37 2. Title page, by striking lines 1 through 3 and
38 inserting in lieu thereof the words "An Act relating
39 to the duties of the state board of public instruction
40 as the board of educational examiners." "

Roll call was requested by Daggett of Taylor and Swearingen of Keokuk.

On the question "Shall amendment H-6325, to the Senate amendment H-6282, 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 |
| Schneklath | 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 |
| Cooper | 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 | Oxley | Parker |

| | | | |
|-------------|---------|----------|-----------|
| Pavich | Peick | Poncy | Renaud |
| Rosenberg | Running | Sherzan | Shoultz |
| Skow | Spear | Sturgeon | Swartz |
| Tabor | Varn | Woods | Zimmerman |
| Mr. Speaker | | | |

Absent or not voting, 5:

| | | | |
|----------|------------|-----------|-----------|
| Connors | Copenhaver | Osterberg | Schroeder |
| Sullivan | | | |

Amendment H—6325 lost.

Groth of Buena Vista asked and received unanimous consent to reconsider the vote by which amendment H—6346A, as amended, (to the Senate amendment H—6282) was adopted by the House on April 17, 1984.

The following amendment H—6389, to amendment H—6346A (to the Senate amendment H—6282) filed by Groth of Buena Vista from the floor was adopted by unanimous consent:

H—6389

- 1 Amend the amendment H—6346 to the Senate amendment
- 2 H—6282 to House File 2217, as amended, passed, and
- 3 reprinted by the House, as follows:
- 4 1. Page 1, line 36, by striking the figure "25"
- 5 and inserting in lieu thereof the figure "24".

On motion by Groth of Buena Vista, amendment H—6346A, as amended, was adopted.

Groth of Buena Vista moved that the House concur in the Senate amendment H—6282, as amended.

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

On the question "Shall the House concur in the Senate amendment H—6282, as amended?"

The ayes were, 56:

| | | | |
|---------|--------|-------|----------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Buhr | Carl | Carter |

| | | | |
|----------|------------------|-----------|-------------|
| Chapman | Chiodo | Cochran | Connolly |
| Cooper | Davitt | Doderer | Fey |
| Fogarty | Groninga | Gronstal | Groth |
| Gruhn | Halvorson, R. N. | Handorf | Haverland |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lloyd-Jones |
| Lonergan | Miller | Muhlbauer | Norland |
| O'Kane | Ollie | Østerberg | Oxley |
| Parker | Pavich | Peick | Pony |
| Renaud | Running | Sherzan | Shoultz |
| Spear | Sturgeon | Swartz | Tabor |
| Varn | Woods | Zimmerman | Mr. Speaker |

The nays were, 40:

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

Absent or not voting, 4:

| | | | |
|---------|------------|-----------|----------|
| Connors | Copenhaver | Schroeder | Sullivan |
|---------|------------|-----------|----------|

The motion prevailed and the House concurred in the Senate amendment H—6282, 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. 2217)

The ayes were, 53:

| | | | |
|------------------|-----------|---------|-----------|
| Arnould | Baxter | Black | Blanshan, |
| Brammer | Buhr | Carl | Carter |
| Chapman | Chiodo | Cochran | Connolly |
| Cooper | Davitt | Fey | Fogarty |
| Groninga | Gronstal | Groth | Gruhn |
| Halvorson, R. N. | Haverland | Holveck | Hughes |
| Jay | Jochum | Knapp | Koenigs |

| | | | |
|-------------|-------------|-----------|-----------|
| Krewson | Lloyd-Jones | Loneragan | Miller |
| Norland | O'Kane | Ollie | Oxley |
| Parker | Pavich | Peick | Poncy |
| Renaud | Running | Sherzan | Shoultz |
| Skow | Spear | Sturgeon | Swartz |
| Tabor | Varn | Woods | Zimmerman |
| Mr. Speaker | | | |

The nays were, 43:

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

Absent or not voting, 4:

| | | | |
|---------|------------|-----------|----------|
| Connors | Copenhaver | Schroeder | Sullivan |
|---------|------------|-----------|----------|

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

IMMEDIATE MESSAGE (House File 2217)

Norland of Worth asked and received unanimous consent to immediately message House File 2217 to the Senate.

SENATE MESSAGE CONSIDERED

Senate File 2352, 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 **appropriations**.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 17th day of April, 1984: House Files 2187, 2194, 2267, 2416, 2417 and 2511.

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 April 17, 1984, he approved and transmitted to the Secretary of State the following bills:

House File 257, an act relating to fire safety, and liquefied petroleum gas fuel and natural gas transportation, and liquefied petroleum gas heaters, and providing penalties.

House File 425, 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.

House File 509, an act to require registration with the Secretary of State of certain schools that maintain or conduct courses of instruction.

House File 2387, an act relating to the authority of the Department of Water, Air and Waste Management over public water supply systems.

House File 2391, an act relating to license fees, inspection fees, and other fees charged by the Commerce Commission under Chapters 542 and 543.

House File 2466, an act relating to the definition of public accommodation and extending the time for bringing an action under the Iowa Civil Rights Law.

Senate File 2135, an act relating to electric transmission line, wire, or cable franchises and making civil penalties applicable.

Senate File 2250, an act relating to the budget year and annual report provisions for secondary roads.

Senate File 2276, an act relating to the State Board of Engineering Examiners.

Senate File 2284, an act relating to lease-purchase agreements made by an area education agency.

Senate File 2304, an act relating to penalties for fraudulently obtaining, manufacturing, delivering, or possessing with intent to manufacture or deliver, a controlled substance.

EXPLANATION OF VOTE

On April 16, 1984 I inadvertantly voted "nay" on Senate File 2215. My intention was to vote "aye."

CARL of Poweshiek

PRESENTATION OF VISITORS

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

Fourteen junior and senior students from Unity Christian High School, Orange City, accompanied by Gary Regnerus. By Rensink of Sioux.

Fifty fourth grade students from Northwest Elementary School, Ankeny, accompanied by Shirley Crawford. By Haverland of Polk.

Twenty-two students from Urbana Junior-Senior High School, Urbana, accompanied by Sharyl Stulken and Mr. Bell. By Hummel of Benton.

Fifty-eight fifth grade students from Adams Elementary School, Des Moines, accompanied by Mrs. Norma Rutz and Mrs. Gay Ross. By Renaud of Polk.

Fifty eighth grade students from West Central Junior Senior High School, Maynard, accompanied by Ron Rushe. By Avenson of Fayette.

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 a family farm study.

Fiscal Note is not required.

Recommended Do Pass April 17, 1984.

COMMITTEE ON APPROPRIATIONS

Senate File 2040, a bill for an act amending Iowa's unemployment compensation law by crediting earned interest on the special employment security contingency fund to the temporary emergency surcharge fund, by limiting expenditures from the special employment security contingency fund, by annually transferring certain amounts from the special employment security contingency fund to the temporary emergency surcharge fund or to the unemployment trust fund, and by requiring an annual departmental report detailing planned expenditures from the special employment security contingency fund.

Fiscal Note is not required.

Recommended Do Pass April 17, 1984.

Senate File 2334, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1984 and ending June 30, 1985 and making a supplemental appropriation to the department of health for reallocation to the state board of regents for certain programs under the Iowa specialized child health care services for the fiscal year beginning July 1, 1983 and ending June 30, 1984, and providing an effective date.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-6372, April 17, 1984.

Pursuant to House Rule 33, Senate File 2334 was referred to the committee on Finance.

COMMITTEE ON FINANCE

Senate File 2043, a bill for an act authorizing a partial exemption from property taxation for new warehouses and new warehouse machinery and equipment.

Fiscal Note is required.

Recommended Amend and Do Pass with amendment H-6384, April 17, 1984.

Senate File 2170, a bill for an act to provide temporary funding for the brucellosis and tuberculosis eradication fund.

Fiscal Note is not required.

Recommended Do Pass April 17, 1984.

Senate File 2334, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1984 and ending June 30, 1985 and making a supplemental appropriation to the department of health for reallocation to the state board of regents for certain programs under the Iowa specialized child health care services for the fiscal year beginning July 1, 1983 and ending June 30, 1984, and providing an effective date.

Fiscal Note is not required.

Recommended Do Pass April 17, 1984.

COMMITTEE ON WAYS AND MEANS

Senate File 2327, a bill for an act relating to what constitutes discounts on transactions occurring between January 1, 1978 and July 1, 1984 involving farm equipment for purposes of the state sales, services, and use tax, relating to refunds, and providing retroactive effect.

Fiscal Note is required.

Recommended Amend and Do Pass with amendment H-6352, April 17, 1984.

Senate File 2342, a bill for an act relating to regional transit systems by defining the systems to include systems which receive state or federal funds, by providing motor fuel and special fuel tax exemptions for these systems, and by providing free registration plates and validation stickers for these systems.

Fiscal Note is required.

Recommended Do Pass April 17, 1984.

Senate File 2346, a bill for an act to suspend the Iowa dairy industry commission during the effective period of a national promotional order established pursuant to the 1983 dairy Act.

Fiscal Note is not required.

Recommended Do Pass April 17, 1984.

Senate File 2354, a bill for an act to treat the sale of vulcanizing, recapping, and retreading services under the state sales, services, and use tax as a sale of tangible personal property, and providing retroactive effect.

Fiscal Note is required.

Recommended Do Pass April 17, 1984.

RESOLUTION FILED

HCR 125, by committee on agriculture, a concurrent resolution relating to a family farm study.

Laid over under **Rule 25**.

AMENDMENTS FILED

| | | | |
|--------|------|------|----------------------------|
| H-6342 | H.F. | 2527 | Swearingen of Keokuk |
| H-6343 | H.F. | 2527 | Spear of Lee |
| H-6344 | H.F. | 2527 | Spear of Lee |
| H-6345 | H.F. | 2527 | Swartz of Marshall |
| H-6347 | H.F. | 2527 | O'Kane of Woodbury |
| H-6348 | H.F. | 2528 | Carter of Henry |
| H-6349 | H.F. | 2527 | De Groot of Lyon |
| | | | Parker of Jasper |
| H-6350 | H.F. | 2527 | Parker of Jasper |
| H-6351 | H.F. | 2274 | Senate Amendment |
| H-6352 | S.F. | 2327 | Committee on |
| | | | Ways and Means |
| H-6353 | H.F. | 2527 | Parker of Jasper |
| H-6354 | H.F. | 2527 | Buhr of Polk |
| | | | Cochran of Webster |
| H-6364 | H.F. | 2527 | Parker of Jasper |
| H-6365 | H.F. | 2527 | Poncy of Wapello |
| H-6366 | H.F. | 2527 | Van Maanen of Mahaska |
| | | | McIntee of Black Hawk |
| | | | Hummel of Benton |
| | | | Maulsby of Calhoun |
| | | | Renken of Grundy |
| H-6367 | H.F. | 2516 | Senate Amendment |
| H-6368 | H.F. | 489 | Schroeder of Pottawattamie |
| H-6369 | H.F. | 2527 | Daggett of Taylor |
| H-6370 | H.F. | 2528 | Running of Linn |
| H-6371 | S.F. | 2156 | O'Kane of Woodbury |
| | | | Doderer of Johnson |
| | | | Buhr of Polk |
| | | | Varn of Johnson |
| | | | Schroeder of Pottawattamie |
| | | | Groth of Buena Vista |
| | | | Jay of Appanoose |
| | | | Sturgeon of Woodbury |
| | | | Lloyd-Jones of Johnson |
| | | | Rosenberg of Story |
| | | | Arnould of Scott |
| | | | Connolly of Dubuque |
| | | | Parker of Jasper |

| | | | |
|----------------------|------|------|----------------------------|
| Halvorson of Webster | | | Sherzan of Polk |
| Schneklath of Scott | | | Renaud of Polk |
| Poncy of Wapello | | | Skow of Guthrie |
| Cochran of Webster | | | Mullins of Kossuth |
| Chapman of Linn | | | Brammer of Linn |
| H-6372 | S.F. | 2334 | Miller of Woodbury |
| | | | Committee on |
| | | | Appropriations |
| H-6373 | H.F. | 2527 | Schroeder of Pottawattamie |
| H-6377 | H.F. | 2528 | Carter of Henry |
| | | | Spear of Lee |
| | | | Gruhn of Dickinson |
| H-6378 | H.F. | 2527 | Parker of Jasper |
| H-6379 | H.F. | 2486 | Van Camp of Scott |
| H-6380 | S.F. | 2215 | Senate Amendment |
| H-6381 | H.F. | 2486 | Van Camp of Scott |
| H-6383 | H.F. | 2528 | Schroeder of Pottawattamie |
| H-6384 | S.F. | 2043 | Committee on Finance |
| H-6385 | H.F. | 2527 | Parker of Jasper |
| H-6390 | H.F. | 2528 | Doderer of Johnson |
| H-6391 | S.F. | 2203 | Jay of Appanoose |
| H-6392 | H.F. | 2527 | Rosenberg of Story |
| H-6393 | H.F. | 2527 | Rosenberg of Story |

On motion by Norland of Worth, the House adjourned at 11:06 p.m., until 9:00 a.m., Wednesday, April 18, 1984.

JOURNAL OF THE HOUSE

One Hundred-first Calendar Day—Sixty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 18, 1984

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 Tuesday, April 17, 1984 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Mark Hermanson, M.D., Bettendorf.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Skow of Guthrie, until his arrival, on request of Black of Jasper.

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 16, 1984, concurred in the House amendment, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2333, a bill for an act relating to the administration and financing of correctional, mental health, mental retardation and veterans programs and capital projects under the jurisdiction of the department of corrections.

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 2156.

CONSIDERATION OF BILLS

Ways and Means Calendar

Senate File 2156, a bill for an act relating to the administration of the extraordinary property tax credit or reimbursement, with report of committee recommending passage was taken up for consideration.

O'Kane of Woodbury offered the following amendment H—6371 filed by O'Kane, et al.:

H—6371

1 Amend Senate File 2156, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, by inserting before line 1 the following
4 new section:
5 "Section 1. Section 425.17, subsections 5 and
6 9, Code 1983, are amended to read as follows:
7 5. "Claimant" means a person filing a claim for
8 credit or reimbursement under this division who has
9 attained the age of sixty-five years on or before
10 December 31 of the base year or who is a surviving
11 spouse having or an unmarried person who has been
12 granted a dissolution of marriage under chapter 598
13 or has been granted a divorce or dissolution of
14 marriage recognized in this state if the surviving
15 spouse or the unmarried person has attained the age
16 of fifty-five years on or before December 31 of the
17 base year, or who is totally disabled and was totally
18 disabled on or before December 31 of the base year,
19 and was domiciled in this state during the entire
20 base year and is domiciled in this state at the time
21 the claim is filed or at the time of the person's
22 death in the case of a claim filed by the executor
23 or administrator of the claimant's estate. "Claimant"
24 includes a vendee in possession under a contract for
25 deed and may include one or more joint tenants or
26 tenants in common. In the case of a claim for rent
27 constituting property taxes paid, the claimant shall
28 have rented the property during any part of the base
29 year. If a homestead is occupied by two or more
30 persons, and more than one person is able to qualify
31 as a claimant, the persons may determine among them
32 who will be the claimant. If they are unable to
33 agree, the matter shall be referred to the director
34 of revenue not later than October 31 of each year
35 and the director's decision shall be is final.

36 9. "Property taxes due" means property taxes
37 including any special assessments, but exclusive of
38 delinquent interest and charges for services, due
39 on a claimant's homestead in this state, but includes
40 only property taxes for which the claimant is liable
41 and which will actually be paid by the claimant.
42 However, if the claimant is a person whose property
43 taxes have been suspended under sections 427.8 and
44 427.9, "property taxes due" means property taxes
45 including any special assessments, but exclusive of
46 delinquent interest and charges for services, due
47 on a claimant's homestead in this state, but includes
48 only property taxes for which the claimant is liable
49 and which would have to be paid by the claimant if
50 the payment of the taxes have not been suspended

Page 2

1 pursuant to sections 427.8 and 427.9. "Property taxes
2 due" shall be computed ~~with no~~ without a deduction
3 for any credit under this division or for any homestead
4 credit allowed under section 425.1. Each claim shall
5 be based upon the taxes due during the fiscal year
6 next following the base year. If a homestead is owned
7 by two or more persons as joint tenants or tenants
8 in common, and one or more of the persons are not
9 a ~~member~~ members of claimant's household, "property
10 taxes due" is that part of property taxes due on the
11 homestead which equals the ownership percentage of
12 the claimant and ~~his or her~~ the claimant's household.
13 The county treasurer shall include ~~with~~ the tax receipt
14 a statement that if the owner of the property is
15 sixty-five years of age or over or is totally disabled,
16 or is a surviving spouse of ~~such person who or an~~
17 unmarried person who has been granted a dissolution
18 of marriage under chapter 598 or has been granted
19 a divorce or dissolution of marriage recognized in
20 this state and the surviving spouse or the unmarried
21 person is over fifty-five years of age, the person
22 may be eligible for the credit allowed under this
23 division. If a homestead is an integral part of a
24 farm, the claimant may use the total property taxes
25 due for the larger unit. If a homestead is an integral
26 part of a multidwelling or multipurpose building the
27 property taxes due for the purpose of this subsection
28 shall be prorated to reflect the portion which the
29 value of the property that the household occupies
30 as its homestead is to the value of the entire
31 structure. For purposes of this subsection, "unit"
32 refers to that parcel of property covered by a single
33 tax statement of which the homestead is a part."

34 2. Page 1, by inserting after line 33 the following
 35 new section:
 36 "Sec. . Section 1 of this Act takes effect
 37 January 1 following enactment."
 38 3. Renumber sections and correct internal
 39 references as necessary in accordance with this
 40 amendment.

Holveck of Polk rose on a point of order that amendment H-6371 was not germane.

The Speaker ruled the point well taken and amendment H-6371 not germane.

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?" (S.F. 2156)

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 | Haverland | Hermann |
| Hoffmann-Bright | Holveck | Hughes | Hummel |
| Jay | Jochum | 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 |
| Shoultz | 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
Skow

Knapp

Lonergan

Sherzan

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

Regular Calendar

House File 2527, a bill for an act relating to economic development in the state by providing that the development commission monitor, oversee and spend certain federal funds, establish a primary research and marketing center and satellite centers, establish an informal export advisory group, be responsible for agriculture marketing by establishing an agriculture marketing division and board, be responsible for the operation of the existing Iowa community development loan program, participate in the certified development program of the United States small business administration through a state certified development program, and be solely responsible for coordinating and adopting rules for the existing Iowa industrial new jobs training program; by allowing insurance companies, state banks, and state savings and loan associations to invest their assets in venture capital firms making investments in small businesses in the state, and public safety police officers, Iowa public employees and policemen and firemen retirement funds to be invested in venture capital firms making investments in small businesses in the state; by establishing an export loan program as part of the Iowa housing finance authority's small business loan program to aid in providing financing for export sales by small businesses; and by increasing the bonding limits of the Iowa housing finance authority and its small business loan program and redefining "small business" and "dominant in its field of operation" for purposes of the small business loan program, was taken up for consideration.

Parker of Jasper asked and received unanimous consent to withdraw amendments H-6353 and H-6364 filed by him on April 17, 1984.

Connors of Polk in the chair at 9:35 a.m.

Parker of Jasper offered the following amendment H-6378 filed by him and moved its adoption:

H-6378

- 1 Amend House File 2527 as follows:
- 2 1. Page 1, by striking lines 30 and 31 and
- 3 inserting in lieu thereof the following: "development
- 4 block grant shall be earmarked for community economic
- 5 development projects. For the two fiscal years
- 6 beginning July 1, 1984 and July 1, 1985, up to twenty-
- 7 five percent shall be so earmarked. For the fiscal
- 8 years beginning on or after July 1, 1986, twenty-five
- 9 percent shall be so earmarked. Applications for
- 10 community economic development projects shall be
- 11 reviewed upon demand."

A non-record roll call was requested.

The ayes were 51, nays 26.

Amendment H-6378 was adopted.

Mullins of Kossuth offered amendment H-6324 filed by her and requested division as follows:

H-6324

- 1 Amend House File 2527 as follows:

H-6324A

- 2 1. Page 1, by striking lines 27 through 31 and
- 3 inserting in lieu thereof the words "fund until
- 4 appropriated by the general assembly."

H-6324B

- 5 2. Page 2, by striking lines 14 through 16.

Mullins of Kossuth asked and received unanimous consent to withdraw amendment H-6324A.

On motion by Mullins of Kossuth, amendment H-6324B was adopted.

Pellett of Cass offered the following amendment H-6323 filed by Pellett, et al., and moved its adoption:

H—6323

- 1 Amend House File 2527 as follows:
 2 1. Page 2, lines 2 and 3, by striking the words
 3 "agricultural, industrial, and other".
 4 2. Page 2, by striking lines 17 and 18.
 5 3. By striking page 10, line 5 through page 14,
 6 line 13.
 7 4. By striking page 15, line 20 through page 16,
 8 line 10.
 9 5. Page 25, line 9, by striking the words and
 10 figures "and sections 159.20 through 159.27, Code
 11 1983,".
 12 6. By striking page 25, line 27 through page 26,
 13 line 6.
 14 7. Amend the title, lines 6 and 7, by striking
 15 the words "be responsible for agriculture marketing
 16 by establishing an agriculture marketing division
 17 and board,".

Amendment H—6323 was adopted, placing out of order the following amendments:

- H—6320 (to page 11) filed by Spear of Lee on April 16, 1984.
 H—6343 (to page 14) filed by Spear of Lee on April 17, 1984.
 H—6344 (to page 14) filed by Spear of Lee on April 17, 1984.

Swartz of Marshall offered the following amendment H—6345 filed by him:

H—6345

- 1 Amend House File 2527 as follows:
 2 1. Page 2, by inserting after line 16 the
 3 following:
 4 "NEW SECTION. Establish, if determined to be
 5 feasible and beneficial, a conversational foreign
 6 language program which would provide an intensive
 7 course to be attended by instructors of merged area
 8 schools, interested citizens, and officials from state
 9 businesses with the objective being to provide the
 10 attendees with a comprehensive grasp of the
 11 conversational phrases and idioms of a foreign
 12 language. The intent is to enable the attendee to
 13 deal more adequately with those foreigners who speak
 14 that language or to qualify an instructor to teach
 15 others to accomplish that purpose. This type of
 16 program may be held in conjunction with programs
 17 offered by public or private colleges and
 18 universities."

19 2. Title page 1, line 5, by inserting after the
20 word "group," the words "establish a conversational
21 foreign language program."

Bennett of Ida rose on a point of order that amendment H-6345 was not germane.

The Speaker ruled the point not well taken and amendment H-6345 germane.

On motion by Swartz of Marshall, amendment H-6345 was adopted.

De Groot of Lyon offered the following amendment H-6349 filed by him and Parker of Jasper and moved its adoption:

H-6349

1 Amend House File 2527 as follows:
2 1. Page 3, line 26, by inserting after the period
3 the following: "Wherever practical the commission shall
4 work with educational institutions involved with either
5 the primary research and marketing center or the satellite
6 centers to develop methods and programs that will allow
7 the involvement of students in the development of a
8 computer cataloging system."

Amendment H-6349 was adopted.

Spear of Lee offered the following amendment H-6318 filed by him and moved its adoption:

H-6318

1 Amend House File 2527 as follows:
2 1. Page 5, line 1, by striking the words "from
3 the" and inserting in lieu thereof the words "from
4 a".

Amendment H-6318 was adopted.

Maulsby of Calhoun asked and received unanimous consent to temporarily defer action on amendment H-6291.

Mullins of Kossuth offered the following amendment H-6327 filed by Mullins, et al., and moved its adoption:

H-6327

1 Amend House File 2527 as follows:

- 2 1. Page 5, by striking lines 9 through 16 and
- 3 inserting in lieu thereof the following:
- 4 "The commission may contract with educational
- 5 institutions, economic development organizations,
- 6 or private contractors for the delivery of services.
- 7 These groups will be encouraged to cooperate with
- 8 the commission when feasible and practical. Control,
- 9 supervision, and management of programs within
- 10 institutions which currently offer such services shall
- 11 remain within those institutions."

Amendment H-6327 was adopted, placing out of order amendment H-6291 (temporarily deferred) filed by Maulsby of Calhoun on April 16, 1984.

Bennett of Ida asked and received unanimous consent to temporarily defer action on amendment H-6369.

Spear of Lee offered the following amendment H-6332 filed by him and moved its adoption:

H-6332

1 Amend House File 2527 as follows:

- 2 1. Page 7, by striking line 25 and inserting in
- 3 lieu thereof the following: "where the unemployment
- 4 rate of the city or the county in which it is located
- 5 is higher".
- 6 2. Page 8, by striking lines 14 and 15 and
- 7 inserting in lieu thereof the following: "to cities
- 8 where the unemployment rate of the city or the county
- 9 in which it is located is higher than the statewide
- 10 average."

Amendment H-6332 was adopted.

Spear of Lee offered the following amendment H-6319 filed by him and moved its adoption:

H-6319

1 Amend House File 2527 as follows:

- 2 1. Page 8, line 4, by inserting after the word
- 3 "city" the words "regardless of size".

Amendment H—6319 was adopted.

Parker of Jasper asked and received unanimous consent to temporarily defer action on amendment H—6331.

Daggett of Taylor offered the following amendment H—6369 (temporarily deferred) filed by him and moved its adoption:

H—6369

- 1 Amend House File 2527 as follows:
- 2 1. Page 5, by inserting after line 16 the
- 3 following:
- 4 "Sec. . Section 28.42, subsection 3, Code
- 5 Supplement 1983, is amended to read as follows:
- 6 3. "Small business" means a nonprofessional
- 7 enterprise which is located in this state, and which
- 8 is operated for profit and under a single management,
- 9 and which has either fewer than twenty fifty employees
- 10 or an annual gross income of less than three million
- 11 dollars."

Amendment H—6369 lost.

Blanshan of Greene asked and received unanimous consent to again temporarily defer action on amendment H—6331.

Parker of Jasper offered the following amendment H—6350 filed by him and moved its adoption:

H—6350

- 1 Amend House File 2527 as follows:
- 2 1. Page 15, line 15, by inserting after the word
- 3 "state" the words "or other investments which provide
- 4 an economic benefit to the state".
- 5 2. Page 22, line 8, by inserting after the word
- 6 "state" the words "or other investments which provide
- 7 an economic benefit to the state".
- 8 3. Page 22, line 33, by inserting after the word
- 9 "state" the words "or other investments which provide
- 10 an economic benefit to the state".
- 11 4. Page 23, line 24, by inserting after the word
- 12 "state" the words "or other investments which provide

- 13 an economic benefit to the state".
 14 5. Page 24, line 14, by inserting after the word
 15 "state" the words "or other investments which provide
 16 an economic benefit to the state".
 17 6. Page 25, line 3, by inserting after the word
 18 "state" the words "or other investments which provide
 19 an economic benefit to the state".

Amendment H—6350 was adopted.

Poncy of Wapello asked and received unanimous consent to withdraw amendment H—6365 filed by him on April 17, 1984.

Swearingen of Keokuk offered the following amendment H—6342 filed by him and moved its adoption:

H—6342

- 1 Amend House File 2527 as follows:
 2 1. Page 14, by striking line 14 through page 15,
 3 line 19.
 4 2. Title page, by striking lines 17 through 20
 5 and inserting in lieu thereof the following: "state;
 6 by establishing an export".

Amendment H—6342 was adopted, placing out of order amendment H—6331 (temporarily deferred) filed by Blanshan of Greene on April 16, 1984 and lines 2, 3 and 4 of amendment H—6350, previously adopted.

Parker of Jasper offered the following amendment H—6385 filed by him and moved its adoption:

H—6385

- 1 Amend House File 2527 as follows:
 2 1. Page 17, line 31, by inserting after the word
 3 "hundred" the word "fifty".

Amendment H—6385 was adopted.

Swartz of Marshall offered the following amendment H—6338 filed by Swartz, et al.:

H-6338

1 Amend House File 2527 as follows:

2 1. Page 19, by inserting after line 1 the
3 following:

4 "Sec. . Section 220.64, Code 1983, is amended
5 by adding the following new subsection:
6 **NEW SUBSECTION.** Whether the small business is
7 located in an economic development area as designated
8 under chapter 404A. This criterion shall be used
9 to provide a preference for loans to small business
10 located in economic development areas and shall not
11 be used to deny a loan to an otherwise qualified small
12 business just because it is not located in an economic
13 development area."

14 2. Page 21, by inserting after line 23 the
15 following:

16 "Sec. . **NEW SECTION. 404A.1 SHORT TITLE.**
17 This chapter may be cited as the "Economic Development
18 Area Act".

19 Sec. . **NEW SECTION. 404A.2 STATEMENT OF**
20 **PURPOSE.** The general assembly finds and declares
21 that the health, safety, and welfare of the people
22 of this state are dependent upon the continual
23 encouragement, development, growth, and expansion
24 of the private sector within the state. There are
25 certain depressed areas in this state that need the
26 particular attention of government to help attract
27 private sector investment into these areas. Therefore,
28 it is declared to be the purpose of this chapter to
29 stimulate business and industrial growth in the
30 depressed areas of this state by means of tax
31 incentives, financial assistance, and relaxed
32 governmental controls in those areas.

33 Sec. . **NEW SECTION. 404A.3 DEFINITIONS.**
34 As used in this chapter unless the context otherwise
35 requires:

36 1. "Commission" means the Iowa development
37 commission.

38 2. "Economic development area" means an area
39 declared by the commission to be eligible for the
40 benefits of this chapter.

41 Sec. . **NEW SECTION. 404A.4 POWERS AND DUTIES**
42 **OF THE COMMISSION.** The commission shall administer
43 this chapter and shall:

44 1. Establish criteria for determining what areas
45 qualify as economic development areas.

46 2. Establish minimum guidelines regarding zoning,
47 health, structural safety, and pollution for economic
48 development areas.

49 3. Monitor the implementation and operation of
50 this chapter.

Page 2

- 1 4. Conduct a continuing evaluation program of
2 economic development areas.
- 3 5. Assist units of local government in obtaining
4 demonstration project status and assistance from the
5 federal government within the economic development
6 areas.
- 7 6. Submit reports evaluating the effectiveness
8 of the program and any suggestions for legislation
9 to the governor and the general assembly by March
10 1 of each year.
- 11 7. Adopt rules and prescribe procedures to
12 effectuate the purposes of this chapter.
- 13 Sec. . . . **NEW SECTION. 404A.5 ELIGIBILITY**
14 **CRITERIA.** The commission in establishing criteria
15 for determining what areas qualify as economic
16 development areas shall require, in addition to other
17 criteria it may establish, that an area meet conditions
18 of subsections 1 and 2.
 - 19 1. The area must be any of the following:
 - 20 a. An area in which there is a predominance of
21 buildings or improvements, whether residential or
22 nonresidential, which by reason of dilapidation,
23 deterioration, obsolescence, inadequate provision
24 for ventilation, light, air, sanitation, or open
25 spaces, high density of population and overcrowding,
26 the existence of conditions which endanger life or
27 property by fire and other causes or a combination
28 of such factors, is conducive to ill health,
29 transmission of disease, infant mortality, juvenile
30 delinquency or crime, and which is detrimental to
31 the public health, safety, or welfare.
 - 32 b. An area which by reason of the presence of
33 a substantial number of deteriorated or deteriorating
34 structures, the predominance of defective or inadequate
35 street layout, incompatible land use relationships,
36 faulty lot layout in relation to size, adequacy,
37 accessibility or usefulness, unsanitary or unsafe
38 conditions, deterioration of site or other
39 improvements, diversity of ownership, tax or special
40 assessment delinquency exceeding the actual value
41 of the land, defective or unusual conditions of title,
42 or the existence of conditions which endanger life
43 or property by fire and other causes, or a combination
44 of such factors, substantially impairs or arrests
45 the sound growth of a municipality, retards the
46 provision of housing accommodations or constitutes
47 an economic or social liability and is a menace to
48 the public health, safety, or welfare in its present
49 condition and use.
 - 50 c. An area in which there is a predominance of

Page 3

1 buildings or improvements which by reason of age,
2 history, architecture or significance should be
3 preserved or restored to productive use.

4 2. The area must have any of the following:

5 a. An annual average unemployment rate in the
6 area, as derived from the most recent federal census,
7 of at least one hundred twenty-five percent of the
8 state annual average.

9 b. A poverty rate of fifteen percent or more for
10 each census tract, minor civil division, or census
11 county division, as determined by the most recent
12 federal census.

13 c. At least seventy percent of the households
14 in the area with incomes below the median income of
15 the households in the city or county nominating the
16 area.

17 d. A decrease in the population of the area of
18 at least ten percent between the two most recent
19 federal censuses, as determined by those two most
20 recent federal censuses.

21 Sec. . NEW SECTION. 404A.6 APPLICATIONS FOR
22 DESIGNATION OF ECONOMIC DEVELOPMENT AREAS. A city
23 or county may designate an area within its jurisdiction
24 as eligible to be an economic development area.

25 However, if a county seeks to designate an area within
26 a city as an economic development area, the county
27 must first receive the written consent of the governing
28 body of the city. The city or county may then make
29 written application to the commission to have the
30 area declared to be an economic development area.
31 The application shall include a description of the
32 location of the area in question and other information
33 the commission requires. The application may also
34 request the commission to apply to the appropriate
35 federal agency for foreign trade zone status for the
36 area if it is designated an economic development area.

37 Sec. . NEW SECTION. 404A.7 REVIEW OF
38 APPLICATIONS.

39 1. Upon receipt of an application from a city
40 or county, the commission shall review the application
41 and secure additional information it deems necessary
42 for the purpose of determining whether the area
43 described in the application qualifies to be declared
44 an economic development area.

45 2. The commission shall complete its review within
46 one hundred twenty days of receipt of the application,
47 but it may extend this time period an additional
48 thirty days if necessary. If the commission denies
49 the application, it shall inform the city or county
50 of that fact along with the reasons for the denial.

Page 4

1 If the decision is not rendered within this time
2 period, the application shall automatically be
3 approved.

4 3. If the application has requested the commission
5 to seek foreign trade zone status for the area, then
6 upon designation of the area as an economic development
7 area, the commission shall apply to the appropriate
8 federal agency for designation as a foreign trade
9 zone. The commission may establish criteria which
10 it will use to determine which economic development
11 areas may seek foreign trade zone status.

12 Sec. . NEW SECTION. 404A.8 REAL PROPERTY
13 TAX EXEMPTION.

14 1. Qualified real estate of a small business is
15 eligible to receive an exemption from real property
16 taxation based on the actual value added by
17 improvements. The exemption is for a period of ten
18 years. The amount of the exemption is equal to one
19 hundred fifty percent of the value added by the
20 improvements. However, the amount of the value added
21 by the improvements which shall be used to compute
22 the exemption shall not exceed twenty thousand dollars.

23 2. Qualified real estate is eligible to receive
24 a partial exemption from taxation on the actual value
25 added by the improvements. The exemption is for a
26 period of ten years. The amount of the partial
27 exemption is equal to a percent of the actual value
28 added by the improvements, determined as follows:

- 29 a. For the first year, eighty percent.
- 30 b. For the second year, seventy percent.
- 31 c. For the third year, sixty percent.
- 32 d. For the fourth year, fifty percent.
- 33 e. For the fifth year, forty percent.
- 34 f. For the sixth year, forty percent.
- 35 g. For the seventh year, thirty percent.
- 36 h. For the eighth year, thirty percent.
- 37 i. For the ninth year, twenty percent.
- 38 j. For the tenth year, twenty percent.

39 3. Qualified real estate is eligible to receive
40 a one hundred percent exemption from taxation on the
41 actual value added by the improvements. The exemption
42 is for a period of three years.

43 4. Qualified real estate of a small business is
44 eligible to receive a one hundred percent exemption
45 from taxation on the actual value added by the
46 improvements. The exemption is for a period of ten
47 years.

48 5. The owners of qualified real estate eligible
49 for the exemption provided in this section shall elect
50 to take the applicable exemption provided in subsection

Page 5

1 1, 2, 3 or 4. Once the election has been made and
2 the exemption granted, the owner is not permitted
3 to change the method of exemption.

4 6. For purposes of this section the following
5 definitions apply:

6 a. "Qualified real estate" means real property,
7 other than land, used in a trade or business which
8 is located in an economic development area and to
9 which improvements have been added, during the time
10 the area was so designated, which have increased the
11 actual value by at least fifteen percent or which
12 have, in the case of land upon which is located more
13 than one building, increased the actual value of the
14 buildings to which the improvements have been made
15 by at least fifteen percent. "Qualified real estate"
16 also means land upon which no structure existed at
17 the start of the new construction, which is located
18 in an economic development area and upon which new
19 construction has been added during the time the area
20 was so designated and the new construction is used
21 in a trade or business.

22 b. "Improvements" includes rehabilitation and
23 additions to existing structures as well as new
24 construction on vacant land or on land with existing
25 structures. However, if the construction,
26 rehabilitation or additions were begun prior to the
27 effective date of this chapter or one year prior to
28 the designation of an area as an economic development
29 area, whichever occurs later, the value added by such
30 construction, rehabilitation or additions does not
31 constitute an increase in value for purposes of
32 qualifying for the exemptions listed in this section.

33 c. "Actual value added by the improvements" means
34 the actual value added as of the first year for which
35 the exemption was received.

36 d. "Small business" means as defined in section
37 220.1.

38 Sec. . NEW SECTION. 404A.9 SALES TAX REFUND-
39 MACHINERY AND EQUIPMENT. A business entity located
40 in an area designated an economic development area
41 that purchases for use in that area in the business
42 activities of the entity during the time the area
43 is an economic development area machinery or equipment,
44 the sales price of which is depreciated in accordance
45 with generally recognized accounting standards, is
46 entitled to a refund of state gross receipts tax paid
47 under division IV of chapter 422 or chapter 423 on
48 the purchase or use of the machinery or equipment.
49 To receive the refund a claim must be filed with the
50 department of revenue not later than six months after

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1 the machinery or equipment is first used in the
2 business activity of the business entity in the
3 economic development area. However, a claim filed
4 later than two years after the purchase of the
5 machinery or equipment is not entitled to payment.
6 A claim shall be filed on forms provided by the
7 department of revenue and a receipt or other evidence
8 that the gross receipts tax has been paid shall be
9 attached to the forms.

10 Sec. NEW SECTION. 404A.10 NEW EMPLOYEE
11 TAX CREDIT.

12 1. A taxpayer who establishes a new business
13 facility in an economic development area shall be
14 entitled to an income tax credit against the income
15 tax imposed under chapter 422, division II or division
16 III, for the taxable year during which commercial
17 operations at the new business facility begin and
18 for each of the nine succeeding taxable years. The
19 amount of the tax credit not to exceed fifty percent
20 of the tax imposed on the taxpayer's income from the
21 new business facility is equal to three hundred fifty
22 dollars for each new business facility employee.
23 However, the tax credit shall not be allowed unless
24 at least two new business facility employees are
25 employed at the new business facility for the taxable
26 year. The amount of the tax credit for a taxable
27 year that is not used shall not be refunded or carried
28 forward or backward.

29 2. For purposes of this section:

30 a. "New business facility employee" means an
31 individual employed by the taxpayer in the operation
32 of a new business facility during the taxable year
33 for which the credit is claimed. An individual is
34 so employed if the individual performs duties in
35 connection with the operation of the new business
36 facility on a regular, full-time basis; on a part-
37 time basis, provided the individual is customarily
38 performing the duties at least twenty hours per week
39 throughout the taxable year; or on a reasonable basis,
40 provided the individual performs the duties for
41 substantially all of the season customary for the
42 position in which the individual is employed. The
43 number of new business facility employees during a
44 taxable year is determined by dividing by twelve the
45 sum of the number of new business facility employees
46 on the last business day of each month of the taxable
47 year. If the new business facility is in operation
48 for less than the entire taxable year, the number
49 of new business facility employees shall be determined
50 by dividing the sum of the number of new business

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1 facility employees on the last business day of each
2 full calendar month during the portion of the taxable
3 year during which the new business facility was in
4 operation by the number of full calendar months during
5 that period.

6 b. "New business facility" means a factory, mill,
7 plant, refinery, warehouse, feedlot, or building or
8 complex of buildings which meets the following
9 requirements:

10 (1) It is used by the taxpayer in the operation
11 of an eligible enterprise. However, it is not a new
12 business facility in the hands of the taxpayer if
13 the taxpayer's only activity with respect to it is
14 to lease it to another person. If the taxpayer uses
15 only a portion of it in the operation of an eligible
16 enterprise, then only that portion is considered a
17 new business facility if the other requirements of
18 this paragraph are met.

19 (2) It is acquired by or initially leased to the
20 taxpayer or construction is completed on it on behalf
21 of the taxpayer during the time the area in which
22 it is located is designated an economic development
23 area.

24 (3) If it was acquired by or initially leased
25 to the taxpayer from another person, it was not used
26 immediately prior to the acquisition or commencement
27 of the lease by any person in the operation of an
28 eligible enterprise in which the products produced
29 or sold, services performed or activities conducted
30 are the same in character and use and are produced,
31 sold, performed, or conducted in the same manner and
32 to or for the same type of customer as the products,
33 services, or activities of the taxpayer at the facility
34 are produced, sold, performed or conducted.

35 (4) There was not a previous facility located
36 in the state operated by the taxpayer or a related
37 taxpayer as a similar or substantially identical
38 eligible enterprise, as described in subparagraph
39 (3), as the new facility is to be used for more than
40 three full taxable years out of the five taxable years
41 preceding the taxable year in which commercial
42 operation at the new facility begins and the operations
43 at the previous facility have been discontinued.

44 c. "Eligible enterprise" means any of the
45 following:

46 (1) The assembly, fabrication, manufacture, or
47 processing of any agricultural, mineral, or
48 manufactured product.

49 (2) The storage, warehousing, distribution, or
50 sale of any products of agriculture, mining, or

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1 manufacturing.

2 (3) The feeding of livestock at a feedlot.

3 (4) The operation of laboratories or other

4 facilities for scientific, agricultural, animal

5 husbandry or industrial research, development or
6 testing.

7 (5) The performance of services of any type.

8 (6) The administrative management of any of the
9 foregoing activities.

10 (7) Any combination of any of the foregoing
11 activities.

12 d. "Related taxpayer" means a person controlled
13 by or in control of the taxpayer or a person in control

14 of another person that is in control of the taxpayer.

15 "Control of a person" means ownership, directly or
16 indirectly, of stock possessing at least eighty percent
17 of the total combined voting power of all classes
18 of stock entitled to vote and at least eighty per-
19 cent of all other classes of stock of the corporation;
20 ownership of at least eighty percent of the capital
21 or profits interest in the partnership or association;
22 or ownership, directly or indirectly, of at least
23 eighty percent of the beneficial interest in the
24 principal or income of the trust, as applicable."

25 3. Page 22, by inserting after line 13 the
26 following:

27 "Sec. . Section 422.12, Code Supplement 1983,
28 is amended by adding the following new subsection:

29 NEW SUBSECTION. A new employee tax credit equal
30 to the amount computed under section 404A.10. This
31 credit shall be taken before any other credit listed
32 in this section and in sections 422.10 and 422.11.

33 This credit is not refundable and shall not be carried
34 forward or backward to another taxable year.

35 Sec. . Section 422.33, Code Supplement 1983,
36 is amended by adding the following new subsection:

37 NEW SUBSECTION. The taxes imposed under this
38 division shall be reduced by a new employee tax credit
39 equal to the amount computed under section 404A.10.

40 This credit shall be taken before any other credit
41 listed in this section. This credit is not refundable
42 and shall not be carried forward or backward to another
43 taxable year.

44 Sec. . Section 422.45, Code Supplement 1983,
45 is amended by adding the following new subsection:

46 NEW SUBSECTION. The gross receipts from the sale
47 of machinery and equipment, the sales price of which
48 is depreciated in accordance with generally recognized
49 accounting standards, to a business entity located
50 in an economic development area to be used in the

Page 9

1 economic development area in the business activities
2 of the purchaser. The gross receipts tax shall be
3 paid and a refund shall be allowed as provided in
4 section 404A.9."

5 4. Title page 1, line 11, by inserting after the
6 word "program," the words "establish economic
7 development areas for which tax abatements, credits
8 and refunds may be obtained,".

Muhlbauer of Crawford in the chair at 10:27 a.m.

Connors of Polk in the chair at 10:30 a.m.

Rosenberg of Story offered the following amendment H-6393,
to amendment H-6338, filed by him and moved its adoption:

H-6393

1 Amend amendment H-6338 to House File 2527 as
2 follows:

3 1. Page 2, line 2, by inserting after the word
4 "areas." the following: "This program shall include
5 establishing program effectiveness criteria,
6 identifying appropriate data measures at the program's
7 outset and collecting beginning and subsequent data
8 for the purpose of evaluating the effects of economic
9 development areas."

10 2. Page 9, by inserting after line 4 the following:
11 " . Page 26, by inserting after line 6 the
12 following:

13 "Sec. . ENTERPRISE ZONE STUDY.

14 1. PURPOSE AND SCOPE. The general assembly finds
15 that a number of states have enacted legislation
16 providing for the creation of enterprise zones and
17 that this Act creates a new chapter 404A for the same
18 purpose but that numerous questions have not been
19 answered. It is important that these questions be
20 answered before chapter 404A takes effect. Chapter
21 404A refers to enterprise zones as economic development
22 area, but the questions posed by enterprise zones
23 are the same regardless of whatever the areas are
24 called. Therefore the general assembly directs that
25 the Iowa development commission do a study on
26 enterprise zones for which other states have data
27 and experience which will help in any analysis of
28 chapter 404A's "economic development areas". The
29 scope of the enterprise zone study shall involve,
30 but not be limited to, the following questions:

- 31 a. What would the likely costs of an enterprise
32 zone program be?
- 33 b. Would program costs be offset by newly generated
34 revenues or reduced government expenditures and, if
35 so, to what extent?
- 36 c. Would zone designations result in social costs?
- 37 d. Have enterprise zones succeeded in stimulating
38 business development and at what costs? If successful,
39 to what degree and what types of businesses have
40 enterprise zones attracted? If certain types of
41 businesses have not responded or overall business
42 response has been limited, what additional action
43 is needed and by whom?
- 44 e. Have enterprise zones succeeded in creating
45 jobs, particularly for the disadvantaged? If so,
46 to what degree? What types of jobs have been created
47 and for what types of workers? Is additional job
48 creation action needed and if so, by whom? What
49 revenue losses have resulted from employment
50 incentives?

Page 2

- 1 f. What effect have enterprise zones had on
2 distressed areas? Have there been unintended effects,
3 such as unfair competition for businesses not in a
4 zone, business relocations rather than new, net
5 economic activity, and residential displacement?
6 If problems are encountered in these areas, what
7 actions are needed to mitigate their effects?
- 8 g. To what extent will chapter 404A provide
9 additional jobs and growth and what will be the costs
10 of it?
- 11 2. The Iowa development commission is directed
12 to conduct an enterprise zone study to determine
13 answers to the questions raised in subsection 1.
14 The final report shall be submitted to the governor
15 and general assembly by January 15, 1985. The final
16 report shall include its findings, its recommendations,
17 and relevant data gathered by it.
- 18 Sec. . Chapter 404A created in this Act takes
19 effect July 1, 1985." "
- 20 3. Page 9, line 8, by inserting after the word
21 "obtained" the words "and directing the commission
22 to study the questions posed by creation of enterprise
23 zones".

Amendment H—6393 was adopted.

Osterberg of Linn offered amendment H—6394, to amendment H—6338, filed by him from the floor and requested division as follows:

H—6394

- 1 Amend the House amendment H—6338 to House File
- 2 2527 as follows:

H—6394A

- 3 1. Page 3, line 4, by striking the word "any"
- 4 and inserting in lieu thereof the word "all".

H—6394B

- 5 2. Page 3, by striking lines 5 through 8 and
- 6 inserting in lieu thereof the following:
- 7 "a. An unemployment rate in three of the previous
- 8 six months of fifteen percent, as determined by the
- 9 Iowa department of job service."

Osterberg of Linn asked and received unanimous consent to withdraw amendment H—6394A.

Rosenberg of Story offered the following amendment H—6392, to amendment H—6338, filed by him and moved its adoption:

H—6392

- 1 Amend the House Amendment H—6338 to House File
- 2 2527 as follows:

- 3 1. Page 3, by striking lines 6 through 8 and in-
- 4 serting in lieu thereof the following: "area of at
- 5 least eight percent as derived from the most recent
- 6 federal census, or one hundred fifty percent of the
- 7 state annual average, whichever is larger."

- 8 2. Page 3, by inserting after line 20 the
- 9 following:

- 10 "e. A total land area of six hundred forty acres
- 11 or a population of at least one thousand people as
- 12 derived from the most recent federal census."

- 13 3. Page 3, by inserting after line 30 the follow-
- 14 ing: "However, if the area is located within the
- 15 jurisdiction of a planning and zoning authority, prior
- 16 approval must be obtained from the authority."

Amendment H—6392 was adopted.

The House resumed consideration of amendment H—6394B, to amendment H—6338.

On motion by Osterberg of Linn, amendment H—6394B lost.

O'Kane of Woodbury offered the following amendment H—6347, to amendment H—6338, filed by him and moved its adoption:

H—6347

- 1 Amend amendment H—6338 to House File 2527 as
- 2 follows:
- 3 1. Page 3, line 26, by inserting after the
- 4 word "city" the words "or within two miles of a city".

Amendment H—6347 was adopted.

O'Kane of Woodbury rose on a point of order that amendment H—6338, as amended, was not germane.

The Speaker ruled the point well taken and amendment H—6338, as amended, not germane.

Swartz of Marshall moved that the rules be suspended to consider amendment H—6338, as amended.

Roll call was requested by Running of Linn and Hughes of Union.

On the question "Shall the rules be suspended to consider amendment H—6338, as amended?"

The ayes were, 61: -

| | | | |
|-----------|------------|------------------|---------|
| Arnould | Avenson | Baxter | Bennett |
| Black | Blanshan | Branstad | Carl |
| Carpenter | Chapman | Chiodo | Clark |
| Connolly | Cooper | Copenhaver | Daggett |
| Davitt | De Groot | Diemer | Doderer |
| Fey | Groninga | Halvorson, R. A. | Hammond |
| Hanson | Harbor | Haverland | Hermann |
| Holveck | Hughes | Jay | Jochum |
| Krewson | Maulsby | McIntee | Norland |
| O'Kane | Parker | Paulin | Pavich |
| Peick | Pellett | Renaud | Renken |
| Royer | Schnekloth | Sherzan | Shoultz |

| | | | |
|--------------------------|------------|----------|------------|
| Skow | Stromer | Sturgeon | Sullivan |
| Swartz | Swearingen | Tofte | Van Gerpen |
| Van Maanen | Varn | Welden | Woods |
| Mr. Speaker (Connors) | | | |

The nays were, 30:

| | | | |
|-------------|-----------|-----------|-------------|
| Anderson | Brammer | Buhr | Carter |
| Corey | Fogarty | Grandia | Gruhn |
| Handorf | Hummel | Koenigs | Lageschulte |
| Lloyd-Jones | Loneragan | McKean | Miller |
| Muhlbauer | Mullins | Ollie | Osterberg |
| Oxley | Poncy | Rosenberg | Running |
| Spear | Stueland | Tabor | Torrence |
| Van Camp | Zimmerman | | |

Absent or not voting, 9:

| | | | |
|-----------------|----------|-------|------------------|
| Cochran | Gronstal | Groth | Halvorson, R. N. |
| Hoffmann-Bright | Knapp | Menke | Rensink |
| Schroeder | | | |

The motion prevailed and the rules were suspended to consider amendment H—6338, as amended.

Swartz of Marshall asked and received unanimous consent to temporarily defer action on amendment H—6338, as amended.

Carpenter of Polk offered the following amendment H—6397 filed by her from the floor and moved its adoption:

H—6397

- 1 Amend House File 2527 as follows:
- 2 1. Page 21, by striking lines 7 through 23.
- 3 2. Title page 1, by striking lines 11 through
- 4 13 and inserting in lieu thereof the words "through
- 5 a state certified development program; by".

Roll call was requested by Carpenter of Polk and Hoffmann-Bright of Muscatine.

On the question "Shall amendment H—6397 be adopted?"

The ayes were, 34:

| | | | |
|----------|---------|-----------|------------------|
| Anderson | Bennett | Carpenter | Daggett |
| De Groot | Diemer | Grandia | Halvorson, R. A. |

| | | | |
|------------|---------|-------------|-----------------|
| Handorf | Hanson | Harbor | Hoffmann-Bright |
| Hummel | Krewson | Lageschulte | Maulsby |
| McIntee | McKean | Menke | Mullins |
| Osterberg | Paulin | Pellétt | Renken |
| Rensink | Royer | Schneklöth | Stueland |
| Swearingen | Tofte | Torrence | Van Camp |
| Van Maanen | Welden | | |

The nays were, 58:

| | | | |
|-------------|--------------------------|----------|------------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Brammer | Branstad | Buhr |
| Carl | Carter | Chapman | Chiodo |
| Cochran | Connolly | Cooper | Copenhaver |
| Davitt | Doderer | Fey | Fogarty |
| Groninga | Gronstal | Groth | Gruhn |
| Hammond | Haverland | Hermann | Holveck |
| Hughes | Jay | Jochum | Koenigs |
| Lloyd-Jones | Loneragan | Miller | Muhlbauer |
| Norland | O'Kane | Ollie | Oxley |
| Parker | Pavich | Peick | Poncy |
| Renaud | Rosenberg | Running | Sherzan |
| Shoultz | Skow | Spear | Sullivan |
| Swartz | Tabor | Varn | Woods |
| Zimmerman | Mr. Speaker (Connors) | | |

Absent or not voting, 8:

| | | | |
|-----------|---------|------------------|------------|
| Clark | Corey | Halvorson, R. N. | Knapp |
| Schroeder | Stromer | Sturgeon | Van Gerpen |

Amendment H—6397 lost.

Norland of Worth asked and received unanimous consent that House File 2527 be temporarily deferred and that the bill retain its place 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 April 18, 1984, 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 2254, a bill for an act relating to the state employee suggestion system.

Also: That the Senate has on April 17, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2351, a bill for an act relating to the administration and financing of current programs other than mental health programs under the jurisdiction of the department of human services and to the foster care review board.

K. MARIE THAYER, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2351, by committee on appropriations, a bill for an act relating to the administration and financing of current programs other than mental health programs under the jurisdiction of the department of human services and to the foster care review board for the fiscal year beginning July 1, 1984, and ending June 30, 1985.

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

On motion by Norland of Worth, the House was recessed at 11:05 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

ADOPTION OF SENATE CONCURRENT RESOLUTION 106

Swartz of Marshall called up for consideration Senate Concurrent Resolution 106, citing legislative approval of the plan of operation for the state of Iowa federal surplus property program of the department of general services as drafted in accordance with Public Law 94-519, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 121

Krewson of Polk called up for consideration House Concurrent Resolution 121, regarding the development of business and industry in the state of Iowa, and moved its adoption.

The motion prevailed and the resolution was adopted.

SENATE AMENDMENT CONSIDERED**House Refused to Concur**

Brammer of Linn called up for consideration **Senate File 2268**, a bill for an act providing for the mandatory assignment of a person's income when the person is delinquent in paying court-ordered support 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-6280 to the House amendment:

H-6280

- 1 Amend the House amendment, S-5777, to Senate File
- 2 2268 as passed by the Senate as follows:
- 3 1. Page 2, by striking lines 24 through 31.

The motion lost and the House refused to concur in the Senate amendment H-6280 to the House amendment.

CONSIDERATION OF BILL**Regular Calendar**

The House resumed consideration of **House File 2527**, a bill for an act relating to economic development in the state by providing that the development commission monitor, oversee and spend certain federal funds, establish a primary research and marketing center and satellite centers, establish an informal export advisory group, be responsible for agriculture marketing by establishing an agriculture marketing division and board, be responsible for the operation of the existing Iowa community development loan program, participate in the certified development program of the United States small business administration through a state certified development program, and be solely responsible for coordinating and adopting rules for the existing Iowa industrial new jobs training program; by allowing insurance companies, state banks, and state savings and loan associations to invest their assets in venture capital firms making investments in small businesses in the state, and public safety police officers, Iowa public employees and policemen and firemen retirement funds to be invested in venture capital firms making investments in small businesses in the state; by establishing an export loan program as part of the Iowa

housing finance authority's small business loan program to aid in providing financing for export sales by small businesses; and by increasing the bonding limits of the Iowa housing finance authority and its small business loan program and redefining "small business" and "dominant in its field of operation" for purposes of the small business loan program.

Swearingen of Keokuk offered the following amendment H-6395 filed by him from the floor and moved its adoption:

H-6395

- 1 Amend House File 2527 as follows:
- 2 1. By striking page 21, line 24 through page 22,
- 3 line 13.

Amendment H-6395 was adopted.

Swartz of Marshall offered the following amendment H-6333 filed by him:

H-6333

- 1 Amend House File 2527 as follows:
- 2 1. Page 22, by inserting after line 13 the
- 3 following:
- 4 "Sec. . Section 422.47, Code Supplement 1983,
- 5 is amended by adding the following new subsection:
- 6 NEW SUBSECTION. Sales, services, and use taxes
- 7 paid on purchases in a calendar year of industrial
- 8 machinery and equipment, including replacement parts
- 9 which are depreciable for state and federal tax
- 10 purposes, shall be refunded to the purchaser subject
- 11 to the following conditions:
- 12 a. The tax has been collected by the retailer
- 13 or timely paid to the department if section 423.14
- 14 applies.
- 15 b. The industrial machinery or equipment is
- 16 directly and primarily used in processing tangible
- 17 personal property in the manner described in section
- 18 428.20.
- 19 c. The amount of the refund of the tax does not
- 20 exceed the amount of the Iowa individual income taxes
- 21 withheld during the calendar year by the purchaser
- 22 from the number of employees of the purchaser that
- 23 exceeded, at any time during the calendar year in
- 24 which the purchases were made, the threshold employee
- 25 level for the calendar year of the purchaser. In

26 determining the amount of income taxes withheld, only
27 fifty percent of the wages paid to the most recent
28 employees during the period that the threshold employee
29 level for the calendar year was exceeded is to be
30 considered.

31 For purposes of this subsection, the "threshold
32 employee level for the calendar year" is the highest
33 number of employees of the trade or business of the
34 purchaser at any time during the previous three
35 calendar years or during all the previous calendar
36 years if the trade or business has been in operation
37 for less than three years, and "employee" means an
38 individual who works within or without Iowa on a full-
39 time basis but an individual who works on a part-time
40 basis shall be counted as a fraction of an employee
41 equal to the average number of hours worked per week
42 divided by the number of hours worked per week by
43 a full-time individual. If the trade or business
44 began operation during the calendar year, the threshold
45 employee level for that calendar year is zero.

46 If the trade or business has been sold or otherwise
47 transferred to a subsequent employing unit or, if
48 one or more employing units have been reorganized
49 or merged into a single employing unit and the
50 successor employer continues to operate the trade

Page 2

1 or business, the successor employer shall assume the
2 position of the predecessor employer or employers
3 with respect to the predecessors' threshold employee
4 level for the calendar year which is attributable
5 to the part of the business transferred, to the same
6 extent as if the ownership or control had not changed.

7 If a clearly segregable and identifiable part of
8 a trade or business has been sold or otherwise
9 transferred to a subsequent employing unit, and the
10 successor employing unit continues to operate the
11 trade or business, the successor shall assume the
12 position of the predecessor employer with respect
13 to the threshold employee level for the calendar year,
14 which is attributable to the part of the trade or
15 business transferred to the same extent as if the
16 ownership or control of the trade or business had
17 not changed.

18 If the sales, services and use taxes have been
19 paid on purchases of tangible personal property
20 qualifying for refund under this subsection by a
21 contractor who is obligated to pay the tax under
22 section 422.42, subsection 9, or chapter 423, and
23 the purchases are made in the fulfillment of a

24 contract, the contractor shall state under oath on
25 forms provided by the department or on forms approved
26 by the department, a description of the tangible
27 personal property and the amount of tax which has
28 been paid on the tangible personal property. The
29 forms shall be filed by the contractor with the person
30 for whom the contract was performed prior to final
31 settlement on the contract. The person for whom the
32 contract was performed is entitled to the refund of
33 the taxes paid by the contractor and shall file the
34 forms, accompanied by an application for refund, with
35 the department to claim the refund. A contractor
36 who willfully files a false report of the taxes paid
37 is guilty, upon conviction, of a simple misdemeanor
38 and is also liable for the payment of any taxes due,
39 including penalty and interest.

40 Annual claims for refund of taxes shall be filed
41 with the department of revenue by July 1 for the prior
42 calendar year. A claim is limited to taxes collected
43 on purchases made during the prior calendar year by
44 the retailer or contractor, or if section 423.14
45 applies, to taxes timely paid on purchases made during
46 the prior calendar year to the department. A claim
47 is a return and subject to all the applicable sales,
48 services, and use tax statutes relating to assessments,
49 audits, collections, liens, administrative review,
50 and judicial review.

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1 This subsection is effective for industrial
2 machinery and equipment purchased on or after the
3 effective date of this subsection and for Iowa
4 individual income taxes withheld on or after the
5 effective date of this subsection."

6 2. Title page 2, line 2, by inserting after the
7 word "program" the words "; and by providing for a
8 refund of the state sales, services and use tax paid
9 on industrial machinery and equipment".

Doderer of Johnson rose on a point of order that amendment
H-6333 was not germane.

The Speaker ruled the point well taken and amendment
H-6333 not germane.

Swartz of Marshall offered the following amendment H-6336
filed by him:

H-6336

1 Amend House File 2527 as follows:

2 1. Page 22, by inserting after line 13 the
3 following:

4 "Sec. . Section 427B.1, Code 1983, is amended
5 after unnumbered paragraph 1 by adding the following
6 new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. A city council or county
8 board of supervisors, as authorized by section 427B.2,
9 may provide by ordinance for a partial exemption from
10 property taxation of the actual value of a building
11 or structure, exclusive of the land, which remained
12 vacant and unused for at least one year prior to its
13 use for industrial purposes. The ordinance shall
14 provide that a building or structure shall not be
15 eligible for or receive the tax exemption if it is
16 operated by a business which closes or substantially
17 reduces its operation in one area of the state of
18 Iowa and relocates the same operation within the
19 building or structure.

20 Sec. . Section 427B.2, subsection 1 and
21 subsection 2, unnumbered paragraph 1, Code 1983, are
22 amended to read as follows:

23 1. The board of supervisors of a county which
24 has appointed a county zoning commission and provided
25 for county zoning under chapter 358A may provide for
26 a partial exemption from property taxation of the
27 actual value added to industrial real estate or the
28 actual value of a building or structure as provided
29 under section 427B.1.

30 The board of supervisors of a county which has
31 not appointed a zoning commission may provide for
32 a partial exemption from property taxation of the
33 actual value added to industrial real estate or the
34 actual value of a building or structure as provided
35 under section 427B.1 in the following areas:

36 Sec. . Section 427B.3, unnumbered paragraph
37 1, Code 1983, is amended to read as follows:

38 The actual value added to industrial real estate
39 and the actual value of a building or structure for
40 the reasons specified in section 427B.1 is eligible
41 to receive a partial exemption from taxation for a
42 period of five years. "Actual value added" as used
43 in this chapter means the actual value added as of
44 the first year for which the exemption is received,
45 except that actual value added by improvements to
46 machinery and equipment means the actual value as
47 determined by the assessor as of January 1 of each
48 year for which the exemption is received. "Actual
49 value" as used in this division means the actual value
50 as of the first year for which the exemption is

Page 2

1 received. The amount of actual value added or of
2 the actual value, whichever is applicable, which is
3 eligible to be exempt from taxation shall be as
4 follows:

5 Sec. . Section 427B.4, Code 1983, is amended
6 to read as follows:

7 . 427B.4 APPLICATION FOR EXEMPTION BY PROPERTY

8 OWNER. An application shall be filed for each project
9 resulting in actual value added or in the industrial
10 use of a previously vacant and unused building or
11 structure for which an exemption is claimed. The
12 application for exemption shall be filed by the owner
13 of the property with the local assessor by February
14 1 of the assessment year in which the value added
15 is first assessed for taxation or, in the case of
16 the industrial use of a previously vacant and unused
17 building or structure, by February 1 of the assessment
18 year following the year in which the industrial use
19 begins. Applications for exemption shall be made
20 on forms prescribed by the director of revenue and
21 shall contain information pertaining to the nature
22 of the improvement, its cost, its use, and other
23 information deemed necessary by the director of
24 revenue.

25 A person may submit a proposal to the city council
26 of the city or the board of supervisors of a county
27 to receive prior approval for eligibility for a tax
28 exemption on new construction or for the industrial
29 use of a previously vacant and unused building or
30 structure. The city council or the board of
31 supervisors, by ordinance, may give its prior approval
32 of a tax exemption for new construction if the new
33 construction it is in conformance with the zoning
34 plans for the city or county. The prior approval
35 shall also be subject to the hearing requirements
36 of section 427B.1. Prior approval does not entitle
37 the owner to exemption from taxation until the new
38 construction has been completed or industrial use
39 begins and found to be qualified real estate. However,
40 if the tax exemption for new construction is not
41 approved, the person may submit an amended proposal
42 to the city council or board of supervisors to approve
43 or reject."

44 2. Title page 2, line 2, by inserting after the
45 word "program" the words "; by providing local option
46 tax abatement for previously vacant and unused
47 buildings or structures that begin to be used for
48 industrial purposes".

Doderer of Johnson rose on a point of order that amendment H-6336 was not germane.

The Speaker ruled the point well taken and amendment H-6336 not germane.

Swartz of Marshall moved that the rules be suspended to consider amendment H-6336.

A non-record roll call was requested.

The ayes were 22, nays 43.

The motion lost.

Van Maanen of Mahaska offered the following amendment H-6366 filed by Van Maanen, et al.:

H-6366

1 Amend House File 2527 as follows:

2 1. Page 22, by inserting after line 13 the follow-
3 ing:

4 "Sec. . Section 476.5, Code 1983, is amended
5 to read as follows:

6 476.5 ADHERENCE TO SCHEDULES - DISCOUNTS.

7 1. No A public utility subject to rate regulation
8 shall not directly or indirectly charge a greater
9 or less compensation for its services than that
10 prescribed in its tariffs, and no such public utility
11 shall not make or grant any unreasonable preferences
12 or advantages as to rates or services to any person
13 or subject any person to any unreasonable prejudice
14 or disadvantage.

15 2. Nothing in this section shall be construed
16 to prohibit any public utility furnishing
17 communications services from providing any service
18 rendered by it without charge or at reduced rate to
19 any of its active or retired officers, directors,
20 or employees, or such officers, directors or employees
21 of other public utilities furnishing communications
22 services. Provided, however, said the service is
23 for personal use, and not for engaging in a business
24 for profit.

25 3. Notwithstanding subsection 1, the commission
26 may approve electric and natural gas rates, charges
27 and schedules which provide incentives to industrial
28 and commercial customers if the commission finds all

29 of the following:

30 a. In the past year the utility has had excess
31 electric generating capacity or pipeline capacity.

32 b. There is a reasonable need for new employ-
33 ment opportunities.

34 c. The incentive rate, charge or schedule is
35 reasonably designed to attract new business or expand
36 existing production and employment.

37 d. Other customers of the utility will not
38 experience an increase in their rates as a result
39 of the incentives.

40 Any such incentive rates, charges or schedules
41 approved shall phase out within five years after their
42 implementation."

43 2. Title page 2, line 2, by inserting after the
44 word "program" the words "; and by allowing certain public
45 utilities to charge incentive rates".

Parker of Jasper rose on a point of order that amendment
H-6366 was not germane.

The Speaker ruled the point well taken and amendment
H-6366 not germane.

Schneklath of Scott offered the following amendment H-6402
filed from the floor by Schneklath, Fogarty, Anderson and
Muhlbauer:

H-6402

1 Amend House File 2527 as follows:

2 1. Page 22, by inserting after line 13 the

3 following new section:

4 "Sec. . Section 441.21, subsection 1, paragraph
5 e, Code Supplement 1983, is amended to read as follows:

6 e. The actual value of agricultural property shall
7 be determined on the basis of productivity and net
8 earning capacity of the agricultural property in the
9 county determined on the basis of its use for
10 agricultural purposes in the county capitalized at
11 a percentage rate of seven percent as provided in
12 this paragraph and applied uniformly among counties
13 and among classes of property. Any formula or method
14 employed to determine productivity and net earning
15 capacity of property shall be adopted in full by rule.

16 The capitalized percentage rate shall be as follows:

17 (1) For the assessment year beginning January
18 1, 1985, seven and one-half percent.

19 (2) For the assessment year beginning January
20 1, 1986, eight percent.

- 21 (3) For the assessment year beginning January
 22 1, 1987, eight and one-half percent.
 23 (4) For the assessment year beginning January
 24 1, 1988 and each succeeding assessment year, nine
 25 percent."
 26 2. Renumber sections and correct internal
 27 references as necessary in accordance with this
 28 amendment.

Parker of Jasper rose on a point of order that amendment H-6402 was not germane.

The Speaker ruled the point well taken and amendment H-6402 not germane.

Schneklath of Scott moved that the rules be suspended to consider amendment H-6402.

Roll call was requested by Schneklath of Scott and Lageschulte of Bremer.

On the question "Shall the rules be suspended to consider amendment H-6402?"

The ayes were, 38:

| | | | |
|------------------|-----------------|-----------|-------------|
| Anderson | Bennett | Branstad | Carpenter |
| Clark | Corey | Daggett | De Groot |
| Diemer | Fogarty | Grandia | Gronstal |
| Halvorson, R. A. | Handorf | Hanson | Harbor |
| Hermann | Hoffmann-Bright | Hummel | Lageschulte |
| Maulsby | McKean | Muhlbauer | Paulin |
| Pellet | Renken | Rensink | Royer |
| Schneklath | Schroeder | Skow | Stueland |
| Swearingen | Torrence | Van Camp | Van Gerpen |
| Van Maanen | Welden | | |

The nays were, 45:

| | | | |
|---------|------------|-------------|------------------|
| Arnould | Baxter | Black | Blanshan |
| Buhr | Carl | Chapman | Chiodo |
| Connors | Copenhaver | Davitt | Doderer |
| Fey | Groninga | Groth | Halvorson, R. N. |
| Hammond | Haverland | Holveck | Hughes |
| Jay | Koenigs | Lloyd-Jones | Loneragan |
| McIntee | Miller | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Peick | Poncy | Renaud | Rosenberg |
| Running | Sherzan | Shoultz | Spear |

Sturgeon
Mr. Speaker

Varn

Woods

Zimmerman

Absent or not voting, 17:

Brammer
Cooper
Krewson
Stromer
Tofte

Carter
Gruhn
Menke
Sullivan

Cochran
Jochum
Mullins
Swartz

Connolly
Knapp
Pavich
Tabor

The motion lost.

Baxter of Des Moines offered the following amendment H—6305 filed by her and moved its adoption:

H—6305

- 1 Amend House File 2527 as follows:
- 2 1. Page 26, by inserting after line 6 the
- 3 following:
- 4 "Sec. . ECONOMIC DEVELOPMENT STUDY.
- 5 1. PURPOSE AND SCOPE. The general assembly finds
- 6 that the state is currently facing an economic crisis
- 7 and there is a need to study the economy of the state
- 8 and to develop an economic development strategic plan.
- 9 The scope of this study shall be, but is not limited
- 10 to, all of the following:
- 11 a. Examine the strengths and weaknesses of the
- 12 Iowa economy.
- 13 b. Examine the various strategies for improving
- 14 the Iowa economy.
- 15 c. Develop an economic development strategic plan
- 16 for the state of Iowa.
- 17 d. Develop a plan to mobilize public and private
- 18 support for the Iowa economic development strategic
- 19 plan.
- 20 2. STUDY COMMITTEE CREATED. There is established
- 21 an economic development study committee which shall
- 22 consist of the governor, the lieutenant governor,
- 23 the speaker of the house of representatives, the
- 24 majority and minority leaders of the house of
- 25 representatives, the majority and minority leaders
- 26 of the senate, a nonvoting member from the Iowa
- 27 development commission, and nine public members with
- 28 not more than five of the public members being of
- 29 the same political party. The public members shall
- 30 be appointed jointly by the governor, the lieutenant
- 31 governor, the speaker of the house of representatives
- 32 and the majority and minority leaders of both the
- 33 house of representatives and the senate.

34 Of the public members of the study committee there
35 shall be appointed one member representing the
36 interests of and knowledgeable in the interests of
37 each of the following:
38 (1) Large business.
39 (2) Small business.
40 (3) Labor.
41 (4) Agriculture.
42 (5) Financial institutions.
43 (6) Local government.
44 The remaining three public members shall be educators
45 expert in economic development appointed from a board
46 of regents' institution, from a private institution
47 of higher learning, and from a merged area school.
48 Leaders of associations representing those indicated
49 in subparagraphs (1) through (6) may be invited to
50 advise the study committee.

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1 All appointive members of the economic development
2 study committee shall be appointed not later than
3 thirty days from the effective date of this section.
4 The economic development committee shall hold its
5 organizational meeting not more than thirty days
6 following the appointment of its membership.
7 3. EXPENSES AND PER DIEM. Public members of the
8 economic development study committee shall be
9 reimbursed for their travel and other necessary
10 expenses actually incurred in the performance of their
11 official duties. Legislative members who are members
12 of the economic development study committee shall
13 receive, when the general assembly is not in session,
14 a per diem of forty dollars and their travel and other
15 expenses incurred in the performance of their official
16 duties from funds appropriated by section 2.12.
17 Public employees who are members of the economic
18 development study committee shall be reimbursed for
19 travel and other expenses actually incurred in the
20 performance of their official duties.
21 4. ORGANIZATION AND PARTICIPATION.
22 a. The chairperson and vice chairperson of the
23 economic development study committee shall be elected
24 by the members. The chairperson and vice chairperson
25 shall direct and coordinate the activities of the
26 study committee.
27 b. State officers and state departments and
28 agencies shall cooperate with and provide technical
29 assistance to the study committee upon request of
30 the chairperson.
31 c. By August 1, 1984 the study committee may hire
32 a consulting firm having expertise in economic

33 development to assist the study committee in its
 34 considerations and recommendations relative to the
 35 purpose and scope of the study as provided in
 36 subsection 1.

37 d. The study committee shall meet as needed with
 38 the consultant for the purposes of advising the
 39 consultant on the Iowa economy and to work jointly
 40 with it to develop a strategy for improvement of the
 41 economy of the state.

42 5. FINAL REPORT. The economic development study
 43 committee shall transmit copies of its final report
 44 to the governor and the members of the general assembly
 45 no later than January 31, 1985. The final report
 46 shall include findings of fact and its recommendations
 47 and relevant data gathered by and for the study
 48 committee."

49 2. Title page 2, line 2, by inserting after the
 50 word "program" the words "; by creating an economic

Page 3

1 development study committee to study the economy of
 2 the state and to develop an economic development
 3 strategic plan".

Amendment H—6305 was adopted.

**Buhr of Polk offered the following amendment H—6354 filed by
 her and Cochran of Webster and moved its adoption:**

H—6354

1 Amend House File 2527 as follows:
 2 1. Page 26, by inserting after line 6 the
 3 following:
 4 "Sec. . AGRICULTURE, FOOD, AND ENERGY
 5 DEMONSTRATION CENTER STUDY.
 6 1. PURPOSE—INTENT. The general assembly of this
 7 state desires to promote and enhance economic
 8 development within the state. The establishment of
 9 an agriculture, food, and energy demonstration center
 10 may be useful in the development of agricultural and
 11 agricultural related activities within the state.
 12 A study shall be done as provided in this section
 13 for the purpose of determining the feasibility,
 14 practicality, advantages, disadvantages, benefits,
 15 and disincentives to agriculture and agricultural
 16 related businesses, the state, and local communities
 17 of having an agriculture, food, and energy
 18 demonstration center within the state. It is the

19 intent of the general assembly that to the extent
20 time and resources allow the study shall encompass
21 all aspects of the question of the merits of
22 establishing different types of agriculture, food,
23 and energy demonstration centers and the question
24 of how to and what is needed to establish the different
25 types of agriculture, food, and energy demonstration
26 centers. The major objectives of this center are
27 to:

28 a. To increase Iowa exports of agriculture and
29 agriculture industries.

30 b. To assist in training Americans and foreign
31 nations in the operation and utilization of American
32 agricultural products, industries, and technologies.

33 c. To effectively utilize already existent public-
34 owned land for the purpose of demonstrating Iowa
35 crops, products, and technology to potential purchasers
36 from around the United States and the world.

37 d. To encourage private business and industry
38 to demonstrate the production, processing, storage,
39 and distribution of all feasible agricultural systems.
40 Such systems would include, but not be limited to,
41 the following: modern systems of cattle, swine,
42 sheep, dairy, and poultry production; processing
43 systems; food and feed processing technologies;
44 alternative energy technologies such as solar, wind,
45 methane, ethanol, and bio-mass; and other systems
46 and processes that can be demonstrated.

47 e. To encourage the purchase of Iowa based
48 commodities and technology in the export market.

49 f. To create and expand business opportunities
50 and employment, opportunities within the state.

Page 2

1 g. To expand the research and technology base
2 of agricultural education and nutrition research
3 already existent in the state.

4 h. To seek out the help, recommendation, and
5 support of farm organizations and commodity groups,
6 food and agricultural relief organizations, the
7 exporting business community, all major state
8 industries, manufacturers, and businesses, local and
9 state government officials, and the citizens of Iowa
10 in the establishment of an agriculture, food and
11 energy demonstration center.

12 2. AGRICULTURE, FOOD, AND ENERGY DEMONSTRATION
13 CENTER STUDY COMMITTEE. There is created an
14 agriculture, food, and energy demonstration center
15 study committee consisting of fifteen members. Four
16 of the members, with not more than two of the same

17 party, shall be appointed by and serve at the pleasure
18 of the governor. Four of the members shall be members
19 of the general assembly. The speaker of the house
20 of representatives shall appoint two members, one
21 from each political party. The president of the
22 senate shall appoint two members, one from each
23 political party. One member shall be appointed by
24 the Des Moines city council. One member shall be
25 appointed by the Ankeny city council. One member
26 shall be appointed by the president of Iowa state
27 university. Four members shall be associated with
28 the private sector nonprofit corporation formed to
29 provide matching funds for this study.

30 **3. ORGANIZATION AND PARTICIPATION.**

31 a. The chairperson and vice chairperson of and
32 elected by the committee shall direct and coordinate
33 the activities of the committee:

34 b. State officers and state departments and
35 agencies shall cooperate with providing technical
36 assistance to the committee upon request of the
37 chairperson.

38 c. The nonlegislative members of the committee
39 shall be reimbursed for their travel and other
40 necessary expenses actually incurred in the performance
41 of their official duties from the state general fund
42 from funds not otherwise appropriated. The legislative
43 members shall receive, when the general assembly is
44 not in session, a per diem of forty dollars and their
45 travel and other necessary expenses actually incurred
46 in the performance of their official duties from funds
47 appropriated by section 2.12.

48 d. The chairperson shall develop and provide to
49 the governor or the governor's designee interim reports
50 of the activities of the committee and shall complete

Page 3

1 and transmit copies of its final report to the governor
2 and the members of the general assembly who request
3 them by January 1, 1985. The final report shall
4 contain a brief summary of its activities, listing
5 of its findings, and its recommendations, including
6 additions or changes to existing law.

7 e. The agriculture, food, and energy demonstration
8 center study committee shall cease to exist on January
9 1, 1985.

10 **4. SCOPE OF THE STUDY.** The committee shall
11 consider and its recommendations shall address, but
12 are not limited to, the following:

13 a. Examination of existing infrastructure in the
14 central Iowa region including:

15 (1) Transportation systems such as highways;
 16 railroads; and air, including international airport
 17 status.

18 (2) Communication systems such as computer
 19 technologies and telecommunications of all types;
 20 satellite communications, including television; and
 21 developing communication links with all of the major
 22 world centers of commerce and trade.

23 (3) Impact study for all communities in central
 24 Iowa.

25 (4) Determination of the best location for the
 26 center.

27 (5) Water source; waste, air and water management
 28 and disposal; electricity and gas.

29 (6) Environmental impact statement.

30 (7) Food, housing and local transportation for
 31 American and foreign visitors.

32 b. Determine what cooperation will be needed from
 33 local, state and federal agencies.

34 c. Determine what cooperation will be needed from
 35 higher education institutions.

36 d. Determination of the extent of participation
 37 and investment in an agriculture center by foreign
 38 governments and foreign private enterprise.

39 e. Determination of the extent of investment
 40 possible by federal government agencies, such as the
 41 foreign agricultural service of the United States
 42 department of agriculture and the agency for
 43 international development in the United States
 44 department of commerce.

45 5. STAFF SUPPORT. Staff for the agriculture,
 46 food, and energy demonstration center study committee
 47 may be provided by the legislative service bureau
 48 and the legislative fiscal bureau upon approval of
 49 the legislative council."

50 2. Title page 2, line 2, by inserting after the

Page 4

1 word "program" the words "; by creating an agriculture,
 2 food, and energy demonstration center study committee
 3 to study the feasibility and desirability of
 4 establishing agricultural and energy demonstration
 5 centers."

Amendment H—6354 was adopted.

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendment H—6373 filed by him on April 17, 1984.

McIntee of Black Hawk offered the following amendment H-6404 filed from the floor by him and Chiodo of Polk and moved its adoption:

H-6404 .

1 Amend House File 2527 as follows:

2 1. Page 16, by inserting after line 10 the follow-
3 ing:

4 "Sec. . Section 220.1, subsection 2, Code Sup-
5 plement 1983, is amended to read as follows:

6 2. "Low or moderate income families" means families
7 who cannot afford to pay enough to cause private enter-
8 prise in their locality to build an adequate supply of
9 decent, safe, and sanitary dwellings for their use, and
10 also includes, but is not limited to, (1) elderly fam-
11 ilies, families in which one or more persons are handi-
12 capped or disabled, lower income families and very low
13 income families, and (2) families purchasing or renting
14 qualified residential housing.

15 Sec. . Section 220.1, subsection 32, first unnum-
16 bered paragraph, Code Supplement 1983, is amended as
17 follows:

18 The authority shall establish by rule further defi-
19 nitions applicable to this chapter, and clarification
20 of the definitions in this section, as necessary to
21 assure eligibility for funds available under federal
22 housing laws, or to assure complying with federal tax
23 laws relating to the issuance of tax exempt mortgage
24 subsidy bonds pursuant to section 103A of the Internal
25 Revenue Code, or relating to the issuance of tax exempt
26 residential rental property bonds for qualified resi-
27 dential housing under section 103 of the Internal Rev-
28 enue Code.

29 Sec. . Section 220.1, Code Supplement 1983, is
30 amended by adding the following new subsection:

31 NEW SUBSECTION. "Qualified residential housing"
32 means (1) owner occupied residences purchased in a man-
33 ner which satisfies the requirements contained in sec-
34 tion 103A of the Internal Revenue Code in order to be
35 financed with tax exempt mortgage subsidy bonds, (2)
36 residential property qualifying pursuant to section
37 103 (b) (4) of the Internal Revenue Code to be financed
38 with tax exempt residential rental property bonds, and
39 (3) housing for low or moderate income families, el-
40 derly families, and families which include one or more
41 persons who are handicapped or disabled.

42 Sec. . Section 220.8, Code 1983, is amended by
43 striking the section."

44 2. By renumbering as necessary.

Amendment H—6404 was adopted.

Norland of Worth asked and received unanimous consent that House File 2527 be deferred and that the bill retain its place on the calendar.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate Files 2214 and 2169.

Unfinished Business Calendar

The House resumed consideration of **Senate File 2214**, a bill for an act relating to the regulation of hazardous waste and subjecting violators to a civil penalty, placed on the unfinished business calendar on March 27, 1984.

Maulsby of Calhoun asked and received unanimous consent to withdraw amendment H—6172 filed by him on April 6, 1984.

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. 2214)

The ayes were, 93:

| | | | |
|------------------|------------|-----------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| 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 | Hermann | Hoffmann-Bright | Holveck |
| Hughes | Hummel | Jay | Jochum |
| Knapp | Koenigs | Lageschulte | Lloyd-Jones |
| Lonergan | Maulsby | McIntee | McKean |
| Menke | Miller | Muhlbauer | Mullins |
| O'Kane | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |

| | | | |
|-------------|----------|------------|------------|
| Poncy | Renaud | Renken | Rensink |
| Rosenberg | Royer | Running | Schneklath |
| 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, 7:

| | | | |
|---------|--------|-----------|---------|
| Carter | Chiodo | Haverland | Krewson |
| Norland | Ollie | 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 2169**, a bill for an act including vehicles used to transport agricultural products being pulled by a tractor as implements of husbandry, and the committee amendment H—5801, as amended, (found on pages 1407 and 1408 of the House Journal) placed on the unfinished business calendar on March 28, 1984.

On motion by Koenigs of Mitchell, the committee amendment H—5801, as amended, 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?" (S.F. 2169)

The ayes were, 72:

| | | | |
|----------|------------|------------------|-----------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Chiodo |
| Clark | Cochran | Connolly | Connors |
| Cooper | Copenhaver | Davitt | Diemer |
| Fey | Fogarty | Groninga | Gronstal |
| Groth | Gruhn | Halvorson, R. A. | Hammond |
| Hanson | Harbor | Hermann | Hoffmann-Bright |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lloyd-Jones |
| Lonergan | McIntee | McKean | Miller |

| | | | |
|------------|---------|----------|-------------|
| Muhlbauer | Mullins | Ollie | Osterberg |
| Parker | Paulin | Pavich | Peick |
| Poncy | Renaud | Renken | Rosenberg |
| Schroeder | Sherzan | Shoultz | Skow |
| Spear | Stromer | Stueland | Sturgeon |
| Swearingen | Tabor | Tofte | Torrence |
| Van Maanen | Varn | Woods | Mr. Speaker |

The nays were, 22:

| | | | |
|-------------|------------------|---------|----------|
| Chapman | Corey | Daggett | De Groot |
| Grandia | Halvorson, R. N. | Handorf | Hummel |
| Lageschulte | Maulsby | O'Kane | Oxley |
| Pellett | Rensink | Royer | Running |
| Schnekloth | Sullivan | Swartz | Van Camp |
| Welden | Zimmerman | | |

Absent or not voting, 6:

| | | | |
|---------|------------|-----------|-------|
| Carter | Doderer | Haverland | Menke |
| Norland | Van Gerpen | | |

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

Krewson of Polk in the chair at 2:58 p.m.

SENATE AMENDMENTS CONSIDERED

Carl of Poweshiek called up for consideration **Senate File 2293**, a bill for an act creating foster care review boards for a four-year period, creating a foster care registry, providing for rehabilitation for a child receiving foster care and the child's family unit, amending provisions relating to a court's dispositional order, 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—6335 to the House amendment:

H—6335

- 1 Amend the House amendment, S—5735, to Senate File
- 2 2293 as amended, passed and reprinted by the Senate
- 3 as follows:
- 4 1. Page 1, line 9, by inserting after the word
- 5 "dependency" the words "and whose parent, guardian,
- 6 or custodian is unwilling or unable to provide such
- 7 treatment".

- 8 2. Page 1, by striking lines 26 through 40 and
9 inserting in lieu thereof the following: "232.70,
10 of cases of child abuse:"
- 11 3. Page 2, by striking lines 7 and 8 and inserting
12 in lieu thereof the following: "a child has suffered
13 abuse. ~~Whenever such~~ If a person".
- 14 4. Page 2, by striking lines 17 through 45.
- 15 5. By striking page 4, line 36 through page 5,
16 line 5 and inserting in lieu thereof the following:
17 " "Sec. . Section 232.97, subsections 1 and
18 3,".
- 19 6. Page 6, line 44, by inserting after the word
20 "facilities" the words "organizations, and agencies".
- 21 7. Page 6, by striking lines 45 and 46 and
22 inserting in lieu thereof the following: "Organizations
23 and agencies which serve day care facilities and any
24 licensed or registered facilities may apply for the
25 funds."
- 26 8. Page 7, by striking lines 15 through 17 and
27 inserting in lieu thereof the following: "provisions
28 of section 235A.15 and 235A.21. The department may
29 subsequently transmit a written".
- 30 9. Page 7, by striking lines 39 through 47.
- 31 10. Page 8, by striking lines 11 through 47 and
32 inserting in lieu thereof the following: "subject
33 areas." "
- 34 11. Page 8, by inserting before line 48 the
35 following:
36 " . Page 5, line 4, by inserting after the word
37 "governor" the words "and shall not be located within
38 a current department or agency of the state".
- 39 12. Page 8, by inserting after line 50 the
40 following:
41 " . Page 10, line 19, by inserting after the
42 word "records" the words "of or provided to a local
43 board or the state board".
- 44 . Page 11, by striking line 2 and inserting
45 in lieu thereof the following: "Members of the state
46 and local boards and employees of the department who
47 disclose information or records of the board or
48 department, other than".
- 49 13. By striking page 9, line 3 through page 10,
50 line 28 and inserting in lieu thereof the following:

Page 2

- 1 " "Sec. . Section 237A.13, unnumbered paragraph".
- 2 14. Page 10, by striking lines 35 through 37 and
3 inserting in lieu thereof the following:
4 "NEW SUBSECTION. 5. Organizations and agencies
5 which serve day care facilities and any licensed or
6 registered facilities may apply for the funds."

7 15. Page 11, by striking lines 12 through 14 and
8 inserting in lieu thereof the following:

9 "5. Organizations and agencies which serve day
10 care facilities and any licensed or registered
11 facilities may apply for the funds."

12 16. Page 11, by striking lines 33 and 34 and
13 inserting in lieu thereof the following:

14 "237A.16 USE OF FUNDS. A child care center
15 Organizations and agencies which serve day care
16 facilities and licensed or registered facilities may
17 use funds received pursuant to this".

18 17. Page 11, line 37, by inserting after the word
19 "facility" the words "organization, or agency".

20 18. Page 11, line 41, by inserting after the word
21 "facilities" the words "organizations, or agencies".

22 19. Page 11, line 48, by inserting after the word
23 "facilities" the words "organizations, or agencies".

24 20. Page 12, line 1, by inserting after the word
25 "facility" the words "organization, or agency".

26 21. Page 12, by striking line 16 and inserting
27 in lieu thereof the following: "origin or to
28 organizations and agencies which serve day care
29 facilities." "

30 22. By striking page 12, line 17 through page
31 13, line 35 and inserting in lieu thereof the
32 following:

33 "12. Page 12, by inserting after line 8 the
34 following:

35 "Sec. . The twelve-hour training requirement".

36 23. Page 13, line 45, by inserting after the word
37 "requiring" the word "registered".

38 24. Page 13, by striking lines 47 and 48.

39 25. Page 14, by striking lines 2 through 10 and
40 inserting in lieu thereof the words "care financial
41 assistance funds to go to licensed and registered
42 child day care facilities and organizations and
43 agencies which serve day care facilities, and
44 establishing penalties." "

45 26. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-6335, to the House amendment.

Carl of Poweshiek 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. 2293)

The ayes were, 94:

| | | | |
|------------|--------------------------|------------------|------------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| Branstad | Buhr | Carl | Carpenter |
| Carter | Chapman | Chiodo | Clark |
| Cochran | Connolly | Connors | 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 | Loneragan |
| Maulsby | McIntee | McKean | Miller |
| Muhlbauer | Mullins | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poney | Renaud | Renken | Rensink |
| Rosenberg | Royer | Schneklath | Schroeder |
| Shoultz | Skow | Spear | Stromer |
| Stueland | Sturgeon | Sullivan | Swartz |
| Tabor | Tofte | Torrence | Van Camp |
| Van Maanen | Varn | Welden | Woods |
| Zimmerman | Mr. Speaker (Krewson) | | |

The nays were, 1:

Running

Absent or not voting, 5:

| | | | |
|------------|-------|---------|------------|
| Cooper | Menke | Sherzan | Swearingen |
| Van Gerpen | | | |

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

HOUSE REFUSED TO CONCUR

Carl of Poweshiek called up for consideration **House File 2430**, a bill for an act relating to the selection and operation of foster care review committees under the department of human services, amended by the Senate, and moved that the House concur in the following Senate amendment H-5962:

H—5962

1 Amend House File 2430, as passed by the House,
 2 as follows:
 3 1. Page 1, by inserting after line 16 the
 4 following:
 5 "Sec. 3. **NEW SECTION. 237.13 FOSTER PARENT**
 6 **TRAINING.** As a condition for initial licensure, each
 7 individual licensee shall complete twelve hours of
 8 foster parent training offered or approved by the
 9 department. The training shall include but not be
 10 limited to physical care, education, learning
 11 disabilities, referral to and receipt of necessary
 12 professional services, behavioral assessment and
 13 modification, self-assessment, self-living skills,
 14 and biological parent contact. An individual licensee
 15 may complete the training as part of an approved
 16 training program offered by a public or private agency
 17 with expertise in the provision of child foster care
 18 or in-related subject areas.
 19 Sec. 4. The twelve-hour training requirement in
 20 section 3 of this Act applies to all individuals
 21 licensed to provide child foster care on or after
 22 the effective date of this Act."

The motion lost and the House refused to concur in the Senate amendment H—5962.

SENATE AMENDMENTS CONSIDERED

Hughes of Union called up for consideration **House File 2100**, a bill for an act relating to the location and operation of anhydrous ammonia plants and defining nuisance as the term relates to the plants, amended by the Senate, and moved that the House concur in the following Senate amendment H—6084:

H—6084

1 Amend House File 2100 as amended, passed and
 2 reprinted by the House, as follows:
 3 1. By striking everything after the enacting
 4 clause and inserting in lieu thereof the following:
 5 "Section 1. Section 200.3, Code 1983, is amended
 6 by adding the following new subsections:
 7 **NEW SUBSECTION. 20.** "Anhydrous ammonia plant"
 8 means a facility used for the manufacture or
 9 distribution of the compound formed by the combination
 10 of two gaseous elements, nitrogen and hydrogen, in
 11 the proportion of one part nitrogen to three parts

12 hydrogen by volume.

13 NEW SUBSECTION. 21. "Established date of
14 operation" means the date on which an anhydrous ammonia
15 plant commenced operating. If the physical facilities
16 of the plant are subsequently expanded, the established
17 date of operation for each expansion is deemed to
18 be a separate and independent "established date of
19 operation" established as of the date of commencement
20 of the expanded operations. The commencement of
21 expanded operations does not divest the plant of a
22 previously established date of operation.

23 NEW SUBSECTION. 22. "Established date of
24 ownership" means the date of the recording of an
25 appropriate instrument of title establishing the
26 ownership of real estate.

27 NEW SUBSECTION. 23. "Rule" means a rule as defined
28 in section 17A.2 which materially affects the operation
29 of an anhydrous ammonia plant. The term includes
30 a rule which was in effect prior to July 1, 1984.

31 NEW SUBSECTION. 24. "Nuisance" means public or
32 private nuisance as defined by statute or by the
33 common law.

34 NEW SUBSECTION. 25. "Nuisance action or
35 proceeding" means an action, claim or proceeding
36 brought at law, in equity, or as an administrative
37 proceeding, which is based on nuisance.

38 NEW SUBSECTION. 26. "Owner" means the person
39 holding record title to real estate, and includes
40 both legal and equitable interest under recorded real
41 estate contracts.

42 Sec. 2. NEW SECTION. 200.21 COMPLIANCE—A DEFENSE
43 TO NUISANCE ACTIONS. In a nuisance action or
44 proceeding against an anhydrous ammonia plant brought
45 by or on behalf of the person whose established date
46 of ownership is subsequent to the established date
47 of operation of an anhydrous ammonia plant, proof
48 of compliance with applicable provisions of chapter
49 200 and applicable rules adopted pursuant to section
50 200.14 shall be a defense to a nuisance action or

Page 2

1 proceeding."

The motion prevailed and the House concurred in the Senate amendment H—6084.

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. 2100)

The ayes were, 94:

| | | | |
|-----------------|--------------------------|------------------|------------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| Branstad | Buhr | 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 |
| Hoffmann-Bright | Holveck | Hughes | Hummel |
| Jay | Jochum | Knapp | Koenigs |
| Lageschulte | Lloyd-Jones | Loneragan | 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 | Shoultz | Skow | Spear |
| Stromer | Stueland | Sturgeon | Swartz |
| Swearingen | Taber | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Varn | Woods |
| Zimmerman | Mr. Speaker (Krewson) | | |

The nays were, 2:

Tofte Welden

Absent or not voting, 4:

Carl Hermann Menke Sullivan

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

Woods of Polk called up for consideration **House File 2386**, a bill for an act relating to transportation programs by defining a public transit system, requiring coordinated funding and services, establishing criteria to determine compliance, and providing penalties for violations, amended by the Senate, and moved that the House concur in the following Senate amendment H-6083:

H-6083

1 Amend House File 2386 as amended and passed by
2 the House as follows:

3 1. Page 1, by inserting after line 30 the following
4 new subsection:

5 "NEW SUBSECTION. 8. "Transportation" means the
6 movement of individuals in a four or more wheeled
7 motorized vehicle, designed to carry passengers,
8 including a car, van, or bus, between one geographic
9 point and another geographic point. "Transportation"
10 does not include emergency or incidental trans-
11 portation or transportation conducted by the department
12 of human services at its institutions."

13 2. Page 1, line 31, by inserting after the figure
14 "601J.2," the words and figure "unnumbered paragraph
15 1 and".

16 3. Page 1, by inserting after line 32 the
17 following:

18 "The department may shall, at the request of a
19 state agency, political subdivision, or public transit
20 system or organization affected by this chapter,
21 provide to them the following technical transportation
22 assistance to the political subdivision:"

23 4. Page 2, by inserting after line 9 the following
24 new section:

25 "Sec. . Section 601J.3, unnumbered paragraph
26 1, Code 1983, is amended to read as follows:

27 The department may shall at the request of a
28 political subdivision, or public and private providers
29 of transportation services affected by this chapter
30 assist such the providers in the development of a
31 fiscal and service plan which may be used by political
32 subdivisions them to co-ordinate and consolidate all
33 forms of urban and rural transportation services
34 except public school transportation, including but
35 not limited to, the following:"

36 5. Page 2, line 14, by striking the word
37 "effecting" and inserting in lieu thereof the words
38 "effecting affecting".

39 6. Page 3, line 10, by inserting after the word
40 "subdivisions" the words "state agencies, and
41 organizations affected by this chapter".

42 7. Page 3, line 25, by inserting after the period
43 the words "The department shall receive comments from
44 the department of human services, commission on aging,
45 and the officers and agents of the other affected
46 state and local government units relative to the
47 department's analysis."

48 8. Page 3, line 26, by inserting after the word
49 "to" the words "adopt rules to".

50 9. Page 3, line 26, by inserting after the word

Page 2

1 "with" the words "and exceptions to".

2 10. Page 3, line 33, by striking the word "for"
3 and inserting in lieu thereof the words "which meet
4 the needs of".

5 11. Page 3, line 34, by striking the words "as
6 well as" and inserting in lieu thereof the words "and
7 insure services adequate to the needs of".

8 12. Page 4, line 16, by inserting after the word
9 "department" the following: ", except that services
10 provided by or purchased by the department of human
11 services, which include transportation, shall be
12 subject to section 601J.5, subsection 3, paragraph
13 c".

14 13. Page 4, line 20, by inserting after the period
15 the following: "The department of human services,
16 commission on aging, and the officers and agents of
17 other state and local governmental units shall assist
18 the department in carrying out section 601J.4,
19 subsections 1 and 2, insofar as the functions of these
20 respective officers and departments are concerned
21 with the health, welfare and safety of any recipient
22 of transportation services."

23 14. Page 4, line 22, by inserting after the word
24 "services" the words ", except public school trans-
25 portation.".

26 15. Page 5, line 11, by striking the words "Any
27 agency or organization which".

28 16. Page 5, by striking lines 12 through 17.

29 17. Page 5, line 24, by striking the words "any
30 funds" and inserting in lieu thereof the words "funds
31 for transportation purposes".

32 18. Page 5, by inserting after line 28 the
33 following:

34 "c. The department of human services shall not
35 purchase services from any provider which has been
36 denied a certificate of compliance with chapter 601J
37 from the department.

38 d. The department shall establish an appeal process
39 under chapter 17A which allows those agencies or
40 organizations determined to not be in compliance with
41 this chapter an opportunity for a timely hearing
42 before the department.

43 e. The department shall, in accordance with chapter
44 17A, adopt and enforce rules setting minimum standards
45 for determination of compliance and certification.
46 The rules and standards required by this section shall
47 be formulated in consultation with all affected state
48 agencies, local government units with professional
49 and consumer groups affected, and shall be designed
50 to further the accomplishment of the purposes of this

Page 3

1 chapter."
 2 19. Page 5, by inserting after line 28 the
 3 following new section:
 4 "Sec. . The department shall establish two
 5 pilot projects to evaluate the feasibility of
 6 developing area-wide ride-sharing programs. One pilot
 7 project shall be located in an urban area and the
 8 other in a rural area. The department shall coordinate
 9 its efforts with state and local agencies, existing
 10 transportation providers and planning agencies. The
 11 department shall consult with public and private
 12 organizations to ascertain ride-sharing needs and
 13 opportunities for client participation. Ride-sharing
 14 in privately-owned vehicles shall be included in the
 15 project. The department shall monitor the progress
 16 of the projects and report at least once annually
 17 to the general assembly and participating agencies.
 18 It is intended that if the pilot programs prove that
 19 ride-sharing is feasible, administration will be
 20 delegated to the urban and regional transit systems.
 21 The department shall implement in the pilot projects
 22 appropriate telecommunications and data processing
 23 technology to implement ride-sharing programs."
 24 20. Renumber sections and correct internal
 25 references as are necessary in accordance with this
 26 amendment.

The motion prevailed and the House concurred in the Senate amendment H-6083.

Woods 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. 2386)

The ayes were, 96:

| | | | |
|------------|----------|----------|-----------|
| 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 | Koenigs | Lageschulte | Lloyd-Jones |
| Lonergan | 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 | Shoultz | Skow | Spear |
| Stromer | Stueland | Sturgeon | Sullivan |
| Swearingen | Taber | Tofte | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Varn |
| Weiden | Woods | Zimmerman | Mr. Speaker (Krewson) |

The nays were, none.

Absent or not voting, 4:

| | | | |
|---------|-------|---------|--------|
| Maulsby | Menke | Sherzan | Swartz |
|---------|-------|---------|--------|

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 434**, a bill for an act authorizing cities to enter agreements to jointly invest public funds, amended by the Senate, and moved that the House concur in the following Senate amendment H—6303:

H—6303

- 1 Amend House File 434, as amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 3, by inserting after the word
- 4 "cities" the words "within the same county, or two
- 5 contiguous counties".
- 6 2. Page 1, line 9, by inserting after the word
- 7 "cities" the words "or counties".
- 8 3. Page 1, line 11, by inserting after the word
- 9 "section," the word "or".
- 10 4. Amend the title, line 1, by inserting after
- 11 the word "cities" the words "or counties".

The motion prevailed and the House concurred in the Senate amendment H—6303.

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. 434)

The ayes were, 96:

| | | | |
|------------|------------|------------------|--------------------------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Blak | Blanshan | Brammer |
| Branstad | Buhr | Carl | Carpenter |
| Carter | Chapman | Chiодо | 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 |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellett | Poncy | Renaud | Rensink |
| Rosenberg | Royer | Running | Schnekloth |
| Shoultz | Skow | Spear | Stromer |
| Stueland | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Tofte | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Varn |
| Welden | Woods | Zimmerman | Mr. Speaker (Krewson) |

The nays were, 2:

Renken Schroeder

Absent or not voting, 2:

Menke Sherzan

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

Fey of Scott called up for consideration **House File 2437**, a bill for an act relating to the regulation of advanced emergency medical technicians and paramedics and providing a penalty, amended by

the Senate, and moved that the House concur in the following Senate amendment H—6329:

H—6329

1 Amend House File 2437 as amended, passed and
 2 reprinted by the House, as follows:
 3 1. Page 7, by striking lines 8 through 13 and
 4 inserting in lieu thereof the following:
 5 "d. Employed by or assigned to a hospital as a
 6 member of an authorized ambulance service or rescue
 7 squad for prehospital care to perform nonlifesaving
 8 procedures for which those individuals have been
 9 trained and are designated in a written job
 10 description. Such procedures may be performed after
 11 the patient is observed by and when the advanced EMT
 12 or paramedic is under the supervision of the physician
 13 or registered nurse and where the procedure may be
 14 immediately abandoned without risk to the patient."

The motion prevailed and the House concurred in the Senate amendment H—6329.

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. 2437)

The ayes were, 89:

| | | | |
|------------------|------------|-----------------|------------------|
| Anderson | Arnould | Avenson | 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 | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. A. |
| Halvorson, R. N. | Hammond | Hanson | Harbor |
| Haverland | Hermann | Hoffmann-Bright | Holveck |
| Hughes | Hummel | Jay | Jochum |
| Knapp | Koenigs | Lageschulte | Lloyd-Jones |
| McIntee | McKean | Miller | Muhlbauer |
| Mullins | Norland | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Paulin |
| Pavich | Peick | Poncy | Renaud |
| Renken | Rensink | Rosenberg | Royer |
| Running | Schnekloth | Schroeder | Sherzan |

| | | | |
|--------------------------|----------|----------|------------|
| Shultz | Spear | Stromer | Stueland |
| Sturgeon | Sullivan | Swartz | Swearingen |
| Tabor | Tofte | Torrence | Van Camp |
| Van Gerpen | Varn | Woods | Zimmerman |
| Mr. Speaker (Krewson) | | | |

The nays were, 9:

| | | | |
|------------|---------|---------|---------|
| Branstad | Daggett | Grandia | Handorf |
| Loneragan | Maulsby | Pellet | Skow |
| Van Maanen | | | |

Absent or not voting, 2:

| | |
|-------|--------|
| Menke | Welden |
|-------|--------|

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 2516**, a bill for an act to provide funding for the removal or encapsulation of asbestos by school districts, amended by the Senate, and moved that the House concur in the following Senate amendment H—6367:

H—6367

1 Amend House File 2516, as amended, passed and re-
 2 printed by the House as follows:
 3 1. Page 1, by striking lines 1 through 31 and
 4 inserting in lieu thereof the following:
 5 "Section 1. **NEW SECTION. 279.43 OPTIONAL FUNDING**
 6 **OF ASBESTOS REMOVAL OR ENCAPSULATION.**
 7 1. The board of directors may pay the actual cost
 8 of removal or encapsulation of asbestos existing in
 9 its school buildings from any funds in the general
 10 fund of the district, funds received from the
 11 schoolhouse tax authorized under section 278.1,
 12 subsection 7, or funds from the tax levy certified
 13 under section 297.5.
 14 2. The board of directors may also submit a
 15 proposal to the qualified electors of the school
 16 district at a regular school election held in
 17 September, 1984 or at a special election held not
 18 later than February 15, 1985, to authorize an
 19 additional tax levy to pay the actual cost of an
 20 asbestos removal or encapsulation project.
 21 3. The election proposal shall include the
 22 following two parts:

23 a. Shall a tax levy be certified for not more
24 than three consecutive years to pay the actual costs
25 of the asbestos removal or encapsulation project?

26 b. If a tax levy is authorized by the electorate,
27 which of the following tax methods shall be used to
28 pay for the project:

29 (1) A property tax sufficient to pay the actual
30 costs of the project.

31 (2) A combination of an enrichment property tax
32 and a school district income surtax certified and
33 levied as provided in sections 442.14 through 442.20.

34 c. If a property tax levy is selected under
35 paragraph "b", subparagraph (1), the levy shall be
36 certified for not more than three consecutive years
37 commencing not later than March 15, 1985 and ending
38 not later than March 15, 1987.

39 d. If a combination of an enrichment property
40 tax and a school district income surtax is selected,
41 the amount of tax revenue raised shall not exceed
42 the actual cost of the removal or encapsulation of
43 the asbestos or the maximum amount which may be raised
44 by the levy of the combination of the taxes for the
45 three school years beginning July 1, 1985 and ending
46 July 1, 1987 as determined under section 442.14,
47 subsections 3 and 4, whichever amount is less.

48 4. If a majority of the qualified electors voting
49 for and against the tax authorization proposed under
50 subsection 3, paragraph "a", favor the certification

Page 2

1 of a tax levy, the tax method receiving the largest
2 number of votes under subsection 3, paragraph "b",
3 shall be used to pay the actual costs of the removal
4 or encapsulation project.

5 5. The taxes certified for levy under this section
6 are in addition to any other taxes or additional
7 enrichment amount raised for other programs as provided
8 by law.

9 6. Nothing in sections 442.14 through 422.20 or
10 this section shall be construed to require more than
11 one favorable election to authorize the use of a
12 property tax or the combination of an enrichment
13 property tax and a school district income surtax to
14 pay the actual cost of an asbestos removal or encapsul-
15 ation project under this section."

16 2. Page 1, line 35, by striking the word and
17 number "or 279.44".

18 3. By renumbering sections as necessary.

The motion prevailed and the House concurred in the Senate amendment H-6367.

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. 2516)

The ayes were, 95:

| | | | |
|------------------|-------------|--------------------------|------------------|
| Anderson | Arnould | Avenson | Baxter |
| Black | Blanshan | Brammer | Branstad |
| 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. A. |
| Halvorson, R. N. | Hammond | Handorf | Hanson |
| Harbor | Haverland | Hermann | Hoffmann-Bright |
| Holveck | Hughes | Hummel | Jay |
| Jochum | Knapp | Koenigs | Lageschulte |
| Lloyd-Jones | Lonerган | Maulsby | McIntee |
| McKean | Miller | Muhlbauer | Mullins |
| Norland | O'Kane | Ollie | Osterberg |
| Oxley | Parker | Paulin | Pavich |
| Peick | Pellett | Poncy | Renaud |
| Renken | Rensink | Rosenberg | Royer |
| Running | Schneklloth | 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 (Krewson) | |

The nays were, 2:

Bennett Grandia

Absent or not voting, 3:

Connors Menke Welden

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

HOUSE REFUSED TO CONCUR

Chapman of Linn called up for consideration **Senate File 2238**, a bill for an act making Code corrections which strike or replace incor-

rect references, strike expired provisions, and make statutes consistent, including statutes relating to penalties, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—6214, to the House amendment:

H—6214

- 1 Amend the House amendment S—5759 to Senate File
- 2 2238 as amended, passed and reprinted by the Senate
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 24.

The motion lost and the House refused to concur in the Senate amendment H—6214.

Koenigs of Mitchell called up for consideration **Senate File 2298**, a bill for an act to require the state department of transportation to include all federal funds in its annual or biennial budget which funds are subject to appropriation to the department, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—6261 to the House amendment:

H—6261

- 1 Amend the House amendment S—5656 to Senate File
- 2 2298 as follows:
- 3 1. Page 1, by striking lines 11 through 41 and
- 4 inserting in lieu thereof the following:
- 5 "Sec. 2. Section 8.22, subsection 2, lettered
- 6 paragraph e, Code 1983, is amended to read as follows:
- 7 e. A statement of federal funds received in the
- 8 form of block or categorical grants which were not
- 9 included in the governor's budget for the previous
- 10 fiscal biennium and a statement of anticipated block
- 11 grants and categorical grants. The budget shall
- 12 indicate how the federal funds will be used and the
- 13 programs to which they will be allocated. The amount
- 14 of state funds required to implement the programs
- 15 to which the federal funds will apply shall also be
- 16 indicated. The departments shall provide information
- 17 to the comptroller on the anticipated federal block
- 18 grants and categorical grants to be received on or
- 19 before November 1 of each year. The comptroller shall
- 20 use this information to develop an annual update of
- 21 the statement of federal funds received which shall
- 22 be provided to the general assembly."

The motion prevailed and the House concurred in the Senate amendment H-6261.

Koenigs of Mitchell 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. 2298)

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 | Koenigs | Lageschulte | Lloyd-Jones |
| Loneragan | Maulsby | McIntee | McKean |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellett | Poncy | Renaud | Renken |
| Rensink | Rosenberg | Royer | Running |
| Schneklath | 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 (Krewson) | |

The nays were, none.

Absent or not voting, 1:

Menke

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: Senate Files 2169, 2238, and 2268 and House File 2430.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 2334.

Speaker Avenson in the chair at 3:27 p.m.

CONSIDERATION OF BILLS

Appropriations Calendar

Senate File 2334, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1984 and ending June 30, 1985 and making a supplemental appropriation to the department of health for reallocation to the state board of regents for certain programs under the Iowa specialized child health care services for the fiscal year beginning July 1, 1983 and ending June 30, 1984, and providing an effective date, with report of committee recommending amendment and passage was taken up for consideration.

Lonergan of Boone offered the following amendment H-6372 filed by the committee on appropriations:

H-6372

- 1 Amend Senate File 2334 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 4, line 4, by striking the figure "350,717"
- 4 and inserting in lieu thereof the figure "347,867".
- 5 2. Page 4, line 28, by striking the figure
- 6 "961,967" and inserting in lieu thereof the figure
- 7 "959,347".
- 8 3. Page 5, lines 26 and 27, by striking the words
- 9 "which do not comply with federal guidelines".
- 10 4. Page 6, line 10, by striking the figure
- 11 "1,460,125" and inserting in lieu thereof the figure

12 "1,408,125".

13 5. Page 6, line 26, by striking the figure
14 "130,087" and inserting in lieu thereof the figure
15 "106,087".

16 6. Page 6, line 28, by striking the figure
17 "109,275" and inserting in lieu thereof the figure
18 "81,275".

19 7. Page 7, by striking lines 13 through 28.

20 8. Page 7, by inserting before line 29 the
21 following:

22 "It is the intent of the general assembly to no
23 longer fund the childhood cancer diagnostic and
24 treatment network program, the rural comprehensive
25 care for hemophilia patients program, and the high
26 risk infant follow-up program with public health funds
27 appropriated by the joint human resources
28 appropriations subcommittee following the fiscal year
29 beginning July 1, 1984 and ending June 30, 1985."

30 9. Page 14, by inserting after line 23 the
31 following:

32 "The department shall also review the first ten
33 months' expenditures for each county in May of each
34 year, to determine if any counties have contracted
35 funds which they do not anticipate spending. If such
36 funds are identified and the county agrees to release
37 the funds, the released funds will be considered a
38 new reallocation pool. The department may, prior
39 to June 1 of each year, reallocate funds from this
40 new reallocation pool to those counties which have
41 experienced a high utilization of protective service
42 hours for children and dependent adults."

43 10. Page 16, by inserting after line 9 the
44 following:

45 "Sec. . Section 135.11, Code Supplement 1983,
46 is amended by adding the following new subsection:
47 NEW SUBSECTION. 19. Administer the statewide
48 maternal and child health program and the crippled
49 children program by conducting mobile and regional
50 health specialty clinics and conducting other

Page 2

1 activities to improve the health of low-income women
2 and children and to promote the welfare of children
3 with handicapping conditions and chronic illnesses
4 in accordance with the requirement of Title V of the
5 federal Social Security Act and amendments thereto."

6 11. By striking page 16, line 10 through page
7 17, line 10.

8 12. Page 17, line 15, by striking the words and
9 figures "Sections 5, 7, and 8" and inserting in lieu

- 10 thereof the following: "Section 4, subsection 7,
 11 paragraph c, unnumbered paragraph 9".
 12 13. Title page, by striking lines 5 through 9
 13 and inserting in lieu thereof the following: "1984
 14 and ending June 30, 1985, and".

Norland of Worth asked and received unanimous consent to temporarily defer action on the committee amendment H-6372.

Schroeder of Pottawattamie offered the following amendment H-6299 filed by him and moved its adoption:

H-6299

- 1 Amend Senate File 2334 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by striking lines 2 and 3 and inserting
 4 in lieu thereof the following: "of the state to the
 5 commission on the aging for each of the fiscal years
 6 beginning July 1, 1984 and July 1, 1985, the".
 7 2. Page 1, by striking lines 6 and 7.
 8 3. Page 2, by striking lines 9 and 10 and inserting
 9 in lieu thereof the following: "the state for each
 10 of the fiscal years beginning July 1, 1984 and July
 11 1, 1985, the following amounts, or so much thereof".
 12 4. Page 2, by striking lines 13 and 14.
 13 5. Page 3, by striking lines 9 and 10 and inserting
 14 in lieu thereof the following: "the state for each
 15 of the fiscal years beginning July 1, 1984 and July
 16 1, 1985, the following amounts, or so much thereof".
 17 6. Page 3, by striking lines 13 and 14.
 18 7. Page 4, by striking lines 16 and 17 and
 19 inserting in lieu thereof the following: "the state
 20 to the state department of health for each of the
 21 fiscal years beginning July 1, 1984 and July 1, 1985,
 22 the".
 23 8. Page 4, by striking lines 20 and 21.
 24 9. Page 6, by striking lines 13 and 14 and
 25 inserting in lieu thereof the following: "two hundred
 26 twenty-eight (566,228) dollars for each of the fiscal
 27 years beginning July 1, 1984 and July 1, 1985, for".
 28 10. Page 7, line 15, by inserting after the word
 29 "services" the following: "for the fiscal year
 30 beginning July 1, 1984 and ending June 30, 1985".
 31 11. Page 7, line 16, by inserting after the figure
 32 "1985" the following: "and for the fiscal year
 33 beginning July 1, 1985 and ending June 30, 1986 shall
 34 revert June 30, 1986".
 35 12. Page 7, by striking lines 19 and 20 and
 36 inserting in lieu thereof the following: "to other

37 programs during each of the fiscal years beginning
38 July 1, 1984 and July 1, 1985. It is the intent of
39 the general". /
40 13. Page 8, by striking lines 14 and 15 and
41 inserting in lieu thereof the following: "five hundred
42 seven (939,507) dollars for each of the fiscal years
43 beginning July 1, 1984 and July 1, 1985 for the".
44 14. Page 14, by striking lines 30 and 31 and
45 inserting in lieu thereof the following: "the state
46 to the Iowa department of veterans affairs for each
47 of the fiscal years beginning July 1, 1984 and July
48 1, 1985,".
49 15. Page 14, by striking lines 34 and 35.
50 16. Page 15, line 15, by inserting after the

Page 2

1 figure "1985" the following: "and July 15, 1986".
2 17. Title page, by striking lines 4 and 5 and
3 inserting in lieu thereof the following:
4 "disadvantaged persons for each of the fiscal years
5 beginning July 1, 1984 and July 1, 1985 and making
6 a supplemental ap".

Amendment H—6299 lost.

The House resumed consideration of the committee amendment H—6372, temporarily deferred.

Sturgeon of Woodbury offered the following amendment H—6405, to the committee amendment H—6372, filed by him from the floor and moved its adoption:

H—6405

1 Amend amendment H—6372 to Senate File 2334 as
2 follows:
3 1. Page 2, by inserting after line 7, the
4 following:
5 " . Page 17, by inserting before line 11, the
6 following:
7 "Sec. 100. 1983 Iowa Acts, chapter 206, section
8 4, paragraph c, is amended by adding the following
9 new unnumbered paragraph:
10 NEW UNNUMBERED PARAGRAPH. The department shall
11 also review the first ten months' expenditures for
12 each county in May of each year, to determine if any
13 counties have contracted funds which they do not
14 anticipate spending. If such funds are identified

15 and the county agrees to release the funds, the
 16 released funds will be considered a new reallocation
 17 pool. The department may, prior to June 1 of each
 18 year, reallocate funds from this new reallocation
 19 pool to those counties which have experienced a high
 20 utilization of protective service hours for children
 21 and dependent adults." "

22 2. Page 2, by striking lines 9 through 11 and
 23 inserting in lieu thereof the following: "figures
 24 "Sections 5, 7, and 8 of this Act take" and inserting
 25 in lieu thereof the following: "Section 100 of this
 26 Act takes"."

27 3. By renumbering as necessary.

Amendment H—6405 was adopted.

On motion by Lonergan of Boone, the committee amendment
 H—6372, as amended, 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?" (S.F. 2334)

The ayes were, 88:

| | | | |
|-------------|------------------|------------------|-------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Buhr |
| Carl | Carpenter | Carter | Chiodo |
| Clark | Cochran | Connolly | Cooper |
| Gopenhaver | Corey | Daggett | Davitt |
| De Groot | Diemer | Doderer | Fey |
| Fogarty | Groninga | Gronstal | Groth |
| Gruhn | Halvorson, R. A. | Halvorson, R. N. | Hammond |
| Handorf | Hanson | Harbor | Hermann |
| 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 | Poney | Renaud |
| Rensink | Rosenberg | Running | Schroeder |
| Sherzan | Shultz | Skow | Spear |
| Stromer | Stueland | Sturgeon | Sullivan |
| Swartz | Swearingen | Tabor | Tofte |
| Torrence | Van Camp | Van Gerpen | Varn |
| Welden | Woods | Zimmerman | Mr. Speaker |

The nays were, 7:

| | | | |
|----------|------------|-----------------|---------|
| Branstad | Grandia | Hoffmann-Bright | Maulsby |
| Renken | Schneklath | Van Maanen | |

Absent or not voting, 5:

| | | | |
|---------|---------|-----------|-------|
| Chapman | Connors | Haverland | Menke |
| Royer | | | |

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 2334)

Norland of Worth asked and received unanimous consent to immediately message Senate File 2334 to the Senate.

The House stood at ease at 3:54 p.m., until the fall of the gavel.

The House resumed session at 3:59 p.m., Speaker Avenson in the chair.

INTRODUCTION OF BILL

House File 2529, by committee on appropriations, a bill for an act creating a petroleum overcharge fund in the state treasury and appropriating money from the fund.

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

ADOPTION OF SENATE CONCURRENT RESOLUTION 114

Jay of Appanoose called up for consideration Senate Concurrent Resolution 114, relating to the Taxpayer Antitrust Enforcement Act, and moved its adoption.

The motion prevailed and the resolution was adopted.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 2342.

Ways and Means Calendar

Senate File 2342, a bill for an act relating to regional transit systems by defining the systems to include systems which receive state or federal funds, by providing motor fuel and special fuel tax exemptions for these systems, and by providing free registration plates and validation stickers for these systems, with report of committee recommending passage was taken up for consideration.

The following amendment H—6398 filed by Koenigs of Mitchell from the floor was adopted by unanimous consent:

H—6398

- 1 Amend Senate File 2342, as passed by the Senate
- 2 as follows:
- 3 1. Page 4, line 3, by inserting after the word
- 4 "system" the words "or regional transit system".

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. 2342)

The ayes were, 92:

| | | | |
|-----------------|------------------|------------------|-----------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Clark | Cochran | Connolly |
| 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 | Koenigs |
| Krewson | Lageschulte | Lloyd-Jones | Loneragan |
| Maulsby | McIntee | McKean | Miller |
| Muhlbauer | Mullins | Norland | O'Kane |
| 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
Van Camp
Welden

Tabor
Van Gerpen
Woods

Tofte
Van Maanen
Zimmerman

Torrence
Varn
Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Chiodo
Haverland

Connors
Menke

Doderer
Ollie

Groninga
Rensink

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

IMMEDIATE MESSAGE (Senate File 2342)

Norland of Worth asked and received unanimous consent to immediately message Senate File 2342 to the Senate.

On motion by Norland of Worth, the House was recessed at 4:07 p.m., until 6:00 p.m.

EVENING 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 sixty-three members present, thirty-seven 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, by approval on April 18, 1984, requested the House of Representatives to return to the Senate, for further action, Senate File 2215, a bill for an act to provide for the issuance of an extracurricular contract by school boards, to set criteria for receipt of the contract, including the establishment of a coaching authorization, and to provide for termination of the extracurricular contract.

Also: That the Senate has on April 18, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2332, a bill for an act relating to the Iowa housing finance authority by changing the definitions of "small business" and "dominant in its field of operation" for the small business loan program and increasing the bond capacity.

Also: That the Senate has on April 18, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2356, a bill for an act to allow the use of special railroad facility fund moneys for purchase or upgrading railroad right of way and trackage facilities for development of railroad passenger tourism.

Also: That the Senate has on April 18, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2357, a bill for an act creating a petroleum overcharge fund in the state treasury and appropriating money from the fund.

Also: That the Senate has on April 18, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2358, a bill for an act relating to job training by establishing an Iowa job training and coordination program and making an appropriation.

K. MARIE THAYER, Secretary

SENATE MESSAGES CONSIDERED

Senate File 2357, by committee on appropriations, a bill for an act creating a petroleum overcharge fund in the state treasury and appropriating money from the fund.

Read first time and **passed on file**.

Senate File 2358, by committee on appropriations, a bill for an act relating to job training by establishing an Iowa job training and coordination program and making an appropriation.

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

RULE 50 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 50 for a meeting of the committee on finance to meet while the House is in session and those members be allowed to vote on record roll calls provided it does not change the outcome.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Torrence of Muscatine, for the remainder of the evening, on request of Van Camp of Scott.

The House stood at ease at 6:18 p.m., until the fall of the gavel.

The House resumed session at 6:32 p.m., Speaker Avenson in the chair.

SENATE MESSAGES CONSIDERED

Senate File 2332, by Junkins and Hultman, a bill for an act relating to the Iowa housing finance authority by changing the definitions of "small business" and "dominant in its field of operation" for the small business loan program and increasing the bonding capacity.

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

Senate File 2356, by Junkins and Hultman, a bill for an act to allow the use of special railroad facility fund moneys for purchase or upgrading railroad right of way and trackage facilities for development of railroad passenger tourism.

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

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (House File 406)

Black of Jasper called up for consideration the report of the conference committee on House File 406 as follows and moved the adoption of the conference committee report and the amendments contained therein:

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE FILE 406

To the President of the Senate and the Speaker of the House.

We, the undersigned members of the Conference Committee appointed to consider the differences between the House and the Senate on 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 respectfully make the following report:

1. That the Senate amendment H—5227 to House File 406 as amended, passed and reprinted by the House be amended as follows:

1. Page 2, line 1, by striking the figure "8.00" and inserting in lieu thereof the figure "5.50".

2. Page 3, line 50, by inserting after the word "county." the words "The licenses shall show the cost of the license and issuing fee.".

3. Page 4, by striking lines 1 through 25 and inserting in lieu thereof the following:

"Sec. 6. Section 110.11, Code 1983, is amended to read as follows:

110.11 DEPOSITARIES—BOND. The county recorder may designate various depositaries for the sale of such licenses other than the office of the county recorder. The director may designate depositaries other than those designated by the recorders of the various counties but in so doing the interest of the state shall be fully protected either by a sufficient cash deposit or a satisfactory bond. Depositaries designated by the county recorder or the director may have the privilege of charging an additional twenty-five cents for each license to be retained for the service rendered in issuing the license.

Sec. 7. Section 110.12, unnumbered paragraph 2, Code Supplement 1983, is amended by striking the paragraph and inserting in lieu thereof the following:

Depositaries designated by the county recorder or the director shall retain twenty-five cents from the sale of each license for the service rendered in issuing the license. The county recorder shall retain a writing fee of fifty cents from the sale of each license sold by the county recorder's office and a writing fee of twenty-five cents from the sale of each license sold by a depositary designated by the county recorder. The writing fees retained by the county recorder shall be deposited in the general fund of the county. A depositary and county recorder shall not retain any amount from the sale of trout stamps, habitat stamps, and waterfowl stamps."

4. Page 6, by striking lines 1 through 7 and inserting in lieu thereof the following:

"Sec. 14. This Act takes effect December 15 following enactment."

ON THE PART OF THE HOUSE:

DENNIS BLACK, Chair
MARVIN DIEMER
WILLIAM SULLIVAN
DAVID TABOR
SEMOR TOFTE

ON THE PART OF THE SENATE:

BASS VAN GILST, Chair
HURLEY W. HALL
FORREST V. SCHWENGELS
DALE L. TIEDEN

The motion prevailed and the report 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. 406)

The ayes were, 69:

| | | | |
|-------------|------------------|------------------|-----------------|
| Arnould | 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. A. | Halvorson, R. N. | Hammond |
| Handorf | Hanson | Harbor | Hoffmann-Bright |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lageschulte |
| Lloyd-Jones | McIntee | McKean | Miller |
| Muhlbauer | Mullins | Norland | Ollie |
| Osterberg | Parker | Pavich | Peick |
| Poncy | Renaud | Rosenberg | Royer |
| Schroeder | Sherzan | Shoultz | Spear |
| Stromer | Sullivan | Swartz | Tabor |
| Tofte | Van Gerpen | Varn | Zimmerman |
| Mr. Speaker | | | |

The nays were, 26:

| | | | |
|----------|------------|----------|------------|
| Anderson | Bennett | Branstad | Carpenter |
| Corey | De Groot | Grandia | Hermann |
| Hummel | Loneragan | Maulsby | Oxley |
| Paulin | Pellet | Renken | Rensink |
| Running | Schneklath | Skow | Stueland |
| Sturgeon | Swearingen | Van Camp | Van Maanen |
| Welden | Woods | | |

Absent or not voting, 5:

| | | | |
|----------|-----------|-------|--------|
| Daggett | Haverland | Menke | O'Kane |
| Torrence | | | |

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

Appropriations Calendar

House File 2528, a bill for an act relating to the administration and benefits of certain public retirement and benefit systems and to make an appropriation, was taken up for consideration.

Cochran of Webster offered the following amendment H-6400 filed from the floor by him and Clark of Cerro Gordo:

H-6400

1 Amend House File 2528 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 4.1, Code 1983, is amended
5 by adding the following new subsection:
6 **NEW SUBSECTION. ATTAINMENT OF AGE.** An individual
7 attains any given age on the date before the
8 anniversary of the individual's birth."

9 2. Page 2, by inserting after line 6 the following:

10 "Sec. . Section 97B.11, Code 1983, is amended
11 to read as follows:

12 **97B.11 CONTRIBUTIONS BY EMPLOYER AND EMPLOYEE.**

13 Each employer shall deduct from the wages of each
14 member of the system a contribution in the amount
15 of three and six-tenths percent of the covered wages
16 paid by the employer through June 30, 1979, and
17 commencing July 1, 1979 in the amount of three and
18 seven-tenths percent of the covered wages paid by
19 the employer, until the first of the month in date
20 on which the member attains the age of seventy years
21 or the member's termination or retirement from
22 employment, whichever is earlier. The contributions
23 of the employer shall be in the amount of three and
24 one-half percent of the covered wages of the member
25 for service through December 31, 1975, and in the
26 amount of five and twenty-five hundredths percent
27 of the covered wages of the member for service
28 commencing July 1, 1977 through June 30, 1979, and
29 in the amount of five and seventy-five hundredths
30 percent of the covered wages of the member for service
31 commencing July 1, 1979.

32 Sec. . Section 97B.41, subsection 1, paragraph
33 b, subparagraph (7), Code Supplement 1983, is amended
34 to read as follows:

35 (7) Effective July 1, 1978 1984, covered wages
36 shall do not include wages to a member on or after
37 the first of the month in date on which the member
38 attains the age of seventy years, or after the
39 effective date of the member's retirement unless the
40 member is re-employed, as provided under section
41 97B.48, subsection 3."

42 3. Page 3, by inserting after line 1 the following:

43 "Sec. . Section 97B.41, subsection 18, Code
44 1983, is amended to read as follows:

45 18. "Membership service" means service rendered
46 by a member after July 4, 1953, and prior to the first
47 of the month in date on which the member attains the
48 age of seventy years. Years of membership service
49 shall be counted to the complete quarter calendar
50 year.

Page 2

1 Sec. Section 97B.45, Code 1983, is amended
2 to read as follows:
3 97B.45 RETIREMENT AGE AT SIXTY-FIVE. A member's
4 normal retirement date shall be is the first of the
5 month in which day on which a member attains the age
6 of sixty-five years. A member may retire after the
7 member's sixty-fifth birthday except as otherwise
8 provided in section 97B.46. A member retiring on
9 or after the normal retirement date, as provided in
10 section 97B.46, shall submit a written notice to the
11 department setting forth the date the retirement is
12 to become effective, provided that such. However,
13 the date shall be after the member's last day of
14 service and not before the first day of the sixth
15 calendar month a date six calendar months preceding
16 the month in which the notice is filed, except that
17 credit for service shall cease when contributions
18 cease as provided in section 97B.11.

19 Sec. Section 97B.46, subsections 1, 2, and
20 4, Code 1983, are amended to read as follows:
21 1. A member who is an employee of the state and
22 not an active member of any other another retirement
23 system in the state which is maintained in whole or
24 in part by public contributions may remain in service
25 beyond the date the member attains the age of sixty-
26 five. The employee shall retire on the first day
27 of the month after the last day of service. The
28 employer shall not consider age as a factor in
29 determining the continuation of the member's service.
30 2. A member who is not an employee of the state
31 may remain in service beyond the date the member
32 attains the age of sixty-five until attaining the
33 age of seventy. After attaining the age of seventy,
34 the member may remain in service for the periods as
35 the employer approves and the member shall retire
36 on the first day of the month following the last
37 approved period date of service. An employer who
38 is not the state may adopt policies which prescribe
39 retirement at age seventy or older.

40 4. Credit for service shall cease when
41 contributions cease as provided by section 97B.11.
42 A member remaining in service after attaining the
43 age of seventy years is entitled to receive a
44 retirement allowance under section 97B.49 as applicable
45 commencing with payment for the calendar month within
46 which date specified on the written notice is submitted
47 to the department, except that if the member fails
48 to submit the notice on a timely basis, retroactive
49 payments shall be made for no more than six months
50 immediately preceding the month in which specified

Page 3

1 date on the written notice is submitted.

2 Sec. . Section 97B.47, Code 1983, is amended
3 to read as follows:

4 97B.47 EARLY RETIREMENT DATE. A member's early
5 retirement date ~~shall be~~ is the first of the month
6 in which a day on which the member attains the age
7 of fifty-five years or the first of any month any
8 time after attaining the age of fifty-five years prior
9 to the member's normal retirement date, provided such
10 date shall be after the last day of service. A member
11 may retire on the member's early retirement date by
12 submitting written notice to the department setting
13 forth the early retirement date which shall not be
14 before the first day of the sixth calendar month more
15 than six months preceding the month in which such
16 notice is filed date specified in the notice.

17 Sec. . Section 97B.48, Code 1983, is amended
18 to read as follows:

19 97B.48 PAYMENT OF ALLOWANCES—RE-EMPLOYMENT.

20 1. Retirement allowances shall be paid monthly
21 on a date specified by the department, except that
22 an allowance of less than one hundred twenty dollars
23 a year shall be paid as a lump sum in an actuarial
24 equivalent amount. Receipt of the lump-sum payment
25 by a member shall terminate any and all terminates
26 the entitlement for the period of service covered
27 of the said member under this chapter.

28 2. The first ~~monthly~~ payment of a normal retirement
29 allowance shall be paid as of the normal retirement
30 effective date, which date shall be the later of the
31 ~~normal retirement date or the first day of the sixth~~
32 ~~calendar month date~~ six calendar months preceding
33 the month in date on which written notice of normal
34 retirement is submitted to the department. Payment
35 of an early retirement allowance or an allowance for
36 retirement after the normal retirement date shall
37 be paid as of the effective date of retirement subject
38 to the provisions of section 97B.45, 97B.46 or 97B.47.
39 The payments shall be continued thereafter for the
40 lifetime of the retired member except as provided
41 in subsection 3.

42 3. If after the first day of the month in date
43 on which the member attains the age of fifty-five
44 years and until the member's sixty-fifth birthday,
45 a member who is retired under this chapter is in
46 regular full-time employment, the member's retirement
47 allowance shall be suspended for as long as the member
48 remains in employment. However, employment shall
49 not be regarded as full-time employment until the
50 member receives remuneration in an amount in excess

Page 4

1 of two thousand one hundred dollars for a calendar
2 year. Effective the first of the month in which day
3 on which a member attains the age of sixty-five years,
4 a retired member may receive a retirement allowance
5 after return to covered employment regardless of the
6 amount of remuneration received. As of the first
7 of the month in which the Effective the day on which
8 a member attains the age of seventy years, the member
9 may receive a retirement allowance determined under
10 section 97B.49, regardless of the amount of
11 remuneration received. Upon a retirement after re-
12 employment, a retired member may have the retired
13 member's retirement allowance redetermined under this
14 section or section 97B.49 or 97B.50, whichever is
15 applicable, based upon the addition of credit for
16 the years of membership service of the employee after
17 re-employment."

18 4. Page 5, by inserting after line 7 the following:
19 "Sec. . Section 97B.53, subsection 2, Code
20 1983, is amended to read as follows:

21 2. If a vested member's employment is terminated
22 prior to the member's retirement, other than by death,
23 the member shall receive a monthly retirement allowance
24 commencing on the first day of the month in on which
25 the member attains the age of sixty-five years, if
26 the member is then alive, or, if the member so elects
27 in accordance with section 97B.47, commencing on the
28 first day of the month in which day on which the
29 member attains the age of fifty-five or any month
30 date thereafter prior to the date the member attains
31 the age of sixty-five years, and continuing on the
32 first day of each month monthly thereafter during
33 the member's lifetime, provided the member does not
34 receive prior to the date the member's retirement
35 allowance is to commence a refund of accumulated
36 contributions under any of the provisions of this
37 chapter. The amount of each such monthly retirement
38 allowance shall be determined as provided in either
39 section 97B.49 or in section 97B.50, whichever is
40 applicable."

41 5. By numbering and renumbering as necessary.

Tabor of Jackson rose on a point of order that amendment
H-6400 was not germane.

The Speaker ruled the point well taken and amendment
H-6400 not germane.

Doderer of Johnson offered the following amendment H-6390 filed by her and moved its adoption:

H-6390

- 1 Amend House File 2528 as follows:
- 2 1. Page 1, line 7, by inserting after the figure
- 3 "1984" the following: ", except as otherwise provided
- 4 in this subsection".
- 5 2. Page 1, by inserting after line 10 the
- 6 following:
- 7 "A person eligible to receive benefits under this
- 8 chapter on June 30, 1984, may elect in writing to
- 9 the Iowa department of job service not to receive
- 10 the monthly benefit increase granted in this
- 11 subsection."
- 12 3. Page 7, by inserting after line 19 the
- 13 following:
- 14 "However, a person receiving retirement allowance
- 15 payments under this section may elect in writing to
- 16 the Iowa department of job service to continue to
- 17 receive two hundred dollars per month."

Amendment H-6390 was adopted.

Schroeder of Pottawattamie offered amendment H-6383 filed by him and requested division as follows:

H-6383

- 1 Amend House File 2528 as follows:

H-6383A

- 2 1. Page 1, by striking lines 3 through 10 and
- 3 inserting in lieu thereof the following:
- 4 "NEW SUBSECTION. 9. Effective July 1, 1984 the
- 5 monthly benefits paid under this chapter shall not
- 6 be less than one hundred fifty dollars."

H-6383B

- 7 2. By striking page 1, line 16, through page 2,
- 8 line 6.
- 9 3. Page 2, line 25, by striking the word "sub-
- 10 paragraphs" and inserting in lieu thereof the word
- 11 "subparagraph".
- 12 4. Page 2, by striking lines 26 through 34.

H-6383C

13 5. Page 3, by inserting after line 1 the following:
14 "Sec. Section 97B.49, Code Supplement 1983,
15 is amended by adding the following new subsection:
16 NEW SUBSECTION. Notwithstanding sections of this
17 chapter relating to eligibility for and determination
18 of retirement benefits, a member who is or has been
19 employed as an employee of the department of transpor-
20 tation and has been designated a peace officer by
21 resolution of the department of transportation under
22 section 321.477 and who retires on or after July 1,
23 1984 and at the time of retirement is at least sixty
24 years of age and has completed at least twenty-five
25 years of membership service as a peace officer of
26 the department of transportation, may elect to receive,
27 in lieu of the receipt of any benefits under subsection
28 5 of this section, a monthly retirement allowance
29 equal to one-twelfth of fifty percent of the member's
30 five-year average covered wage as a peace officer
31 of the department of transportation, with benefits
32 payable during the member's lifetime.
33 The department of transportation shall pay to the
34 Iowa department of job service, from funds appro-
35 priated to the department of transportation, an amount
36 sufficient to pay an additional percent of the covered
37 wages of each peace officer of the department of
38 transportation, in addition to the contribution paid
39 by the employer under section 97B.11, to finance the
40 cost of increased benefits under this subsection."

H-6383D

41 6. Page 4, by striking lines 4 through 33.
42 7. Page 5, by striking lines 8 through 21.

H-6383E

43 8. Page 5, by inserting after line 21 the
44 following:
45 "Sec. Section 97B.72, unnumbered paragraph
46 1, Code 1983, is amended to read as follows:
47 Persons who are members of the ~~Sixty-eighth~~ Seventy-
48 first General Assembly or a succeeding general assembly
49 who submit proof to the department of membership in
50 the general assembly during any period beginning July

Page 2

1 4, 1953 and ending January 8, 1979 may make
2 contributions to the system for service equal to the

H - 6383E

3 accumulated contributions as defined in section 97B.41,
 4 subsection 13, which would have been made if the
 5 member of the general assembly had been a member of
 6 the system during the member's service in the general
 7 assembly. The proof of membership in the general
 8 assembly and payment of accumulated contributions
 9 shall be transmitted to the department not later than
 10 December 31, 1979. Persons eligible to receive
 11 retirement allowances under this section shall be
 12 eligible to commence receiving retirement allowances
 13 on January 8, 1979 14, 1985."

Schroeder of Pottawattamie asked and received unanimous consent to withdraw amendments H - 6383B and H - 6383D.

Schroeder of Pottawattamie moved the adoption of amendment H - 6383A.

Roll call was requested by Schroeder of Pottawattamie and Stueland of Clinton.

On the question "Shall amendment H - 6383A be adopted?"

The ayes were, 37:

| | | | |
|------------|------------------|-----------------|------------|
| 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 | Muhlbauer | Mullins | O'Kane |
| Pellett | Renken | Rensink | Royer |
| Schnekloth | Schroeder | Stueland | Swearingen |
| Tofte | 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 | Gruhn | Halvorson, R. N. |
| Hammond | Haverland | Holveck | Hughes |
| Jay | Jochum | Koenigs | Lloyd-Jones |
| Loneragan | Norland | Ollie | Osterberg |

| | | | |
|---------|----------|-----------|-------------|
| Oxley | Parker | Paulin | Pavich |
| Peick | Poncy | Renaud | Rosenberg |
| Running | Sherzan | Shoultz | Skow |
| Spear | Sturgeon | Sullivan | Swartz |
| Tabor | Varn | Zimmerman | Mr. Speaker |

Absent or not voting, 7:

| | | | |
|---------|----------|-------|--------|
| Daggett | Knapp | Menke | Miller |
| Stromer | Torrence | Woods | |

Amendment H—6383A lost.

Carl of Poweshiek in the chair at 7:06 p.m.

Running of Linn offered the following amendment H—6370 filed by him and moved its adoption:

H—6370

1 Amend House File 2528 as follows:

2 1. Page 1, by inserting after line 15 the
3 following:

4 "Sec. . Section 97A.6, subsection 14, paragraph
5 a, subparagraph (2), Code 1983, is amended to read
6 as follows:

7 (2) Twenty percent for members with five or more
8 years of membership service who are receiving an
9 ordinary disability retirement allowance. However,
10 effective July 1, 1984, for members who retired before
11 July 1, 1979, twenty-five percent shall be used for
12 members receiving an ordinary disability retirement
13 allowance."

14 2. Page 7, by inserting after line 19 the
15 following:

16 "Sec. . Section 411.6, subsection 12, paragraph
17 a, subparagraph (2), Code 1983, is amended to read
18 as follows:

19 (2) Twenty percent for members with five or more
20 years of membership service who are receiving an
21 ordinary disability retirement allowance. However,
22 effective July 1, 1984, for members who retired before
23 July 1, 1979, twenty-five percent shall be used for
24 members receiving an ordinary disability allowance."

25 3. By numbering and renumbering sections as
26 necessary.

Amendment H—6370 was adopted.

The House resumed consideration of amendment H—6383C.

Schroeder of Pottawattamie moved the adoption of amendment H—6383C.

A non-record roll call was requested.

The ayes were 27, nays 47.

Amendment H—6383C lost.

Swearingen of Keokuk offered amendment H—6410 filed by him from the floor and requested division as follows:

H—6410

1 Amend House File 2528 as follows:

H—6410A

2 1. Page 3, by inserting after line 1 the following:

3 "Sec. Section 97B.49, subsection 5, unnumbered
4 paragraph 1, Code Supplement 1983, is amended to read
5 as follows:

6 For each active member retiring between January
7 1, 1976 and June 30, 1982, with four or more complete
8 years of service, a monthly benefit shall be computed
9 which is equal to one-twelfth of an amount equal to
10 forty-seven percent of the five-year average covered
11 wage multiplied by a fraction of years of service.
12 For each member retiring on or after July 1, 1982,
13 with four or more complete years of service, the
14 percent used in computing the monthly benefit is
15 fifty. For the purposes of this subsection, "fraction
16 of years of service" means a number, not to exceed
17 one, equal to the sum of the years of membership
18 service and the number of years of prior service
19 divided by thirty years. However, "fraction of years
20 of service" for a member with thirty or more years
21 of membership service means a number equal to the
22 total of the sum of years of membership service, not
23 to exceed thirty, added to one-half the years of
24 membership service in excess of thirty years, not
25 to exceed two and one-half, divided by thirty years."

H—6410B

26 2. Page 3, line 8, by striking the words "fifty
27 percent of the".

28 3. Page 3, by striking lines 9 and 10 and inserting
 29 in lieu thereof the following: "one hundred five
 30 dollars each. The retirement dividend does not affect
 31 the amount".

H-6410C

32 4. Page 3, by striking lines 12 through 27.

H-6410D

33 5. page 4, by striking lines 4 through 33.

Swearingin of Keokuk moved the adoption of amendment
 H-6410A.

Roll call was requested by Swearingin of Keokuk and Carpenter
 of Polk.

On the question "Shall amendment H-6410A be adopted?"

The ayes were, 38:

| | | | |
|------------|-------------------------|------------------|-----------------|
| Anderson | Bennett | Branstad | Carpenter |
| Clark | Corey | De Groot | Diemer |
| Doderer | Grandia | Halvorson, R. A. | Handorf |
| Hanson | Harbor | Hermann | Hoffmann-Bright |
| Hummel | Krewson | Lageschulte | Maulsby |
| McIntee | McKean | Mullins | Paulin |
| Pellett | Renken | Rensink | Royer |
| Schneklath | Stromer | Stueland | Swearingin |
| Tofte | Van Camp | Van Gerpen | Van Maanen |
| Weiden | Madam Speaker (Carl) | | |

The nays were, 55:

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

Absent or not voting, 7:

Daggett
Sherzan

Knapp
Torrence

Loneragan
Woods

Menke

Amendment H—6410A lost.

Speaker Avenson in the chair at 7:36 p.m.

Carter of Henry offered the following amendment H—6377 filed by Carter, et al.:

H—6377

- 1 Amend House File 2528 as follows:
- 2 1. Page 3, by striking lines 4 and 5 and inserting
- 3 in lieu thereof the following:
- 4 "NEW SUBSECTION. a. Each member who retired from
- 5 the system between January 1, 1976 and June 30, 1982,
- 6 or a contingent".
- 7 2. Page 3, by inserting after line 11 the
- 8 following:
- 9 "b. Each member who retired from the system between
- 10 July 4, 1953 and December 31, 1975, or a contingent
- 11 annuitant or beneficiary of such a member, shall
- 12 receive with the October 1984 and the October 1985
- 13 monthly benefit payments a retirement dividend equal
- 14 to seventy-five percent of the monthly benefit payment
- 15 the member received for the preceding June. The
- 16 retirement dividend does not affect the amount of
- 17 a monthly benefit payment."

Renken of Grundy in the chair at 7:50 p.m.

Carter of Henry moved the adoption of amendment H—6377.

A non-record roll call was requested.

The ayes were 53, nays 31.

Amendment H—6377 was adopted.

The House resumed consideration of amendment H—6410B.

Swearingen of Keokuk asked and received unanimous consent to withdraw amendment H—6410B.

Swearingen of Keokuk offered the following amendment H-6409 filed by him from the floor and moved its adoption:

H-6409

- 1 Amend House File 2528 as follows:
- 2 1. Page 3, line 16, by striking the words "and
- 3 prior service".
- 4 2. Page 3, line 25, by striking the words "and
- 5 prior service".

A non-record roll call was requested.

The ayes were 32, nays 51.

Amendment H-6409 lost.

The House resumed consideration of amendment H-6410C.

Swearingen of Keokuk moved the adoption of amendment H-6410C.

Roll call was requested by Halvorson of Webster and Branstad of Winnebago.

On the question "Shall amendment H-6410C be adopted?"

The ayes were, 36:

| | | | |
|------------|-------------|-----------------|-------------------------|
| Anderson | Bennett | Branstad | Buhr |
| Carpenter | Clark | Corey | Daggett |
| Diemer | Doderer | Grandia | Halvorson, R. A. |
| Handorf | Harbor | Hoffmann-Bright | Hummel |
| Krewson | Lageschulte | Lonergan | Maulsby |
| McIntee | McKean | Mullins | Paulin |
| Pellett | Royer | Schneklath | Stromer |
| Stueland | Swearingen | Tofte | Van Camp |
| Van Gerpen | Van Maanen | Welden | Mr. Speaker (Renken) |

The nays were, 56:

| | | | |
|------------|----------|----------|---------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Carl | Carter | Chapman |
| Chiodo | Cochran | Connors | Cooper |
| Copenhaver | Davitt | De Groot | Fey |
| Fogarty | Groninga | Groth | Gruhn |

| | | | |
|------------------|----------|-------------|-----------|
| Halvorson, R. N. | Hammond | Hanson | Haverland |
| Hermann | Holveck | Hughes | Jay |
| Knapp | Koenigs | Lloyd-Jones | 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 |

Absent or not voting, 8:

| | | | |
|---------|----------|----------|----------|
| Brammer | Connolly | Gronstal | Jochum |
| Menke | O'Kane | Rensink | Torrence |

. Amendment H—6410C lost.

The House resumed consideration of amendment H—6410D.

Speaker Avenson in the chair at 8:36 p.m.

Swearingen of Keokuk moved the adoption of amendment H—6410D.

Roll call was requested by Swearingen of Keokuk and Lageschulte of Bremer.

On the question "Shall amendment H—6410D be adopted?"

The ayes were, 38:

| | | | |
|-----------------|------------|------------|------------------|
| Anderson | Bennett | Branstad | Buhr |
| Carpenter | Clark | Corey | Daggett |
| Diemer | Doderer | Grandia | Halvorson, R. A. |
| Handorf | Hanson | Harbor | Haverland |
| Hoffmann-Bright | Hummel | Knapp | Krewson |
| Lageschulte | Maulsby | McIntee | McKean |
| Mullins | Paulin | Pellet | Renken |
| Rensink | Royer | Schneklath | Stromer |
| Stueland | Swearingen | Van Camp | Van Gerpen |
| Van Maanen | Welden | | |

The nays were, 57:

| | | | |
|----------|----------|----------|------------|
| Arnould | Baxter | Blanshan | Brammer |
| Carl | Chapman | Chiodo | Cochran |
| Connolly | Connors | Cooper | Copenhaver |
| Davitt | De Groot | Fey | Fogarty |

| | | | |
|------------------|-----------|-----------|-----------|
| Groninga | Gronstal | Groth | Gruhn |
| Halvorson, R. N. | Hammond | Hermann | Holveck |
| Hughes | Jay | Jochum | Koenigs |
| Lloyd-Jones | Loneragan | Miller | Muhlbauer |
| Norland | O'Kane | Ollie | Osterberg |
| Oxley | Parker | Pavich | Peick |
| Poncy | Renaud | Rosenberg | Running |
| Schroeder | Shierzan | Shoultz | Skow |
| Spear | Sturgeon | Sullivan | Swartz |
| Tabor | Tofte | Varn | Zimmerman |
| Mr. Speaker | | | |

Absent or not voting, 5:

| | | | |
|-------|--------|-------|----------|
| Black | Carter | Menke | Torrence |
| Woods | | | |

Amendment H—6410D lost.

The House resumed consideration of amendment H—6383E.

On motion by Schroeder of Pottawattamie, amendment H—6383E was adopted.

Carter of Henry asked and received unanimous consent to withdraw amendment H—6348 filed by him on April 17, 1984.

Schroeder of Pottawattamie offered the following amendment H—6429 filed by him from the floor and moved its adoption:

H—6429

- 1 Amend House File 2528 as follows:
- 2 1. Page 1, by striking lines 3 through 10 and
- 3 inserting in lieu thereof the following:
- 4 "NEW SUBSECTION. 9. Effective July 1, 1984 the
- 5 monthly benefits paid under this chapter shall not
- 6 be less than one hundred dollars."

A non-record roll call was requested.

The ayes were 36, nays 46.

Amendment H—6429 lost.

Strömer of Hancock offered the following amendment H—6422 filed by him from the floor and moved its adoption:

H—6422

- 1 Amend House File 2528 as follows:
- 2 1. Page 3, by inserting after line 1 the following:
- 3 "Sec. Section 97B.49, subsection 5, unnumbered
- 4 paragraph 1, Code 1983, is amended to read as follows:
- 5 For each active member retiring between January
- 6 1, 1976 and June 30, 1982, with four or more complete
- 7 years of service, a monthly benefit shall be computed
- 8 which is equal to one-twelfth of an amount equal to
- 9 forty-seven percent of the five-year average covered
- 10 wage multiplied by a fraction of years of service.
- 11 For each member retiring on or after July 1, 1982,
- 12 with four or more complete years of service, the
- 13 percent used in computing the monthly benefit is
- 14 fifty. For the purposes of this subsection, "fraction
- 15 of years of service" means a number, not to exceed
- 16 one, equal to the sum of the years of membership
- 17 service and one-half the number of years of prior
- 18 service divided by thirty years."
- 19 2. By numbering and renumbering sections as
- 20 necessary.

A non-record roll call was requested.

The ayes were 37, nays 54.

Amendment H—6422 lost.

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?" (H.F. 2528)

The ayes were, 95:

| | | | |
|----------|-----------|------------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | 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 | Hanson | Harbor | Haverland |

| | | | |
|------------|-----------------|-------------|-------------|
| Hermann | Hoffmann-Bright | Holveck | Hughes |
| Hummel | Jay | Jochum | Knapp |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Loneragan | 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 | Schneklath | 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, 2:

Branstad Handorf

Absent or not voting, 3:

Copenhaver Doderer 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 April 18, 1984, insisted on its amendment to House File 2470, a bill for an act relating to the platting requirements upon the subdivision of a parcel of land and the vacating of certain public streets, alleys, and other public lands, and the members of the conference committee, on the part of the Senate, are: The Senator from Polk, Senator Mann, Chair; the Senator from Webster, Senator Coleman; the Senator from Black Hawk, Senator Gallagher; the Senator from Clay, Senator Holt; and the Senator from Buena Vista, Senator Waldstein.

Also: That the Senate has on April 18, 1984, amended the House amendment, concurred in the House amendment as amended, and passed the following bill:

Senate File 2215, a bill for an act to provide for the issuance of an extracurricular contract by school boards, to set criteria for receipt of the contract including the establishment of a coaching authorization, and to provide for termination of the extracurricular contract.

K. MARIE THAYER, Secretary

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills and resolutions to the Senate: Senate Files 2293, 2298, 2214 and 2156; House Files 406, 434, 2100, 2386, 2437, 2528 and 2516; House Concurrent Resolution 121; and Senate Concurrent Resolutions 106 and 114.

Regular Calendar

The House resumed consideration of **House File 2527**, a bill for an act relating to economic development in the state by providing that the development commission monitor, oversee and spend certain federal funds, establish a primary research and marketing center and satellite centers, establish an informal export advisory group, be responsible for agriculture marketing by establishing an agriculture marketing division and board, be responsible for the operation of the existing Iowa community development loan program, participate in the certified development program of the United States small business administration through a state certified development program, and be solely responsible for coordinating and adopting rules for the existing Iowa industrial new jobs training program; by allowing insurance companies, state banks, and state savings and loan associations to invest their assets in venture capital firms making investments in small businesses in the state, and public safety police officers, Iowa public employees and policemen and firemen retirement funds to be invested in venture capital firms making investments in small businesses in the state; by establishing an export loan program as part of the Iowa housing finance authority's small business loan program to aid in providing financing for export sales by small businesses; and by increasing the bonding limits of the Iowa housing finance authority and its small business loan program and redefining "small business" and "dominant in its field of operation" for purposes of the small business loan program, previously deferred.

Tabor of Jackson in the chair at 9:00 p.m.

Chiodo of Polk offered the following amendment H-6428 filed from the floor by Chiodo, Carpenter, Baxter, Harbor and Copenhaver:

H-6428

1 Amend House File 2527 as follows:

2 1. Page 1, by inserting after line 31 the
3 following:

4 "Sec. . NEW SECTION. 18C.1 DECLARATION OF
5 POLICY. It is found and declared that there exists
6 a need to promote, develop, maintain, and expand
7 export and trade opportunities for agricultural,
8 commercial, and manufactured products and services
9 and any other products and services of the state in
10 order to protect and advance the welfare and interests
11 of residents of the state; that such export and trade
12 opportunities with other nations can be promoted,
13 developed, maintained, and expanded by the Iowa world
14 trade center; that jobs can be maintained and created
15 in the state as a result of increased export and trade
16 opportunities; and that such economic results will
17 benefit all residents of the state.

18 It is further found and declared that the promotion,
19 development, maintenance, and expansion of exports
20 and trade opportunities are public purposes and uses
21 for which public moneys may be expended, advanced,
22 loaned, or granted, that such activities serve a
23 public purpose in improving export and trade
24 opportunities or otherwise benefiting the people of
25 this state, and that the state's purchase of a building
26 or facility as part of a world trade center will aid
27 in accomplishing these purposes.

28 Sec. . NEW SECTION. 18C.2 CREATION OF BOARD.

29 1. There is created an Iowa world trade center
30 board consisting of five commissioners, hereafter
31 referred to as "the board", appointed by the governor
32 subject to confirmation by the senate.

33 2. The commissioners shall be appointed by the
34 governor for staggered terms of four years beginning
35 and ending as provided in section 69.19, except that
36 for the initial board two commissioners shall be
37 appointed for four years and three commissioners shall
38 be appointed for six years. Not more than three
39 commissioners shall be of the same political party.
40 Not more than one commissioner shall be from the same
41 congressional district. A person appointed to fill
42 a vacancy shall serve only for the unexpired portion
43 of the term. A commissioner is eligible for
44 reappointment. A commissioner may be removed from
45 office by the governor for misfeasance, malfeasance
46 or willful neglect of duty or other just cause, after
47 notice and hearing, unless the notice and hearing
48 is expressly waived in writing.

49 3. The board shall elect from among its members
50 a chairperson and a vice chairperson annually and

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1 other officers as it may determine. Meetings shall
2 be held at the call of the chairperson or whenever
3 two commissioners so request. Three commissioners
4 of the board shall constitute a quorum and the
5 affirmative vote of three commissioners shall be
6 necessary for any action taken by the board. A vacancy
7 in the membership of the board shall not impair the
8 right of a quorum to exercise all the rights and
9 perform all the duties of the board.

10 4. Commissioners shall serve without compensation.

11 Sec. . NEW SECTION. 18C.3 DUTIES OF THE
12 BOARD. It shall be the duty of the board to:

13 1. Provide for the management and operation of
14 the building or facility owned by the state in a world
15 trade center. Negotiate a fee which will be paid
16 by the state for necessary services provided to or
17 for the building or facility owned by the state to
18 the city in which the building or facility is located.
19 The management and operation may be done by entering
20 into a service agreement with a management firm.
21 If such management agreement is entered into, the
22 board shall require periodic reports from the firm
23 on the operation, costs, and revenues of the building
24 or facility owned by the state.

25 2. Provide for the leasing of space in the state's
26 building or facility to the extent space is available
27 and the leasing of it will fulfill the purposes of
28 the state's involvement in a world trade center.

29 3. Use and operate the building or facility for
30 the purposes of promoting, developing, maintaining,
31 and expanding export and trade opportunities for
32 agricultural, commercial, and manufactured products
33 and services and other products and services of the
34 state in order to protect and advance the welfare
35 and interests of residents of the state.

36 Sec. . NEW SECTION. 18C.4 POWERS. In the
37 performing of its duties, the board is empowered and
38 authorized to make and enter into contracts, and to
39 generally do all such things as in its judgment may
40 be necessary, proper and expedient in accomplishing
41 its duties. However, the board shall not sign a
42 contract for the acquisition of a building or facility
43 within or as part of the Iowa world trade center
44 unless the contract is first approved by the executive
45 council. If the contract is not approved by the
46 executive council or signed by the board, the temporary
47 negotiating board shall resume negotiation. The board
48 is authorized to seek advice and counsel of informed
49 individuals, or any agricultural, industrial,
50 professional, labor or trade association, or business

Page 3

1 or civic group in the accomplishment of the aims and
2 objectives of this chapter. The board is authorized
3 to employ and fix the compensation of architects,
4 engineers, attorneys, accountants, building
5 construction and financial experts and advisors, and
6 other advisors, consultants, and agents as may be
7 necessary in the board's judgment, and shall employ
8 such persons upon request of the temporary negotiating
9 board, to assist the temporary negotiating board in
10 its negotiations.

11 Sec. . NEW SECTION. 18C.5 TEMPORARY
12 NEGOTIATING BOARD.

13 1. There is established a temporary board of
14 negotiators for the purpose of serving as the
15 negotiating agent of the state for matters relating
16 to the contract with the builder of the Iowa world
17 trade center under which the state will purchase a
18 building or facility within or as part of the Iowa
19 world trade center. The various issues that may be
20 negotiated include, but are not limited to, the site
21 location and preparation, the construction and design
22 of the building or facility, the building or facility
23 being part of a condominium regime, and the rights,
24 including air or support rights, the state will have
25 or grant as a result of the purchase of the building
26 or facility, and other aspects of the contract or
27 building or facility. The temporary board shall not
28 negotiate a provision or matters relating to a
29 provision in a contract for the acquisition by lease
30 of a building or facility within or as part of the
31 Iowa world trade center. The amount of payment
32 provided for in the contract for the acquisition of
33 the building or facility shall not include the cost
34 of materials that are used in anticipation or
35 expectation of the expansion outward or upward from
36 the state's building or facility. The contract shall
37 provide that the state also acquires title to the
38 land located under the building or facility.

39 2. The temporary board shall consist of three
40 negotiators appointed by an appointing committee
41 consisting of the governor, the majority leader of
42 the senate and the speaker of the house of
43 representatives. Each appointee shall receive the
44 unanimous approval of the three members of the
45 appointing committee. The majority leader and speaker
46 shall consult with the minority leader of their
47 respective house before granting the approval or
48 disapproval of a proposed member of the temporary
49 board. The negotiators shall serve at the pleasure
50 of the governor. Vacancies shall be filled in the

Page 4

1 same manner as the appointment of the original
2 negotiators. Members of the temporary board may also
3 serve as members of the board.

4 3. The temporary board shall cease to exist upon
5 the completion of the Iowa world trade center."

6 2. Page 22, by inserting after line 13 the
7 following:

8 "Sec. 24A. Section 422.33, Code Supplement 1983,
9 is amended by adding the following new subsections:

10 NEW SUBSECTION. For taxable years beginning on
11 or after January 1, 1984 and before January 1, 1987,
12 in addition to the taxes imposed under this division,
13 there is imposed upon each corporation organized under
14 the laws of this state and upon every foreign
15 corporation doing business within this state a
16 corporate income surtax equal to six and four-tenths
17 percent of the tax imposed under subsection 1, as
18 shown on the return as originally filed for the taxable
19 year.

20 NEW SUBSECTION. For taxable years beginning on
21 or after January 1, 1988 and before January 1, 1991,
22 the tax imposed under subsection 1 shall be reduced
23 by a state tax credit equal to the amount of the
24 corporate income surtax paid by the corporation for
25 the taxable years beginning on or after January 1,
26 1984 and before January 1, 1987 as follows:

27 a. For the taxable year beginning in the 1988
28 calendar year, the amount of surtax paid for the
29 taxable year beginning in the 1984 calendar year.

30 b. For the taxable year beginning in the 1989
31 calendar year, the amount of surtax paid for the
32 taxable year beginning in the 1985 calendar year.

33 c. For the taxable year beginning in the 1990
34 calendar year, the amount of surtax paid for the
35 taxable year beginning in the 1986 calendar year.

36 Interest shall not accrue on the amount of surtax
37 to be taken as a credit. Any credit in excess of
38 the tax liability for the taxable year is refundable
39 but shall not be carried forward or backward to other
40 taxable years. Notwithstanding this subsection,
41 a credit shall not be allowed for a taxable year be-
42 ginning in a calendar year if the unobligated state
43 general fund balance on June 30 of that calendar year,
44 as certified by the state comptroller by September
45 10, is less than the amount estimated by the department
46 of revenue will be claimed as credits under this
47 subsection and under section 24C of this Act for the
48 taxable years beginning in that calendar year.

49 Sec. . . Section 422.45, Code Supplement 1983,
50 is amended by adding the following new subsection:

Page 5

1 **NEW SUBSECTION.** The gross receipts of all sales
2 of goods, wares, or merchandise used, or from services
3 rendered, furnished, or performed in the construction
4 and equipping of the building or facility funded by
5 the state which is within or a part of the Iowa world
6 trade center. The tax shall be refunded as provided
7 in section 422.47. This subsection is repealed June
8 30, 1987.

9 Sec. 24B. Section 422.60, Code Supplement 1983,
10 is amended by adding the following new unnumbered
11 paragraph:

12 **NEW UNNUMBERED PARAGRAPH.** For taxable years
13 beginning on or after January 1, 1984 and before
14 January 1, 1987, in addition to the taxes imposed
15 under this division, there is imposed upon each
16 financial institution doing business within this state
17 a franchise surtax equal to six and four-tenths percent
18 of the tax imposed under unnumbered paragraph 1 of
19 this section, as shown on the return as originally
20 filed for the taxable year. This franchise surtax
21 shall not be allocated as provided in section 422.65.

22 Sec. 24C. Section 422.63, Code 1983, is amended
23 by adding the following new unnumbered paragraph:

24 **NEW UNNUMBERED PARAGRAPH.** For taxable years
25 beginning on or after January 1, 1988 and before
26 January 1, 1991, the state's allocation under section
27 422.65 of the tax imposed under section 422.60,
28 unnumbered paragraph 1, shall be reduced by a state
29 tax credit equal to the amount of the franchise surtax
30 paid by the financial institution for the taxable
31 years beginning on or after January 1, 1984 and before
32 January 1, 1987 as follows:

33 1. For the taxable year beginning in the 1988
34 calendar year, the amount of surtax paid for the
35 taxable year beginning in the 1984 calendar year.

36 2. For the taxable year beginning in the 1989
37 calendar year, the amount of surtax paid for the
38 taxable year beginning in the 1985 calendar year.

39 3. For the taxable year beginning in the 1990
40 calendar year, the amount of surtax paid for the
41 taxable year beginning in the 1986 calendar year.

42 Interest shall not accrue on the amount of surtax
43 to be taken as a credit. Any credit in excess of
44 the tax liability for the taxable year is refundable
45 but shall not be carried forward or backward to other
46 taxable years. Notwithstanding this paragraph, a
47 credit shall not be allowed for a taxable year be-
48 ginning in a calendar year if the unobligated state
49 general fund balance on June 30 of that calendar year,
50 as certified by the state comptroller by September

Page 6

1 10, is less than the amount estimated by the department
 2 of revenue will be claimed as credits under this
 3 paragraph and under section 24A of this Act for the
 4 taxable years beginning in that calendar year.

5 Sec. . Section 427.1, Code Supplement 1983,
 6 is amended by adding the following new subsection:

7 NEW SUBSECTION. STATE PROPERTY IN THE IOWA WORLD
 8 TRADE CENTER. The land, grounds, and the building
 9 or facility owned by the state which is within or
 10 part of the Iowa world trade center."

11 3. Page 26, by inserting after line 6 the
 12 following:

13 "Sec. . There is appropriated from the general
 14 fund of the state to the Iowa world trade center board
 15 created in section 18C.2 the sum of ten million eight
 16 hundred eighty thousand (10,880,000) dollars for each
 17 of the fiscal years beginning July 1, 1984, July 1,
 18 1985, and July 1, 1986 to be used for the funding
 19 of the state's acquisition, operations, maintenance,
 20 and marketing of a portion of the Iowa world trade
 21 center."

22 4. Title page 2, line 2, by inserting after the
 23 word "program" the words "; by providing for a
 24 temporary negotiating board and a permanent operating
 25 board for the state's purchase of a building or fa-
 26 cility within or as part of the Iowa world trade
 27 center and making an appropriation; and by providing
 28 for the imposition of corporate income and franchise
 29 surtaxes with subsequent credits for the payment of
 30 these surtaxes".

Schnekloth of Scott rose on a point of order that amendment H-6428 was not in order inasmuch as it was subject matter previously considered.

The Speaker ruled the point not well taken and amendment H-6428 in order.

Speaker Avenson in the chair at 9:18 p.m.

Schnekloth of Scott offered the following amendment H-6435, to amendment H-6428, filed by him from the floor and moved its adoption:

H-6435

1 Amend the amendment H-6428 to House File 2527 as
 2 follows:
 3 1. Page 4, line 11, by striking the words and
 4 figures "and before January 1, 1987".
 5 2. Page 5, lines 13 and 14, by striking the words
 6 and figures "and before January 1, 1987".
 7 3. Page 6, by inserting after line 4 the following:
 8 "Sec. Chapter 422, division VIII, Code 1983
 9 and Code Supplement 1983, is amended by adding the
 10 following new section:
 11 **NEW SECTION.** Notwithstanding any other provision,
 12 the revenues received from the corporate income surtax
 13 and the franchise surtax shall be used for and is
 14 hereby appropriated for the purpose of acquisition,
 15 maintenance, and operation of any building or facility
 16 owned by the state within or as part of the Iowa world
 17 trade center. If the revenues received are in excess
 18 of the amount needed for that purpose, the excess
 19 shall be transferred to the Iowa development commission
 20 to be used for those activities authorized under
 21 chapter 28."

Roll call was requested by Schneklath of Scott and Hummel of Benton.

Rule 76 was invoked.

On the question "Shall amendment H-6435 be adopted?"

The ayes were, 34:

| | | | |
|-------------|----------|-----------|-----------------|
| Anderson | Bennett | Brammer | Cochran |
| Corey | Daggett | Doderer | Grandia |
| Handorf | Hanson | Hermann | Hoffmann-Bright |
| Holveck | Hummel | Knapp | Koenigs |
| Lageschulte | Maulsby | McKean | Menke |
| Muhlbauer | Mullins | Osterberg | Oxley |
| Renken | Rensink | Royer | Schneklath |
| Shoultz | Stueland | Sturgeon | Sullivan |
| Swearingen | Welden | | |

The nays were, 65:

| | | | |
|----------|----------|--------|------------|
| Arnould | Baxter | Black | Blanshan |
| Branstad | Buhr | Carl | Carpenter |
| Carter | Chapman | Chiodo | Clark |
| Connolly | Connors | Cooper | Copenhaver |
| Davitt | De Groot | Diemer | Fey |

| | | | |
|-------------|------------------|------------------|------------|
| Fogarty | Groninga | Gronstal | Groth |
| Gruhn | Halvorson, R. A. | Halvorson, R. N. | Hammond |
| Harbor | Haverland | Hughes | Jay |
| Jochum | Krewson | Lloyd-Jones | Loneragan |
| McIntee | Miller | Norland | O'Kane |
| Ollie | Parker | Paulin | Pavich |
| Peick | Pellett | Poncy | Renaud |
| Rosenberg | Running | Schroeder | Sherzan |
| Skow | Spear | Stromer | Swartz |
| Tabor | Tofte | Van Camp | Van Gerpen |
| Van Maanen | Varn | Woods | Zimmerman |
| Mr. Speaker | | | |

Absent or not voting, 1:

Torrence

Amendment H—6435 lost.

Lloyd-Jones of Johnson offered the following amendment H—6437, to amendment H—6428, filed by her from the floor and moved its adoption:

H—6437

- 1 Amend the House amendment H—6428 to House File
- 2 2527 as follows:
- 3 1. Page 1, line 16, by inserting after the word
- 4 "opportunities" the following: ", including jobs
- 5 for women and minorities".
- 6 2. Page 1, line 39, by inserting after the word
- 7 "same" the words "gender or the same".

Amendment H—6437 was adopted.

Blanshan of Greene in the chair at 9:47 p.m.

Speaker Avenson in the chair at 9:58 p.m.

Running of Linn offered the following amendment H—6438 filed from the floor by Running, Halvorson of Webster, Osterberg, Sullivan, Sturgeon, Cochran, McKean and Brammer and moved its adoption:

H—6438

- 1 Amend amendment H—6428 to House File 2527 as
- 2 follows:

- 3 1. Page 4, line 9, by striking the word
 4 "subsections" and inserting in lieu thereof the word
 5 "subsection".
 6 2. Page 4, by striking lines 20 through 48.
 7 3. By striking page 5, line 22 through page 6,
 8 line 4.
 9 4. Page 6, by striking lines 29 and 30 and
 10 inserting in lieu thereof the word "surtaxes".

Roll call was requested by Running of Linn and Shoultz of Black Hawk.

Rule 76 was invoked.

On the question "Shall amendment H-6438, to amendment H-6428, be adopted?"

The ayes were, 48:

| | | | |
|-----------|-------------|------------------|------------|
| Brammer | Buhr | Carl | Carter |
| Chapman | Clark | Cochran | Connolly |
| Doderer | Fey | Fogarty | Grandia |
| Groth | Gruhn | Halvorson, R. N. | Hammond |
| Hanson | Hermann | Holveck | Hughes |
| Hummel | Jay | Joehum | Knapp |
| Koenigs | Lageschulte | Lloyd-Jones | McKean |
| Miller | Muhlbauer | Mullins | Ollie |
| Osterberg | Oxley | Peick | Renken |
| Rensink | Rosenberg | Running | Schneklath |
| Shoultz | Skow | Stueland | Sturgeon |
| Sullivan | Van Camp | Welden | Woods |

The nays were, 49:

| | | | |
|-------------|------------|-----------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Branstad | Carpenter |
| Chiodo | Connors | Cooper | Copenhaver |
| Corey | Daggett | Davitt | De Groot |
| Diemer | Groninga | Gronstal | Halvorson, R. A. |
| Handorf | Harbor | Haverland | Krewson |
| Mausby | McIntee | Menke | Norland |
| O'Kane | Parker | Paulin | Pavich |
| Pellett | Poncy | Renaud | Royer |
| Schroeder | Sherzan | Spear | Stromer |
| Swartz | Swearingen | Tabor | Tofte |
| Van Gerpen | Van Maanen | Varn | Zimmerman |
| Mr. Speaker | | | |

Absent or not voting, 3:

| | | |
|-----------------|----------|----------|
| Hoffmann-Bright | Lonergan | Torrende |
|-----------------|----------|----------|

Amendment H-6438 lost.

Chiodo of Polk offered the following amendment H-6439, to amendment H-6428, filed by him from the floor and moved its adoption:

H-6439

- 1 Amend amendment H-6428 to House File 2527 as
- 2 follows:
- 3 1. Page 5, line 7, by striking the figure "422.47"
- 4 and inserting in lieu thereof the word and figures
- 5 "422.45, subsection 7".

Amendment H-6439 was adopted.

Van Camp of Scott offered the following amendment H-6441, to amendment H-6428, filed by him from the floor:

H-6441

- 1 Amend amendment H-6428 to House File 2527 as
- 2 follows:
- 3 1. Page 3, line 38, by inserting after the word
- 4 "facility." the following: "The contract shall provide
- 5 that the builder in construction of the building or
- 6 facility shall pay the workers and any subcontractors
- 7 shall pay the workers the prevailing wage of the
- 8 community in which the contract is let.
- 9 For purposes of this subsection, "prevailing wage"
- 10 means the rate of wage paid for work of a similar
- 11 nature in the locality in which the work under a
- 12 contract is being performed. If a dispute arises
- 13 as to what are the prevailing rates of wages for work
- 14 of a similar nature applicable to a contract, which
- 15 cannot be adjusted by the contracting officer, the
- 16 dispute shall be referred to the labor commissioner,
- 17 and the labor commissioner's decision shall be
- 18 conclusive on all parties to the contract. The labor
- 19 commissioner shall adopt rules under chapter 17A to
- 20 carry out this duty. The labor commissioner may
- 21 institute actions in the district court for temporary
- 22 or permanent injunctive relief to prevent the letting
- 23 of a public contract or to void a public contract
- 24 which is let or entered into in violation of this
- 25 subsection. An action shall be instituted in the
- 26 district court of the county of location of the
- 27 project. Notwithstanding Iowa rules of civil procedure
- 28 326, if the district court determines the granting
- 29 of a temporary injunction is appropriate, the court
- 30 shall issue it without notice and hearing. The
- 31 prevailing rates of wages shall be stated in the
- 32 invitation for bids and shall be included in proposals
- 33 or bids for the work."

Varn of Johnson rose on a point of order that amendment H-6441 was not germane.

The Speaker ruled the point not well taken and amendment H-6441 germane.

Roll call was requested by Schneklath of Scott and Peick of Linn.

Rule 76 was invoked.

On the question "Shall amendment H-6441, to amendment H-6428, be adopted?"

The ayes were, 47:

| | | | |
|------------------|-----------------|------------|------------------|
| Brammer | Buhr | Carl | Chapman |
| Cochran | Connolly | Connors | Corey |
| Davitt | Doderer | Gruhn | Halvorson, R. A. |
| Halvorson, R. N. | Hammond | Hanson | Harbor |
| Haverland | Hoffmann-Bright | Holveck | Hummel |
| Jay | Knapp | Koenigs | Krewson |
| Lageschulte | Lloyd-Jones | McKean | Miller |
| Mullins | O'Kane | Ollie | Osterberg |
| Oxley | Paulin | Peick | Renken |
| Rensink | Rosenberg | Running | Schneklath |
| Shoultz | Skow | Stueland | Sturgeon |
| Sullivan | Van Camp | Van Gerpen | |

The nays were, 50:

| | | | |
|----------|-------------|------------|------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Branstad | Carpenter |
| Carter | Chiodo | Cooper | Copenhaver |
| Daggett | De Groot | Diemer | Fey |
| Fogarty | Grandia | Groninga | Gronstal |
| Groth | Handorf | Hermann | Hughes |
| Jochum | Loneragan | Maulsby | McIntee |
| Menke | Muhlbauer | Norland | Parker |
| Pavich | Pellett | Poncy | Renaud |
| Royer | Schroeder | Sherzan | Spear |
| Stromer | Swartz | Swearingen | Tabor |
| Tofte | Van Maanen | Varn | Weiden |
| Woods | Mr. Speaker | | |

Absent or not voting, 3:

| | | |
|-------|----------|-----------|
| Clark | Torrence | Zimmerman |
|-------|----------|-----------|

Amendment H-6441 lost.

Connors of Polk in the chair at 10:19 p.m.

Speaker Avenson in the chair at 10:48 p.m.

Chiodo of Polk moved the adoption of amendment H—6428, as amended.

Roll call was requested by Chiodo of Polk and Arnould of Scott.

Rule 76 was invoked.

On the question "Shall amendment H—6428, as amended, be adopted?"

The ayes were, 40:

| | | | |
|-----------|------------------|-------------|-------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Branstad | Buhr |
| Carpenter | Chiodo | Connors | Copenhaver |
| Davitt | Diemer | Fey | Fogarty |
| Groninga | Halvorson, R. A. | Harbor | Haverland |
| Hughes | Krewson | Lloyd-Jones | McIntee |
| Menke | Norland | Parker | Paulin |
| Pellett | Renaud | Royer | Schroeder |
| Sherzan | Stromer | Swartz | Tabor |
| Tofte | Varn | Woods | Mr. Speaker |

The nays were, 57:

| | | | |
|-----------------|------------|------------|------------------|
| Brammer | Carl | Carter | Chapman |
| Clark | Cochran | Connolly | Cooper |
| Corey | Daggett | De Groot | Doderer |
| Grandia | Gronstal | Gruhn | Halvorson, R. N. |
| Hammond | Handorf | Hanson | Hermann |
| Hoffmann-Bright | Holveck | Hummel | Jay |
| Jochum | Knapp | Koenigs | Lageschulte |
| Lonergan | Maulsby | McKean | Miller |
| Muhlbauer | Mullins | Ollie | Osterberg |
| Oxley | Pavich | Peick | Poncy |
| Renken | Rensink | Rosenberg | Running |
| Schnekloth | Shoultz | Skow | Spear |
| Stueland | Sturgeon | Sullivan | Swearingen |
| Van Camp | Van Gerpen | Van Maanen | Welden |
| Zimmerman | | | |

Absent or not voting, 3:

| | | |
|-------|--------|----------|
| Groth | O'Kane | Torrence |
|-------|--------|----------|

Amendment H—6428, as amended, lost.

Van Maanen of Mahaska offered the following amendment H-6417 filed from the floor by Van Maanen, Chiodo, Parker, McIntee, Maulsby, Renken and Hummel and moved its adoption:

H-6417

1 Amend House File 2527 as follows:

2 1. Page 22, by inserting after line 13 the follow-
3 ing:

4 "Sec. 50. Section 476.5, Code 1983, is amended
5 to read as follows:

6 476.5 ADHERENCE TO SCHEDULES - DISCOUNTS.

7 1. No A public utility subject to rate regulation
8 shall not directly or indirectly charge a greater
9 or less compensation for its services than that
10 prescribed in its tariffs, and no such public utility
11 shall not make or grant any unreasonable preferences
12 or advantages as to rates or services to any person
13 or subject any person to any unreasonable prejudice
14 or disadvantage.

15 2. Nothing in this section shall be construed
16 to prohibit any public utility furnishing
17 communications services from providing any service
18 rendered by it without charge or at reduced rate to
19 any of its active or retired officers, directors,
20 or employees, or such officers, directors or employees
21 of other public utilities furnishing communications
22 services. Provided, however, said the service is
23 for personal use, and not for engaging in a business
24 for profit.

25 3. Notwithstanding subsection 1, the commission
26 may approve electric and natural gas rates, charges
27 and schedules which provide incentives to industrial
28 and commercial customers if the commission finds all
29 of the following:

30 a. In the past year the utility has had excess
31 electric generating capacity or pipeline capacity.

32 b. There is a reasonable need for new employ-
33 ment opportunities.

34 c. The incentive rate, charge or schedule is
35 reasonably designed to attract new business or expand
36 existing production and employment.

37 d. Other customers of the utility will not
38 experience an increase in their rates as a result
39 of the incentives and any loss in revenues resulting
40 from those rates shall not be included in rates charged
41 to other customers.

42 Any such incentive rates, charges or schedules
43 approved shall phase out within five years after their
44 implementation. An analysis shall be done by the

45 commission staff of the first-year report of any
 46 existing pilot project dealing with incentive rates.
 47 This analysis shall be reviewed by the commission."
 48 2. Page 26, by inserting after line 6 the
 49 following:
 50 "Sec. . Section 50 of this Act is effective

Page 2

1 January 1, 1985."
 2 3. Title page 2, line 2, by inserting after the
 3 word "program" the words "; and by allowing certain public
 4 utilities to charge incentive rates".

Amendment H—6417 was adopted.

The House resumed consideration of amendment H—6338, as amended.

Connors of Polk in the chair at 11:50 p.m.

Swartz of Marshall offered the following amendment H—6425 filed from the floor by him and Running of Linn and moved its adoption:

H—6425

1 Amend amendment H—6338 to House File 2527 as
 2 follows:
 3 1. Page 1, by striking lines 31 and 32 and
 4 inserting in lieu thereof the words "incentives and
 5 financial assistance."
 6 2. Page 1, line 48, by inserting after the word
 7 "areas." the words "However, if a city has stricter
 8 guidelines regarding any of those areas, then those
 9 stricter guidelines shall apply to economic development
 10 areas within that city."
 11 3. Page 3, by striking lines 33 through 36 and
 12 inserting in lieu thereof the words "the commission
 13 requires."
 14 4. Page 4, by striking lines 4 through 11.
 15 5. By striking page 5, line 39 through page 6,
 16 line 9 and inserting in lieu thereof the following:
 17 "—MACHINERY AND EQUIPMENT. Sales, services, and use
 18 taxes paid on purchases in a calendar year of
 19 industrial machinery and equipment, including
 20 replacement parts which are depreciable for state
 21 and federal tax purposes, shall be refunded to the
 22 purchaser subject to the following conditions:

23 a. The tax has been collected by the retailer
24 or timely paid to the department if section 423.14
25 applies.

26 b. The industrial machinery or equipment is
27 directly and primarily used in processing tangible
28 personal property in the manner described in section
29 428.20 and is used in an economic development area.

30 c. The amount of the refund of the tax does not
31 exceed the amount of the Iowa individual income taxes
32 withheld during the calendar year by the purchaser
33 from the number of employees of the purchaser that
34 exceeded, at any time during the calendar year in
35 which the purchases were made, the threshold employee
36 level for the calendar year of the purchaser. In
37 determining the amount of income taxes withheld, only
38 fifty percent of the wages paid to the most recent
39 employees during the period that the threshold employee
40 level for the calendar year was exceeded is to be
41 considered.

42 For purposes of this section, the "threshold
43 employee level for the calendar year" is the highest
44 number of employees of the trade or business of the
45 purchaser at any time during the previous three
46 calendar years or during all the previous calendar
47 years if the trade or business has been in operation
48 for less than three years, and "employee" means an
49 individual who works within or without Iowa on a full-
50 time basis but an individual who works on a part-time

Page 2

1 basis shall be counted as a fraction of an employee
2 equal to the average number of hours worked per week
3 divided by the number of hours worked per week by
4 a full-time individual. If the trade or business
5 began operation during the calendar year, the threshold
6 employee level for that calendar year is zero.

7 If the trade or business has been sold or otherwise
8 transferred to a subsequent employing unit or, if
9 one or more employing units have been reorganized
10 or merged into a single employing unit and the
11 successor employer continues to operate the trade
12 or business, the successor employer shall assume the
13 position of the predecessor employer or employers
14 with respect to the predecessors' threshold employee
15 level for the calendar year which is attributable
16 to the part of the business transferred, to the same
17 extent as if the ownership or control had not changed.

18 If a clearly segregable and identifiable part of
19 a trade or business has been sold or otherwise
20 transferred to a subsequent employing unit, and the
21 successor employing unit continues to operate the

22 trade or business, the successor shall assume the
23 position of the predecessor employer with respect
24 to the threshold employee level for the calendar year,
25 which is attributable to the part of the trade or
26 business transferred to the same extent as if the
27 ownership or control of the trade or business had
28 not changed.

29 If the sales, services and use taxes have been
30 paid on purchases of tangible personal property
31 qualifying for refund under this section by a
32 contractor who is obligated to pay the tax under
33 section 422.42, subsection 9, or chapter 423, and
34 the purchases are made in the fulfillment of a
35 contract, the contractor shall state under oath on
36 forms provided by the department or on forms approved
37 by the department, a description of the tangible
38 personal property and the amount of tax which has
39 been paid on the tangible personal property. The
40 forms shall be filed by the contractor with the person
41 for whom the contract was performed prior to final
42 settlement on the contract. The person for whom the
43 contract was performed is entitled to the refund of
44 the taxes paid by the contractor and shall file the
45 forms, accompanied by an application for refund, with
46 the department to claim the refund. A contractor
47 who willfully files a false report of the taxes paid
48 is guilty, upon conviction, of a simple misdemeanor
49 and is also liable for the payment of any taxes due,
50 including penalty and interest.

Page 3

1 Annual claims for refund of taxes shall be filed
2 with the department of revenue by July 1 for the prior
3 calendar year. A claim is limited to taxes collected
4 on purchases made during the prior calendar year by
5 the retailer or contractor, or if section 423.14
6 applies, to taxes timely paid on purchases made during
7 the prior calendar year to the department. A claim
8 is a return and subject to all the applicable sales,
9 services, and use tax statutes relating to assessments,
10 audits, collections, liens, administrative review,
11 and judicial review.

12 This section is effective for industrial machinery
13 and equipment purchased on or after the effective
14 date of this section and for Iowa individual income
15 taxes withheld on or after the effective date of this
16 section."

Amendment H—6425 was adopted.

Norland of Worth asked and received unanimous consent that House File 2527 be temporarily deferred and that the bill retain its place on the calendar.

(Amendment H—6338, as amended, pending.)

SENATE AMENDMENT CONSIDERED

Baxter of Des Moines called up for consideration **House File 2518**, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies, amended by the Senate amendment H—6294 as follows:

H—6294

1 Amend House File 2518 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 4, by striking lines 9 through 30.

4 2. Page 10, line 16, by striking the figure
5 "95,000" and inserting in lieu thereof the figure
6 "101,495".

7 3. Page 10, by inserting after line 16 the
8 following:

9 "It is the intent of the general assembly that
10 the funds appropriated by this subsection be used
11 to fund budget and personnel positions, one for every
12 two judicial districts."

13 4. Page 13, by inserting after line 20 the
14 following:

15 "Notwithstanding section 8.33, the unencumbered
16 or unobligated balance remaining as of June 30, 1984,
17 of the appropriation made under 1983 Iowa Acts, chapter
18 207, section 92 may be used to fund grants to cities
19 and community groups for the development of community
20 programs that would provide local jobs for Iowa
21 residents and promote a city's historical, ethnic,
22 and cultural heritages as provided in 1983 Iowa Acts,
23 chapter 207, section 92 through December 31, 1984.
24 The unencumbered or unobligated balance of the funds
25 appropriated under 1983 Iowa Acts, chapter 207, section
26 92 which remain after December 31, 1984, shall revert
27 to the general fund of the state on January 1, 1985."

28 5. Page 15, by inserting after line 1 the
29 following:

30 "Sec. 12. Pursuant to the authority granted by
31 section 8.6, the comptroller, through the office of
32 the inspector general, shall assist agencies receiving
33 appropriations by this Act in identifying and
34 implementing efficiency and cost-effectiveness

- 35 measures. Savings realized by the agencies shall
36 revert at the end of each fiscal year and shall be
37 reflected in subsequent budgets."
38 6. Page 15, line 4, by striking the word
39 "services," and inserting in lieu thereof the words
40 "or services".
41 7. Page 15, line 5, by striking the words "or
42 construction".
43 8. Page 18, by striking lines 22 and 23.
44 9. Page 19, by striking lines 9 and 10.
45 10. Page 19, by striking lines 11 through 13.

Baxter of Des Moines offered the following amendment H-6304, to the Senate amendment H-6294, filed by her and moved its adoption:

H-6304

- 1 Amend Senate amendment H-6294 to House File 2518
- 2 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 1, by striking line 3.
- 5 2. Page 1, by striking lines 28 through 37.

Amendment H-6304 was adopted.

Baxter of Des Moines offered the following amendment H-6411, to the Senate amendment H-6294, filed by her from the floor and moved its adoption:

H-6411

- 1 Amend Senate amendment H-6294 to House File 2518
- 2 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 1, by striking lines 7 through 12.

Amendment H-6411 was adopted.

Baxter of Des Moines offered the following amendment H-6306, to the Senate amendment H-6294, filed by her and moved its adoption:

H-6306

- 1 Amend Senate amendment H-6294 to House File 2518
- 2 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 1, by striking lines 44 and 45.

A non-record roll call was requested.

The ayes were 42, nays 29.

Amendment H—6306 was adopted.

On motion by Baxter of Des Moines, the House concurred in the Senate amendment H—6294, as amended.

Baxter of Des Moines 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. 2518)

The ayes were, 75:

| | | | |
|------------------|-----------|-------------|------------------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Brammer | Carl | Carpenter |
| Carter | Chiotto | Clark | Cochran |
| Connolly | Cooper | Copenhaver | Davitt |
| Diemer | Doderer | Fey | Fogarty |
| Groninga | Gronstal | Gruhn | Halvorson, R. A. |
| Halvorson, R. N. | Hammond | Handorf | Hanson |
| Harbor | Haverland | Hermann | Hughes |
| Hummel | Jay | Jochum | Knapp |
| Koenigs | Krewson | Lloyd-Jones | Lonergan |
| McIntee | McKean | Menke | Muhlbauer |
| Mullins | Norland | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Paulin |
| Pavich | Peick | Poncy | Renaud |
| Rensink | Rosenberg | Running | Schroeder |
| Sherzan | Shoultz | Skow | Spear |
| Stromer | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Van Gerpen | Varn |
| Welden | Woods | Zimmerman | |

The nays were, 18:

| | | | |
|------------|--------------------------|----------|-----------------|
| Anderson | Bennett | Branstad | Buhr |
| Daggett | De Groot | Grandia | Hoffmann-Bright |
| Holveck | Maulsby | Pellet | Renken |
| Royer | Schneklath | Stueland | Van Camp |
| Van Maanen | Mr. Speaker (Connors) | | |

Absent or not voting, 7:

Chapman
Miller

Corey
Tofte

Groth
Torrence

Lageschulte

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

IMMEDIATE MESSAGE (House File 2518)

Norland of Worth asked and received unanimous consent to immediately message House File 2518 to the Senate.

CONFERENCE COMMITTEE APPOINTED (House File 2470)

The Speaker announced the appointment of the conference committee to consider the differences between the House and the Senate concerning House File 2470: Varn of Johnson, Chair; Jay of Appanoose, Maulsby of Calhoun, Parker of Jasper and Paulin of Plymouth.

SENATE AMENDMENT CONSIDERED

Poncy of Wapello called up for consideration **House File 2519**, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs for this state, amended by the Senate amendment H-6295 as follows:

H-6295

- 1 Amend House File 2519, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 3, line 18, by striking the figure
- 4 "3,555,514" and inserting in lieu thereof the figure
- 5 "3,605,781".
- 6 2. Page 11, by inserting after line 25 the
- 7 following:
- 8 "d. Center for industrial re-
- 9 search and service
- 10 For funding the small business
- 11 development centers to provide as-
- 12 sistance to small businesses and
- 13 business groups in Iowa \$ 500,000

14 e. Funds appropriated in paragraph "d" are in
15 addition to funds already available or appropriated
16 to the center for industrial research and service
17 for the fiscal year beginning July 1, 1984. Any
18 decision regarding the dispersion of funds appropriated
19 in paragraph "d" lies directly with the center for
20 industrial research and service. Moneys appropriated
21 in paragraph "d" will be used to meet matching
22 requirements for available federal or private funds
23 developed to provide assistance to small business
24 and which will be administered by the center for
25 industrial research and service in conjunction with
26 the state funds appropriated for this purpose."

27 3. Page 12, line 11, by inserting after the word
28 "regents." the following: "If the amount actually
29 expended for fuel and electricity purposes is less
30 than twenty-one million three hundred twenty-four
31 thousand (21,324,000) dollars, the difference may
32 be used for maintenance, equipment, and miscellaneous
33 purposes.

34 The intent of the general assembly for the fiscal
35 year beginning July 1, 1984 is to appropriate
36 additional funds to the state board of regents during
37 the 1985 Session of the Seventy-first General Assembly
38 for the purchase of fuel and electricity if the state's
39 share of the costs for fuel and electricity for the
40 institutions under the control of the state board
41 of regents for that fiscal year exceeds twenty-one
42 million three hundred twenty-four thousand (21,324,000)
43 dollars."

44 4. Page 12, by striking lines 12 through 22.

45 5. Page 12, by striking lines 23 and 24 and
46 inserting in lieu thereof the following:

47 "Sec. . The state board of regents is directed
48 to expend not less than one hundred thousand (100,000)
49 dollars of funds received from".

50 6. Page 12, by inserting after line 33 the

Page 2

1 following:

2 "Sec. 100. 1983 Iowa Acts, chapter 195, section
3 17, is amended to read as follows:

4 SEC. 17. There is appropriated from the general
5 fund of the state to the state comptroller for the
6 fiscal year beginning July 1, 1983 and ending June
7 30, 1984, the sum of two hundred fifty thousand
8 (250,000) dollars, or so much thereof as is necessary
9 to pay costs for the purchase of fuel and electricity
10 which exceed the amounts appropriated to the various
11 state agencies, or allocated by the state board of

12 regents to institutions under its control, from the
 13 general fund for the purchase of fuel and electricity.
 14 The funds or any portion of the funds shall not be
 15 allocated to a state agency, or institution under
 16 the control of the state board of regents, unless
 17 the state comptroller determines the agency's costs
 18 for the purchase of fuel and electricity exceed the
 19 amounts appropriated or allocated for the fiscal year
 20 beginning July 1, 1983 and the agency or institution
 21 is either developing an energy conservation plan in
 22 consultation with the energy policy council, or is
 23 implementing, or has implemented, an energy
 24 conservation plan which has been approved by the
 25 energy policy council and the state comptroller
 26 determines that other money is not available to the
 27 agency or institution for fuel or electricity
 28 purposes."

29 7. Page 14, by striking lines 2 through 8.

30 8. Page 15, by inserting after line 33 the
 31 following:

32 "Sec. . This Act, being deemed of immediate
 33 importance, takes effect from and after its publication
 34 in The Record-Herald & Indianola Tribune, a newspaper
 35 published in Indianola, Iowa, and in the Ottumwa
 36 Courier, a newspaper published in Ottumwa, Iowa.
 37 However, sections 1 through 21 of this Act take effect
 38 July 1, 1984. Section 100 takes effect upon
 39 publication."

Jochum of Dubuque offered amendment H-6399, to the Senate amendment H-6294, filed from the floor by him and Poncy of Wapello. Division was requested as follows:

H-6399

1 Amend the Senate amendment H-6294 to House File
 2 2519, as amended, passed, and reprinted by the House,
 3 as follows:

H-6399A

4 1. Page 1, line 5, by striking the figure
 5 "3,605,781" and inserting in lieu thereof the figure
 6 "3,578,008".

H-6399B

7 2. Page 1, line 13, by striking the figure
 8 "500,000" and inserting in lieu thereof the figure
 9 "350,000".

H-6399A

10 3. Page 1, by striking lines 32 and 33 and
11 inserting in lieu thereof the following: "be used
12 for maintenance purposes. If funds appropriated in
13 this section are used for maintenance purposes, the
14 state board of regents shall notify the chairpersons
15 of the house and senate committees on appropriations
16 in writing, listing the amounts expended for
17 maintenance and the purposes for which the moneys
18 were expended. Section 8.33 applies to funds
19 appropriated in this section." "

20 4. Page 1, by striking lines 34 through 43. /

21 5. Page 1, by striking line 44 and inserting in
22 lieu thereof the following:

23 " . Page 12, by striking lines 21 and 22 and
24 inserting in lieu thereof the following: "funds
25 distributed shall not exceed the teaching faculty's
26 share of funds contained in the vitality fund." "

27 6. Page 2, line 28, by inserting after the word
28 "purposes." the following: "However, not more than
29 one hundred thousand (100,000) dollars of the funds
30 appropriated in this section shall be used by the
31 state comptroller to pay costs for the purchase of
32 fuel and electricity which exceed the amounts allocated
33 by the state board of regents to institutions under
34 its control for the purchase of fuel and electricity."

On motion by Jochum of Dubuque amendment H-6399A was adopted.

Jochum of Dubuque asked and received unanimous consent to withdraw amendment H-6399B.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lageschulte of Bremer, for the remainder of the evening and until his arrival on April 19, 1984, on request of Pellett of Cass.

On motion by Poncy of Wapello, the House concurred in the Senate amendment H-6295, as amended.

Poncy of Wapello 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. 2519)

The ayes were, 78:

| | | | |
|-------------|-------------|------------------|------------------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Buhr | Carl | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Connors | Cooper | Copenhaver |
| Daggett | Davitt | De Groot | Diemer |
| Doderer | Fey | Fogarty | Groninga |
| Gronstal | Gruha | Halvorson, R. A. | Halvorson, R. N. |
| Hammond | Hanson | Haverland | Hermann |
| Holveck | Hughes | Hummel | Jay |
| Jochum | Knapp | Koenigs | Krewson |
| Lloyd-Jones | Loneragan | McIntee | McKean |
| 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 |
| Sturgeon | Sullivan | Swartz | Swearingen |
| Tabor | Van Gerpen | Varn | Woods |
| Zimmerman | Mr. Speaker | | |

The nays were, 16:

| | | | |
|----------|----------|------------|-----------------|
| Anderson | Bennett | Branstad | Corey |
| Grandia | Handorf | Harbor | Hoffmann-Bright |
| Maulsby | Renken | Schnekloth | Schroeder |
| Stueland | Van Camp | Van Maanen | Weiden |

Absent or not voting, 6:

| | | | |
|-----------|----------|-------------|-------|
| Carpenter | Groth | Lageschulte | Menke |
| 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 2519)

Norland of Worth asked and received unanimous consent to immediately message House File 2519 to the Senate.

SENATE AMENDMENT CONSIDERED.

Sturgeon of Woodbury called up for consideration **House File 2433**, a bill for an act amending Iowa's unemployment compensation law by limiting the waiver of certain requirements in job bumping situations, by treating educational employees similarly for purposes of denying benefits during certain regular academic recesses, by switching the burden of producing evidence back to the employee in certain cases, by modifying certain special contribution rate requirements both prospectively and retroactively, by authorizing recomputation of employer rates in certain overpayment cases, by crediting certain earned interest to the temporary emergency surcharge fund, and by providing for contribution refunds in overpayment cases, amended by the Senate, and moved that the House concur in the following Senate amendment H-6028:

H-6028

1 Amend House File 2433 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 5, by inserting after line 5 the following:

4 "Sec. 1000. Section 96.7, subsection 3, paragraph
5 d, unnumbered paragraph 6, Code Supplement 1983, is
6 amended to read as follows:

7 During any rate year in which a rate table in rate
8 tables three through nine is effective an employer
9 assigned a contribution rate under this lettered
10 paragraph is not required to contribute to the
11 unemployment compensation trust fund if the employer's
12 percentage of excess is seven point five percent or
13 greater for the rate year and the employer has not
14 been charged with benefit payments for any time within
15 the twenty-four calendar quarters immediately preceding
16 the rate computation date for the rate year. If an
17 employer is not required to contribute for a rate
18 year to the trust fund under this unnumbered paragraph
19 but would be required to contribute for the next rate
20 year under this lettered paragraph, the employer's
21 contribution rate for the next rate year is either
22 the employer's experience rate computed under this
23 lettered paragraph or one and eight-tenths percent,
24 whichever is less. For subsequent years, either the
25 employer is not required to contribute under this
26 unnumbered paragraph or the employer's contribution
27 rate is the employer's experience rate computed under
28 this lettered paragraph.

29 Sec. 1001. Section 96.7, subsection 3, paragraph
30 d, unnumbered paragraph 7, Code Supplement 1983, is

- 31 amended by striking the unnumbered paragraph."
 32 2. Page 6, line 8, by striking the word
 33 "overpayments" and inserting in lieu thereof the word
 34 "benefits".
 35 3. Page 7, by inserting after line 28 the
 36 following:
 37 " Sections 1000 and 1001 of this Act are
 38 retroactive to April 1, 1984 and apply to contributions
 39 for calendar quarters beginning on or after April
 40 1, 1984."
 41 4. Renumbering as necessary.

A non-record roll call was requested.

The ayes were 52, nays 17.

The motion prevailed and the House concurred in the Senate amendment H-6028.

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.

On the question "Shall the bill pass?" (H.F. 2433)

The ayes were, 91:

| | | | |
|------------------|------------|------------|------------------|
| 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 |
| Groninga | Gronstal | Gruhn | Halvorson, R. A. |
| Halvorson, R. N. | Hammond | Handorf | Hanson |
| Harbor | Haverland | Hermann | Hoffmann-Bright |
| Hughes | Hummel | Jay | Jochum |
| Knapp | Koenigs | Krewson | 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 | Schneklath | Schroeder |
| Sherzan | Shoultz | Skow | Spear |
| Stromer | Stueland | Sturgeon | Sullivan |
| Swartz | Swearingen | Tabor | Van Camp |

Van Gerpen
Woods

Van Maanen
Zimmerman

Varn
Mr. Speaker

Weiden

The nays were, 2:

Paulin

Running

Absent or not voting, 7:

Copenhaver
Menke

Groth
Tofte

Holveck
Torrence

Lageschulte

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

IMMEDIATE MESSAGE

(House File 2433)

Norland of Worth asked and received unanimous consent to immediately message House File 2433 to the Senate.

HOUSE INSISTS

Chapman of Linn called up for consideration **House File 2211**, a bill for an act making changes in the practice act relating to physical therapy, and moved that the House insist on its amendment to the Senate amendment.

The motion prevailed and the House insists on its amendment to the Senate amendment.

CONFERENCE COMMITTEE APPOINTED

(House File 2211)

The Speaker announced the appointment of the conference committee to consider the differences between the House and the Senate concerning House File 2211: Chapman of Linn, Chair; De Groot of Lyon, Gruhn of Dickinson, Pavich of Pottawattamie and Van Maanen of Mahaska.

HOUSE RECEDES

Swartz of Marshall called up for consideration **Senate File 2165**, a bill for an act to provide for the development of a proposal to

reduce upper-level management positions in certain state agencies, and moved that the House recede from its amendment.

A non-record roll call was requested.

The ayes were 45, nays 36.

The motion prevailed and the House recedes from its amendment.

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. 2165)

The ayes were, 81:

| | | | |
|------------------|----------|-----------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Connors | Cooper | Corey |
| Davitt | De Groot | Fey | Fogarty |
| Groninga | Gronstal | Gruhn | Halvorson, R. A. |
| Halvorson, R. N. | Handorf | Hanson | Harbor |
| Haverland | Hermann | Hoffmann-Bright | Holveck |
| Hughes | Hummel | Jay | Jochum |
| Knapp | Koenigs | Krewson | Maulsby |
| McIntee | McKean | Muhlbauer | Mullins |
| Norland | O'Kane | Ollie | Osterberg |
| Oxley | Parker | Paulin | Pavich |
| Peick | Pellett | Poncy | Renaud |
| Renken | Royer | Running | Schnekloth |
| Sherzan | Skow | Spear | Stromer |
| Stueland | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Van Camp | Van Gerpen |
| Varn | Welden | Woods | Zimmerman |
| Mr. Speaker | | | |

The nays were, 14:

| | | | |
|------------|------------|-------------|-----------|
| Copenhaver | Daggett | Diemer | Doderer |
| Grandia | Hammond | Lloyd-Jones | Lonergan |
| Miller | Rensink | Rosenberg | Schroeder |
| Shoultz | Van Maanen | | |

Absent or not voting, 5:

Groth
Torrence

Lageschulte

Menke

Tofte

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 2527**, a bill for an act relating to economic development in the state by providing that the development commission monitor, oversee and spend certain federal funds, establish a primary research and marketing center and satellite centers, establish an informal export advisory group, be responsible for agriculture marketing by establishing an agriculture marketing division and board, be responsible for the operation of the existing Iowa community development loan program, participate in the certified development program of the United States small business administration through a state certified development program, and be solely responsible for coordinating and adopting rules for the existing Iowa industrial new jobs training program; by allowing insurance companies, state banks, and state savings and loan associations to invest their assets in venture capital firms making investments in small businesses in the state, and public safety police officers, Iowa public employees and policemen and firemen retirement funds to be invested in venture capital firms making investments in small businesses in the state; by establishing an export loan program as part of the Iowa housing finance authority's small business loan program to aid in providing financing for export sales by small businesses; and by increasing the bonding limits of the Iowa housing finance authority and its small business loan program and redefining "small business" and "dominant in its field of operation" for purposes of the small business loan program, and amendment H-6338, as amended.

McIntee of Black Hawk asked and received unanimous consent to withdraw amendment H-6440, to amendment H-6338, filed by him from the floor.

Buhr of Polk in the chair at 12:52 a.m.

Swartz of Marshall moved the adoption of amendment H-6338, as amended.

A non-record roll call was requested.

The ayes were 31, nays 53.

Amendment H—6338, as amended, 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.

Rule 76 was invoked.

On the question "Shall the bill pass?" (H.F. 2527)

The ayes were, 56:

| | | | |
|-----------|-------------|------------------|-------------------------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Branstad | Carl | Chapman |
| Chiodo | Cochran | Connolly | Connors |
| Cooper | Copenhaver | Daggett | Diemer |
| Doderer | Fey | Fogarty | Groninga |
| Gronstal | Gruhn | Halvorson, R. N. | Hammond |
| Haverland | Holveck | Hughes | Jay |
| Knapp | Lloyd-Jones | Loneragan | McIntee |
| Muhlbauer | Norland | O'Kane | Ollie |
| Osterberg | Parker | Pavich | Poncy |
| Renaud | Rosenberg | Schroeder | Sherzan |
| Shoultz | Skow | Spear | Sturgeon |
| Swartz | Swearingen | Tabor | Van Maanen |
| Varn | Woods | Zimmerman | Madam Speaker (Buhr) |

The nays were, 37:

| | | | |
|----------|------------------|-----------------|------------|
| Anderson | Bennett | Brammer | Carpenter |
| Clark | Corey | Davitt | De Groot |
| Grandia | Halvorson, R. A. | Handorf | Hanson |
| Harbor | Hermann | Hoffmann-Bright | Hummel |
| Koenigs | Krewson | Maulsby | McKean |
| Miller | Mullins | Oxley | Paulin |
| Peick | Pellett | Renken | Rensink |
| Royer | Running | Schnekloth | Stromer |
| Stueland | Sullivan | Van Camp | Van Gerpen |
| Welden | | | |

Absent or not voting, 7:

| | | | |
|--------|-------|----------|-------------|
| Carter | Groth | Jochum | Lageschulte |
| Menke | Tofte | Torrence | |

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

OBJECTION TO IMMEDIATE MESSAGE
(House File 2527)

Norland of Worth asked for unanimous consent to immediately message House File 2527 to the Senate.

Objection was raised.

Speaker Avenson in the chair at 1:07 a.m.

MOTION TO RECONSIDER TABLED

Norland of Worth moved to reconsider the vote by which House File 2527 passed the House and to table the motion to reconsider.

A non-record roll call was requested.

The ayes were 55, nays 28.

The motion to table prevailed.

MOTION TO RECONSIDER
(Senate File 2165)

I move to reconsider the vote by which Senate File 2165 passed the House on April 18, 1984.

KREWSON 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 18, 1984.

JOSEPH O'HERN
Chief Clerk of the House

House File 595, a bill for an act relating to the deferring of judgment or deferring of sentence of a person previously convicted of a felony.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 18, 1984, he approved and transmitted to the Secretary of State the following bill:

House File 2511, an act relating to and making appropriations to the Auditor of State and the Treasurer of State and providing an effective date.

PRESENTATION OF VISITORS

Avenson of Fayette presented to the House the Honorable Terry Dyrland, former member of the House representing Clayton County and the Honorable Marcia Walters, former member of the House representing Pottawattamie County.

Schnekloth of Scott presented to the House the Honorable Warren Johnson, former member of the House representing Woodbury County.

Blanshan of Greene presented to the House the Honorable Carroll Perkins, former member of the House representing Greene County.

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

Forty sixth grade students from Dexfield Elementary School, Dexter, accompanied by Mrs. Sanborn. By Zimmerman of Dallas.

Forty fifth grade students from Villisca Elementary School, Nodaway, accompanied by Berniece Guffey. By Daggett of Taylor.

Seventy sixth grade students from Garner-Hayfield Junior High School, Garner, accompanied by Dan Nielson. By Stromer of Hancock.

Eighty-five eighth grade students from Grimes Junior High School, Grimes, accompanied by Bill Wineland. By Haverland of Polk and Zimmerman of Dallas.

Seventeen students from Dexfield Junior-Senior High School, Redfield, accompanied by Keith Kirby. By Zimmerman of Dallas.

Eighteen eighth grade students from Wall Lake High School, Wall Lake, accompanied by Mrs. Gene Schroeder. By Maulsby of Calhoun.

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, accompanied by Iola McMorrow. By Jay of Appanoose.

Twenty eighth grade students from Essex High School, Essex, accompanied by Craig Wilkens. By Royer of Page.

Nine Government students from M.I.U. High School, Fairfield, accompanied by Richard Beall. By Swearingen of Keokuk.

Twenty Government students from Clarinda High School, Clarinda, accompanied by Mrs. Cassat. By Royer of Page.

Thirty students and teachers from the Sister City Commission from Naucalpan, Mexico, accompanied by Kathy Watts. By Connors of Polk.

Eighty fifth grade students from Central Elementary School, Lewis Central School District, Council Bluffs, accompanied by Mrs. Fran Lydon, Ronald Basch, Mrs. Donna Merchant and Ron Kelley. 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

House File 2473, a bill for an act to implement certain recommendations of the governor's task force by providing limitations on leaves of absence for certain military purposes, providing a phased retirement incentive program for full-time state employees, providing for the use of investment income as management expenses for certain retirement programs, providing that persons who are not full-time employees of the state who do not accrue sick leave or vacation and who work on a state holiday shall receive pay only for hours worked, and providing that all state departments and agencies shall have appropriations for the 1984-1985 fiscal year reduced by the amount of out-of-state travel incurred in the 1984-1985 fiscal year.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—6413** April 18, 1984.

Pursuant to House Rule 33, House File 2473 was referred to the committee on Finance.

House Resolution, a resolution commending Representative Lester Menke and Senator Bass Van Gilst for their efforts in the field of education.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 1984.

Senate File 2351, a bill for an act relating to the administration and financing of current programs other than mental health programs under the jurisdiction of the department of human services and to the foster care review board for the fiscal year beginning July 1, 1984, and ending June 30, 1985.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—6406** April 18, 1984.

Pursuant to House Rule 33, Senate File 2351 was referred to the committee on Finance.

Senate File 2352, 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** April 18, 1984.

Pursuant to House Rule 33, Senate File 2352 was referred to the committee on Finance.

Senate File 2353, a bill for an act relating to the funding of and to substance abuse treatment and prevention programs by making appropriations to the department of substance abuse for the fiscal year beginning July 1, 1984 and ending June 30, 1985 for administration, program grants, treatment programs not licensed by the department, and prevention programs, requiring the treasurer of state to deposit certain amounts of the sales made by the state liquor stores in a special fund, requiring the beer and liquor control council to adjust the sales margin on liquor August 1, 1984 to raise certain revenue, requiring the state to incur one hundred percent of the cost of substance abuse treatment at certain programs for the fiscal year beginning July 1, 1984 and ending June 30, 1985, crediting certain fees to the beer and liquor control fund, requiring the department of substance abuse to distribute program grant funding by a

certain formula, requiring an assessment of a patient before admittance to a state mental health institute for substance abuse treatment, prohibiting counties from certifying a supplemental levy for certain substance abuse treatment facilities, requiring the county auditor to recompute the levy rates to reduce the amount budgeted for certain substance abuse treatment programs in the fiscal year beginning July 1, 1984 and ending June 30, 1985, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 1984.

Pursuant to House Rule 33, Senate File 2353 was referred to the committee on Finance.

Committee Bill, creating a petroleum overcharge fund in the state treasury and appropriating money from the fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 18, 1984.

COMMITTEE ON FINANCE

House File 2473, a bill for an act to implement certain recommendations of the governor's task force by providing limitations on leaves of absence for certain military purposes, providing a phased retirement incentive program for full-time state employees, providing for the use of investment income as management expenses for certain retirement programs, providing that persons who are not full-time employees of the state who do not accrue sick leave or vacation and who work on a state holiday shall receive pay only for hours worked, and providing that all state departments and agencies shall have appropriations for the 1984-1985 fiscal year reduced by the amount of out-of-state travel incurred in the 1984-1985 fiscal year.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 1984.

Senate File 2328, a bill for an act to amend the Iowa pari-mutuel wagering Act and providing that part-time and seasonal employees of the racing commission are not under the merit employment system.

Fiscal Note is required.

Recommended **Do Pass** April 18, 1984.

Senate File 2351, a bill for an act relating to the administration and financing of current programs other than mental health programs under the jurisdiction of the department of human services and the foster care review board for the fiscal year beginning July 1, 1984, and ending June 30, 1985.

Fiscal Note is not required.

Recommended Do Pass April 18, 1984.

Senate File 2352, 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 April 18, 1984.

Senate File 2353, a bill for an act relating to the funding of and to substance abuse treatment and prevention programs by making appropriations to the department of substance abuse for the fiscal year beginning July 1, 1984 and ending June 30, 1985 for administration, program grants, treatment programs not licensed by the department, and prevention programs, requiring the treasurer of state to deposit certain amounts of the sales made by the state liquor stores in a special fund, requiring the beer and liquor control council to adjust the sales margin on liquor August 1, 1984 to raise certain revenue, requiring the state to incur one hundred percent of the cost of substance abuse treatment at certain programs for the fiscal year beginning July 1, 1984 and ending June 30, 1985, crediting certain fees to the beer and liquor control fund, requiring the department of substance abuse to distribute program grant funding by a certain formula, requiring an assessment of a patient before admittance to a state mental health institute for substance abuse treatment, prohibiting counties from certifying a supplemental levy for certain substance abuse treatment facilities, requiring the county auditor to recompute the levy rates to reduce the amount budgeted for certain substance abuse treatment programs in the fiscal year beginning July 1, 1984 and ending June 30, 1985, and providing an effective date.

Fiscal Note is not required.

Recommended Do Pass April 18, 1984.

Senate File 2356, a bill for an act to allow the use of special railroad facility fund moneys for purchase or upgrading railroad right of way and trackage facilities for development of railroad passenger tourism.

Fiscal Note is not required.

Recommended Do Pass April 18, 1984.

Committee Bill (Formerly House File 2441), relating to urban renewal.

Fiscal Note is required.

Recommended Do Pass April 18, 1984.

COMMITTEE ON WAYS AND MEANS

Senate File 2318, a bill for an act relating to the computation of interest on overpayments arising from the carryback of a net operating loss or net capital loss for individual and corporate income and franchise tax purposes.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 1984.

Senate File 2328, a bill for an act to amend the Iowa pari-mutuel wagering Act and providing that part-time and seasonal employees of the racing commission are not under the merit employment system.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H-6412** April 18, 1984.

Pursuant to House Rule 33, Senate File 2328 was referred to the committee on Finance.

Committee Bill (Formerly Study Bill 802), relating to the special property valuations for certain machinery and equipment under sections 427B.10 to 427B.14.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 18, 1984.

RESOLUTIONS FILED

HR 107, by Peick, a resolution relating to the recognition of female veterans.

Laid over under **Rule 25**.

HR 108, by committee on appropriations, a resolution commending Representative Lester Menke and Senator Bass Van Gilst for their efforts in the field of education.

Laid over under **Rule 25**.

AMENDMENTS FILED

| | | |
|--------|-----------|-------------------------------|
| H-6380 | S.F. 2215 | Corrected Senate Amendment |
| H-6396 | S.F. 2254 | Senate Amendment |

| | | | |
|--------|--------|------|---------------------------------|
| H-6401 | S.F. | 2102 | Cochran of Webster |
| | | | Black of Jasper |
| | | | Fogarty of Palo Alto |
| | | | Blanshan of Greene |
| | | | Skow of Guthrie |
| | | | Osterberg of Linn |
| | | | Davitt of Warren |
| | | | Handorf of Marshall |
| | | | Varn of Johnson |
| | | | Halvorson of Webster |
| H-6403 | H.C.R. | 125 | Hoffmann-Bright of Muscatine |
| | | | Schneklath of Scott |
| H-6406 | S.F. | 2351 | Committee on Appropriations |
| H-6407 | H.F. | 2486 | Jay of Appanoose |
| H-6408 | S.F. | 2354 | Gronstal of Pottawattamie |
| H-6412 | S.F. | 2328 | Committee on Ways and Means |
| H-6413 | H.F. | 2473 | Committee on Appropriations |
| H-6414 | H.C.R. | 125 | Anderson of Audubon |
| H-6415 | S.F. | 2351 | Miller of Woodbury |
| H-6416 | S.F. | 2351 | Welden of Hardin |
| H-6418 | S.F. | 2351 | Van Maanen of Mahaska |
| H-6419 | H.F. | 2486 | Lageschulte of Bremer |
| | | | McKean of Jones |
| | | | Van Maanen of Mahaska |
| | | | De Groot of Lyon |
| | | | Pellett of Cass |
| H-6420 | S.F. | 2351 | Welden of Hardin |
| | | | Van Maanen of Mahaska |
| H-6421 | S.J.R. | 2001 | Halvorson of Webster |
| H-6423 | S.F. | 2351 | Van Maanen of Mahaska |
| H-6424 | H.F. | 2473 | Lloyd-Jones of Johnson |
| H-6426 | S.F. | 2043 | Halvorson of Clayton |
| | | | Swartz of Marshall |
| H-6427 | S.F. | 2351 | Van Maanen of Mahaska |
| H-6430 | S.F. | 2351 | Krewson of Polk |
| | | | Buhr of Polk |
| | | | Clark of Cerro Gordo |
| | | | Haverland of Polk |
| | | | Mullins of Kossuth |

| | | |
|--------|-------------|----------------------|
| H-6431 | H.F. 2520 | Jochum of Dubuque |
| H-6432 | H.F. 2441 | Rosenberg of Story |
| H-6433 | H.F. 2441 | Rosenberg of Story |
| H-6434 | S.J.R. 2001 | Halvorson of Webster |
| H-6436 | H.F. 2486 | Miller of Woodbury |
| H-6443 | H.F. 2441 | Rosenberg of Story |
| H-6444 | H.F. 2486 | Miller of Woodbury |
| H-6445 | H.F. 2486 | Osterberg of Linn |
| H-6446 | S.F. 2351 | Carl of Poweshiek |
| H-6447 | H.F. 2486 | Zimmerman of Dallas |
| H-6448 | H.F. 2486 | McKean of Jones |
| H-6449 | S.F. 2328 | Black of Jasper |

On motion by Norland of Worth, the House adjourned at 1:12 a.m., until 9:15 a.m., Thursday, April 19, 1984.

JOURNAL OF THE HOUSE

One Hundred Second Calendar Day — Seventieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 19, 1984

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

Prayer was offered by the Honorable Randy Hughes, state representative from Union County.

The Journal of Wednesday, April 18, 1984 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James Codington, M.D., Humboldt.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the members of the conference committee, on the part of the Senate, on House File 2211, a bill for an act making changes in the practice act relating to physical therapy, appointed April 19, 1984, are: The Senator from Linn, Senator Horn, Chair; the Senator from Dubuque, Senator Carr; the Senator from Des Moines, Senator Miller; the Senator from Jefferson, Senator Schwengels; and the Senator from Marshall, Senator Soorholtz.

Also: That the Senate has on April 12, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2513, a bill for an act relating to the apportionment of the net income of a farm corporation for purposes of the corporate income tax.

Also: That the Senate has on April 17, 1984, 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 244, a bill for an act relating to the care given under workers' compensation medical benefits.

Also: That the Senate has on April 17, 1984, concurred in the House amendment, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 420, a bill for an act relating to the collection of dishonored checks, drafts, or other negotiable instruments.

Also: That the Senate has on April 17, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2350, a bill for an act to impose a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the Act retroactive.

K. MARIE THAYER, Secretary

ADOPTION OF HOUSE MEMORIAL RESOLUTION 112

Ollie of Clinton offered the following House Memorial Resolution 112 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 112

Whereas, The Honorable Harvey J. Long of Clinton County, Iowa, who was a member of the Thirty-ninth, Fortieth, Forty-first, Forty-second and Forty-third General Assemblies, passed away July 23, 1975;
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 resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee Ollie of Clinton, Arnould of Scott and Stueland of Clinton.

SENATE AMENDMENT CONSIDERED

House Refused To Concur

Carter of Henry called up for consideration **Senate File 2215**, a bill for an act to provide for the issuance of an extracurricular contract by school boards, to set criteria for receipt of the contract including the establishment of a coaching authorization, and to provide for termination of the extracurricular contract, amended by the House, further amended by the Senate, and moved that the House concur in the following corrected Senate amendment H-6380 to the House amendment:

H-6380

- 1 Amend the House amendment S-5940 to Senate File
- 2 2215, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. By striking page 1, line 3, through page 4,
- 5 line 32, and inserting in lieu thereof the following:

6 "1. By striking everything after the enacting
7 clause and inserting in lieu thereof the following:
8 "Section 1. 279.19A NEW SECTION. EXTRACURRICULAR
9 CONTRACTS.

10 1. School districts employing individuals to coach
11 interscholastic athletic activities shall issue a
12 separate extracurricular contract for each of these
13 activities. An extracurricular contract offered under
14 this section shall be separate from the contract
15 issued under section 279.13. Wages for employees
16 who coach these activities shall be paid pursuant
17 to established or negotiated supplemental pay
18 schedules. An extracurricular contract shall be in
19 writing, and shall state the number of contract days,
20 the annual compensation to be paid, and any other
21 matters as may be mutually agreed upon. The contract
22 shall be for a single school year and may be continued
23 as provided in subsection 2.

24 2. An extracurricular contract shall be continued
25 automatically in force and effect for equivalent
26 periods, except as modified or terminated by mutual
27 agreement of the board of directors and the employee,
28 or terminated in accordance with this section. An
29 extracurricular contract shall initially be offered
30 by the employing board to an individual on the same
31 date that contracts are offered to teachers under
32 section 279.13. An extracurricular contract may be
33 terminated at the end of a school year pursuant to
34 sections 279.15 through 279.19. If the school district
35 offers an extracurricular contract for an activity
36 for the subsequent school year to an employee who
37 is currently performing under an extracurricular
38 contract for that activity, and the employee does
39 not wish to accept the extracurricular contract for
40 the subsequent year, the employee may resign from
41 the extracurricular contract within twenty-one days
42 after it has been received.

43 Section 279.13, subsection 3, applies to this
44 section.

45 3. The board of directors of a school district
46 may require an employee who has resigned from an
47 extracurricular contract to accept, as a condition
48 of employment under section 279.13, the extracurricular
49 contract for the subsequent school year if all of
50 the following conditions apply:

Page 2

1 a. The employee has accepted a teaching contract
2 issued by the board pursuant to section 279.13 for
3 the subsequent school year.

4 b. The board of directors has made a good faith
5 effort to fill the coaching position with a
6 certificated or authorized replacement.

7 c. The position has not been filled by June 1
8 of the year in which the employee resigned the
9 extracurricular contract.

10 4. As a condition of employment under section
11 279.13, the board of directors of a school district
12 may require an employee who has been issued a teaching
13 contract pursuant to section 279.13 to accept an
14 extracurricular contract for which the employee is
15 certificated or authorized, or may require as a
16 condition of employment that an applicant for a
17 teaching contract under section 279.13 accept an
18 extracurricular contract if all of the following
19 conditions apply:

20 a. The individual who held the coaching position
21 during the year has not been issued a teaching contract
22 by the board pursuant to section 279.13 for the
23 subsequent school year, or has been terminated from
24 the extracurricular contract.

25 b. The board of directors has made a good faith
26 effort to fill the coaching position with a
27 certificated or authorized replacement.

28 c. The position has not been filled by June 1
29 of the year in which the vacancy occurred for the
30 interscholastic athletic activity.

31 5. By June 1 of that year, the board shall notify
32 the employee in writing if the board intends to require
33 the employee to accept an extracurricular contract
34 for the subsequent school year under subsection 3
35 or 4. If the employee believes that the board did
36 not make a good faith effort to fill the position,
37 the employee may appeal the decision by notifying
38 the board in writing within seven school days after
39 receiving the notification.

40 The appeal shall state why the employee believes
41 that the board did not make a good faith effort to
42 fill the position. If the parties are unable to
43 informally resolve the dispute, the parties shall
44 attempt to agree upon an alternative means of resolving
45 the dispute.

46 If the dispute is not resolved by mutual agreement,
47 either party may appeal to the district court.

48 6. Subsections 3, 4, and 5 do not apply if the
49 terms of a collective bargaining agreement provide
50 otherwise.

Page 3

1 7. An extracurricular contract may be terminated
2 prior to the expiration of that contract pursuant

3 to section 279.27.

4 8. A termination proceeding of an extracurricular
5 contract either by the board pursuant to subsection
6 2 or pursuant to section 279.27 does not affect a
7 contract issued pursuant to section 279.13.

8 A termination of a contract entered into pursuant
9 to section 279.13, or a resignation from that contract
10 by the teacher, constitutes an automatic termination
11 and resignation of the extracurricular contract in
12 effect between the same teacher and the employing
13 school board.

14 9. For the purposes of this section, "good faith
15 effort" includes advertising for the position in an
16 appropriate publication, interviewing applicants,
17 and giving serious consideration to those certificated
18 or authorized applicants who apply.

19 **Sec. 2. NEW SECTION. 279.19B COACHING ENDORSEMENT**
20 **AND AUTHORIZATION.** The board of directors of a school
21 district shall offer an extracurricular contract for
22 varsity head coach of the interscholastic athletic
23 activities of football, basketball, track, baseball,
24 softball, volleyball, gymnastics, hockey, and wrestling
25 only to an individual possessing a teaching certificate
26 with a coaching endorsement issued pursuant to chapter
27 260.

28 The board of directors of a school district may
29 employ for head coach of other interscholastic athletic
30 activities or for assistant coach of any
31 interscholastic athletic activity, an individual who
32 possesses a coaching authorization issued by the
33 department of public instruction. An individual who
34 has been issued a coaching authorization and is
35 employed by the board of directors of a school district
36 serves at the pleasure of the board of directors and
37 is not subject to sections 279.13, 279.15 through
38 279.19, and 279.27. Chapter 272A and section 279.19A
39 apply to coaching authorizations.

40 **Sec. 3. NEW SECTION. 260.31 COACHING**
41 **AUTHORIZATION.**

42 1. The minimum requirements for the board to award
43 a coaching authorization to an applicant are:

44 a. Successful completion of one semester credit
45 hour or ten contact hours in a course relating to
46 knowledge and understanding of the structure and
47 function of the human body in relation to physical
48 activity.

49 b. Successful completion of one semester credit
50 hour or ten contact hours in a course relating to

Page 4

1 knowledge and understanding of human growth and

- 2 development of children and youth in relation to
3 physical activity.
- 4 c. Successful completion of two semester credit
5 hours or twenty contact hours in a course relating
6 to knowledge and understanding of the prevention and
7 care of athletic injuries and medical and safety
8 problems relating to physical activity.
- 9 d. Successful completion of one semester credit
10 hour or ten contact hours relating to knowledge and
11 understanding of the techniques and theory of coaching
12 interscholastic athletics.
- 13 2. The board of educational examiners shall adopt
14 rules under chapter 17A for coaching authorizations
15 including, but not limited to approval of courses,
16 validity and expiration, fees, and suspension and
17 revocation of authorizations. The board of educational
18 examiners shall work with institutions of higher
19 education, private colleges and universities, merged
20 area schools, and area education agencies to insure
21 that the courses required under subsection 1 are
22 offered throughout the state at convenient times and
23 at a reasonable cost.
- 24 Sec. 4. Extracurricular contracts shall be offered
25 pursuant to this Act on or after March 15, 1985 for
26 the school year commencing July 1, 1985." "

The motion lost and the House refused to concur in the corrected Senate amendment H-6380.

UNANIMOUS CONSENT

Norland of Worth asked and received unanimous consent to take up out of order Senate Files 2043 and 2327.

CONSIDERATION OF BILLS

Ways and Means Calendar

Senate File 2043, a bill for an act authorizing a partial exemption from property taxation for new warehouses and new warehouse machinery and equipment, with report of committee recommending amendment and passage was taken up for consideration.

The House stood at ease at 10:05 a.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 2043 at 11:20 a.m., Speaker Avenson in the chair.

Clark of Cerro Gordo offered the following amendment H-6384 filed by the committee on finance:

H-6384

1 Amend Senate File 2043, as passed by the Senate
2 as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. Chapter 364, Code 1983, is amended
6 by adding the following new section:

7 NEW SECTION. A city council or county board of
8 supervisors may enter into a contract with a person
9 whose property is totally or partially exempt from
10 taxation under chapter 404, section 427.1, or section
11 427B.1, for the city or county to provide specified
12 services to that person including but not limited
13 to police protection, fire protection, street main-
14 tenance, and waste collection. The contract shall
15 terminate as of the date previously exempt property
16 becomes subject to taxation.

17 Sec. 2. Section 427B.1, unnumbered paragraph 1,
18 Code 1983, is amended to read as follows:

19 A city council, or a county board of supervisors
20 as authorized by section 427B.2, may provide by
21 ordinance for a partial exemption from property
22 taxation of the actual value added to industrial real
23 estate by the new construction of industrial real
24 estate, warehouses, distribution centers and the
25 acquisition of or improvement to machinery and
26 equipment assessed as real estate pursuant to section
27 427A.1, subsection 1, paragraph "e". New construction
28 means new buildings and structures and includes new
29 buildings and structures which are constructed as
30 additions to existing buildings and structures. New
31 construction does not include reconstruction of an
32 existing building or structure which does not
33 constitute complete replacement of an existing building
34 or structure or refitting of an existing building
35 or structure, unless the reconstruction of an existing
36 building or structure is required due to economic
37 obsolescence and the reconstruction is necessary to
38 implement recognized industry standards for the
39 manufacturing and processing of specific products
40 and the reconstruction is required for the owner of
41 the building or structure to continue to competitively
42 manufacture or process those products which
43 determination shall receive prior approval from the
44 city council of the city or the board of supervisors
45 of the county upon the recommendation of the Iowa
46 development commission. The exemption shall also
47 apply to new machinery and equipment assessed as real
48 estate pursuant to section 427A.1, subsection 1,
49 paragraph "e", unless the machinery or equipment is
50 part of the normal replacement or operating process

Page 2

1 to maintain or expand the existing operational status.
2 Warehouse means a building or structure used as a
3 public warehouse for the storage of goods pursuant
4 to sections 554.7101 through 554.7603, except that
5 it does not mean a building or structure used primarily
6 to store raw agricultural products or from which goods
7 are sold at retail. Distribution center means a
8 building or structure used primarily for the storage
9 of goods which are intended for subsequent shipment
10 to retail outlets. Distribution center does not mean
11 a building or structure used primarily to store raw
12 agricultural products, used primarily by a manufacturer
13 to store goods to be used in the manufacturing process,
14 used primarily for the storage of petroleum products,
15 or used for the retail sale of goods.

16 Sec. 3. Section 427B.3, unnumbered paragraph 1,
17 Code 1983, is amended to read as follows:

18 The actual value added to industrial real estate
19 for the reasons specified in section 427B.1 is eligible
20 to receive a partial exemption from taxation for a
21 period of five years. However, if property ceases
22 to be classified as industrial real estate or ceases
23 to be used as a warehouse or distribution center,
24 the partial exemption for the value added shall not
25 be allowed for subsequent assessment years. "Actual
26 value added" as used in this chapter means the actual
27 value added as of the first year for which the
28 exemption is received, except that actual value added
29 by improvements to machinery and equipment means the
30 actual value as determined by the assessor as of
31 January 1 of each year for which the exemption is
32 received. The amount of actual value added which
33 is eligible to be exempt from taxation shall be as
34 follows:"

35 2. Amend the title, by striking lines 1 through
36 3 and inserting in lieu thereof the following: "An
37 Act to provide a partial property tax exemption for
38 warehouses and distribution centers on which
39 improvements have been made and allow cities and
40 counties to contract with persons whose real property
41 is exempt or partially exempt from property taxation
42 to provide certain services."

Halvorson of Clayton offered the following amendment
H-6426, to the committee amendment H-6384, filed by him and
Swartz of Marshall:

H-6426

1 Amend amendment H-6384 to Senate File 2043, as
2 passed by the Senate, as follows:

3 1. Page 2, by inserting after line 15 the
4 following:

5 "Sec. . Section 427B.1, Code 1983, is amended
6 after unnumbered paragraph 1 by adding the following
7 new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. A city council or county
9 board of supervisors, as authorized by section 427B.2,
10 may provide by ordinance for a partial exemption from
11 property taxation of the actual value of a building
12 or structure, exclusive of the land, which remained
13 vacant and unused for at least one year prior to its
14 use for industrial purposes. The ordinance shall
15 provide that a building or structure shall not be
16 eligible for or receive the tax exemption if it is
17 operated by a business which closes or substantially
18 reduces its operation in one area of the state of
19 Iowa and relocates the same operation within the
20 building or structure.

21 Sec. . Section 427B.2, subsection 1 and
22 subsection 2, unnumbered paragraph 1, Code 1983, are
23 amended to read as follows:

24 1. The board of supervisors of a county which
25 has appointed a county zoning commission and provided
26 for county zoning under chapter 358A may provide for
27 a partial exemption from property taxation of the
28 actual value added to industrial real estate or the
29 actual value of a building or structure as provided
30 under section 427B.1.

31 The board of supervisors of a county which has
32 not appointed a zoning commission may provide for
33 a partial exemption from property taxation of the
34 actual value added to industrial real estate or the
35 actual value of a building or structure as provided
36 under section 427B.1 in the following areas:"

37 2. Page 2, line 18, by inserting after the word
38 "estate" the words "and the actual value of a building
39 or structure".

40 3. Page 2, line 32, by inserting after the word
41 "received." the words "Actual value" as used in this
42 division means the actual value as of the first year
43 for which the exemption is received."

44 4. Page 2, line 32, by inserting after the word
45 "added" the words "or of the actual value, whichever
46 is applicable,".

47 5. Page 2, by striking line 34 and inserting in
48 lieu thereof the following: "follows:

49 Sec. . Section 427B.4, Code 1983, is amended
50 to read as follows:

Page 2

1 427B.4 APPLICATION FOR EXEMPTION BY PROPERTY
2 OWNER. An application shall be filed for each project
3 resulting in actual value added or in the industrial
4 use of a previously vacant and unused building or
5 structure for which an exemption is claimed. The
6 application for exemption shall be filed by the owner
7 of the property with the local assessor by February
8 1 of the assessment year in which the value added
9 is first assessed for taxation or, in the case of
10 the industrial use of a previously vacant and unused
11 building or structure, by February 1 of the assessment
12 year following the year in which the industrial use
13 begins. Applications for exemption shall be made
14 on forms prescribed by the director of revenue and
15 shall contain information pertaining to the nature
16 of the improvement, its cost, its use, and other
17 information deemed necessary by the director of
18 revenue.

19 A person may submit a proposal to the city council
20 of the city or the board of supervisors of a county
21 to receive prior approval for eligibility for a tax
22 exemption on new construction or for the industrial
23 use of a previously vacant and unused building or
24 structure. The city council or the board of
25 supervisors, by ordinance, may give its prior approval
26 of a tax exemption for new construction if the new
27 construction it is in conformance with the zoning
28 plans for the city or county. The prior approval
29 shall also be subject to the hearing requirements
30 of section 427B.1. Prior approval does not entitle
31 the owner to exemption from taxation until the new
32 construction has been completed or industrial use
33 begins and found to be qualified real estate. However,
34 if the tax exemption for new construction is not
35 approved, the person may submit an amended proposal
36 to the city council or board of supervisors to approve
37 or reject." "

38 6. Page 2, line 39, by inserting after the word
39 "made" the words ", provide a local option tax
40 abatement for previously vacant and unused buildings
41 or structures that begin to be used for industrial
42 purposes,".

Doderer of Johnson rose on a point of order that amendment
H—6426 was not germane.

The Speaker ruled the point well taken and amendment
H—6426 not germane.

Halvorson of Clayton asked for unanimous consent to consider amendment H—6426.

Objection was raised.

On motion by Clark of Cerro Gordo, the committee amendment H—6384 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. 2043)

The ayes were, 88:

| | | | |
|------------|-----------------|------------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Carl | Carpenter | Carter | Chapman |
| Chiodo | Clark | Cochran | Connolly |
| Cooper | Copenhaver | Corey | Daggett |
| 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 |
| Jay | Jochum | Knapp | Koenigs |
| Krewson | Loneragan | McIntee | McKean |
| Menke | Miller | Muhlbauer | Mullins |
| Norland | Ollie | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poncy | Renaud | Renken | Rensink |
| 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, 7:

| | | | |
|--------|-----------|-----------|-------------|
| Buhr | Hammond | Hummel | Lloyd-Jones |
| O'Kane | Osterberg | Rosenberg | |

Absent or not voting, 5:

| | | | |
|---------|--------|-------------|---------|
| Connors | Davitt | Lageschulte | Maulsby |
| Shultz | | | |

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

IMMEDIATE MESSAGES
(Senate Files 2043 and 2215)

Norland of Worth asked and received unanimous consent to immediately message Senate Files 2043 and 2215 to the Senate.

Copenhaver of Buchanan in the chair at 11:40 a.m.

Senate File 2327, a bill for an act relating to what constitutes discounts on transactions occurring between January 1, 1978 and July 1, 1984 involving farm equipment for purposes of the state sales, services, and use tax, relating to refunds, and providing retroactive effect, with report of committee recommending amendment and passage was taken up for consideration.

Koenigs of Mitchell offered the following amendment H-6352 filed by the committee on ways and means and moved its adoption:

H-6352

- 1 Amend Senate File 2327 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 2, by inserting after the word
- 4 "of" the words "farm tractors and".
- 5 2. Page 1, line 3, by striking the word and figures
- 6 "January 1, 1978" and inserting in lieu thereof the
- 7 word and figures "June 1, 1982".
- 8 3. Page 1, line 10, by striking the word and
- 9 figures "January 1, 1978" and inserting in lieu thereof
- 10 the word and figures "June 1, 1982".
- 11 4. Page 1, line 11, by inserting after the word
- 12 "of" the words "farm tractors and".
- 13 5. Page 1, line 13, by inserting after the word
- 14 "law." the following: "Notwithstanding any other
- 15 provision of law, the total amount of refunds that
- 16 shall be paid pursuant to this section shall not
- 17 exceed the sum of seventy-five thousand dollars.
- 18 If the total dollar amount of the allowable claims
- 19 for refunds exceeds seventy-five thousand dollars
- 20 the director of revenue shall prorate the seventy-
- 21 five thousand dollars among the claimants of the
- 22 allowable claims by paying each claimant a percent
- 23 of the amount of the claimant's allowable claim equal
- 24 to the percent that seventy-five thousand dollars
- 25 is of the total amount of all the allowable claims."
- 26 6. Page 1, line 14, by striking the word and
- 27 figures "January 1, 1978" and inserting in lieu thereof
- 28 the word and figures "June 1, 1982".

- 29 7. Title page, line 2, by striking the word and
 30 figures "January 1, 1978" and inserting in lieu thereof
 31 the word and figures "June 1, 1982".
 32 8. Title page, line 3, by inserting after the
 33 word "involving" the words "farm tractors and".

The committee amendment H - 6352 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?" (S.F. 2327)

The ayes were, 96:

| | | | |
|------------------|------------|------------|-----------------------------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| Branstad | Buhr | Carl | Carpenter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Connors | Cooper | 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 |
| 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 |
| Weiden | Woods | Zimmerman | Mr. Speaker (Copenhaver) |

The nays were, none.

Absent or not voting, 4:

| | | | |
|--------|--------|-------------|--------|
| Carter | Davitt | Lageschulte | Swartz |
|--------|--------|-------------|--------|

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:

Maulsby of Calhoun, until his return, on request of De Groot of Lyon; Krewson of Polk, until his return, on request of McKean of Jones.

**IMMEDIATE MESSAGE
(Senate File 2327)**

Norland of Worth asked and received unanimous consent to immediately message Senate File 2327 to the Senate.

SENATE AMENDMENT CONSIDERED

Jay of Appanoose called up for consideration **House File 2486**, a bill for an act to provide a deterrent to persons operating a motor vehicle while under the influence of an alcoholic beverage or other drug, providing instruction and treatment for drinking drivers, declaring certain acts illegal and establishing penalties, amended by the Senate amendment H-6285 as follows:

H-6285

- 1 Amend House File 2486 as amended, passed, and re-
- 2 printed by the House as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting in lieu thereof the following:
- 5 "Section 1. Section 123.50, Code 1983, is amended
- 6 by adding the following new subsections:
- 7 **NEW SUBSECTION. 4.** The department shall adopt
- 8 rules to establish fines in amounts of not more than
- 9 three thousand dollars which the department shall,
- 10 subject to the discretion of the director, assess
- 11 against licensees or permittees for violations of
- 12 section 123.49 as an alternative to other penalties
- 13 fixed for such violations by this section. Money
- 14 collected from penalties assessed under this subsection
- 15 shall be deposited with the Iowa department of
- 16 substance abuse for use in substance abuse treatment
- 17 programs.
- 18 **NEW SUBSECTION. 5.** Upon the conviction of a
- 19 vendor, as defined in section 123.24, subsection 1,
- 20 for a violation of section 123.47 and at the request
- 21 of the local authority, the director shall close the
- 22 state liquor store at which the violation occurred
- 23 for a period of fourteen days.

24 NEW SUBSECTION. 6. However, upon the conviction
 25 of a vendor for a violation of section 123.47, in
 26 lieu of the period of suspension required under
 27 subsection 5, the department may assess a civil penalty
 28 against the state liquor store of one hundred dollars
 29 for a first offense, two hundred fifty dollars for
 30 a second offense within a twelve-month period, and
 31 five hundred dollars for a third offense within a
 32 twelve-month period. Money collected from penalties
 33 assessed under this subsection shall be deposited
 34 with the Iowa department of substance abuse for use
 35 in substance abuse treatment programs.

36 Sec. 2. Section 321.1, Code Supplement 1983, is
 37 amended by adding the following new subsections:

38 NEW SUBSECTION. "Alcohol concentration" means
 39 the number of grams of alcohol per any of the
 40 following:

- 41 a. One hundred milliliters of blood.
- 42 b. Two hundred ten liters of breath.
- 43 c. Sixty-seven milliliters of urine.

44 NEW SUBSECTION. "Alcoholic beverage" includes
 45 alcohol, wine, spirits, beer, or any other beverage
 46 which contains ethyl alcohol and is fit for human
 47 consumption.

48 Sec. 3. Section 321.189, subsection 1, Code 1983,
 49 is amended by inserting after unnumbered paragraph
 50 1 the following new unnumbered paragraph:

Page 2

1 NEW UNNUMBERED PARAGRAPH. A motor vehicle license
 2 or a nonoperator's identification card issued to a
 3 person under nineteen years of age shall be identical
 4 in form to any other motor vehicle license or
 5 nonoperator's identification card issued to any other
 6 person, except that the photograph appearing on the
 7 face of the license or card shall be a side profile
 8 of the applicant. Upon attaining the age of nineteen,
 9 and upon the payment of a one dollar fee, the person
 10 shall be entitled to a new motor vehicle license or
 11 nonoperator's identification card for the unexpired
 12 months of the motor vehicle license or the
 13 nonoperator's identification card. This paragraph
 14 is effective for licenses or cards issued after the
 15 effective date of this Act.

16 Sec. 4. Section 321.281, subsection 1, Code 1983,
 17 is amended to read as follows:

18 1. A person shall not operate a motor vehicle
 19 upon the public highways of in this state in either
 20 of the following conditions:

- 21 a. While under the influence of an alcoholic

22 beverage, a narcotic, hypnotic, or other drug, or
23 any a combination of such substances.

24 b. While having an alcohol concentration of
25 thirteen hundredths or more of one percent by weight
26 of alcohol in the blood.

27 Sec. 5. Section 321.281, subsection 2, Code 1983,
28 is amended by adding the following new unnumbered
29 paragraph:

30 NEW UNNUMBERED PARAGRAPH. On a conviction for
31 a second or subsequent offense in violation of this
32 section, the court shall order the defendant to undergo
33 a substance abuse evaluation and the court may order
34 the defendant to follow the recommendations proposed
35 in the substance abuse evaluation for appropriate
36 substance abuse treatment for the defendant. Court
37 ordered substance abuse treatment is subject to the
38 periodic reporting requirements of section 125.86.
39 If a defendant is committed by the court to a substance
40 abuse treatment facility, the administrator of the
41 facility shall report to the court when it is
42 determined that the defendant has received the maximum
43 benefit of treatment at the facility and the defendant
44 shall be released from the facility. The time for
45 which the defendant is committed for treatment shall
46 be credited against the defendant's sentence. The
47 court may prescribe the length of time for the
48 evaluation and treatment or it may request that the
49 hospital to which the person is committed immediately
50 report to the court when the person has received

Page 3

1 maximum benefit from the program of the hospital or
2 institution or has recovered from the person's
3 addiction, dependency, or tendency to chronically
4 abuse alcohol or drugs. A person committed under
5 this section who does not possess sufficient income
6 or estate to make payment of the costs of the treatment
7 in whole or in part shall be considered a state patient
8 and the costs of treatment shall be paid as provided
9 in section 125.44. A defendant who fails to carry
10 out the order of the court or who fails to successfully
11 complete or attend an ordered substance abuse treatment
12 program shall be confined in the county jail for
13 twenty days in addition to any other imprisonment
14 ordered by the court or may be ordered to perform
15 unpaid community service work, and shall be placed
16 on probation for one year with a violation of this
17 probation punishable as contempt of court.

18 Sec. 6. Section 321.281, subsections 7 and 8,
19 Code 1983, are amended to read as follows:

20 7. This section does not apply to a person
21 operating a motor vehicle while under the influence
22 of a narcotic, hypnotic, or other drug if such
23 substances were the substance was prescribed for the
24 person and were was taken under the prescription and
25 in accordance with the directions of a medical
26 practitioner as defined in section 155.3, subsection
27 11, if there is no evidence of the consumption of
28 alcohol and the medical practitioner had not directed
29 the person to refrain from operating a motor vehicle.

30 8. In any prosecution under this section, evidence
31 of the results of analysis of a specimen of the
32 defendant's blood, breath, ~~saliva~~, or urine is
33 admissible upon proof of a proper foundation. In
34 an action in which a violation of by the means
35 described in subsection 1, paragraph "a" of this
36 section is alleged, evidence that ~~there was, at the~~
37 time, the defendant had an alcohol concentration of
38 ten hundredths or more of one percent by weight of
39 alcohol in the defendant's blood is presumptive
40 evidence that the defendant was under the influence
41 of an alcoholic beverage.

42 Sec. 7. Section 321.281, Code 1983, is amended
43 by adding the following new subsection:

44 NEW SUBSECTION. 10. The court shall order a
45 defendant convicted of a violation of this section
46 to make restitution for damages resulting directly
47 from the violation.

48 Sec. 8. Section 321.281, Code 1983, is amended
49 by adding the following new subsection:

50 NEW SUBSECTION. If a defendant is convicted of

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1 a first offense of this section and the defendant's
2 license or permit to operate a motor vehicle is revoked
3 under section 321.209 or chapter 321B for the
4 occurrence from which the arrest arose, the period
5 of revocation shall be the period provided for such
6 a revocation or until the defendant reaches the age
7 of nineteen whichever period is longer.

8 Sec. 9. Section 321B.1, Code 1983, is amended
9 to read as follows:

10 321B.1 DECLARATION OF POLICY. The general assembly
11 declares that this chapter is necessary to aid the
12 enforcement of laws prohibiting operation of a motor
13 vehicle while under the influence of an alcoholic
14 beverage, a narcotic, hypnotic, or other drug or any
15 a combination of such substances, or while having
16 an alcohol concentration of a certain amount of alcohol
17 in the blood or more.

18 Sec. 10. Section 321B.2, unnumbered paragraph
19 2, Code 1983, is amended to read as follows:

20 As used in this chapter and sections 29B.106,
21 321.200, and 321.281, 321.494 and 600.2 the words
22 "alcoholic beverage" include and alcohol, wine,
23 spirits, beer, or any other beverage which contains
24 ethyl alcohol and is fit for human consumption
25 concentration means as defined in section 321.1.

26 Sec. 11. Section 321B.4, subsection 1, unnumbered
27 paragraph 1, Code 1983, is amended to read as follows:

28 Any person who operates a motor vehicle in this
29 state upon a public highway under circumstances which
30 give reasonable grounds to believe that the person
31 to have has been operating a motor vehicle in violation
32 of section 321.281, is deemed to have given consent
33 to the withdrawal of specimens of the person's blood,
34 breath, saliva, or urine, and to a chemical test or
35 tests of the specimens for the purpose of determining
36 the alcoholic content of the blood alcohol
37 concentration or presence of drugs, subject to this
38 section. The withdrawal of the body substances and
39 the test or tests shall be administered at the written
40 request of a peace officer having reasonable grounds
41 to believe that the person to have been was operating
42 a motor vehicle in violation of section 321.281, and
43 if any of the following conditions exist:

44 Sec. 12. Section 321B.4, subsection 1, paragraph
45 d, Code 1983, is amended to read as follows:

46 d. The preliminary breath screening test was
47 administered and it recorded indicated an alcohol
48 concentration of ten hundredths or more of one percent
49 by weight of alcohol in the blood.

50 Sec. 13. Section 321B.12, Code 1983, is amended

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1 by striking the section and inserting in lieu thereof
2 the following:

3 321B.12 STATEMENT OF OFFICER. A person who has
4 been requested to submit to a chemical test shall
5 be advised by a peace officer of the following:

6 1. If the person refuses to submit to the test,
7 the person's license or operating privilege will be
8 revoked by the department for the applicable period
9 under section 321B.13.

10 2. If the person submits to the test and the
11 results indicate an alcohol concentration of ten
12 hundredths or more, the person's license or operating
13 privilege will be revoked by the department for the
14 applicable period under section 321B.16.

15 This section does not apply in any case involving

16 a person described in section 321B.11.

17 Sec. 14. Section 321B.15, Code 1983, is amended

18 to read as follows:

19 **321B.15 TAKING SAMPLE FOR TEST.** Only a licensed
20 physician, physician's assistant as defined in section
21 148C.1, subsection 6, medical technologist or
22 registered nurse, acting at the request of a peace
23 officer, may withdraw body substances a specimen of
24 blood for the purpose of determining the alcoholic
25 or drug content of the person's blood alcohol
26 concentration or the presence of drugs. However,
27 any peace officer, using devices and methods approved
28 by the commissioner of public safety, may take a
29 specimen of a person's breath or urine for the purpose
30 of determining the alcoholic or drug content of the
31 person's blood alcohol concentration or the presence
32 of drugs. Only new, originally factory wrapped,
33 disposable syringes and needles, kept under strictly
34 sanitary and sterile conditions shall be used for
35 drawing blood.

36 **PARAGRAPH DIVIDED.** The person may have an
37 independent chemical test or tests administered by
38 a person of the person's own choosing and at the
39 person's own expense in addition to any administered
40 at the direction of a peace officer. The failure
41 or inability of the person to obtain an independent
42 chemical test or tests does not preclude the admission
43 in of evidence of the results of the test or tests
44 taken administered at the direction of the peace
45 officer. Upon the request of the person who is tested,
46 the results of the test or tests taken administered
47 at the direction of the peace officer shall be made
48 available to the person.

49 Sec. 15. Section 321B.16, Code 1983, is amended
50 to read as follows:

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1 **321B.16 TEST RESULT REVOCATION.** Upon certification
2 by the peace officer that there existed reasonable
3 grounds to believe that the person to have had been
4 operating a motor vehicle in violation of section
5 321.281, that there existed one or more of the
6 necessary conditions for chemical testing described
7 in section 321B.4, subsection 1, and that the person
8 submitted to chemical testing and the test results
9 indicate indicated an alcohol concentration of ten
10 hundredths or more of one percent by weight of alcohol
11 in the person's blood, the department shall revoke
12 the person's license or permit to drive or nonresident
13 operating privilege for a period of one hundred twenty

14 eighty days if the person has had no revocation within
15 the previous six years under section 321.209,
16 subsection 2, section 321.281 or this chapter, two
17 hundred forty days if the person has one previous
18 revocation under those provisions, and one year if
19 the person has two had one or more previous revocations
20 under those provisions arising from separate
21 occurrences.

22 The effective date of the revocation shall be
23 twenty days after the department has mailed notice
24 of revocation to the person by certified mail or,
25 on behalf of the department, a. The peace officer
26 offering a chemical test or directing who requested
27 or directed the administration of a the chemical test
28 may, on behalf of the department, serve immediate
29 notice of intention to revoke and of revocation on
30 a person when the person's whose test results indicate
31 indicated an alcohol concentration of ten hundredths
32 or more of one percent by weight of alcohol in the
33 blood.

34 If the peace officer serves that immediate notice,
35 the peace officer shall take the person's Iowa license
36 or permit of the driver, if any, and issue a temporary
37 license valid only for twenty days. The peace officer
38 shall immediately send the person's driver's license
39 to the department along with an affidavit stating
40 the officer's certificate indicating that the test
41 results indicate indicated an alcohol concentration
42 of ten hundredths of one percent or more by weight
43 of alcohol in the person's blood.

44 The Not less than thirty days after the effective
45 date of a revocation under this section, the department
46 may, on application, issue a temporary restricted
47 license to a the person whose license has been revoked
48 under this section when the person's regular employment
49 includes the operation of a motor vehicle or who the
50 person cannot perform his or her regular occupation

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1 without the use of a motor vehicle, or when the
2 person's use of a motor vehicle is necessary to attend
3 evaluation, treatment or educational services for
4 alcohol or drug dependency, but the person shall not
5 operate a vehicle for pleasure while holding a
6 restricted license. However, this paragraph does
7 not apply to a person whose license is suspended or
8 revoked for another reason.

9 Sec. 16. Section 321B.26, Code 1983, is amended
10 to read as follows:

11 321B.26 HEARING. Upon the written request of

12 a person whose privilege to drive has been revoked
 13 or denied, or who has been issued a twenty-day license
 14 pursuant to section 321B.13 or section 321B.16, the
 15 department shall grant the person an opportunity to
 16 be heard within twenty days after the receipt of the
 17 request, but the request must be made within ten days
 18 of the effective date of revocation or denial of
 19 driving privileges or the issuance of a temporary
 20 permit license. A revocation or denial of driving
 21 privileges under this chapter shall not be stayed
 22 upon a request for a hearing but the department may
 23 upon application grant a stay of the balance of the
 24 revocation if the hearing has not been held within
 25 sixty days. The hearing shall be before the department
 26 in the county where the alleged events occurred,
 27 unless the director and the person agree that the
 28 hearing may be held in some other county. The hearing
 29 may be recorded and its scope shall ~~cover~~ be limited
 30 to the issues of whether a peace officer had reasonable
 31 grounds to believe that the person to have been was
 32 operating a motor vehicle in violation of section
 33 321.281, whether and either of the following:

34 a. Whether the person refused to submit to the
 35 test or tests,
 36 b. Whether a test was administered and the test
 37 results if a person consented to a test and whether
 38 the person should be issued a temporary restricted
 39 license indicated an alcohol concentration of ten
 40 hundredths or more.

41 PARAGRAPH DIVIDED. The department shall order
 42 that the revocation or denial be either rescinded
 43 or sustained.

44 Sec. 17. Section 321B.28, Code 1983, is amended
 45 to read as follows:

46 321B.28 EVIDENCE IN ANY ACTION. Upon the trial
 47 of any civil or criminal action or proceeding arising
 48 out of acts alleged to have been committed by any
 49 a person while operating a motor vehicle in violation
 50 of section 321.281, evidence of the amount of alcohol

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1 concentration or the presence of drugs in the person's
 2 blood body substances at the time of the act alleged
 3 as shown by a chemical analysis of the person's blood,
 4 breath, saliva or urine is admissible. If it is
 5 established at trial that an analysis of a breath
 6 specimen was performed by use of a device and methods
 7 approved by the commissioner of public safety, it
 8 is presumed that the test results are valid and no

9 further foundation is necessary for introduction of
10 the evidence.

11 Sec. 18. STUDY COMMITTEE CREATED.

12 1. There is established a committee to study the
13 laws and penalties relating to operating motor vehicles
14 while intoxicated composed of nine members. The
15 members shall be appointed as follows:

16 a. The chief justice of the supreme court shall
17 select one judge to be a member and chair the
18 committee.

19 b. The Iowa county attorneys association shall
20 select one member of their organization as a member.

21 c. The Iowa public defenders association shall
22 select one member of their organization as a member.

23 d. The department of public safety shall select
24 an employee as a member.

25 e. The department of transportation shall select
26 an employee of that department as a member.

27 f. The Iowa department of substance abuse shall
28 select an employee as a member.

29 g. The legislative council shall select an attorney
30 experienced in the defense of those charged with
31 driving while intoxicated as a member.

32 h. The legislative council shall select a person
33 with professional experience in substance abuse
34 treatment as a member.

35 i. The legislative council shall appoint one
36 member of the legislature as a member.

37 All members of the study committee shall be
38 appointed not later than thirty days from the effective
39 date of this Act. The study committee shall hold
40 its organizational meeting not more than thirty days
41 following the appointment of its membership.

42 2. Public members of the study committee shall
43 receive a per diem of forty dollars and be reimbursed
44 for their travel and other necessary expenses actually
45 incurred in the performance of their official duties.
46 Public employees who are members of the study committee
47 shall be reimbursed for travel and other expenses
48 actually incurred in the performance of their official
49 duties.

50 3. The study committee shall conduct a

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1 comprehensive study of the laws and penalties presently
2 in the Code relating to the operation of a motor
3 vehicle by a person who is intoxicated and make
4 recommendations for any changes in the law the
5 committee deems necessary. The study committee may
6 request assistance of any state or local government

7 agency to obtain any data or other information which
 8 the study committee deems necessary to carry out its
 9 duties. The state and local government agencies shall
 10 provide any assistance requested by the study
 11 committee.

12 4. The study committee may request that the
 13 legislative council provide staff for the study
 14 committee from the staff of the legislative service
 15 bureau and the legislative fiscal bureau.

16 5. The study committee shall transmit copies of
 17 its final report to the general assembly on January
 18 5, 1985. The final report shall include findings
 19 of fact and its recommendations and relevant data
 20 gathered by and for the committee."

Speaker Avenson in the chair at 11:55 a.m.

Van Camp of Scott asked and received unanimous consent to withdraw amendment H—6298, to the Senate amendment H—6285, filed by Van Camp, et al., on April 16, 1984.

McKean of Jones offered the following amendment H—6448, to the Senate amendment H—6285, filed by him and moved its adoption:

H—6448

1 Amend the amendment H—6285 to House File 2486 as
 2 amended, passed, and reprinted by the House as follows:
 3 1. Page 1, by striking lines 5 through 35.
 4 2. Page 2, by inserting after line 15 the
 5 following:

6 "Sec. . Section 321.191, unnumbered paragraph
 7 2, Code 1983, is amended to read as follows:

8 There shall be a fee of ~~twenty~~ fifty dollars for
 9 reinstatement of a chauffeur's license or operator's
 10 license which is, after notice and opportunity for
 11 hearing, suspended or revoked pursuant to sections
 12 321.193, 321.209 and 321.210, except subsection 4
 13 thereof, 321.513, 321.560, 321A.6, and chapter 321B.
 14 The ~~twenty-dollar~~ fee shall be collected only if the
 15 person whose license was suspended or revoked was
 16 served personally with notice. If the person whose
 17 license was suspended or revoked was served notice
 18 by certified mail, the reinstatement fee shall be
 19 ~~ten dollars.~~

20 Sec. . Section 321.213, Code 1983, is amended
 21 to read as follows:

22 321.213 LICENSE SUSPENSIONS OR REVOCATIONS DUE
 23 TO VIOLATIONS BY JUVENILE DRIVERS. Upon the entering

24 entry of an order at the conclusion of an adjudicatory
 25 hearing under section 232.47 that the child violated
 26 a provision of this chapter or chapter 321A or 321B
 27 for which the penalty is greater than a simple
 28 misdemeanor, or that the child refused to submit to
 29 chemical testing under section 321B.4, the clerk of
 30 the juvenile court in the adjudicatory hearing shall
 31 forward a copy of the adjudication to the department.
 32 Notwithstanding section 232.55, a final adjudication
 33 in a juvenile court that the child violated a provision
 34 of this chapter or chapter 321A or 321B constitutes
 35 a final conviction of a the respective violation of
 36 a provision of this chapter or chapter 321A for
 37 purposes of section 321.189, subsection 2, paragraph
 38 "b", and sections 321.193, 321.194, 321.200, 321.209,
 39 321.210, 321.215, and 321A.17. Notwithstanding section
 40 232.55, the director shall revoke the license or
 41 permit of a child under section 321B.13 upon receipt
 42 of a copy of the final adjudication in a juvenile
 43 court that the child refused to submit to chemical
 44 testing under section 321B.4."

45 . By striking page 2, line 16 through page 3,
 46 line 17 and inserting in lieu thereof the following:
 47 "Sec. . Section 321.281, subsections 1 and
 48 2, Code 1983, are amended to read as follows:
 49 1. A person shall not operate a motor vehicle
 50 upon the public highways of in this state in either

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- 1 of the following conditions:
- 2 a. While under the influence of an alcoholic
- 3 beverage, a narcotic, hypnotic, or other drug, or
- 4 any a combination of such substances.
- 5 b. While having thirteen an alcohol concentration
- 6 of ten hundredths or more of one percent by weight
- 7 of alcohol in the blood.
- 8 2. A person convicted who pleads or is found
- 9 guilty of a violation of this section, upon conviction
- 10 or a plea of guilty, is guilty of shall be sentenced
- 11 upon conviction for:
- 12 a. A serious misdemeanor for the first offense
- 13 and shall be fined not less than five hundred dol-
- 14 lars and imprisoned in the county jail for not less
- 15 than forty-eight hours, less credit for any time the
- 16 person was confined in a jail or detention facility
- 17 following arrest. The court cannot suspend the minimum
- 18 fine or term of forty-eight hours, notwithstanding
- 19 section 901.5, subsection 3, and section 907.3, sub-
- 20 section 2, but, the court may accommodate the sentence
- 21 to the work schedule of the defendant.

22 b. An aggravated misdemeanor for a second offense
23 and shall be fined not less than eight hundred dollars
24 and imprisoned in the county jail or community-based
25 correctional facility not less than seven days, which
26 minimum fine and term cannot be suspended,
27 notwithstanding section 901.5, subsection 3, and
28 section 907.3, subsection 2.

29 c. A class "D" felony for a third offense and
30 each or subsequent offense and shall be fined not
31 less than one thousand dollars and, in addition, shall
32 be imprisoned in the county jail or a community-based
33 correctional facility for a determinate term of not
34 less than thirty nor more than one hundred eighty
35 days as a condition of probation if the court suspends
36 the indeterminate term prescribed by section 902.9,
37 subsection 4.

38 No conviction for, or plea of guilty to, a violation
39 of this section which occurred more than six years
40 prior to the date of the violation charged or a
41 violation of a corresponding statute of any other
42 state that would have been a violation of this section
43 if it had occurred in this state shall be considered
44 in determining that the violation charged is a second,
45 third or subsequent offense if that previous violation
46 occurred more than six years prior to the date of
47 the violation charged.

48 Sec. . Section 321.281, subsection 3, Code
49 1983, is amended by striking the subsection and
50 inserting in lieu thereof the following:

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1 3. A person shall be punished for only one
2 violation of this section based on each occurrence
3 but either or both of the alternative means described
4 in subsection 1 may be proved at trial.

5 Sec. . Section 321.281, subsection 6, Code
6 1983, is amended by striking the subsection."

7 4. Page 3, by inserting after line 41 the
8 following:

9 "Sec. . Section 321.281, subsection 9, Code
10 1983, is amended to read as follows:

11 9. a. Upon a plea or verdict of guilty of a third
12 second or subsequent violation of this section, the
13 court in which the plea was entered or the verdict
14 was returned shall order that the defendant's license
15 or permit to operate motor vehicles be revoked by
16 the department and that the defendant shall remain
17 ineligible for a new license or permit for a period
18 of six five years. Any license or permit to operate
19 motor vehicles held by the defendant shall be
20 surrendered to the court who shall forward it to the

21 department with a copy of the order for revocation.

22 b. After two years one year from the date of the
23 order for revocation, the defendant may apply to the
24 court for restoration of the defendant's eligibility
25 for a license or permit to operate motor vehicles.
26 The application may be granted only if all of the
27 following are shown by the defendant by a preponderance
28 of the evidence:

29 (1) The defendant has completed an evaluation
30 and, if recommended by the evaluation, a program of
31 treatment for chemical dependency, and is recovering,
32 or has substantially recovered, from that dependency
33 on or tendency to abuse alcohol or drugs, and an
34 evaluation within the preceding thirty days indicates
35 no further treatment is required.

36 (2) The defendant has not been convicted, since
37 the date of the revocation order, of any subsequent
38 violations of this section or section 123.46, or any
39 comparable city or county ordinance, and the defendant
40 has not, since the date of the revocation order,
41 submitted to a chemical test under chapter 321B that
42 indicated ten hundredths or more of one percent by
43 weight of alcohol in the person's blood or refused
44 to submit to chemical testing under that chapter.

45 (3) The defendant has abstained from the excessive
46 consumption of alcoholic beverages and the consumption
47 of controlled substances, except at the direction
48 of a licensed physician or pursuant to a valid
49 prescription.

50 (4) The defendant's license or permit is not

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1 currently subject to suspension or revocation for
2 any other reason.

3 c. The court shall forward to the department a
4 record of any application submitted under paragraph
5 "b" and the results of the court's disposition of
6 the application.

7 d. Upon a plea or verdict of guilty of a violation
8 of this section during the occurrence of which there
9 was an accident causing a serious injury in which
10 the defendant was judged to be at fault, the court
11 in which the plea was entered or the verdict was
12 returned shall order that the defendant's license
13 or permit to operate motor vehicles be revoked by
14 the department and that the defendant shall remain
15 ineligible for a new license or permit for a period
16 of one year in addition to any other period of
17 suspension. Any license or permit to operate motor
18 vehicles held by the defendant shall be surrendered
19 to the court who shall forward it to the department

20 with a copy of the order for revocation. A person
 21 whose license to operate a motor vehicle has been
 22 revoked pursuant to this subsection may be issued
 23 a temporary restricted driving permit by the department
 24 allowing the person to drive to and from the person's
 25 home and place of employment and in the course of
 26 the person's employment upon the completion by the
 27 defendant of a substance abuse evaluation under section
 28 125.33 and completion of a program of treatment if
 29 recommended.

30 e. Upon a plea or verdict of guilty of a violation
 31 of this section during the occurrence of which there
 32 was an accident which caused a loss of life for which
 33 the defendant was judged to be at fault, the court
 34 in which the plea was entered or the verdict was
 35 returned shall order that the defendant's license
 36 or permit to operate motor vehicles be revoked by
 37 the department and that the defendant shall never
 38 be eligible for a new license or permit. Any license
 39 or permit to operate motor vehicles held by the
 40 defendant shall be surrendered to the court who shall
 41 forward it to the department with a copy of the order
 42 for revocation."

43 5. By striking page 3, line 48 through page 4,
 44 line 7 and inserting in lieu thereof the following:
 45 "Sec. . Section 321.281, Code 1983, is amended
 46 by adding the following new subsections:

47 **NEW SUBSECTION.** If a defendant is convicted of
 48 or adjudicated under chapter 232, division II for
 49 a first offense of this section and the defendant's
 50 license or permit to operate a motor vehicle is revoked

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1 under section 321.209 or chapter 321B for the
 2 occurrence from which the arrest arose, the period
 3 of revocation shall be the period provided for such
 4 a revocation or until the defendant reaches the age
 5 of nineteen whichever period is longer.

6 **NEW SUBSECTION.** A person whose license to operate
 7 a motor vehicle is revoked because the person has
 8 been convicted or has pleaded guilty to a violation
 9 of section 321.281 or is revoked under subsection
 10 6 of that section shall pay a fifty dollar fee in
 11 addition to the reinstatement fee provided in section
 12 321.191 upon an application by the person for
 13 reinstatement of the person's license to operate a
 14 motor vehicle.

15 **NEW SUBSECTION.** The court may assess as court
 16 costs the cost of imprisoning a person for the minimum
 17 sentence required for a conviction of a violation
 18 of this section. The cost of imprisonment may not

19 exceed a maximum of forty dollars per day.

20 Sec. . Section 321.282, Code 1983, is amended
21 to read as follows:

22 321.282 VIOLATIONS. A person whose license or
23 privilege to operate is revoked or denied because
24 the person has been convicted or has pleaded or been
25 found guilty of a violation of section 321.281
26 or is revoked under subsection 6 of that section who
27 is found driving drives or operating any operates
28 a motor vehicle upon a highway in this state while
29 the license or privilege is revoked or denied is
30 guilty of commits a serious misdemeanor and,
31 notwithstanding section 907.3, shall be imprisoned
32 in the county jail not less than seven days for a
33 first offense under this section and not less than
34 thirty days for a second or subsequent offense under
35 this section.

36 Sec. . Section 321.283, Code 1983, is amended
37 by striking the section and inserting in lieu thereof
38 the following:

39 321.283 TREATMENT OR INSTRUCTION FOR DRINKING
40 DRIVERS.

41 1. As used in this section, unless the context
42 otherwise requires:

43 a. "Course for drinking drivers" means an approved
44 course designed to inform the offender about drinking
45 and driving and encourage the offender to assess the
46 driver's drinking and driving behavior in order to
47 select practical alternatives.

48 b. "Satisfactory completion of a course" means
49 receipt of a grade of "C" or "2.0" or better from
50 the course instructor at the completion of the course.

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1 2. After a conviction for, or a plea of guilty
2 of, a violation of section 321.281, the court in
3 addition to its power to commit the defendant for
4 treatment of alcoholism under section 321.281, may
5 in lieu of, or prior to or after the pronouncement
6 of sentence for any subsequent offense, order the
7 defendant to submit to evaluation, treatment or
8 rehabilitation services under section 125.33 at the
9 defendant's expense and to furnish evidence of
10 successful completion. A copy of the order shall
11 be forwarded to the department.

12 3. After a conviction for a violation of section
13 321.281, the court may refer the defendant for
14 treatment at a facility as defined in sections 125.1
15 to 125.43 and designated by the Iowa department of
16 substance abuse. The court may prescribe the length
17 of time for treatment or it may be left to the discre-

18 tion of the facility to which the defendant was
19 referred. A person referred under this section who
20 does not have sufficient income or estate to pay the
21 costs of the treatment in whole or in part is a state
22 patient and the costs of the treatment shall be paid—
23 under section 125.44.

24 4. A person whose operating privileges have been
25 revoked under chapter 321B or for a conviction of
26 a violation of section 321.281 and who has had no
27 previous revocation under section 321.209, subsection
28 2, section 321.281, or chapter 321B shall not be
29 eligible for reinstatement of operating privileges
30 until the person has filed with the department proof
31 of satisfactory completion of a course for drinking
32 drivers or completion of evaluation, treatment or
33 rehabilitation services under section 125.33 and has
34 filed proof of compliance with chapter 321A.

35 5. A person whose operating privileges have been
36 revoked under chapter 321B or for a conviction of
37 a violation of section 321.281 and who has had one
38 or more previous revocations under section 321.209,
39 subsection 2, section 321.281, or chapter 321B shall
40 not be eligible for reinstatement of operating
41 privileges until the person has filed with the
42 department proof of completion of a substance abuse
43 evaluation and, if recommended by the evaluation,
44 a course of treatment or rehabilitation under section
45 125.33 and has filed proof of compliance with chapter
46 321A.

47 6. A person who is attending evaluation, treatment
48 or rehabilitation services voluntarily or under a
49 court order may be issued a temporary restricted
50 driving permit by the department for driving between

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1 the person's home and place of employment, in the
2 person's employment, and to and from the location
3 of the evaluation, treatment or rehabilitation services
4 if the person has complied with chapter 321A. The
5 fee for a temporary restricted driving permit issued
6 under this subsection is ten dollars. The permit
7 must be in the permittee's immediate possession while
8 the permittee is operating a motor vehicle and shall
9 be invalid when the permittee is issued a driver's
10 license. The temporary restricted driving permit
11 shall be canceled upon conviction of a moving traffic
12 violation. A violation of a restriction of a permit
13 issued under this subsection is a simple misdemeanor.

14 7. Successful completion of a course for drinking
15 drivers or evaluation, treatment or rehabilitation
16 services under this section does not reverse or reduce

17 the length of a revocation or denial of operating
18 privileges for a violation of section 321.281 or under
19 chapter 321B.

20 8. The course for drinking drivers shall be offered
21 on a regular basis at each area school as defined
22 in section 280A.2. Enrollment in the courses is not
23 limited to persons required to attend the course and
24 any person may enroll in and attend a course for
25 drinking drivers.

26 9. The department of public instruction shall
27 establish reasonable fees to defray the expense of
28 obtaining classroom space, instructor salaries, and
29 class materials for the courses for drinking drivers.
30 No person shall be denied enrollment in a course by
31 reason of indigency.

32 10. No employer shall discharge a person from
33 employment solely for the reason that the person is
34 absent from work in order to attend a course for
35 drinking drivers. An employer who violates this
36 section shall be liable for triple damages occasioned
37 by the unlawful discharge from employment.

38 11. The department of public instruction shall
39 prepare a list of the locations where the course for
40 drinking drivers is offered, the dates and times the
41 course is taught, the procedure for enrollment, and
42 the schedule of course fees. The list shall be kept
43 current and shall be provided to the department and
44 to each district court.

45 12. The department of public instruction shall
46 maintain enrollment, attendance, successful and
47 nonsuccessful completion data on the persons who have
48 enrolled in a course for drinking drivers. This data
49 shall be forwarded to the department."

50 6. Page 4, by inserting after line 49 the

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1 following:

2 "Sec. . Section 321B.4, subsection 2, Code
3 1983, is amended to read as follows:

4 2. The peace officer shall determine which of
5 the ~~four~~ three substances, breath, blood, ~~saliva~~,
6 or urine, shall be tested. Refusal to submit to a
7 chemical test of urine, ~~saliva~~ or breath is deemed
8 a refusal to submit, and ~~section sections~~ sections 321B.13
9 applies and 321B.29 apply. A refusal to submit to
10 a chemical test of blood is not deemed a refusal to
11 submit, but, in that case, the peace officer shall
12 then determine which ~~one~~ of the other ~~three~~ substances
13 shall be tested and shall offer the test. If the
14 peace officer fails to provide a test within two hours
15 after the preliminary screening test ~~is~~ was

16 administered or refused or the arrest ~~is~~ was made,
 17 whichever ~~occurs~~ occurred first, a test is not
 18 required; and there shall be no revocation under
 19 section 321B.13.

20 Sec. Chapter 321B, Code 1983, is amended
 21 by adding the following new section:

22 NEW SECTION. 321B.5 URINE TEST REQUIRED. If
 23 there are reasonable grounds to believe that the
 24 person was operating a motor vehicle while under the
 25 influence of a drug other than or in addition to
 26 alcohol and which may not be readily detected by a
 27 blood or breath test, the peace officer may request
 28 a urine specimen for testing even after a blood or
 29 breath specimen has been withdrawn. If the person
 30 refuses to submit to a request under this section,
 31 sections 321B.13 and 321B.29 apply."

32 7. Page 5, by inserting after line 16 the
 33 following:

34 "Sec. Section 321B.13, Code 1983, is amended
 35 to read as follows:

36 321B.13 REFUSAL TO SUBMIT. If a person refuses
 37 to submit to the chemical testing, a test shall not
 38 be given, but ~~the department;~~ upon ~~the receipt of~~
 39 ~~a sworn report of certification by the peace officer~~
 40 ~~that the officer had reasonable grounds to believe~~
 41 ~~that the person to have been was operating a motor~~
 42 ~~vehicle in violation of section 321.281, that specified~~
 43 ~~there existed one or more of the necessary conditions~~
 44 ~~existed for chemical testing pursuant to described~~
 45 ~~in section 321B.4, subsection 1, and that the person~~
 46 ~~had refused to submit to the chemical testing, the~~
 47 ~~department shall revoke the person's license or permit~~
 48 ~~to drive and any nonresident operating privilege for~~
 49 ~~a period of one hundred eighty days year if the person~~
 50 ~~has no previous revocation under section 321.209,~~

Page 9

1 subsection 2, section 321.281, or this chapter, ~~one~~
 2 ~~year if the person has one previous revocation under~~
 3 ~~those provisions; and five hundred forty days two~~
 4 ~~years if the person has two one or more previous~~
 5 ~~revocations under those provisions; or if. If the~~
 6 ~~person is a resident without a license or permit to~~
 7 ~~operate a motor vehicle in this state, the department~~
 8 ~~shall deny to the person the issuance of a license~~
 9 ~~or permit for the same period a license of permit~~
 10 ~~would be have been revoked, subject to review as~~
 11 ~~provided in this chapter.~~

12 PARAGRAPH DIVIDED. The effective date of revocation
 13 shall be twenty days after the department has mailed
 14 notice of revocation to the person by certified mail

15 or, on behalf of the department, a. The peace officer
16 offering or directing the administration of a who
17 requested the chemical test may, on behalf of the
18 department, serve immediate notice of intention to
19 revoke and of revocation on a person who refuses to
20 permit chemical testing. If the peace officer serves
21 that immediate notice, the peace officer shall take
22 the person's Iowa license or permit of the driver,
23 if any, and issue a temporary license effective valid
24 for only twenty days. The peace officer shall
25 immediately send the person's license to the department
26 along with an affidavit the officer's certificate
27 indicating the person's refusal to submit to chemical
28 testing.

29 Sec. . Section 321B.14, subsection 4, Code
30 1983, is amended to read as follows:

31 4. Search warrants issued under this section shall
32 authorize and direct peace officers to secure the
33 withdrawal of blood specimens by medical personnel
34 under section 321B.15. Reasonable care shall be
35 exercised to ensure the health and safety of the
36 persons from whom specimens are withdrawn in execution
37 of the warrants. If a peace officer elects to seek
38 withdrawal of a blood specimen but the person from
39 whom a the specimen is to be withdrawn objects to
40 the withdrawal of blood, the officer may still secure
41 a urine specimen at that time if possible or, if the
42 person is capable of giving a specimen of breath,
43 and a direct breath testing instrument is readily
44 available, the warrant may be executed by the
45 withdrawal of a breath specimen of breath for chemical
46 testing."

47 8. Page 8, by inserting after line 10 the
48 following:

49 "Sec. . NEW SECTION. 321B.30 CIVIL PENALTY-
50 VICTIM REPARATION FUND. When the department revokes

Page 10

1 a person's license or operating privilege under this
2 chapter, the department shall assess the person a
3 civil penalty of one hundred dollars. The money
4 collected by the department under this section shall
5 be transmitted to the treasurer of state who shall
6 deposit the money in the general fund of the state.
7 A temporary restricted license shall not be issued
8 or a license or privilege to drive reinstated until
9 the civil penalty has been paid.

10 Sec. . Section 321B.36, Code 1983, is amended
11 to read as follows:

12 321B.36 OTHER EVIDENCE. The provisions of this
13 This chapter shall does not be construed as limiting

14 limit the introduction of any other competent evidence
 15 bearing on the question of whether the person was
 16 under the influence of an alcoholic beverage or other
 17 drugs.

18 Sec. . Section 321B.38, Code 1983, is amended
 19 to read as follows:

20 **321B.38 DRIVING WHILE LICENSE DENIED OR REVOKED.**

21 Any A person whose license or driving privilege has
 22 been denied or revoked as provided in under this
 23 chapter and who drives any a motor vehicle upon the
 24 highways of in this state while the license or
 25 privilege is denied or revoked is guilty of commits
 26 a serious misdemeanor and, notwithstanding section
 27 907.3, shall be imprisoned in the county jail not
 28 less than seven days for a first offense under this
 29 section and not less than thirty days for a second
 30 or subsequent offense under this section: The In
 31 addition, the department, upon receiving the record
 32 of the conviction of any a person under this section
 33 upon a charge of driving a motor vehicle while the
 34 license of the person was revoked or denied, shall
 35 extend the period of revocation or denial for an
 36 additional like period, and the department shall not
 37 issue a new license during the additional period.

38 Sec. . Section 602.6405, Code Supplement 1983,
 39 is amended by striking the section and inserting in
 40 lieu thereof the following:

41 **602.6405 JURISDICTION - PROCEDURE.**

- 42 1. Magistrates have jurisdiction as follows:
- 43 a. Of simple misdemeanors, including traffic and
- 44 ordinance violations.
- 45 b. Of preliminary hearings.
- 46 c. Of search warrant proceedings.
- 47 d. Of small claims.
- 48 e. To exercise the powers specified in sections
- 49 644.2 and 644.12.
- 50 f. To hear complaints, issue warrants, order

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- 1 arrests, make commitments, and take bail.
- 2 g. Of first offense violations of section 321.281
- 3 to the extent that they may approve trial informations,
- 4 conduct arraignments, accept guilty pleas from
- 5 defendants represented by legal counsel, and sentence
- 6 persons whose guilty pleas they accept.
- 7 h. Of violations of sections 321.281, 321.282,
- 8 321A.32 and 321B.38 to the extent that they may approve
- 9 trial informations, conduct arraignments, accept
- 10 guilty pleas, hear bench trials, and sentence persons.
- 11 2. The criminal procedure before magistrates is
- 12 as provided in chapters 804, 806, 808, 811, 820 and

13 821 and the rules of criminal procedure applicable
14 to the offenses of which they exercise jurisdiction.
15 The civil procedure before magistrates shall be as
16 provided in chapters 631 and 648.

17 Sec. . Section 690.2, Code 1963, is amended
18 to read as follows:

19 690.2 FINGER AND PALM PRINTS—DUTY OF SHERIFF
20 AND CHIEF OF POLICE. It shall be the duty of the
21 sheriff of every county, and the chief of police of
22 each city regardless of the form of government thereof
23 and having a population of ten thousand or over more,
24 to take the fingerprints of all persons held either
25 for investigation, ~~for~~ or the commission of a felony,
26 as a fugitive from justice, or for bootlegging, the
27 maintenance of an intoxicating liquor nuisance,
28 manufacturing intoxicating liquor, operating a motor
29 vehicle ~~while under the influence of an alcoholic~~
30 ~~beverage in violation of section 321.281~~ or for illegal
31 transportation of intoxicating liquor, and to take
32 the fingerprints of all unidentified dead bodies in
33 their respective jurisdictions, and to forward ~~such~~
34 ~~the fingerprint records on such forms and in such~~
35 ~~a manner as may be prescribed by the commissioner~~
36 ~~of public safety, within forty-eight hours after the~~
37 ~~same fingerprints are taken, to the bureau division~~
38 of criminal investigation. If the fingerprints of
39 any person are taken under the ~~provisions hereof this~~
40 ~~section~~ whose fingerprints are not already on file,
41 and ~~said~~ the person is not convicted of any offense,
42 ~~then said~~ the fingerprint records shall be destroyed
43 by any officer having them. In addition to ~~the taking~~
44 ~~fingerprints as herein provided any such under this~~
45 ~~section, an officer may also take the person's palm~~
46 ~~prints of any such person.~~

47 Sec. . Section 907.3, subsection 1, paragraph
48 g, Code 1963, is amended to read as follows:

49 g. The offense is a violation of section 321.281
50 ~~and, within the previous six years, the person has~~

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1 been convicted of a violation of that section or the
2 person's driver's license has been revoked pursuant
3 to that section or chapter 321B.

4 Sec. . Section 912.1, subsection 4, Code 1963,
5 is amended to read as follows:

6 4. "Crime" means conduct that occurs or is
7 attempted in this state, poses a substantial threat
8 of personal injury or death, and is punishable as
9 a felony, an aggravated misdemeanor, or a serious
10 misdemeanor, or would be so punishable but for the
11 fact that the person engaging in the conduct lacked

12 the capacity to commit the crime under the laws of
 13 this state. "Crime" does not include conduct arising
 14 out of the ownership, maintenance, or use of a motor
 15 vehicle, motorcycle, motorized bicycle, train, boat,
 16 or aircraft except for violations of section 321.281
 17 or when the intention is to cause personal injury
 18 or death. A plea or verdict of guilty of a charge
 19 under section 321.281 or a license revocation under
 20 section 321B.13 or 321B.16 shall be considered by
 21 the department as evidence of a violation of section
 22 321.281 for the purposes of this chapter.

23 Sec. . Section 912.6, Code 1983, is amended
 24 to read as follows:

25 912.6 COMPUTATION OF REPARATION. The commissioner
 26 shall make reparation, as appropriate, for any of
 27 the following economic losses incurred as a direct
 28 result of an injury to or death of the victim; not
 29 to exceed two thousand dollars per victim unless
 30 otherwise specified:

31 1. Reasonable charges incurred for medical care
 32 not to exceed ten thousand dollars.

33 2. Loss of income from work the victim would have
 34 performed and for which the victim would have received
 35 compensation for if the victim had not been injured
 36 not to exceed two thousand dollars.

37 3. Reasonable replacement value of clothing that
 38 is held for evidentiary purposes, but not to exceed
 39 one hundred dollars.

40 4. Reasonable funeral and burial expenses not
 41 to exceed one two thousand five hundred dollars.

42 5. Loss of support for dependents resulting from
 43 death or a period of disability of the victim of sixty
 44 days or more not to exceed two thousand dollars per
 45 dependent or a total of six thousand dollars.

46 Sec. . Section 912.13, Code 1983, is repealed.

47 Sec. . Section 23 of this Act, being deemed
 48 of immediate importance, takes effect from and after
 49 the Act's publication in the Onawa Democrat, a
 50 newspaper published in Onawa, Iowa and in the Diamond

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1 Trail News, a newspaper published in Sully, Iowa."

(House File 2486 and amendment H—6448 pending at recess.)

On motion by Norland of Worth, the House was recessed at 12:02
 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 sixty-five members present, thirty-five 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 April 19, 1984, receded from the Senate amendment and passed the following bill:

House File 2430, a bill for an act relating to the selection and operation of foster care review committees under the department of human services.

Also: That the Senate has on April 18, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2133, a bill for an act to allow certain nonprofit corporations owning property in this state an extension of time to appeal to the local board of review its property assessment values for designated assessment years and to allow refunds of taxes paid for designated tax years.

K. MARIE THAYER, Secretary

BUSINESS PENDING AT RECESS

The House resumed consideration of **House File 2486**, a bill for an act to provide a deterrent to persons operating a motor vehicle while under the influence of an alcoholic beverage or other drug, providing instruction and treatment for drinking drivers, declaring certain acts illegal and establishing penalties, and amendment H-6448, to the Senate amendment H-6285, found on pages 2274 through 2286 of the House Journal.

Van Camp of Scott offered the following amendment H-6460, to amendment H-6448, to the Senate amendment H-6285, filed by him from the floor:

H-6460

- 1 Amend House amendment H-6448 to the amendment H-
- 2 6285 to House File 2486 as amended, passed and
- 3 reprinted by the House as follows:
- 4 1. Page 1, by inserting after line 2 the following:

5 "1. Page 1, by inserting after line 4 the
 6 following:
 7 "Section 1. Section 123.3, subsection 33, Code
 8 1983 is amended to read as follows:
 9 33. "Legal age" means nineteen twenty-one years
 10 of age or more.
 11 Sec. 2. Section 1 of this Act does not apply to
 12 persons born on or before June 30, 1965." "

Arnould of Scott rose on a point of order that amendment H-6460 was not germane.

The Speaker ruled the point well taken and amendment H-6460 not germane.

Van Camp of Scott asked for unanimous consent to consider amendment H-6460.

Objection was raised.

McKean of Jones offered the following amendment H-6461, to amendment H-6448, to the Senate amendment H-6285, filed by him from the floor and moved its adoption:

H-6461

1 Amend House amendment H-6448 to the amendment H-
 2 6285 to House File 2486 as amended, passed and
 3 reprinted by the House as follows:
 4 1. Page 5, by striking line 26, and inserting
 5 in lieu thereof the following: "~~or is revoked under~~
 6 ~~subsection 6 of that section who~~".

Amendment H-6461 was adopted.

Lloyd-Jones of Johnson in the chair at 1:28 p.m.

McKean of Jones moved the adoption of amendment H-6448, as amended, to the Senate amendment H-6285.

Roll call was requested by McKean of Jones and Branstad of Winnebago.

On the question "Shall amendment H-6448, as amended, to the Senate amendment H-6285, 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 | Maulsby | McIntee |
| McKean | Menke | Miller | Mullins |
| Paulin | Pellet | Renken | Rensink |
| Royer | Schneklöth | Schroeder | Stromer |
| Stueland | Sturgeon | Swearingen | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Welden | | | |

The nays were, 54:

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

Absent or not voting, 5:

| | | | |
|-------------|--------|-------|-----------|
| Carter | Cooper | Groth | Haverland |
| Lageschulte | | | |

Amendment H—6448, as amended, lost.

Connors of Polk in the chair at 2:01 p.m.

The following amendments, to the Senate amendment H—6285, were withdrawn by unanimous consent:

H—6381 (to page 2) filed by Van Camp of Scott on April 17, 1984.

H—6379 (to page 2) filed by Van Camp of Scott on April 17, 1984.

H—6339 (to page 4) filed by Rosenberg of Story on April 16, 1984.

H—6436 (to page 8) filed by Miller of Woodbury on April 18, 1984.

Jay of Appanoose offered the following amendment H—6407, to the Senate amendment H—6285, filed by him:

H-6407

1 Amend the amendment H-6285 to House File 2486 as
2 amended, passed, and reprinted by the House as follows:

3 1. Page 1, by striking everything after line 6
4 and inserting in lieu thereof the following:

5 NEW SUBSECTION. 4. The department shall adopt
6 rules to establish civil penalties in the amount of
7 one hundred dollars for a first offense, two hundred
8 fifty dollars for a second offense, and five hundred
9 dollars for a third offense which the department
10 shall, subject to the discretion of the director,
11 assess against licensees or permittees for violations
12 of section 123.49 as an alternative to other penalties
13 fixed for such violations by this section. Money
14 collected from penalties assessed under this subsection
15 shall be deposited with the Iowa department of
16 substance abuse for use in substance abuse treatment
17 programs.

18 NEW SUBSECTION. 5. Upon the conviction of a
19 person acting as a vendor, as defined in section
20 123.24, subsection 1, for a violation of section
21 123.47 while in the course of the person's employment
22 at the state liquor store, the director shall dismiss
23 the person from the position as vendor if the person
24 has failed to follow procedures developed by the
25 director to prevent sales to minors.

26 Sec. 2. Section 321.1, Code Supplement 1983, is
27 amended by adding the following new subsections:

28 NEW SUBSECTION. "Alcohol concentration" means
29 the number of grams of alcohol per any of the
30 following:

- 31 a. One hundred milliliters of blood.
- 32 b. Two hundred ten liters of breath.
- 33 c. Sixty-seven milliliters of urine.

34 NEW SUBSECTION. "Alcoholic beverage" includes
35 alcohol, wine, spirits, beer, or any other beverage
36 which contains ethyl alcohol and is fit for human
37 consumption.

38 Sec. 3. Section 321.189, subsection 1, Code 1983,
39 is amended by inserting after unnumbered paragraph
40 1 the following new unnumbered paragraph:

41 NEW UNNUMBERED PARAGRAPH. A motor vehicle license
42 or a nonoperator's identification card issued to a
43 person under nineteen years of age shall be identical
44 in form to any other motor vehicle license or
45 nonoperator's identification card issued to any other
46 person, except that the photograph appearing on the
47 face of the license or card shall be a side profile
48 of the applicant. Upon attaining the age of nineteen,
49 and upon the payment of a one dollar fee, the person
50 shall be entitled to a new motor vehicle license or

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1 nonoperator's identification card for the unexpired
2 months of the motor vehicle license or the
3 nonoperator's identification card. This paragraph
4 is effective for licenses or cards issued after the
5 effective date of this Act.

6 Sec. 4. Section 321.281, subsections 1 and 2,
7 Code 1983, is amended to read as follows:

8 1. A person shall not operate a motor vehicle
9 upon the public highways of in this state in either
10 of the following conditions:

11 a. While under the influence of an alcoholic
12 beverage, a narcotic, hypnotic, or other drug, or
13 any a combination of such substances.

14 b. While having an alcohol concentration of
15 thirteen hundredths or more of one percent by weight
16 of alcohol in the blood.

17 2. A person convicted of a violation of this
18 section, upon conviction or a plea of guilty, is
19 guilty of:

20 a. A serious misdemeanor for the first offense
21 and shall be imprisoned in the county jail for not
22 less than forty-eight hours to be served as ordered
23 by the court, less credit for any time the person
24 was confined in a jail or detention facility following
25 arrest and assessed a fine of not less than two hundred
26 fifty dollars nor more than one thousand dollars.
27 As an alternative to the fine, the court may order
28 the person to perform not less than fifty nor more
29 than two hundred hours of unpaid community service.
30 The court may accommodate the sentence to the work
31 schedule of the defendant.

32 b. An aggravated misdemeanor for a second offense
33 and shall be imprisoned in the county jail or
34 community-based correctional facility not less than
35 seven days, which minimum term cannot be suspended
36 notwithstanding section 901.5, subsection 3 and section
37 907.3, subsection 2.

38 c. A class "D" felony for a third offense and
39 each subsequent offense.

40 No conviction for, deferred judgment for, or plea
41 of guilty to, a violation of this section which
42 occurred more than six years prior to the date of
43 the violation charged shall be considered in
44 determining that the violation charged is a second,
45 third or subsequent offense. For the purpose of
46 determining if a violation charged is a second, third,
47 or subsequent offense, a deferred judgment pursuant
48 to section 907.3 for an offense under this section
49 shall be counted as a previous violation.

50 On a conviction for a second or subsequent offense

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1 in violation of this section, the court shall order
2 the defendant to undergo a substance abuse evaluation
3 and the court may order the defendant to follow the
4 recommendations proposed in the substance abuse
5 evaluation for appropriate substance abuse treatment
6 for the defendant. Court ordered substance abuse
7 treatment is subject to the periodic reporting
8 requirements of section 125.86. If a defendant is
9 committed by the court to a substance abuse treatment
10 facility, the administrator of the facility shall
11 report to the court when it is determined that the
12 defendant has received the maximum benefit of treatment
13 at the facility and the defendant shall be released
14 from the facility. The time for which the defendant
15 is committed for treatment shall be credited against
16 the defendant's sentence. The court may prescribe
17 the length of time for the evaluation and treatment
18 or it may request that the hospital to which the
19 person is committed immediately report to the court
20 when the person has received maximum benefit from
21 the program of the hospital or institution or has
22 recovered from the person's addiction, dependency,
23 or tendency to chronically abuse alcohol or drugs.
24 A person committed under this section who does not
25 possess sufficient income or estate to make payment
26 of the costs of the treatment in whole or in part
27 shall be considered a state patient and the costs
28 of treatment shall be paid as provided in section
29 125.44. A defendant who fails to carry out the order
30 of the court or who fails to successfully complete
31 or attend an ordered substance abuse treatment program
32 shall be confined in the county jail for twenty days
33 in addition to any other imprisonment ordered by the
34 court or may be ordered to perform unpaid community
35 service work, and shall be placed on probation for
36 one year with a violation of this probation punishable
37 as contempt of court.

38 Sec. 5. Section 321.281, subsections 7 and 8,
39 Code 1983, are amended to read as follows:

40 7. This section does not apply to a person
41 operating a motor vehicle while under the influence
42 of a narcotic, hypnotic, or other drug if such
43 substances were the substance was prescribed for the
44 person and were taken under the prescription and
45 in accordance with the directions of a medical
46 practitioner as defined in section 155.3, subsection
47 11, if there is no evidence of the consumption of
48 alcohol and the medical practitioner had not directed
49 the person to refrain from operating a motor vehicle.

50 8. In any prosecution under this section, evidence

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1 of the results of analysis of a specimen of the
2 defendant's blood, breath, saliva, or urine is
3 admissible upon proof of a proper foundation. In
4 an action in which a violation of by the means
5 described in subsection 1, paragraph "a" of this
6 section is alleged, evidence that there was, at the
7 time, the defendant had an alcohol concentration of
8 ten hundredths or more of one percent by weight of
9 alcohol in the defendant's blood is presumptive
10 evidence that the defendant was under the influence
11 of an alcoholic beverage.

12 Sec. 6. Section 321.281, subsection 9, Code 1983,
13 is amended by adding the following new paragraphs:
14 NEW PARAGRAPH. d. Upon a plea or verdict of
15 guilty of a violation of this section during the
16 occurrence of which there was an accident causing
17 a serious injury in which the defendant was judged
18 to be at fault, the court in which the plea was entered
19 or the verdict was returned shall order that the
20 defendant's license or permit to operate motor vehicles
21 be revoked by the department and that the defendant
22 shall remain ineligible for a new license or permit
23 for a period of one year in addition to any other
24 period of suspension. Any license or permit to operate
25 motor vehicles held by the defendant shall be
26 surrendered to the court who shall forward it to the
27 department with a copy of the order for revocation.
28 A person whose license to operate a motor vehicle
29 has been revoked pursuant to this subsection may be
30 issued a temporary restricted driving permit by the
31 department allowing the person to drive to and from
32 the person's home and place of employment and in the
33 course of the person's employment upon the completion
34 by the defendant of a substance abuse evaluation
35 under section 125.33 and completion of a program of
36 treatment if recommended.

37 NEW PARAGRAPH. e. Upon a plea or verdict of
38 guilty of a violation of this section during the
39 occurrence of which there was an accident which caused
40 a loss of life for which the defendant was judged
41 to be at fault, the court in which the plea was entered
42 or the verdict was returned shall order that the
43 defendant's license or permit to operate motor vehicles
44 be revoked by the department and that the defendant
45 for a period of six years shall not be eligible for
46 a new license or permit. Any license or permit to
47 operate motor vehicles held by the defendant shall
48 be surrendered to the court who shall forward it to
49 the department with a copy of the order for revocation.

50 Sec. 7. Section 321.281, Code 1983, is amended

Page 5

1 by adding the following new subsection:

2 NEW SUBSECTION. 10. The court shall order a
3 defendant convicted of a violation of this section
4 to make restitution for damages resulting directly
5 from the violation.

6 Sec. 8. Section 321.281, Code 1983, is amended
7 by adding the following new subsection:

8 NEW SUBSECTION. If a defendant is convicted of
9 a first offense of this section and the defendant's
10 license or permit to operate a motor vehicle is revoked
11 under section 321.209 or chapter 321B for the
12 occurrence from which the arrest arose, the period
13 of revocation shall be the period provided for such
14 a revocation or until the defendant reaches the age
15 of nineteen whichever period is longer. A person
16 whose license to operate a motor vehicle is revoked
17 pursuant to this subsection may be issued a temporary
18 restricted driving permit by the department allowing
19 the person to drive to and from the person's home
20 and place of employment or school and in the course
21 of the person's employment and to attend evaluation,
22 treatment or educational services for alcohol or drug
23 dependency.

24 Sec. 9. Section 321B.1, Code 1983, is amended
25 to read as follows:

26 321B.1 DECLARATION OF POLICY. The general assembly
27 declares that this chapter is necessary to aid the
28 enforcement of laws prohibiting operation of a motor
29 vehicle while under the influence of an alcoholic
30 beverage, a narcotic, hypnotic, or other drug or any
31 a combination of such substances, or while having
32 an alcohol concentration of a certain amount of alcohol
33 in the blood or more.

34 Sec. 10. Section 321B.2, unnumbered paragraph
35 2, Code 1983, is amended to read as follows:

36 As used in this chapter and sections 29B.106,
37 321.209, and 321.281, ~~321.404 and 690.2~~ the words
38 "alcoholic beverage" include and alcohol, wine,
39 spirits, beer, or any other beverage which contains
40 ethyl alcohol and is fit for human consumption
41 concentration means as defined in section 321.1.

42 Sec. 11. Section 321B.4, subsection 1, unnumbered
43 paragraph 1, Code 1983, is amended to read as follows:

44 Any person who operates a motor vehicle in this
45 state upon a public highway under circumstances which
46 give reasonable grounds to believe that the person
47 to have been operating a motor vehicle in violation
48 of section 321.281, is deemed to have given consent
49 to the withdrawal of specimens of the person's blood,
50 breath, saliva, or urine, and to a chemical test or

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1 tests of the specimens for the purpose of determining
2 the alcoholic content of the blood alcohol
3 concentration or presence of drugs, subject to this
4 section. The withdrawal of the body substances and
5 the test or tests shall be administered at the written
6 request of a peace officer having reasonable grounds
7 to believe that the person to have been was operating
8 a motor vehicle in violation of section 321.281, and
9 if any of the following conditions exist:

10 Sec. 12. Section 321B.4, subsection 1, paragraph
11 d, Code 1983, is amended to read as follows:

12 d. The preliminary breath screening test was
13 administered and it recorded indicated an alcohol
14 concentration of ten hundredths or more of one percent
15 by weight of alcohol in the blood.

16 Sec. 13. Section 321B.12, Code 1983, is amended
17 by striking the section and inserting in lieu thereof
18 the following:

19 321B.12 STATEMENT OF OFFICER. A person who has
20 been requested to submit to a chemical test shall
21 be advised by a peace officer of the following:

22 1. If the person refuses to submit to the test,
23 the person's license or operating privilege will be
24 revoked by the department for the applicable period
25 under section 321B.13.

26 2. If the person submits to the test and the
27 results indicate an alcohol concentration of ten
28 hundredths or more, the person's license or operating
29 privilege will be revoked by the department for the
30 applicable period under section 321B.16.

31 This section does not apply in any case involving
32 a person described in section 321B.11.

33 Sec. 14. Section 321B.15, Code 1983, is amended
34 to read as follows:

35 321B.15 TAKING SAMPLE FOR TEST. Only a licensed
36 physician, physician's assistant as defined in section
37 148C.1, subsection 6, medical technologist or
38 registered nurse, acting at the request of a peace
39 officer, may withdraw body substances a specimen of
40 blood for the purpose of determining the alcoholic
41 or drug content of the person's blood alcohol
42 concentration or the presence of drugs. However,
43 any peace officer, using devices and methods approved
44 by the commissioner of public safety, may take a
45 specimen of a person's breath or urine for the purpose
46 of determining the alcoholic or drug content of the
47 person's blood alcohol concentration or the presence
48 of drugs. Only new, originally factory wrapped,
49 disposable syringes and needles, kept under strictly
50 sanitary and sterile conditions shall be used for

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1 drawing blood.

2 PARAGRAPH DIVIDED. The person may have an
3 independent chemical test or tests administered by
4 a person of the person's own choosing and at the
5 person's own expense in addition to any administered
6 at the direction of a peace officer. The failure
7 or inability of the person to obtain an independent
8 chemical test or tests does not preclude the admission
9 in of evidence of the results of the test or tests
10 taken administered at the direction of the peace
11 officer. Upon the request of the person who is tested,
12 the results of the test or tests taken administered
13 at the direction of the peace officer shall be made
14 available to the person.

15 Sec. 15. Section 321B.16, Code 1983, is amended
16 to read as follows:

17 321B.16 TEST RESULT REVOCATION. Upon certification
18 by the peace officer that there existed reasonable
19 grounds to believe that the person to have had been
20 operating a motor vehicle in violation of section
21 321.281, that there existed one or more of the
22 necessary conditions for chemical testing described
23 in section 321B.4, subsection 1, and that the person
24 submitted to chemical testing and the test results
25 indicate indicated an alcohol concentration of ten
26 hundredths or more of one percent by weight of alcohol
27 in the person's blood, the department shall revoke
28 the person's license or permit to drive or nonresident
29 operating privilege for a period of one hundred twenty
30 eighty days if the person has had no revocation within
31 the previous six years under section 321.209,
32 subsection 2, section 321.281 or this chapter, two
33 hundred forty days if the person has one previous
34 revocation under those provisions, and one year if
35 the person has two had one or more previous revocations
36 under those provisions arising from separate
37 occurrences.

38 The effective date of the revocation shall be
39 twenty days after the department has mailed notice
40 of revocation to the person by certified mail or,
41 on behalf of the department, a. The peace officer
42 offering a chemical test or directing who requested
43 or directed the administration of a the chemical test
44 may, on behalf of the department, serve immediate
45 notice of intention to revoke and of revocation on
46 a person when the person's whose test results indicate
47 indicated an alcohol concentration of ten hundredths
48 or more of one percent by weight of alcohol in the
49 blood.

50 If the peace officer serves that immediate notice,

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1 the peace officer shall take the person's Iowa license
2 or permit of the driver, if any, and issue a temporary
3 license valid only for twenty days. The peace officer
4 shall immediately send the person's driver's license
5 to the department along with an affidavit stating
6 the officer's certificate indicating that the test
7 results indicate indicated an alcohol concentration
8 of ten hundredths of one percent or more by weight
9 of alcohol in the person's blood.

10 The department may, on application, issue a
11 temporary restricted license to a the person whose
12 license has been revoked under this section when the
13 person's regular employment includes the operation
14 of a motor vehicle or ~~who~~ the person cannot perform
15 his or her regular occupation without the use of a
16 motor vehicle, or when the person's use of a motor
17 vehicle is necessary to attend evaluation, treatment
18 or educational services for alcohol or drug dependency,
19 but the person shall not operate a vehicle for pleasure
20 while holding a restricted license. However, this
21 paragraph does not apply to a person whose license
22 is suspended or revoked for another reason.

23 Sec. 16. Section 321B.26, Code 1963, is amended
24 to read as follows: /

25 321B.26 HEARING. Upon the written request of
26 a person whose privilege to drive has been revoked
27 or denied, or who has been issued a twenty-day license
28 pursuant to section 321B.13 or section 321B.16, the
29 department shall grant the person an opportunity to
30 be heard within twenty days after the receipt of the
31 request, but the request must be made within ten days
32 of the effective date of revocation or denial of
33 driving privileges or the issuance of a temporary
34 permit license. The hearing shall be before the
35 department in the county where the alleged events
36 occurred, unless the director and the person agree
37 that the hearing may be held in some other county.
38 The hearing may be recorded and its scope shall ~~cover~~
39 be limited to the issues of whether a peace officer
40 had reasonable grounds to believe that the person
41 to have been was operating a motor vehicle in violation
42 of section 321.281, whether and either of the
43 following:

44 a. Whether the person refused to submit to the
45 test or tests.

46 b. Whether a test was administered and the test
47 results if a person consented to a test and whether
48 the person should be issued a temporary restricted
49 license indicated an alcohol concentration of ten
50 hundredths or more.

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1 PARAGRAPH DIVIDED. The department shall order
2 that the revocation or denial be either rescinded
3 or sustained.

4 Sec. 17. Section 321B.28, Code 1983, is amended
5 to read as follows:

6 321B.28 EVIDENCE IN ANY ACTION. Upon the trial
7 of any civil or criminal action or proceeding arising
8 out of acts alleged to have been committed by ~~any~~
9 a person while operating a motor vehicle in violation
10 of section 321.281, evidence of the amount of alcohol
11 concentration or the presence of drugs in the person's
12 ~~blood body~~ substances at the time of the act alleged
13 as shown by a chemical analysis of the person's blood,
14 breath, ~~saliva~~ or urine is admissible. If it is
15 established at trial that an analysis of a breath
16 specimen was performed by a certified operator using
17 a device and methods approved by the commissioner
18 of public safety, no further foundation is necessary
19 for introduction of the evidence.

20 Sec. 18. NEW SECTION. 321B.30 CIVIL PENALTY —
21 VICTIM REPARATION FUND. When the department revokes
22 a person's license or operating privilege under this
23 chapter, the department shall assess the person a
24 civil penalty of one hundred dollars. The money
25 collected by the department under this section shall
26 be transmitted to the treasurer of state who shall
27 deposit the money in a separate fund dedicated to
28 and used for the purposes of chapter 912. A temporary
29 restricted license shall not be issued or a license
30 or privilege to drive reinstated until the civil
31 penalty has been paid.

32 Sec. 19. Section 907.4, Code 1983, is amended
33 to read as follows:

34 907.4 DEFERRED JUDGMENT DOCKET. Any deferment
35 of judgment under section 907.3 shall be reported
36 promptly by the clerk of the district court to the
37 supreme court administrator who shall maintain a
38 permanent record thereof including the name of the
39 defendant, the district court docket number, the
40 nature of the offense, and the date of the deferment.
41 Before granting deferment in any case, the court shall
42 request of the supreme court administrator a search
43 of the deferred judgment docket and shall consider
44 any prior record of a deferment of judgment against
45 the defendant. The permanent record provided for
46 in this section shall constitute a confidential record
47 exempted from public access under section 68A.7 and
48 shall be available only to justices of the supreme
49 court, judges of the court of appeals, district judges,
50 district associate judges, and judicial magistrates,

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1 and county attorneys requesting information pursuant
2 to this section or the designee of such justice,
3 judge, or magistrate, or county attorney.

4 Sec. 20. Section 912.1, subsection 4, Code 1983,
5 is amended to read as follows:

6 4. "Crime" means conduct that occurs or is
7 attempted in this state, poses a substantial threat
8 of personal injury or death, and is punishable as
9 a felony, an aggravated misdemeanor, or a serious
10 misdemeanor, or would be so punishable but for the
11 fact that the person engaging in the conduct lacked
12 the capacity to commit the crime under the laws of
13 this state. "Crime" does not include conduct arising
14 out of the ownership, maintenance, or use of a motor
15 vehicle, motorcycle, motorized bicycle, train, boat,
16 or aircraft except for violations of section 321.281
17 or when the intention is to cause personal injury
18 or death. A plea or verdict of guilty of a charge
19 under section 321.281 or a license revocation under
20 section 321B.13 or 321B.16 shall be considered by
21 the department as evidence of a violation of section
22 321.281 for the purposes of this chapter.

23 Sec. 21. Section 912.6, Code 1983, is amended
24 to read as follows:

25 912.6 COMPUTATION OF REPARATION. The commissioner
26 shall make reparation, as appropriate, for any of
27 the following economic losses incurred as a direct
28 result of an injury to or death of the victim, ~~not~~
29 ~~to exceed two thousand dollars per victim unless~~
30 ~~otherwise specified:~~

31 1. Reasonable charges incurred for medical care
32 not to exceed ten thousand dollars.

33 2. Loss of income from work the victim would have
34 performed and for which the victim would have received
35 compensation for if the victim had not been injured
36 not to exceed two thousand dollars.

37 3. Reasonable replacement value of clothing that
38 is held for evidentiary purposes, ~~but~~ not to exceed
39 one hundred dollars.

40 4. Reasonable funeral and burial expenses not
41 to exceed one two thousand five hundred dollars.

42 5. Loss of support for dependents resulting from
43 death or a period of disability of the victim of sixty
44 days or more not to exceed two thousand dollars per
45 dependent or a total of six thousand dollars.

46 Sec. 22. Chapter 912, Code 1983, is amended by
47 adding the following new section:

48 NEW SECTION. VICTIM REPARATION FUND. The money
49 collected and deposited under section 321B.30 and
50 remaining in the fund at the end of any annual or

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1 biennial period shall not revert to the state general
2 fund but shall remain available for the payment of
3 claims under this chapter. This fund is in addition
4 to and may be supplemented by appropriations from
5 the general assembly for the payment of claims or
6 operational expenses of the program.

7 Sec. 23. Section 912.13, Code 1983, is repealed.

8 Sec. 24. Section 23 of this Act, being deemed
9 of immediate importance, takes effect from and after
10 the Act's publication in the Onawa Democrat, a
11 newspaper published in Onawa, Iowa and in the Diamond
12 Trail News, a newspaper published in Sully, Iowa.

13 Sec. 25. STUDY COMMITTEE CREATED.

14 1. There is established a committee to study the
15 laws and penalties relating to operating motor vehicles
16 while intoxicated composed of nine members. The
17 members shall be appointed as follows:

18 a. The chief justice of the supreme court shall
19 select one judge to be a member and chair the
20 committee.

21 b. The Iowa county attorneys association shall
22 select one member of their organization as a member.

23 c. The Iowa public defenders association shall
24 select one member of their organization as a member.

25 d. The department of public safety shall select
26 an employee as a member.

27 e. The department of transportation shall select
28 an employee of that department as a member.

29 f. The Iowa department of substance abuse shall
30 select an employee as a member.

31 g. The legislative council shall select an attorney
32 experienced in the defense of those charged with
33 driving while intoxicated as a member.

34 h. The legislative council shall select a person
35 with professional experience in substance abuse
36 treatment as a member.

37 i. The legislative council shall appoint one
38 member of the legislature as a member.

39 All members of the study committee shall be
40 appointed not later than thirty days from the effective
41 date of this Act. The study committee shall hold
42 its organizational meeting not more than thirty days
43 following the appointment of its membership.

44 2. Public members of the study committee shall
45 receive a per diem of forty dollars and be reimbursed
46 for their travel and other necessary expenses actually
47 incurred in the performance of their official duties.
48 Public employees who are members of the study committee
49 shall be reimbursed for travel and other expenses
50 actually incurred in the performance of their official

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1 duties.

2 3. The study committee shall conduct a
3 comprehensive study of the laws and penalties presently
4 in the Code relating to the operation of a motor
5 vehicle by a person who is intoxicated and make
6 recommendations for any changes in the law the
7 committee deems necessary. The study committee may
8 request assistance of any state or local government
9 agency to obtain any data or other information which
10 the study committee deems necessary to carry out its
11 duties. The state and local government agencies shall
12 provide any assistance requested by the study
13 committee.

14 4. The study committee may request that the
15 legislative council provide staff for the study
16 committee from the staff of the legislative service
17 bureau and the legislative fiscal bureau.

18 5. The study committee shall transmit copies of
19 its final report to the general assembly on January
20 14, 1985. The final report shall include findings
21 of fact and its recommendations and relevant data
22 gathered by and for the committee.

23 Sec. 26. The beer and liquor control commission
24 shall submit to the general assembly on January 14,
25 1985, its recommendations for a revised schedule of
26 civil penalties to be assessed upon licensees or
27 permittees in the alternative to other penalties for
28 violations of section 123.49 as established in section
29 1 of this Act. The proposed schedule of civil
30 penalties shall be graduated on a proportional basis
31 on both the annual dollar amount of beer and liquor
32 sales conducted by the licensee or permittee and on
33 the order of the violation as a first, second, or
34 third offense."

35 2. Title page, by striking lines 1 through 5 and
36 inserting in lieu thereof the following: ~~An Act~~
37 relating to the offense of operating a motor vehicle
38 while intoxicated by providing civil penalties to
39 be assessed against licensees or permittees, by
40 requiring the dismissal of vendors for selling alcohol
41 to a minor, by providing a definition of alcohol con-
42 centration, by providing a special license for persons
43 age nineteen and under, by providing a fine or
44 community service in addition to imprisonment for
45 a first offense and requiring a substance abuse
46 evaluation for a second or subsequent offense of
47 operating a motor vehicle while intoxicated, by
48 providing additional periods of revocation for drivers
49 convicted of operating a motor vehicle while
50 intoxicated who caused an accident in which there

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1 was a serious injury or death, by providing for
 2 restitution by offending drivers for any damage caused,
 3 by providing a special revocation period for persons
 4 age nineteen or under, by providing a civil penalty
 5 to be assessed against persons convicted of operating
 6 a motor vehicle while intoxicated to be used to finance
 7 the victim reparation fund, by providing access to
 8 the record of previous deferred judgments by county
 9 attorneys, and by establishing a study committee to
 10 conduct a study on present laws and penalties relating
 11 to the offense of operating a motor vehicle while
 12 intoxicated and make any recommendations for changes
 13 in the law in a report to the general assembly.

Speaker Avenson in the chair at 2:16 p.m.

McKean of Jones offered the following amendment H—6419, to amendment H—6407, to the Senate amendment H—6285, filed by Lageschulte, et al., and moved its adoption:

H—6419

1 Amend amendment H—6407 to amendment H—6285 to
 2 House File 2486 as amended, passed, and reprinted by
 3 the House as follows:
 4 1. Page 2, line 15, by striking the word "thirteen"
 5 and inserting in lieu thereof the words "~~thirteen~~ ten".

Roll call was requested by McKean of Jones and Branstad of Winnebago.

On the question "Shall amendment H—6419, to amendment H—6407, (to the Senate amendment H—6285) be adopted?"

The ayes were, 42:

| | | | |
|------------|----------|------------|------------------|
| Anderson | Bennett | Branstad | Buhr |
| Carpenter | Clark | Corey | Daggett |
| De Groot | Diemer | Grandia | Halvorson, R. A. |
| Handorf | Hanson | Harbor | Haverland |
| Hermann | Hummel | Maulsby | McIntee |
| McKean | Menke | Miller | Mullins |
| Osterberg | Paulin | Pellett | Renken |
| Rensink | Royer | Schneklath | Sherzan |
| Stromer | Stueland | Sturgeon | Swearingen |
| Tofte | Torrence | Van Camp | Van Gerpen |
| Van Maanen | Welden | | |

The nays were, 47:

| | | | |
|----------|------------------|-------------|------------|
| Arnould | Baxter | Brammer | Carl |
| Carter | Chapman | Chiodo | Cochran |
| Connolly | Connors | Cooper | Copenhaver |
| Davitt | Fey | Fogarty | Groninga |
| Gronstal | Halvorson, R. N. | Hammond | Holveck |
| Hughes | Jay | Jochum | Knapp |
| Koenigs | Lonergan | Muhlbauer | Norland |
| Ollie | Oxley | Parker | Pavich |
| Peick | Poney | Renaud | Rosenberg |
| Running | Shoultz | Skow | Spear |
| Sullivan | Swartz | Tabor | Varn |
| Woods | Zimmerman | Mr. Speaker | |

Absent or not voting, 11:

| | | | |
|-------------|-----------------|-----------|-------------|
| Black | Blanshan | Doderer | Groth |
| Gruhn | Hoffmann-Bright | Krewson | Lageschulte |
| Lloyd-Jones | O'Kane | Schroeder | |

Amendment H—6419 lost.

Jay of Appanoose offered the following amendment H—6455, to amendment H—6407, to the Senate amendment H—6285, filed from the floor by Jay, McIntee, Schroeder and Tabor:

H—6455

- 1 Amend House amendment H—6407 to amendment H—6285
- 2 to House File 2486 as amended, passed, and reprinted
- 3 as follows:
- 4 1. Page 2, lines 25 and 26, by striking the words
- 5 "two hundred fifty" and inserting in lieu thereof
- 6 the word "five".
- 7 2. Page 2, line 37, by inserting after the word
- 8 and figure "subsection 2" the words "and assessed
- 9 a fine of not less than seven hundred fifty dollars".
- 10 3. Page 2, line 39, by inserting after the word
- 11 "offense" the words "and assessed a fine of not less
- 12 than seven hundred fifty dollars".
- 13 4. Page 6, by inserting after line 32 the
- 14 following:
- 15 "Sec. . . . Section 321B.13, Code 1983, is amended
- 16 to read as follows:
- 17 321B.13 REFUSAL TO SUBMIT. If a person refuses
- 18 to submit to the chemical testing, a test shall not
- 19 be given, but the department, upon the receipt of
- 20 a sworn report of the peace officer that the officer
- 21 had reasonable grounds to believe the person to have

22 been operating a motor vehicle in violation of section
 23 321.281, that specified conditions existed for chemical
 24 testing pursuant to section 321B.4, and that the
 25 person had refused to submit to the chemical testing,
 26 shall revoke the person's license or permit to drive
 27 and any nonresident operating privilege for a period
 28 of ~~one two hundred eighty forty~~ days if the person
 29 has no previous revocation under section 321.209,
 30 subsection 2, section 321.281, or this chapter; ~~one~~
 31 ~~year if the person has one previous revocation under~~
 32 ~~those provisions;~~ and five hundred forty days if the
 33 person has ~~two one~~ or more previous revocations under
 34 those provisions; or if the person is a resident
 35 without a license or permit to operate a motor vehicle
 36 in this state, the department shall deny to the person
 37 the issuance of a license or permit for the same
 38 period a license or permit would be revoked, subject
 39 to review as provided in this chapter. The effective
 40 date of revocation shall be twenty days after the
 41 department has mailed notice of revocation to the
 42 person by certified mail or, on behalf of the
 43 department, a peace officer offering or directing
 44 the administration of a chemical test may serve
 45 immediate notice of intention to revoke and of
 46 revocation on a person who refuses to permit chemical
 47 testing. If the peace officer serves that immediate
 48 notice, the peace officer shall take the Iowa license
 49 or permit of the driver, if any, and issue a temporary
 50 license effective for only twenty days. The peace

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1 officer shall immediately send the person's license
 2 to the department along with an affidavit indicating
 3 the person's refusal to submit to chemical testing.
 4 The department may, on application, issue a
 5 temporary restricted license to a person whose license
 6 has been subject to revocation under section 321.209,
 7 subsection 2, section 321.281, or this chapter, for
 8 a second or subsequent time to allow the person to
 9 drive to and from the person's home and place of
 10 employment, in the course of the person's employment,
 11 and to attend evaluation, treatment or educational
 12 services for alcohol or drug dependency, upon
 13 expiration of the first three hundred and sixty days
 14 of the person's period of revocation."

The following amendment H—6471, to amendment H—6455, to amendment H—6407, to the Senate amendment H—6285, filed by Jay of Appanoose from the floor was adopted by unanimous consent:

H-6471

- 1 Amend amendment H-6455 to amendment H-6407 to the
- 2 Senate amendment H-6285 to House File 2486 as amended,
- 3 passed, and reprinted by the House as follows:
- 4 1. Page 1, line 6, by inserting after the word
- 5 "five" the word "hundred".

On motion by Jay of Appanoose, amendment H-6455, as amended, was adopted.

Zimmerman of Dallas offered the following amendment H-6447, to amendment H-6407, to the Senate amendment H-6285, filed by her and moved its adoption:

H-6447

- 1 Amend amendment H-6407 to amendment H-6285 to House
- 2 File 2486 as amended, passed and reprinted by the
- 3 House as follows:
- 4 1. Page 3, line 18, by striking the word "hospital"
- 5 and inserting in lieu thereof the words "treatment
- 6 program".
- 7 2. Page 3, by striking line 21, and inserting in
- 8 lieu thereof the following: "the treatment program or
- 9 has".

Amendment H-6447 was adopted.

Osterberg of Linn offered the following amendment H-6445, to amendment H-6407, to the Senate amendment H-6285, filed by him and moved its adoption:

H-6445

- 1 Amend House amendment H-6407 to the amendment H-
- 2 6285 to House File 2486 as amended, passed, and
- 3 reprinted by the House as follows:
- 4 1. Page 5, line 20, by striking the words "or
- 5 school".

Amendment H-6445 was adopted.

Doderer of Johnson offered the following amendment H-6466, to amendment H-6407, to the Senate amendment H-6285, filed from the floor by Doderer, Schroeder and Jay and moved its adoption:

H—6466

1 Amend House amendment H—6407 to amendment H—6285
2 to House File 2486 as amended, passed and reprinted
3 by the House as follows:
4 1. Page 6, by inserting after line 32 the
5 following:
6 "Sec. . . . Section 321B.13, Code 1983, is amended
7 by adding the following new unlettered paragraph:
8 NEW UNLETTERED PARAGRAPH. The department may,
9 on application, issue a temporary restricted license
10 to a person whose license has been revoked under this
11 section and who has entered a plea of guilty to a
12 charge under section 321.281 when the person's regular
13 employment includes the operation of a motor vehicle
14 or who cannot perform the person's regular occupation
15 without the use of a motor vehicle, or when the
16 person's use of a motor vehicle is necessary to attend
17 evaluation, treatment or educational services for
18 alcohol or drug dependency, or to attend court ordered
19 community service, but the person shall not operate
20 a vehicle for pleasure while holding a restricted
21 license. However, this paragraph does not apply to
22 a person whose license is suspended or revoked for
23 another reason."

Amendment H—6466 was adopted.

Miller of Woodbury offered the following amendment H—6444,
to amendment H—6407, to the Senate amendment H—6285, filed by
him and moved its adoption:

H—6444

1 Amend amendment H—6407 to amendment H—6285 to House
2 File 2486 as amended, passed, and reprinted by the
3 House as follows:
4 1. Page 11, line 16, by striking the word "nine"
5 and inserting in lieu thereof the word "ten".
6 2. Page 11, by inserting after line 28 the
7 following:
8 " . . . The Iowa department of justice shall select
9 an employee of that department as a member."

Amendment H—6444 was adopted.

Sherzan of Polk offered the following amendment H—6467, to
amendment H—6407, to the Senate amendment H—6285, filed by
him from the floor and moved its adoption:

H-6467

- 1 Amend House amendment H-6407 to amendment H-6285
2 to House File 2486 as amended, passed and reprinted
3 by the House as follows:
4 1. Page 5, line 1, by striking the word
5 "subsection" and inserting in lieu thereof the word
6 "subsections".
7 2. Page 5, by striking lines 6 and 7.
8 3. Page 5, by inserting after line 23 the
9 following:
10 "NEW SUBSECTION. A person whose motor vehicle
11 license was revoked under this section or under chapter
12 321B who has been ordered by the court to perform
13 community service work as a result of a violation
14 of this section may be issued a temporary restricted
15 driving permit by the department to allow the person
16 to drive to and from the person's home and the location
17 at which the community service work will be performed."

Amendment H-6467 was adopted.

Lloyd-Jones of Johnson in the chair at 2:40 p.m.

Norland of Worth asked and received unanimous consent that House File 2486 be temporarily deferred and that the bill retain its place on the calendar.

(Amendment H-6407, as amended, to the Senate amendment H-6285 pending.)

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 2351.

Appropriations Calendar

Senate File 2351, a bill for an act relating to the administration and financing of current programs other than mental health programs under the jurisdiction of the department of human services and to the foster care review board for the fiscal year beginning July 1, 1984, and ending June 30, 1985, with report of committee recommending amendment and passage was taken up for consideration.

Carl of Poweshiek offered the following amendment H-6406 filed by the committee on appropriations:

H-6406

1 Amend Senate File 2351, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 33, by striking the word "seventy-
4 nine" and inserting in lieu thereof the word "eighty-
5 nine".

6 2. Page 2, line 3, by striking the figure
7 "19,674,000" and inserting in lieu thereof the figure
8 "19,768,000".

9 3. Page 4, line 6, by striking the figure
10 "134,476,000" and inserting in lieu thereof the figure
11 "134,350,000".

12 4. By striking page 12, line 34 through page 13, line 2.

13 5. Page 13, by striking lines 4 through 18 and
14 inserting in lieu thereof the following:

15 "1. The reimbursement rates and reimbursements
16 for medical assistance providers on July 1, 1984 shall
17 be established at the levels in effect on July 1,
18 1983. Until November 1, 1984, the department shall
19 continue to reduce reimbursements for services other
20 than rural health clinic services by a factor of two
21 and one-half percent in the same manner as provided
22 in 1983 Iowa Acts, chapter 201, section 5, subsection
23 1, paragraph "b". Except for inpatient and outpatient
24 hospital services, skilled nursing facility services,
25 intermediate care facility services, intermediate
26 care facility services for the mentally retarded,
27 home health agency services, rural health clinic
28 services, rehabilitation agency services, mental
29 hospital services, and out-of-state hospital services,
30 effective November 1, 1984 and within the funds
31 appropriated, the reimbursement rates may be increased
32 by an amount which equals no more than three percent
33 of the reimbursement rates in effect on July 1, 1984,
34 which increase shall include the elimination of the
35 two and one-half percent reduction in reimbursements."

36 6. Page 14, lines 4 and 5, by striking the word
37 "sixty-sixth" and inserting in lieu thereof the word
38 "fifty-seventh".

39 7. Page 14, line 7, by inserting after the word
40 "reports." the following: "The department may
41 establish the maximum reimbursement rate for
42 intermediate care facilities, beginning on January
43 1, 1985, at the fiftieth percentile of all facilities'
44 per diems as calculated from the December 31, 1984
45 compilation of unaudited financial and statistical
46 reports, if the calculated rate would exceed the
47 maximum reimbursement rate effective on July 1, 1984."

48 8. Page 15, by striking lines 14 through 24 and
49 inserting in lieu thereof the following:

50 "7. The department of human services, in

Page 2

1 conjunction with the state department of health, shall
2 study the specialized care needs of brain damaged,
3 mentally retarded, mentally ill, respiratory dependent,
4 and other heavy care or special needs populations
5 which could be served in intermediate care facilities
6 or skilled nursing facilities if adequate
7 reimbursements were available, or in specialized
8 intermediate care facilities or skilled nursing
9 facilities designed to serve populations with
10 particular disabling conditions, if more appropriate.
11 The department shall make preliminary recommendations
12 based on the study to the governor by November 1,
13 1984 and shall make a final report to the general
14 assembly by January 15, 1985 regarding recommended
15 changes or additions to facility licensing standards
16 and recommended changes in medical assistance
17 reimbursement methodologies."

Welden of Hardin asked and received unanimous consent to temporarily defer action on amendment H-6420, to the committee amendment H-6406.

Van Maanen of Mahaska asked and received unanimous consent to withdraw amendment H-6427, to the committee amendment H-6406, filed by him on April 18, 1984.

Carl of Poweshiek offered the following amendment H-6446, to the committee amendment H-6406, filed by her and moved its adoption:

H-6446

1 Amend amendment H-6406 to Senate File 2351 as
2 amended, passed and reprinted by the Senate as follows:
3 1. Page 1, by striking lines 13 through 35.
4 2. Page 1, by striking lines 36 through 47.
5 3. By striking page 1, line 48 through page 2,
6 line 17.

Amendment H-6446 was adopted.

Norland of Worth asked and received unanimous consent that Senate File 2351 be deferred and that the bill retain its place on the calendar.

(The committee amendment H-6406, as amended, pending.)

SENATE AMENDMENT FURTHER CONSIDERED

The House resumed consideration of **House File 2486**, a bill for an act to provide a deterrent to persons operating a motor vehicle while under the influence of an alcoholic beverage or other drug, providing instruction and treatment for drinking drivers, declaring certain acts illegal and establishing penalties, and amendment H-6407, as amended, to the Senate amendment H-6285.

Bennett of Ida offered amendment H-6470, to amendment H-6407, to the Senate amendment H-6285, filed by him from the floor and requested division as follows:

H-6470

- 1 Amend amendment H-6407 to the Senate amendment
- 2 H-6285 to House File 2486 as amended, passed, and
- 3 reprinted by the House as follows:

H-6470A

- 4 1. Page 9, by striking lines 27 through 28, and
- 5 inserting in lieu thereof the following: "deposit the
- 6 money in the general fund. A temporary".

H-6470B

- 7 2. Page 9, by inserting after line 31, the
- 8 following:
- 9 "Sec. There is appropriated from the general
- 10 fund of the state to the department of public
- 11 safety for the fiscal year beginning July 1, 1984,
- 12 and ending June 30, 1985, the following amounts, or
- 13 so much thereof as is necessary, to be used for the
- 14 funding of the crime victim reparations program for
- 15 the purposes designated:
- 16 1. For the payment of claims filed under the
- 17 program \$1,400,000.
- 18 2. For salaries, support, and miscellaneous
- 19 operational expenses in the administration of the
- 20 program \$ 50,000."
- 21 3. By renumbering sections as necessary.

Bennett of Ida moved the adoption of amendment H-6470A, to amendment H-6407, to the Senate amendment H-6285.

Roll call was requested by Bennett of Ida and McIntee of Black Hawk.

On the question "Shall amendment H-6470A, to amendment H-6407, to the Senate amendment H-6285, be adopted?"

The ayes were, 35:

| | | | |
|------------------|------------|-------------|----------|
| Anderson | Bennett | Carpenter | Clark |
| Daggett | De Groot | Diemer | Grandia |
| Halvorson, R. A. | Hanson | Harbor | Hermann |
| Hoffmann-Bright | Hummel | 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, 56:

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

Absent or not voting, 9:

| | | | |
|----------|----------|----------|------------|
| Blanshan | Branstad | Connolly | Copenhaver |
| Corey | Handorf | Menke | Poncy |
| Sturgeon | | | |

Amendment H—6470A lost.

On motion by Bennett of Ida, amendment H—6470B lost.

Bennett of Ida rose on a point of order that amendment H—6407, as amended, was not germane.

The Speaker ruled the point well taken and amendment H—6407, as amended, not germane.

Jay of Appanoose moved that the rules be suspended to consider amendment H—6407.

Roll call was requested by Tabor of Jackson and Parker of Jasper.

On the question "Shall the rules be suspended to consider amendment H—6407, as amended?"

The ayes were, 61:

| | | | |
|--------------------------------|-----------------|-----------|------------------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Brammer | Buhr | Carl |
| Chapman | Chiodo | Cochran | Connors |
| Cooper | Copenhaver | Davitt | De Groot |
| Doderer | Fey | Fogarty | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. N. |
| Hammond | Hoffmann-Bright | Holveck | Hughes |
| Jay | Jochum | Koenigs | Loneragan |
| McIntee | Miller | Muhlbauer | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Poncy | Renaud | Rosenberg | Running |
| Schroeder | Sherzan | Shoultz | Skow |
| Spear | Sturgeon | Sullivan | Swartz |
| Tabor | Varn | Woods | Zimmerman |
| Madam Speaker (Lloyd-Jones) | | | |

The nays were, 33:

| | | | |
|------------------|----------|------------|-------------|
| Anderson | Bennett | Carpenter | Clark |
| Corey | Daggett | Diemer | Grandia |
| Halvorson, R. A. | Handorf | Hanson | Harbor |
| Hermann | Hummel | Krewson | Lageschulte |
| Maulsby | McKean | Menke | Mullins |
| Pellett | Renken | Royer | Schneklath |
| Stromer | Stueland | Swearingen | Tofte |
| Torrence | Van Camp | Van Gerpen | Van-Maanen |
| Welden. | | | |

Absent or not voting, 6:

| | | | |
|----------|---------|----------|-----------|
| Branstad | Carter | Connolly | Haverland |
| Knapp | Rensink | | |

The motion prevailed and the rules were suspended to consider amendment H—6407, as amended.

Jay of Appanoose moved the adoption of amendment H—6407, as amended, to the Senate amendment H—6285.

Amendment H—6407, as amended, was adopted.

Jay of Appanoose moved that the House concur in the Senate amendment H-6285, as amended.

Roll call was requested by McKean of Jones and Lageschulte of Bremer.

On the question "Shall the House concur in the Senate amendment H-6285, as amended?"

The ayes were, 64:

| | | | |
|-----------|-----------|------------|--------------------------------|
| Arnould | Avenson | Baxter | Black |
| Brammer | Buhr | Cari | 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 | Krewson | Loneragan | Miller |
| Muhlbauer | Mullins | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Pavich | Peick | Poncy | Renaud |
| Rosenberg | Running | Schroeder | Shultz |
| Skow | Spear | Sturgeon | Sullivan |
| Swartz | Tabor | Tofte | Van Maanen |
| Varn | Woods | Zimmerman | Madam Speaker (Lloyd-Jones) |

The nays were, 33:

| | | | |
|------------|------------------|-----------------|-------------|
| Anderson | Bennett | Carpenter | Clark |
| Cobey | Daggett | De Groot | Diemer |
| Grandia | Halvorson, R. A. | Handorf | Hanson |
| Harbor | Hermann | Hoffmann-Bright | Lageschulte |
| Maulsby | McIntee | McKean | Menke |
| Paulin | Pellett | Renken | Rensink |
| Royer | Schneklath | Stromer | Stueland |
| Swearingen | Torrence | Van Camp | Van Gerpen |
| Welden | | | |

Absent or not voting, 3:

| | | |
|----------|----------|---------|
| Blanshan | Branstad | Sherzan |
|----------|----------|---------|

The motion prevailed and the House concurred in the Senate amendment H-6285, as amended.

Jay of Appanoose 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. 2486)

The ayes were, 96:

| | | | |
|------------------|------------|------------|--------------------------------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| 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 | Lonergan | Maulsby | McIntee |
| McKean | Menke | Miller | Muhlbauer |
| Mullins | Norland | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Paulin |
| Pavich | Peick | Pellet | Poncy |
| Renaud | Renken | Rensink | Rosenberg |
| Royér | Running | Schneklath | Schroeder |
| Sherzan | Skow | Spear | Stromer |
| Stueland | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Tofte | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Varn |
| Welden | Woods | Zimmerman | Madam Speaker (Lloyd-Jones) |

The nays were, none.

Absent or not voting, 4:

| | | | |
|----------|------|---------|---------|
| Branstad | Buhr | Doderer | Shoultz |
|----------|------|---------|---------|

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 2486)

Norland of Worth asked and received unanimous consent to immediately message House File 2486 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 April 19, 1984, insisted on the Senate amendment to the House amendment to Senate File 2215, a bill for an act to provide for the issuance of an extracurricular contract by school boards, to set criteria for receipt of the contract including the establishment of a coaching authorization, and to provide for termination of the extracurricular contract, and the members of the conference committee, on the part of the Senate, 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.

Also: That the Senate has on April 19, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2360, a bill for an act making statutory corrections and other changes relating to the court reorganization and court fee legislation enacted in 1983.

K. MARIE THAYER, Secretary

CONFERENCE COMMITTEE APPOINTED (Senate File 2215)

The Speaker announced the appointment of the conference committee to consider the differences between the House and the Senate concerning Senate File 2215: Carter of Henry, Chair; Daggett of Taylor, Groth of Buena Vista, Haverland of Polk and Swearingen of Keokuk.

Appropriations Calendar

The House resumed consideration of **Senate File 2351**, a bill for an act relating to the administration and financing of current programs other than mental health programs under the jurisdiction of the department of human services and to the foster care review board for the fiscal year beginning July 1, 1984, and ending June 30, 1984, and the committee amendment H-6406, as amended (found on pages 2308 and 2309 of the House Journal).

Welden of Hardin offered the following amendment H-6420 (temporarily deferred), to the committee amendment H-6406, filed by him and Van Maanen of Mahaska and moved its adoption:

H-6420

1 Amend amendment H-6406 to Senate File 2351 as
2 amended, passed and reprinted by the Senate, as
3 follows:

4 1. Page 1, by inserting after line 2 the following:

5 "1. Page 1, by inserting after line 15 the
6 following:

7 "Of the funds appropriated by this section, one
8 hundred eighty thousand (180,000) dollars, or so much
9 thereof as is necessary, is appropriated for the
10 implementation of a medically needy program." "

11 2. Page 1, by inserting after line 8 the following:

12 " . Page 2, by inserting after line 3 the
13 following:

14 "Of the funds appropriated by this section, three
15 hundred eighty thousand (380,000) dollars, or so much
16 thereof as is necessary, is appropriated to implement
17 a medically needy program." "

18 3. Page 1, by inserting after line 11 the
19 following:

20 " . Page 4, by inserting after line 6 the
21 following:

22 "Of the funds appropriated by this subsection,
23 one million six hundred fifty thousand (1,650,000)
24 dollars, or so much thereof as is necessary, is
25 appropriated for the medically needy program authorized
26 by this subsection."

27 . Page 7, by inserting after line 24 the
28 following:

29 "Of the funds appropriated by this subsection,
30 ten thousand (10,000) dollars, or so much thereof
31 as is necessary, is appropriated to implement a
32 medically needy program." "

A non-record roll call was requested.

The ayes were 34, nays 45.

Amendment H-6420 lost.

On motion by Carl of Poweshiek, the committee amendment H-6406, as amended, was adopted, placing out of order amendment H-6418 filed by Van Maanen of Mahaska on April 18, 1984.

Van Maanen of Mahaska offered amendment H-6423 filed by him and requested division as follows:

H-6423

- 1 Amend Senate File 2351 as amended, passed, and
- 2 reprinted by the Senate, as follows:

H-6423A

- 3 1. Page 3, lines 6 through 8, by striking the
- 4 words "all covered services, except for services in
- 5 institutions for mental diseases or intermediate care
- 6 facilities for the mentally retarded" and inserting
- 7 in lieu thereof the words "only those services under
- 8 a medically needy program required by federal law
- 9 or regulation".

H-6423B

- 10 2. Page 3, lines 8 and 9, by striking the words
- 11 "child under twenty-one years of age" and inserting
- 12 in lieu thereof the following "dependent child, as
- 13 defined in section 239.1,".

Speaker Avenson in the chair at 3:52 p.m.

Van Maanen of Mahaska moved the adoption of amendment
H-6423A.

A non-record roll call was requested.

The ayes were 26, nays 44.

Amendment H-6423A lost.

Van Maanen of Mahaska asked and received unanimous consent
to withdraw amendment H-6423B.

Blanshan of Greene in the chair at 4:27 p.m.

Krewson of Polk offered the following amendment H-6430 filed
by Krewson, et al., and moved its adoption:

H-6430

- 1 Amend Senate File 2351 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, by striking lines 7 through 34.

Roll call was requested by Running of Linn and Peick of Linn.

On the question "Shall amendment H—6430 be adopted?"

The ayes were, 44:

| | | | |
|------------|------------|------------|-------------|
| Anderson | Bennett | Branstad | Buhr |
| Carpenter | Chapman | Clark | Cooper |
| Copenhaver | Daggett | Davitt | De Groot |
| Diemer | Grandia | Handorf | Hanson |
| Harbor | Hummel | Krewson | Lageschulte |
| Maulsby | McIntee | McKean | Menke |
| Mullins | Paulin | Peick | Pellet |
| Renken | Rensink | Royer | Running |
| Schroeder | Shoultz | Spear | Stromer |
| Stueland | Sturgeon | Swearingen | Tofte |
| Van Camp | Van Gerpen | Van Maanen | Welden |

The nays were, 50:

| | | | |
|-----------|---------------------------|------------------|----------|
| Arnould | Avenson | Baxter | Black |
| Brammer | Carl | Carter | Chiodo |
| Cochran | Connolly | Corey | Doderer |
| Fey | Fogarty | Groninga | Groth |
| Gruhn | Halvorson, R. A. | Halvorson, R. N. | Hammond |
| Haverland | Hermann | Hoffmann-Bright | Holveck |
| Hughes | Jay | Jochum | Knapp |
| Koenigs | Lloyd-Jones | Loneragan | Miller |
| Muhlbauer | Norland | O'Kane | Ollie |
| Oxley | Parker | Pavich | Poncy |
| Rosenberg | Schnekloth | Skow | Sullivan |
| Swartz | Tabor | Torrence | Varn |
| Zimmerman | Mr. Speaker (Blanshan) | | |

Absent or not voting, 6:

| | | | |
|---------|----------|-----------|--------|
| Connors | Gronstal | Osterberg | Renaud |
| Sherzan | Woods | | |

Amendment H—6430 lost.

Speaker Avenson in the chair at 4:56 p.m.

Miller of Woodbury offered the following amendment H—6415 filed by him and moved its adoption:

H—6415

- 1 Amend Senate File 2351 as amended, passed, and
- 2 reprinted by the Senate, as follows:

- 3 1. Page 10, line 11, by striking the word "one"
 4 and inserting in lieu thereof the word "two".
 5 2. Page 10, line 12, by striking the words "ninety-
 6 six and one-half" and inserting in lieu thereof the
 7 word "one".
 8 3. Page 10, line 18, by striking the figure
 9 "7,235,000" and inserting in lieu thereof the figure
 10 "7,375,000".
 11 4. By striking page 10, line 19 through page 11,
 12 line 4.
 13 5. By striking page 17, lines 6 and 7 and inserting
 14 in lieu thereof the following: "of this Act, and
 15 may adopt".

Roll call was requested by Welden of Hardin and Lageschulte of Bremer.

Rule 76 was invoked.

On the question "Shall amendment H—6415 be adopted?"

The ayes were, 47:

| | | | |
|-------------|------------------|-----------------|-----------|
| Anderson | Bennett | Brammer | Carpenter |
| Chapman | Clark | Copenhaver | Corey |
| Daggett | De Groot | Diemer | Fogarty |
| Grandia | Halvorson, R. A. | Handorf | Hanson |
| Harbor | Hermann | Hoffmann-Bright | Hummel |
| Lageschulte | Maulsby | McIntee | McKean |
| Menke | Miller | Muhlbauer | O'Kane |
| Oxley | Paukin | Pellett | Renken |
| Rensink | Royer | Schnekloth | Schroeder |
| Spear | Stromer | Stueland | Sturgeon |
| Swearingen | Tofte | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Welden | |

The nays were, 50:

| | | | |
|-------------|-------------|------------------|----------|
| Arnould | Baxter | Black | Blanshan |
| Buhr | Carl | Chiodo | Cochran |
| Connolly | Connors | Cooper | Davitt |
| Doderer | Fey | Groninga | Gronstal |
| Groth | Gruhn | Halvorson, R. N. | Hammond |
| Haverland | Holveck | Hughes | Jay |
| Jochum | Knapp | Koenigs | Krewson |
| Lloyd-Jones | Loneragan | Mullins | Norland |
| Ollie | Parker | Pavich | Peick |
| Poncy | Renaud | Rosenberg | Running |
| Sherzan | Shoultz | Skow | Sullivan |
| Swartz | Tabor | Varn | Woods |
| Zimmerman | Mr. Speaker | | |

Absent or not voting, 3:

Branstad

Carter

Osterberg

Amendment H—6415 lost.

Welden of Hardin offered the following amendment H—6416 filed by him and moved its adoption:

H—6416

- 1 Amend Senate File 2351 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. By striking page 10, line 19, through page 11,
- 4 line 4.

A non-record roll call was requested.

The ayes were 37, nays 49.

Amendment H—6416 lost.

Krewson of Polk offered the following amendment H—6476 filed from the floor by Krewson, Buhr, Clark and Haverland and moved its adoption:

H—6476

- 1 Amend Senate File 2351, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, lines 27 and 28, by striking the words
- 4 "or satellite clinics of the university hospitals".

Amendment H—6476 lost.

The following amendment H—6478 filed by Carl of Poweshiek from the floor was adopted by unanimous consent:

H—6478

- 1 Amend Senate File 2351 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, line 27, by striking the word
- 4 "satellite" and inserting in lieu thereof the
- 5 words "existing prenatal".

Connors of Polk in the chair at 5:22 p.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?" (S.F. 2351)

The ayes were, 73:

| | | | |
|--------------------------|-------------|------------------|------------------|
| Arnould | Avenson | Baxter | Black |
| Brammer | Buhr | Carl | Carpenter |
| Carter | Chapman | Chioldo | Clark |
| Cochran | Connolly | Cooper | Copenhaver |
| Daggett | Davitt | Diemer | Doderer |
| Fey | Fogarty | Groninga | Gronstal |
| Groth | Gruhn | Halvorson, R. A. | Halvorson, R. N. |
| Hammond | Hanson | Haverland | Herrmann |
| Holveck | Hughes | Hummel | Jay |
| Jochum | Knapp | Koenigs | Krewson |
| Lageschulte | Lloyd-Jones | Lonergan | McIntee |
| McKean | Miller | Muhlbauer | Mullins |
| Norland | Ollie | Osterberg | Oxley |
| Parker | Pavich | Peick | Poney |
| Renaud | Rosenberg | Running | Shoultz |
| Skow | Spear | Stromer | Sturgeon |
| Sullivan | Swartz | Tabor | Van Camp |
| Van Gerpen | Varn | Woods | Zimmerman |
| Mr. Speaker (Connors) | | | |

The nays were, 24:

| | | | |
|-----------------|-----------|------------|------------|
| Anderson | Bennett | Branstad | Corey |
| De Groot | Grandia | Handorf | Harbor |
| Hoffmann-Bright | Maulsby | Menke | Paulin |
| Pellett | Renken | Rensink | Royer |
| Schnekloth | Schroeder | Stueland | Swearingen |
| Tofte | Torrence | Van Maanen | Welden |

Absent or not voting, 3:

| | | |
|----------|--------|---------|
| Blanshan | O'Kane | Sherzan |
|----------|--------|---------|

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 2530, by committee on ways and means, a bill for an act relating to the special property valuations for certain machinery and equipment under sections 427B.10 to 427B.14.

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

House File 2531, by committee on finance, a bill for an act relating to urban renewal.

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

House File 2532, by Norland and Stromer, a bill for an act allowing telephone utilities to offer certain services without filing a tariff with the Iowa state commerce commission and providing an effective date.

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

SENATE MESSAGES CONSIDERED

Senate File 2133, by Taylor, a bill for an act to allow certain non-profit corporations owning property in this state an extension of time to appeal to the local board of review its property assessment values for designated assessment years and to allow refunds of taxes paid for designated tax years.

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

Senate File 2350, by committee on ways and means, a bill for an act to impose a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the Act retroactive.

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

Senate File 2360, by committee on appropriations, a bill for an act making statutory corrections and other changes relating to the court reorganization and court fee legislation enacted in 1983.

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

IMMEDIATE MESSAGE
(Senate File 2351)

Norland of Worth asked and received unanimous consent to immediately message Senate File 2351 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to take up out of order the following bills: Senate Files 2040, 2346 and 2354.

Appropriations Calendar

Senate File 2040, a bill for an act amending Iowa's unemployment compensation law by crediting earned interest on the special employment security contingency fund to the temporary emergency surcharge fund, by limiting expenditures from the special employment security contingency fund, by annually transferring certain amounts from the special employment security contingency fund to the temporary emergency surcharge fund or to the unemployment trust fund, and by requiring an annual departmental report detailing planned expenditures from the special employment security contingency fund, with report of committee recommending passage was taken up for consideration.

Halvorson of Clayton offered the following amendment H-5722 filed by him and moved its adoption:

H-5722

1 Amend Senate File 2040 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Sec. . Section 96.13, subsection 3, un-
6 numbered paragraph 1, Code 1983, is amended to read
7 as follows:
8 There is hereby created in the state treasury a
9 special fund to be known as the special employment
10 security contingency fund. All interest, fines,
11 and penalties, regardless of when the same they be-
12 come payable, collected from employers under the
13 provisions of section 96.14 subsequent to July 1,
14 1970, shall be paid into this fund. Said The moneys
15 shall not be expended or available for expenditure

16 in any manner which would permit their substitution
17 for federal funds which would in the absence of said
18 the moneys be available to finance expenditures for
19 the administration of the employment security law.
20 Nothing in this This section shall does not prevent
21 said the moneys from being used as a revolving fund
22 to cover expenditures for which federal funds have
23 been duly requested but not yet received, subject
24 to the charging of such expenditures against such the
25 funds when received. Said The fund may be used for
26 the payment of costs of administration which are
27 found not to have been properly and validly charge-
28 able against federal grants or other funds, received
29 for or in the employment security administration fund.
30 The moneys in this fund are hereby specifically made
31 available to replace, within a reasonable time, any
32 moneys received by this state in the form of grants
33 from the federal government for administrative ex-
34 penses which because of any action or contingency
35 have been expended for purposes other than, or in
36 excess of, those necessary for the proper adminis-
37 tration of the employment security law. All moneys
38 in the special employment security contingency fund
39 shall be deposited, administered, and disbursed in
40 the same manner and under the same conditions and
41 requirements as are provided by law for other spe-
42 cial funds in the state treasury. However, an ex-
43 penditure from the fund in excess of two thousand
44 five hundred dollars is subject to the state purchas-
45 ing system established by the director of the depart-
46 ment of general services and the approval of the
47 executive council.

48 Sec. . Section 96.13, subsection 3, unnumb-
49 ered paragraph 3, Code 1983, is amended to read as
50 follows:

Page 2

1 Balances to the credit of the special employment
2 security contingency fund shall not lapse at any
3 time but shall continuously be available to the de-
4 partment for expenditures consistent with this sub-
5 section. However, if on July 1 of any year the bal-
6 ance in the fund exceeds fifty thousand dollars by
7 ten thousand dollars or more, the treasurer of state
8 shall promptly transfer the entire amount over fifty
9 thousand dollars to the unemployment trust fund es-
10 tablished in section 96.9, unless the department
11 determines that the transfer should not be made be-
12 cause of immediate obligations to be met from the
13 fund."

Amendment H—5722 lost.

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?" (S.F. 2040)

The ayes were, 76:

| | | | |
|-------------|-----------|-------------|--------------------------|
| Anderson | Arnould | Avenson | Baxter |
| Black | Brammer | Branstad | Buhr |
| Carl | Carpenter | Chapman | Chiodo |
| Clark | Cochran | Connolly | Cooper |
| Copenhaver | Davitt | De Groot | 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 | Pavich |
| Peick | Poncy | Renaud | Rensink |
| Rosenberg | Running | Schneklloth | Sherzan |
| Shoultz | Skow | Spear | Stromer |
| Stueland | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Van Camp | Van Gerpen |
| Varn | Woods | Zimmerman | Mr. Speaker (Connors) |

The nays were, 17:

| | | | |
|---------|-----------|-----------------|------------------|
| Corey | Daggett | Grandia | Halvorson, R. A. |
| Handorf | Harbor | Hoffmann-Bright | Maulsby |
| Menke | Paulin | Pellet | Renken |
| Royer | Schroeder | Torrence | Van Maanen |
| Welden | | | |

Absent or not voting, 7:

| | | | |
|----------|----------|--------|---------|
| Bennett | Blanshan | Carter | Krewson |
| Lonergan | Parker | Tofte | |

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

**REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 2291**

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 2291, a bill for an act relating to the finance charges permitted in open-end credit accounts including credit cards, respectfully make the following report:

1. That the members of the Conference Committee are unable to reach agreement.

ON THE PART OF THE HOUSE:

THOMAS E. SWARTZ, Chair
ROBERT C. ARNOULD
NED F. CHIDO
HUGO SCHNEKLOTH
LAVERNE SCHROEDER

ON THE PART OF THE SENATE:

GEORGE R. KINLEY, Chair
EDGAR H. HOLDEN
EMIL J. HUSAK
WILLIAM D. PALMER
JACK RIFE

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, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2481, a bill for an act relating to the taxation, valuation, and qualification of a fruit-tree or forest reservation for property tax purposes.

Also: That the members of the second conference committee to Senate File 2291, a bill for an act relating to the finance charges permitted in open-end credit accounts including credit cards, on the part of the Senate, are: The Senator from Lee, Senator Junkins, Chair; the Senator from Tama, Senator Husak; the Senator from Scott, Senator Holden; the Senator from Polk, Senator Palmer; and the Senator from Muscatine, Senator Rife.

K. MARIE THAYER, Secretary

**SECOND CONFERENCE COMMITTEE APPOINTED
(Senate File 2291)**

The Speaker announced the appointment of the second conference committee to consider the differences between the House and the Senate concerning Senate File 2291: Swartz of Marshall, Chair; Arnould of Scott, Chiodo of Polk, Diemer of Black Hawk and Halvorson of Clayton.

Ways and Means Calendar

Senate File 2346, a bill for an act to suspend the Iowa dairy industry commission during the effective period of a national promotional order established pursuant to the 1983 dairy Act, with report of committee recommending passage was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2346)

The ayes were, 95:

| | | | |
|------------------|------------------|--------------------------|-----------------|
| 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 | 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 | 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 | Schneklath |
| Schroeder | Sherzan | Shoultz | Skow |
| Spear | Stueland | Sturgeon | Sullivan |
| Swearingen | Tabor | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Varn | Weiden |
| Woods | Zimmerman | Mr. Speaker (Connors) | |

The nays were, none.

Absent or not voting, 5:

Doderer
Tofte

Hanson

Stromer

Swartz

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

MOTION TO RECONSIDER PREVAILED
(Senate File 2165)

Krewson of Polk called up for consideration the motion to reconsider Senate File 2165, filed on April 18, 1984, and moved to reconsider the vote by which Senate File 2165, a bill for an act to provide for the development of a proposal to reduce upper-level management positions in certain state agencies, passed the House and was placed on its last reading on April 18, 1984.

A non-record roll call was requested.

The ayes were 55, nays 40.

The motion prevailed and the House reconsidered Senate File 2165.

Norland of Worth asked and received unanimous consent that Senate File 2165 be deferred and that the bill retain its place on the calendar.

Ways and Means Calendar

Senate File 2354, a bill for an act to treat the sale of vulcanizing, recapping, and retreading services under the state sales, services, and use tax as a sale of tangible personal property, and providing retroactive effect, with report of committee recommending passage was taken up for consideration.

Gronstal of Pottawattamie offered the following amendment H-6408 filed by him and moved its adoption:

H-6408

- 1 Amend Senate File 2354 as passed by the Senate
- 2 as follows:

3 1. Page 2, by inserting after line 16 the
 4 following:
 5 "Sec. . Notwithstanding that section 1 is
 6 retroactive to January 1, 1979, any tax collected
 7 before the effective date of this Act because
 8 vulcanizing, recapping, and retreading services were
 9 not sales of tangible property is not refundable."

Amendment H-6408 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. 2354)

The ayes were, 92:

| | | | |
|-------------|------------|------------------|--------------------------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | 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 | 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 | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poncy | Renaud | Renken | Rensink |
| Rosenberg | Royer | 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 (Connors) |

The nays were, 4:

| | | | |
|---------|-----------|-------|---------|
| Chapman | Osterberg | Oxley | Running |
|---------|-----------|-------|---------|

Absent or not voting, 4:

Blanshan

Carpenter

Loneragan

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 2354)

Norland of Worth asked and received unanimous consent to immediately message Senate File 2354 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate Files 2352, 2318 and 2353 and House File 2473.

Appropriations Calendar

Senate File 2352, 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, with report of committee recommending passage was taken up for consideration.

Carpenter of Polk offered the following amendment H-6479 filed from the floor by her and Loneragan of Boone and moved its adoption:

H-6479

- 1 Amend Senate File 2352 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, by striking lines 1 and 2 and inserting
- 4 in lieu thereof the following: "1 shall be set aside".
- 5 2. Page 3, line 17, by striking the words
- 6 "university of Iowa's".
- 7 3. Page 3, line 31, by striking the words
- 8 "university of Iowa's".

Amendment H-6479 was adopted.

Welden of Hardin offered amendment H-6468 filed by him and Loneragan of Boone from the floor and moved its adoption:

H-6468

- 1 Amend Senate File 2352 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 12, line 21, by striking the figure "1,".
- 4 2. Page 12, line 27, by inserting after the word
- 5 "sections" the figure "1,".

Amendment H-6468 was adopted.

Loneragan 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?" (S.F. 2352)

The ayes were, 91:

| | | | |
|------------|------------------|--------------------------|-----------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| Branstad | Buhr | Carpenter | Chapman |
| Chiodo | Clark | Connolly | 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 | Jochum | Knapp | Koenigs |
| Krewson | Lageschulte | Lloyd-Jones | Loneragan |
| Maulsby | 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 | Shoultz | Skow | Spear |
| Stromer | Stueland | Sturgeon | Sullivan |
| Swartz | Tabor | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Varn | Welden |
| Woods | Zimmerman | Mr. Speaker (Connors) | |

The nays were, none.

Absent or not voting, 9:

Carl
Jay
Tofte

Carter
McIntee

Cochran
Menke

Copenhaver
Swearingen

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

IMMEDIATE MESSAGE
(Senate File 2352)

Norland of Worth asked and received unanimous consent to immediately message Senate File 2352 to the Senate.

SENATE AMENDMENT CONSIDERED

Jochum of Dubuque called up for consideration **House File 2520**, 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 amendment H—6330 as follows:

H—6330

- 1 Amend House File 2520, as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, by striking lines 11 through 14 and
- 4 inserting in lieu thereof the following:
- 5 "ries, support, maintenance,
- 6 and miscellaneous purposes \$1,330,488".
- 7 2. Page 1, by striking lines 29 through 34 and
- 8 inserting in lieu thereof the following:
- 9 "From the general fund for
- 10 salaries, support, maintenance,
- 11 and miscellaneous purposes \$3,441,227".
- 12 3. Page 2, by striking lines 7 through 11 and
- 13 inserting in lieu thereof the following:
- 14 "ries, support, maintenance, and
- 15 miscellaneous purposes \$ 620,064".
- 16 4. Page 4, by striking lines 23 through 26 and
- 17 inserting in lieu thereof the following:
- 18 "the state for salaries, support,
- 19 main-".
- 20 5. Page 5, by striking lines 10 through 14 and

- 21 inserting in lieu thereof the following:
 22 "protection fund for salaries,
 23 support, maintenance, equipment,
 24 and".
- 25 6. Page 6, by striking lines 20 through 22 and
 26 inserting in lieu thereof the following:
 27 "for salaries, support, mainte-
 28 nance, and miscella-".
- 29 7. Page 6, line 24, by striking the figure "49,081"
 30 and inserting in lieu thereof the figure "50,093".
- 31 8. Page 6, by striking lines 27 through 31 and
 32 inserting in lieu thereof the following:
 33 "in the green thumb fund for the
 34 green thumb program established
 35 pursuant to chapter 601H \$ 95,000".
- 36 9. Page 8, by striking lines 5 through 10.
- 37 10. Page 9, by striking lines 4 through 7 and
 38 inserting in lieu thereof the following:
 39 "1. For salaries, support,
 40 maintenance, and miscellaneous
 41 purposes \$3,237,025".
- 42 11. Page 9, by striking lines 8 through 29.
- 43 12. Page 11, by striking lines 27 through 30 and
 44 inserting in lieu thereof the following:
 45 "For salaries, support, mainte-".
- 46 13. By striking page 11, line 34 through page
 47 12, line 2 and inserting in lieu thereof the following:
 48 "For salaries, support,".
- 49 14. Page 12, by striking lines 12 through 14 and
 50 inserting in lieu thereof the following:

Page 2

- 1 "1. For maintenance of the
 2 state fair buildings and grounds \$ 74,358
 3 2. For premiums \$ 9,000
 4 3. For state aid to agri-
 5 cultural societies (local fairs) \$ 183,800".
- 6 15. Page 12, line 15, by striking the figure "1"
 7 and inserting in lieu thereof the figure "3".
- 8 16. Page 13, by striking lines 2 through 5 and
 9 inserting in lieu thereof the following:
 10 "1. For salaries, support,
 11 maintenance, and".
- 12 17. Page 14, by striking lines 2 through 5 and
 13 inserting in lieu thereof the following:
 14 "1. For salaries, support,
 15 mainte-".
- 16 18. By striking page 15, line 34 through page
 17 16, line 2 and inserting in lieu thereof the following:
 18 "1. For salaries, support,

- 19 maintenance, and miscel-".
 20 19. Page 16, by striking lines 11 through 13 and
 21 inserting in lieu thereof the following:
 22 "2. For salaries, support, mainte-
 23 nance,".
 24 20. By renumbering subsections.

Jochum of Dubuque offered the following amendment H—6431, to the Senate amendment H—6330, filed by him and moved its adoption:

H—6431

- 1 Amend amendment H—6330 to House File 2520 as
 2 amended, passed and reprinted by the House as follows:
 3 1. Page 1, line 35, by striking the figure "95,000"
 4 and inserting in lieu thereof the figure "145,385".
 5 2. Page 1, line 41, by striking the figure
 6 "3,237,025" and inserting in lieu thereof the figure
 7 "3,112,025".
 8 3. Page 2, line 2, by striking the figure "74,358"
 9 and inserting in lieu thereof the figure "39,358".

Amendment H—6431 was adopted.

On motion by Knapp of Dubuque the House concurred in the Senate amendment H—6330, as amended.

Knapp of Dubuque 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. 2520)

The ayes were, 96:

| | | | |
|------------------|------------------|------------|-----------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| Branstad | Buhr | Carl | Carpenter |
| Carter | Chapman | Chiodo | 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 | Loneragan | Maulsby |
| McIntee | McKean | Miller | Muhlbauer |
| Mullins | Norland | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Paulin |
| Pavich | Peick | Pellett | Poncy |
| Renaud | Renken | Rensink | Rosenberg |
| Royer | Running | Schneklloth | Schroeder |
| Sherzan | Shoultz | Skow | Spear |
| Stromer | Stueland | Sturgeon | Sullivan |
| Swartz | Swearingeh | Tabor | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Varn |
| Welden | Woods | Zimmerman | Mr. Speaker (Connors) |

The nays were, none.

Absent or not voting, 4:

| | | | |
|-------|-------------|-------|-------|
| Clark | Lloyd-Jones | Menke | 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 2520)

Norland of Worth asked and received unanimous consent to immediately message House File 2520 to the Senate.

RULE 58 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 58, relating to a committee notice and agenda, for a committee on commerce meeting upon recess.

The House stood at ease at 6:20 p.m., until the fall of the gavel.

The House resumed session at 7:17 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-four members present, twenty-six absent.

RULE 75A SUSPENDED

Schroeder of Pottawattamie asked and received unanimous consent to suspend Rule 75A, relating to voting, for the balance of the evening.

Appropriations Calendar

House File 2473, a bill for an act to implement certain recommendations of the governor's task force by providing limitations on leaves of absence for certain military purposes, providing a phased retirement incentive program for full-time state employees, providing for the use of investment income as management expenses for certain retirement programs, providing that persons who are not full-time employees of the state who do not accrue sick leave or vacation and who work on a state holiday shall receive pay only for hours worked, and providing that all state departments and agencies shall have appropriations for the 1984-1985 fiscal year reduced by the amount of out-of-state travel incurred in the 1984-1985 fiscal year, with report of committee recommending amendment and passage was taken up for consideration.

Blanshan of Greene offered the following amendment H-6413 filed by the committee on appropriations and moved its adoption:

H-6413

- 1 Amend House File 2473 as follows:
- 2 1. Page 2, by striking lines 23 and 24 and
- 3 inserting in lieu thereof the words "that provides
- 4 that an employee may participate in the program for
- 5 not more than five years and provides for the
- 6 following:"
- 7 2. Page 3, line 15, by striking the word "first".
- 8 3. Page 3, line 24, by inserting after the word
- 9 "employee." the words "Once an employee reduces the
- 10 employee's hours of participation, that employee shall
- 11 not subsequently increase the hours of participation."
- 12 4. Page 3, by inserting after line 24 the
- 13 following:
- 14 "Sec. . NEW SECTION. 79.25 APPROPRIATION.
- 15 Annually after June 30 of each fiscal year, the
- 16 department of job service shall determine the cost
- 17 during the preceding fiscal year to the Iowa public
- 18 employees' retirement fund of participation of state
- 19 employees in the phased retirement program. Annually,
- 20 there is appropriated from the general fund of the

- 21 state to the Iowa public employees' retirement fund
 22 an amount sufficient to reimburse the retirement fund
 23 for the costs of the phased retirement program."
 24 5. Renumber sections as necessary.

The committee amendment H—6413 was adopted.

Harbor of Mills offered the following amendment H—6453 filed from the floor by Harbor, Poncey, Schroeder, Daggett and Hoffmann-Bright:

H—6453

- 1 Amend House File 2473 as follows:
 2 1. Page 1, by striking line 1 through page 2, line
 3 4.

Norland of Worth asked and received unanimous consent that House File 2473 be temporarily deferred and that the bill retain its place on the calendar.

(Amendment H—6453 pending.)

Ways and Means Calendar

Senate File 2318, a bill for an act relating to the computation of interest on overpayments arising from the carryback of a net operating loss or net capital loss for individual and corporate income and franchise tax purposes, 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. 2318)

The ayes were, 97:

| | | | |
|------------|----------|-----------|----------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | 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 | Loneragan | 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 | Schneklath | Schroeder |
| Sherzan | Shoultz | Skow | Spear |
| Stromer | Stueland | Sturgeon | Sullivan |
| Swartz | Swearingen | Tabor | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Varn | Weiden | Woods | Zimmerman |
| Mr. Speaker | | | |

The nays were, none.

Absent or not voting, 3:

| | | |
|--------|---------|---------|
| Carter | Chapman | Connors |
|--------|---------|---------|

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

Appropriations Calendar

Senate File 2353, a bill for an act relating to the funding of and to substance abuse treatment and prevention programs by making appropriations to the department of substance abuse for the fiscal year beginning July 1, 1984 and ending June 30, 1985 for administration, program grants, treatment programs not licensed by the department, and prevention programs, requiring the treasurer of state to deposit certain amounts of the sales made by the state liquor stores in a special fund, requiring the beer and liquor control council to adjust the sales margin on liquor August 1, 1984 to raise certain revenue, requiring the state to incur one hundred percent of the cost of substance abuse treatment at certain programs for the fiscal year beginning July 1, 1984 and ending June 30, 1985, crediting certain fees to the beer and liquor control fund, requiring the department of substance abuse to distribute program grant funding by a certain formula, requiring an assessment of a patient before admittance to a state mental health institute for substance

abuse treatment, prohibiting counties from certifying a supplemental levy for certain substance abuse treatment facilities, requiring the county auditor to recompute the levy rates to reduce the amount budgeted for certain substance abuse treatment programs in the fiscal year beginning July 1, 1984 and ending June 30, 1985, and providing an effective date, with report of committee recommending passage was taken up for consideration.

Anderson of Audubon offered the following amendment H-6472 filed by him from the floor and moved its adoption:

H-6472

- 1 Amend Senate File 2353, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 12 by striking the word "margin"
- 4 and inserting in lieu thereof the word "markup".
- 5 2. Page 1, line 16 by striking the word "margin"
- 6 and inserting in lieu thereof the word "markup".

Amendment H-6472 lost.

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?" (S.F. 2353)

The ayes were, 97:

| | | | |
|------------------|------------|-----------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | 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 |
| 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 | Schneklath | 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:

Chapman Connors Jochum

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

SENATE FILE 2357 SUBSTITUTED FOR HOUSE FILE 2529

Sturgeon of Woodbury asked and received unanimous consent to substitute Senate File 2357 for House File 2529.

Senate File 2357, a bill for an act creating a petroleum over-charge fund in the state treasury and appropriating money from the fund, was taken up for consideration.

Sturgeon of Woodbury offered the following amendment H—6475 filed by him from the floor and moved its adoption:

H—6475

- 1 Amend Senate File 2357, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 21, by striking the word "Seventy-
- 4 five" and inserting in lieu thereof the word "Fifty".
- 5 2. Page 2, line 28, by striking the word "twenty-
- 6 five" and inserting in lieu thereof the word "fifty".

Amendment H—6475 was adopted.

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?" (S.F. 2357)

The ayes were, 98:

| | | | |
|------------------|------------------|-------------|------------|
| 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 | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellett | Poney | 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 | | |

The nays were, none.

Absent or not voting, 2:

Connors Mr. Speaker

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

IMMEDIATE MESSAGE
(Senate File 2357)

Norland of Worth asked and received unanimous consent to immediately message Senate File 2357 to the Senate.

Appropriations Calendar

The House resumed consideration of **House File 2473**, a bill for an act to implement certain recommendations of the governor's task force by providing limitations on leaves of absence for certain

military purposes, providing a phased retirement incentive program for full-time state employees, providing for the use of investment income as management expenses for certain retirement programs, providing that persons who are not full-time employees of the state who do not accrue sick leave or vacation and who work on a state holiday shall receive pay only for hours worked, and providing that all state departments and agencies shall have appropriations for the 1984-1985 fiscal year reduced by the amount of out-of-state travel incurred in the 1984-1985 fiscal year, and amendment H-6453, temporarily deferred.

Harbor of Mills moved the adoption of amendment H-6453.

Roll call was requested by Harbor of Mills and Hanson of Delaware.

On the question "Shall amendment H-6453 be adopted?"

The ayes were, 42:

| | | | |
|------------------|----------|----------|------------|
| Anderson | Bennett | Black | Branstad |
| Clark | Corey | Daggett | Davitt |
| De Groot | Diemer | Doderer | Grandia |
| Halvorson, R. A. | Hanson | Harbor | Hermann |
| Hoffmann-Bright | Hummel | Maulsby | McIntee |
| McKean | Menke | Miller | Mullins |
| Pavich | Pellett | Poncy | Renken |
| Rensink | Royer | Running | Schnekloth |
| Schroeder | Sherzan | Spear | Stueland |
| Swearingen | Torrence | Van Camp | Van Maanen |
| Varn | Welden | | |

The nays were, 55:

| | | | |
|------------------|------------|-------------|-------------|
| Arnould | Baxter | Blanshan | Brammer |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Cochran | Connolly |
| Cooper | Copenhaver | Fey | Fogarty |
| Groninga | Gronstal | Groth | Gruhn |
| Halvorson, R. N. | Hammond | Handorf | Haverland |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lageschulte |
| Lloyd-Jones | Lonergan | Muhlbauer | Norland |
| O'Kane | Ollie | Osterberg | Parker |
| Paulin | Peick | Renaud | Rosenberg |
| Shoultz | Skow | Stromer | Sturgeon |
| Sullivan | Swartz | Tabor | Tofte |
| Van Gerpen | Zimmerman | Mr. Speaker | |

Absent or not voting, 3:

Connors

Oxley

Woods

Amendment H—6453 lost.

Lloyd-Jones of Johnson offered the following amendment H—6424 filed by her and moved its adoption:

H—6424

- 1 Amend House File 2473 as follows:
- 2 1. Page 6, line 5, by inserting after the word
- 3 "duties" the words "or the maintenance of professional
- 4 competency".

A non-record roll call was requested.

The ayes were 25, nays 51.

Amendment H—6424 lost.

Blanshan of Greene asked and received unanimous consent to withdraw amendment H—5534 filed by him on March 8, 1984.

Blanshan of Greene offered the following amendment H—5526 filed by him and moved its adoption:

H—5526

- 1 Amend House File 2473 as follows:
- 2 1. Page 3, by striking lines 32 through 34 and
- 3 inserting in lieu thereof the following: "be established.
- 4 All charges".

Amendment H—5526 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?" (H.F. 2473)

The ayes were, 95:

| | | | |
|------------|-------------|------------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Cooper | Copenhaver | Corey |
| Davitt | De Groot | Diemer | 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 | Loneragan |
| 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 |
| Schneklath | Schroeder | Sherzan | Shultz |
| 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:

Daggett Doderer

Absent or not voting, 3:

Connors Harbor Hoffmann-Bright

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

IMMEDIATE MESSAGE (House File 2473)

Norland of Worth asked and received unanimous consent to immediately message House File 2473 to the Senate.

REPORT OF COMMITTEE ON SMALL BUSINESS AND COMMERCE

House File 2532, a bill for an act allowing telephone utilities to offer certain services without filing a tariff with the Iowa state commerce commission and providing an effective date.

Fiscal Note is not required.

Recommended Do Pass April 19, 1984.

UNANIMOUS CONSENT

Norland of Worth asked and received unanimous consent for the immediate consideration of House File 2532.

Regular Calendar

House File 2532, a bill for an act allowing telephone utilities to offer certain services without filing a tariff with the Iowa state commerce commission and providing an effective date, with report of committee recommending passage was taken up for consideration.

The following amendment H-6487 filed by Gronstal of Pottawattamie from the floor was adopted by unanimous consent:

H-6487

- 1 Amend House File 2532 as follows:
- 2 1. Page 1, line 27, by striking the word "Sunday"
- 3 and inserting in lieu thereof the word "Daily".

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. 2532)

The ayes were, 98:

| | | | |
|------------------|------------------|------------|----------|
| 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 |
| 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 | Weiden | Woods |
| Zimmerman | Mr. Speaker | | |

The nays were, none.

Absent or not voting, 2:

Connors

Hoffmann-Bright

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

IMMEDIATE MESSAGE (House File 2532)

Norland of Worth asked and received unanimous consent to immediately message House File 2532 to the Senate.

Menke of O'Brien in the chair at 8:18 p.m.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 2328.

Ways and Means Calendar

Senate File 2328, a bill for an act to amend the Iowa pari-mutuel wagering Act and providing that part-time and seasonal employees of the racing commission are not under the merit employment system, with report of committee recommending amendment and passage was taken up for consideration.

Brammer of Linn offered amendment H—6412 filed by the committee on appropriations. Division was requested as follows:

H-6412

- 1 Amend Senate File 2328 as amended, passed, and
- 2 reprinted by the Senate, as follows:

H-6412A

- 3 1. By striking page 1, line 34 through page 2,
- 4 line 13 and inserting in lieu thereof the following:
- 5 "or a family member related within the second degree
- 6 of affinity or consanguinity to a member, employee,
- 7 or appointee of the commission or spouse of a member,
- 8 employee, or appointee of the commission shall not
- 9 knowingly:
- 10 a. Enter directly or indirectly into any business
- 11 dealing, venture, or contract with an owner or lessee
- 12 of a racetrack, a licensee, or a holder of an
- 13 occupational license.
- 14 b. Be employed in any capacity by a racetrack,
- 15 licensee, or a holder of an occupational license."
- 16 2. Page 2, line 14, by striking the letters "e
- 17 b" and inserting in lieu thereof the letter "c".
- 18 3. Page 2, line 17, by striking the letters "d
- 19 c" and inserting in lieu thereof the letter "d".

H-6412B

- 20 4. Page 3, by striking lines 13 through 16 and
- 21 inserting in lieu thereof the following: "licensee.
- 22 The commission shall not approve a license application
- 23 if any part of the racetrack is to be constructed
- 24 on prime farmland outside the city limits of an
- 25 incorporated city. As used in this subsection, "prime
- 26 farmland" means as defined by the United States
- 27 department of agriculture in 7 C.F.R. sec. 657.5(a).
- 28 A license is not transferable or assignable. The".

H-6412A

- 29 5. Page 5, by striking lines 19 through 22.
- 30 6. Page 6, by striking lines 9 through 23 and
- 31 inserting in lieu thereof the following:
- 32 "1 a. If the racetrack is located in a city, five
- 33 percent of the ~~six percent gross sum wagered~~ shall
- 34 be deposited in the general fund of the state. One-
- 35 half of one percent of the ~~six percent gross sum~~
- 36 wagered shall be remitted to the treasurer of the
- 37 city in which the racetrack is located and shall be
- 38 deposited in the general fund of the city. The
- 39 remaining one-half of one percent of the gross sum
- 40 wagered shall be remitted to the treasurer of the

H-6412A

41 county in which the racetrack is located and shall
42 be deposited in the general fund of the county.
43 3 b. If the racetrack is located in an
44 unincorporated part of a county, five and one-half
45 percent of the ~~six percent gross sum wagered~~ shall
46 be deposited in the general fund of the state. The
47 remaining one-half of one percent of the gross sum
48 wagered shall be remitted to the treasurer of the
49 county in which the racetrack is located and shall
50 be deposited in the general fund of the county."

Page 2

1 7. Page 8, line 4, by inserting after the word
2 "dog." the following: "For the purposes of this
3 section, the breeder of a thoroughbred horse shall
4 be considered to be the owner of the brood mare at
5 the time the foal is dropped."

6 8. Page 8, line 6, by striking the word
7 "subsection" and inserting in lieu thereof the word
8 "subsections".

9 9. Page 8, by inserting after line 34 the
10 following:

11 "NEW SUBSECTION. 3. To facilitate the
12 implementation of this section, the department of
13 agriculture shall do all of the following:

14 a. Adopt standards to qualify thoroughbred
15 stallions for Iowa breeding. The standards shall
16 provide that a stallion shall be at least fifty-one
17 percent owned by a bona fide resident of Iowa and
18 that the Iowa owner has been a resident of the state
19 for at least twelve months. A stallion shall stand
20 for service in the state at the time of the foal's
21 conception and shall not stand for service at any
22 place outside the state during the calendar year in
23 which the foal is conceived.

24 b. Provide for the registration of Iowa-foaled
25 horses and that a horse shall not compete in a race
26 limited to Iowa-foaled horses unless the horse is
27 registered with the department of agriculture. The
28 department may prescribe such forms as necessary to
29 determine the eligibility of a horse.

30 c. The secretary of agriculture shall appoint
31 investigators to determine the eligibility for
32 registration of Iowa-foaled horses.

33 d. Adopt a schedule of fees to be charged to
34 breeders of thoroughbreds to administer this
35 subsection.

36 NEW SUBSECTION. 4. To qualify for the Iowa horse
37 and dog breeders fund, a dog shall have been whelped
38 in Iowa and raised for the first six months of its

H-6412A

39 life in Iowa. In addition, the owner of the dog shall
40 have been a resident of the state for at least two
41 years prior to the whelping."

H-6412C

42 10. By striking page 8, line 35 through page 9,
43 line 33.

44 11. Page 9, by striking line 34 and inserting
45 in lieu thereof the following:

46 "Sec. 22. Sections 99D.16 and 99D.27 are".

47 12. Renumber as necessary.

Rosenberg of Story offered the following amendment H-6464,
to the committee amendment H-6412A, filed by him from the floor
and moved its adoption:

H-6464

1 Amend amendment H-6412 to Senate File 2328 as
2 amended, passed and reprinted by the Senate as follows:
3 1. Page 1, by striking lines 3 through 19 and
4 inserting in lieu thereof the following:

5 "1. By striking page 1, line 33 through page 2,
6 line 2 and inserting in lieu thereof the following:

7 "5. A member, ~~employee, or appointee of the~~
8 ~~commission, or a family member related within the~~
9 ~~second degree of affinity or consanguinity to a member,~~
10 ~~employee, or appointee of the commission or a holder~~
11 of an official's license shall not knowingly:"

12 2. Page 2, line 8, by inserting after the word
13 "pecuniary" the words "equitable, or other".

14 3. Page 2, line 9, by inserting after the word
15 "would" the words "be a conflict of interest or".

16 4. Page 2, by inserting after line 21 the
17 following:

18 "Sec. Section 99D., Code Supplement 1983,
19 is amended by adding the following new subsection:

20 NEW SUBSECTION. 6. A member, employee, or appointee
21 of the commission, spouse of a member, employee, or
22 appointee of the commission, or a family member related
23 within the second degree of affinity or consanguinity
24 to a member, employee, or appointee of the commission
25 shall not do either of the following:

26 a. Hold an occupational license except an
27 official's license.

28 b. Enter directly or indirectly into any business
29 dealing, venture, or contract with an owner or lessee

- 30 of a racetrack.
 31 A member who knowingly approves of a violation
 32 of this subsection is guilty of a serious
 33 misdemeanor." "
- 34 2. Renumber as necessary.

Amendment H—6464 was adopted.

Woods of Polk offered the following amendment H—6469, to the committee amendment H—6412A, filed by him from the floor and moved its adoption:

H—6469

- 1 Amend amendment H—6412 to Senate File 2328 as
 2 amended, passed and reprinted by the Senate as follows:
 3 1. Page 2, by inserting before line 1 the
 4 following:
 5 " Page 7, by striking lines 25 and 26 and
 6 inserting in lieu thereof the following: "department
 7 of agriculture using standards consistent with this
 8 section." "
 9 2. Page 2, by striking lines 15 through 19 and
 10 inserting in lieu thereof the following: "stallions
 11 for Iowa breeding. A stallion shall stand".
 12 3. Renumber as necessary.

Amendment H—6469 was adopted.

On motion by Brammer of Linn, the committee amendment H—6412A, as amended, was adopted.

The House resumed consideration of the committee amendment H—6412B.

Brammer of Linn moved the adoption of the committee amendment H—6412B.

Roll call was requested by Chido of Polk and Varn of Johnson.

On the question "Shall the committee amendment H—6412B be adopted?"

The ayes were, 61:

Anderson
 Brammer

Baxter
 Branstad

Bennett
 Buhr

Blanshan
 Carl

| | | | |
|------------------------|------------------|------------|-----------------|
| Carpenter | Chapman | Clark | Connolly |
| Cooper | Corey | Daggett | De Groot |
| Doderer | Fey | Grandia | Groninga |
| Groth | Halvorson, R. A. | Hammond | Handorf |
| Hanson | Haverland | Herrmann | Hoffmann-Bright |
| Holveck | Hughes | Hummel | Krewson |
| Lageschulte | Lloyd-Jones | Loneragan | Maulsby |
| McKean | Miller | Mullins | O'Kane |
| Ollie | Osterberg | Oxley | Paulin |
| Pellet | Rensink | Schneklath | Spear |
| Stromer | Stueland | Sturgeon | Swartz |
| Swearingen | Tabor | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Weiden | Zimmerman |
| Mr. Speaker (Menke) | | | |

The nays were, 37:

| | | | |
|------------------|-----------|------------|-----------|
| Arnould | Black | Carter | Chiodo |
| Cochran | Connors | Copenhaver | Davitt |
| Diemer | Fogarty | Gronstal | Gruhn |
| Halvorson, R. N. | Harbor | Jay | Jochum |
| Knapp | Koenigs | McIntee | Muhlbauer |
| Parker | Pavich | Peick | Poncy |
| Renaud | Renken | Rosenberg | Royer |
| Running | Schroeder | Sherzan | Shoultz |
| Skow | Sullivan | Tofte | Varn |
| Woods | | | |

Absent or not voting, 2:

Avenson Norland

The committee amendment H-6412B was adopted.

The House resumed consideration of the committee amendment H-6412C.

Norland of Worth asked and received unanimous consent that Senate File 2328 be temporarily deferred and that the bill retain its place on the calendar.

(The committee amendment H-6412C pending.)

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 finance meeting upon recess.

The House stood at ease at 8:43 p.m., until the fall of the gavel.

The House resumed session at 9:03 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 sixty-seven members present, thirty-three absent.

SENATE AMENDMENT CONSIDERED

Renaud of Polk called up for consideration **House File 2521**, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards and commissions, amended by the Senate amendment H-6334 as follows:

H-6334

- 1 Amend House File 2521 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 4, by striking the word "more"
- 4 and inserting in lieu thereof the word "less".
- 5 2. Page 4, line 32, by striking the figure
- 6 "196,400" and inserting in lieu thereof the figure
- 7 "296,400".

Swartz of Marshall offered the following amendment H-6483, to the Senate amendment H-6334, filed by him from the floor and moved its adoption:

H-6483

- 1 Amend the Senate amendment H-6334 to House File
- 2 2521 as amended, passed and reprinted as follows:
- 3 1. Page 1, by inserting after line 4 the following:
- 4 " Page 3, by inserting after line 21 the
- 5 following:
- 6 "The state comptroller shall not between July 1,
- 7 1984 and November 15, 1984 authorize the expenditure
- 8 of funds by any executive branch agency, board,
- 9 commission, or department for the purpose of the
- 10 acquisition of equipment, including, but not limited

11 to, vehicles, copiers, and computer terminals. Before
12 the governor shall make reductions in allotments under
13 section 8.31, the governor shall extend the freeze
14 on the purchase of equipment by the executive branch
15 to June 30, 1985 and shall make an adjustment in the
16 estimated amount of the insufficiency of budget
17 resources for the fiscal year as a result of the
18 continued freeze. However, notwithstanding this
19 paragraph, the governor may, at the governor's
20 discretion, allow after September 1, 1984 up to fifty
21 percent of the funds appropriated for the purchase
22 of state highway patrol vehicles to be used for such
23 purchases." "

A non-record roll call was requested.

The ayes were 20, nays 45.

Amendment H—6483 lost.

Arnould of Scott offered the following amendment H—6451, to the Senate amendment H—6334, filed by him from the floor and moved its adoption:

H—6451

1 Amend Senate amendment H—6334 to House File 2521
2 as amended, passed and reprinted by the House as
3 follows:
4 1. Page 1, by inserting after line 7 the following:
5 "3. Page 9, by inserting after line 28 the
6 following:
7 "Sec. 10. Section 49.12, Code 1983, is amended
8 to read as follows:
9 49.12 ELECTION BOARDS. There shall be appointed
10 in each election precinct an election board which
11 shall ordinarily consist of at least five precinct
12 election officials. However, in precincts using only
13 one voting machine at any one time, and in precincts
14 voting by paper ballot where no more than one hundred
15 votes were cast in the last preceding similar election,
16 the board shall consist of not less than three precinct
17 election officials; and in precincts using more than
18 two voting machines ~~one~~ additional precinct election
19 ~~official~~ officials may be appointed for each such
20 ~~additional machine~~. Double election boards may be
21 appointed for any precinct as provided by chapter
22 51. Not more than a simple majority of the members
23 of the election board in any precinct, or of the two
24 combined boards in any precinct for which a double

25 election board is appointed, shall be members of the
26 same political party or organization if one or more
27 qualified electors of another party or organization
28 are qualified and willing to serve on the board.

29 If double counting boards are not appointed for
30 precincts using paper ballots and using only three
31 precinct election officials a fourth precinct election
32 official shall be appointed from the election board
33 panel to serve beginning at 8:00 p.m. to assist in
34 counting the paper ballots."

35 Sec. 11. Section 10 of this Act takes effect only
36 if House File 2219, as enacted by the Seventieth
37 General Assembly, 1984 Session, becomes law." "

Amendment H-6451 was adopted.

Jochum of Dubuque offered the following amendment H-6486,
to the Senate amendment H-6334, filed by him and Welden of
Hardin from the floor and moved its adoption:

H-6486

1 Amend Senate amendment H-6334 to House File 2521
2 as amended, passed and reprinted by the House, as
3 follows:

4 1. Page 1, by inserting after line 7 the following:

5 " Page 9, by inserting after line 28 the
6 following:

7 "Sec. . . If, on September 1, 1984, the state
8 comptroller projects that the receipts of state general
9 fund revenues for the fiscal year beginning July 1,
10 1985 will be less than seven and three-tenths percent
11 above the receipts of state general fund revenues
12 for the fiscal year beginning July 1, 1984, the
13 following shall occur:

14 1. Notwithstanding section 442.7, subsection 4,
15 for the budget year beginning July 1, 1985, the
16 difference between the recomputed state percent of
17 growth for the base year and the original computation
18 for the base year is one percent and that percent
19 shall be subtracted from the state percent of growth
20 for the budget year.

21 2. Notwithstanding section 442.3, for the school
22 year beginning July 1, 1985, the state foundation
23 base shall be seventy-nine percent of the state cost
24 per pupil.

25 3. Notwithstanding section 427A.9, the personal
26 property tax credit allowed for the fiscal year
27 beginning July 1, 1985 shall not exceed the amount
28 of the personal property tax credit allowed for taxes

29 payable in the fiscal year beginning July 1, 1984.
30 4. Notwithstanding section 427B.10, property
31 acquired or purchased on or after January 1, 1983
32 up to and including December 31, 1983 shall not receive
33 the benefits of sections 427B.10 through 427B.14 for
34 taxes levied against the January 1, 1984 assessments
35 and collected during the fiscal year beginning July
36 1, 1985.
37 5. Notwithstanding section 602.11101, subsections
38 3 and 4, Code Supplement 1983, the scheduled
39 assumptions of state responsibility for court
40 attendants and for juvenile probation officers are
41 delayed for a period of one year, respectively, and
42 the delay shall be implemented as provided in section
43 602.11101 and the percentage remittance to the counties
44 from the court revenue distribution account under
45 section 602.8108 for the fiscal year beginning July
46 1, 1984 shall not be reduced for the fiscal year
47 beginning July 1, 1985." "

Amendment H—6486 was adopted.

Norland of Worth asked and received unanimous consent that House File 2521 be temporarily deferred and that the bill retain its place on the calendar.

(Senate amendment H—6334, as amended, pending.)

Ways and Means Calendar

The House resumed consideration of **Senate File 2328**, a bill for an act to amend the Iowa pari-mutuel wagering Act and providing that part-time and seasonal employees of the racing commission are not under the merit employment system, and the committee amendment H—6412C, temporarily deferred.

Chiodo of Polk in the chair at 9:33 p.m.

Norland of Worth asked and received unanimous consent that Senate File 2328 be temporarily deferred and that the bill retain its place on the calendar.

(The committee amendment H—6412C 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 April 19, 1984, adopted the conference committee report and passed Senate File 2215, a bill for an act to provide for the issuance of an extracurricular contract by school boards, to set criteria for receipt of the contract including the establishment of a coaching authorization, and to provide for termination of the extracurricular contract.

Also: That the Senate has on April 19, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2359, a bill for an act establishing comparable worth salary adjustments for state employees based on a comparable worth pay grade system, establishing a comparable worth review committee, and making supplemental appropriations for salary adjustments and implementation.

K. MARIE THAYER, Secretary

**ADOPTION OF THE REPORT OF
THE CONFERENCE COMMITTEE
(Senate File 2215)**

Carter of Henry called up for consideration the report of the conference committee on Senate File 2215 as follows:

**REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 2215**

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the House and Senate on Senate File 2215, a bill for an act to provide for the issuance of an extracurricular contract by school boards, to set criteria for receipt of the contract including the establishment of a coaching authorization, and to provide for termination of the extracurricular contract, respectfully make the following report:

1. That the Senate recedes from its amendment H-6380 to the House amendment to Senate File 2215, as amended, passed, and reprinted by the Senate.
2. That the House recedes from its amendment S-5940 to Senate File 2215, as amended, passed, and reprinted by the Senate.
3. That Senate File 2215, as amended, passed, and reprinted by the Senate is amended as follows:

1. By striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. 279.19A NEW SECTION. EXTRACURRICULAR CONTRACTS.

1. School districts employing individuals to coach interscholastic athletic activities shall issue a separate extracurricular contract for each of these activities. An extracurricular contract offered under this section shall be separate from the contract issued under section 279.13. Wages for employees who coach these activities shall be paid pursuant to established or negotiated supplemental pay schedules. An extracurricular contract 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 shall be for a single school year.

2. An extracurricular contract shall be continued automatically in force and effect for equivalent periods, except as modified or terminated by mutual agreement of the board of directors and the employee, or terminated in accordance with this section. An extracurricular contract shall initially be offered by the employing board to an individual on the same date that contracts are offered to teachers under section 279.13. An extracurricular contract may be terminated at the end of a school year pursuant to sections 279.15 through 279.19. If the school district offers an extracurricular contract for an activity for the subsequent school year to an employee who is currently performing under an extracurricular contract for that activity, and the employee does not wish to accept the extracurricular contract for the subsequent year, the employee may resign from the extracurricular contract within twenty-one days after it has been received.

Section 279.13, subsection 3, applies to this section.

3. The board of directors of a school district may require an employee who has resigned from an extracurricular contract to accept, as a condition of employment under section 279.13, the extracurricular contract for the subsequent school year if all of the following conditions apply:

a. The employee has accepted a teaching contract issued by the board pursuant to section 279.13 for the subsequent school year.

b. The board of directors has made a good faith effort to fill the coaching position with a certificated or authorized replacement.

c. The position has not been filled by June 1 of the year in which the employee resigned the extracurricular contract.

4. As a condition of employment under section 279.13, the board of directors of a school district may require an employee who has been issued a teaching contract pursuant to section 279.13 to accept an extracurricular contract for which the employee is certificated, or may require as a condition of employment that an applicant for a teaching contract under section 279.13 accept an extracurricular contract if all of the following conditions apply:

a. The individual who held the coaching position during the year has not been issued a teaching contract by the board pursuant to section 279.13 for the subsequent school year, or has been terminated from the extracurricular contract.

b. The board of directors has made a good faith effort to fill the coaching position with a certificated or authorized replacement.

c. The position has not been filled by June 1 of the year in which the vacancy occurred for the interscholastic athletic activity.

5. By June 1 of that year, the board shall notify the employee in writing if the board intends to require the employee to accept an extracurricular contract for the subsequent school year under subsection 3 or 4. If the employee believes that the board did not make a good faith effort to fill the position the employee may appeal the decision by notifying the board in writing within seven school days after receiving the notification.

The appeal shall state why the employee believes that the board did not make a good faith effort to fill the position. If the parties are unable to informally resolve the dispute, the parties shall attempt to agree upon an alternative means of resolving the dispute.

If the dispute is not resolved by mutual agreement, either party may appeal to the district court.

6. Subsections 3, 4, and 5 do not apply if the terms of a collective bargaining agreement provide otherwise.

7. An extracurricular contract may be terminated prior to the expiration of that contract pursuant to section 279.27.

8. A termination proceeding of an extracurricular contract either by the board pursuant to subsection 2 or pursuant to section 279.27 does not affect a contract issued pursuant to section 279.13.

A termination of a contract entered into pursuant to section 279.13, or a resignation from that contract by the teacher, constitutes an automatic termination or resignation of the extracurricular contract in effect between the same teacher and the employing school board.

9. For the purposes of this section, "good faith effort" includes advertising for the position in an appropriate publication, interviewing applicants, and giving serious consideration to those certificated or authorized, and otherwise qualified, applicants who apply.

Sec. 2. NEW SECTION. 279.19B COACHING ENDORSEMENT AND AUTHORIZATION. The board of directors of a school district shall offer an extracurricular contract for varsity head coach of the interscholastic athletic activities of football, basketball, track, baseball, softball, volleyball, gymnastics, hockey, and wrestling only to an individual possessing a teaching certificate with a coaching endorsement issued pursuant to chapter 260.

The board of directors of a school district may employ for head coach of other interscholastic athletic activities or for assistant coach of any interscholastic athletic activity, an individual who possesses a coaching authorization issued by the department of public instruction. An individual who has been issued a coaching authorization and is employed by the board of directors of a school district serves at the pleasure of the board of directors and is not subject to sections 279.13 through 279.19, and 279.27. Chapter 272A and subsection 1 of section 279.19A apply to coaching authorizations.

Sec. 3. NEW SECTION. 260.31 COACHING AUTHORIZATION.

1. The minimum requirements for the board to award a coaching authorization to an applicant are:

a. Successful completion of one semester credit hour or ten contact hours in a course relating to knowledge and understanding of the structure and function of the human body in relation to physical activity.

b. Successful completion of one semester credit hour or ten contact hours in a course relating to knowledge and understanding of human growth and development of children and youth in relation to physical activity.

c. Successful completion of two semester credit hours or twenty contact hours in a course relating to knowledge and understanding of the prevention and care of athletic injuries and medical and safety problems relating to physical activity.

d. Successful completion of one semester credit hour or ten contact hours relating to knowledge and understanding of the techniques and theory of coaching interscholastic athletics.

2. The board of educational examiners shall adopt rules under chapter 17A for coaching authorizations including, but not limited to approval of courses, validity and expiration, fees, and suspension and revocation of authorizations. The board of educational examiners shall work with institutions of higher education, private colleges and universities, merged area schools, and area education agencies to insure that the courses required under subsection 1 are offered throughout the state at convenient times and at a reasonable cost.

Sec. 4. Extracurricular contracts shall be offered pursuant to this Act on or after March 15, 1985 for the school year commencing July 1, 1985."

ON THE PART OF THE HOUSE:

BRIAN CARTER, Chair
RICHARD GROTH
GEORGE SWEARINGEN

ON THE PART OF THE SENATE:

JOE BROWN, Chair
MILO COLTON
ARTHUR L. GRATIAS
WALLY HORN

Speaker Avenson in the chair at 9:50 p.m.

Carter of Henry moved the adoption of the conference committee report and the amendments contained therein.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 50, nays 49.

The motion prevailed and the report 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. 2215)

The ayes were, 56:

| | | | |
|-----------|------------------|-------------|-------------|
| Arnould | Baxter | Black | Brammer |
| Buhr | Carl | Carter | Chapman |
| Chiodo | Clark | Cochran | Connolly |
| Connors | Cooper | Davitt | Fey |
| Fogarty | Groning | Gronstal | Groth |
| Gruhn | Halvorson, R. N. | Hammond | Hanson |
| Haverland | Holveck | Hughes | Jay |
| Knapp | Koenigs | Lloyd-Jones | Loneragan |
| McKean | Miller | Mullins | Norland |
| Ollie | Osterberg | Oxley | Parker |
| Pavich | Peick | Poncy | Renaud |
| Running | Sherzan | Shoultz | Spear |
| Sturgeon | Swartz | Tabor | Van Gerpen |
| Varn | Woods | Zimmerman | Mr. Speaker |

The nays were, 43:

| | | | |
|------------------|------------|-----------|----------|
| Anderson | Bennett | Blanshan | Branstad |
| Carpenter | Copenhaver | Corey | Daggett |
| De Groot | Diemer | Doderer | Grandia |
| Halvorson, R. A. | Handorf | Harbor | Hermann |
| Hoffmann-Bright | Hummel | Joehum | Krewson |
| Lageschulte | Maulsby | McIntee | Menke |
| Muhlbauer | O'Kane | Paulin | Pellett |
| Renken | Rensink | Rosenberg | Royer |
| Schneklath | Schroeder | Skow | Stromer |
| Stueland | Swearingen | Tofte | Torrence |
| Van Camp | Van Maanen | Welden | |

Absent or not voting, 1:

Sullivan

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

Ways and Means Calendar

The House resumed consideration of **Senate File 2328**, a bill for an act to amend the Iowa pari-mutuel wagering Act and providing

that part-time and seasonal employees of the racing commission are not under the merit employment system, and the committee amendment H-6412C, temporarily deferred (found on page 2349 of the House Journal).

Gronstal of Pottawattamie in the chair at 10:05 p.m.

Brammer of Linn moved the adoption of the committee amendment H-6412C.

Roll call was requested by Pavich of Pottawattamie and Doderer of Johnson.

Rule 76 was invoked.

On the question "Shall the committee amendment H-6412C be adopted?"

The ayes were, 50:

| | | | |
|------------|------------|------------------|-----------|
| Anderson | Bennett | Brammer | Branstad |
| Carl | Carpenter | Carter | Chapman |
| Clark | Copenhaver | Corey | Daggett |
| De Groot | Doderer | Fey | Grandia |
| Groninga | Gruhn | Halvorson, R. N. | Hammond |
| Hanson | Haverland | Hoffmann-Bright | Holveck |
| Hughes | Krewson | Lloyd-Jones | Loneragan |
| Maulsby | McKean | Menke | Miller |
| Mullins | O'Kane | Osterberg | Oxley |
| Paulig | Pellett | Renken | Rensink |
| Rosenberg | Schneklath | Stromer | Stueland |
| Sturgeon | Swearingen | Tofte | Torrence |
| Van Maanen | Welden | | |

The nays were, 50:

| | | | |
|-------------|---------------------------|-----------|------------------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Buhr | Chiodo | Cochran |
| Connolly | Connors | Cooper | Davitt |
| Diemer | Fogarty | Groth | Halvorson, R. A. |
| Handorf | Harbor | Hermann | Hummel |
| Jay | Jochum | Knapp | Koenigs |
| Lageschulte | McIntee | Muhlbauer | Norland |
| Ollie | Parker | Pavich | Peick |
| Poncy | Renaud | Royer | Running |
| Schroeder | Sherzan | Shoultz | Skow |
| Spear | Sullivan | Swartz | Tabor |
| Van Camp | Van Gerpen | Varn | Woods |
| Zimmerman | Mr. Speaker (Gronstal) | | |

Absent or not voting, none.

The committee amendment H-6412C lost.

Carpenter of Polk offered the following amendment H-6452 filed by her from the floor and moved its adoption:

H-6452

- 1 Amend Senate File 2328 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 1 through 4.

Amendment H-6452 lost.

Rosenberg of Story offered the following amendment H-6477 filed by him from the floor and moved its adoption:

H-6477

- 1 Amend Senate File 2328 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 2, by inserting after line 33 the
- 4 following:
- 5 "Sec. . Section 99D.8A, subsection 5, 1984
- 6 Iowa Acts, House File 2439, section 4, if House File
- 7 2439 becomes law, is amended to read as follows:
- 8 5. ~~The applicant shall consent to authorized~~
- 9 ~~commission employees and agents of the division of~~
- 10 ~~criminal investigation to enter upon the premises~~
- 11 ~~within the race track enclosure, under control of~~
- 12 ~~the licensee, without a warrant, to inspect or~~
- 13 ~~investigate for criminal violations or violations~~
- 14 ~~of the rules adopted by the commission. The consent~~
- 15 ~~to search extends to the applicant's person, personal~~
- 16 ~~property and effects, and any premises which the~~
- 17 ~~applicant occupies or controls, or has the right to~~
- 18 ~~occupy or control. The licensee or a holder of an~~
- 19 occupational license shall consent to agents of the
- 20 division of criminal investigation of the department
- 21 of public safety or commission employees designated
- 22 by the secretary of the commission to the search
- 23 without a warrant of the licensee or holder's person,
- 24 personal property and effects, and premises which
- 25 are located within the racetrack enclosure or adjacent
- 26 facilities under control of the licensee to inspect
- 27 or investigate for criminal violations of this chapter
- 28 or violations of rules adopted by the commission."

Amendment H-6477 was adopted.

Black of Jasper offered the following amendment H-6449 filed by him:

H-6449

- 1 Amend Senate File 2328 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, line 8, by striking the words "number,
- 4 location," and inserting in lieu thereof the words
- 5 "number, location;"
- 6 2. Page 3, line 9, by inserting after the word
- 7 "chapter." the following: "During any one calendar
- 8 year, the commission shall not issue licenses
- 9 permitting more than two racetracks for horse racing
- 10 or more than one racetrack for dog racing."

Jay of Appanoose rose on a point of order that amendment H-6449 was not germane.

The Speaker ruled the point well taken and amendment H-6449 not germane.

Norland of Worth asked and received unanimous consent that Senate File 2328 be temporarily deferred and that the bill retain its place on the calendar.

SENATE AMENDMENT FURTHER CONSIDERED

The House resumed consideration of **House File 2521**, a bill for an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards and commissions, and the Senate amendment H-6334, as amended.

Varn of Johnson offered the following amendment H-6493, to the Senate amendment H-6334, filed from the floor by him and Blanshan of Greene:

H-6493

- 1 Amend the Senate amendment H-6334 to House File
- 2 2521 as amended, passed, and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by inserting after line 7 the follow-
- 5 ing:
- 6 "3. Page 5, by inserting after line 11 the
- 7 following:

8 "Sec. 3. There is appropriated from the general
9 fund of the state to the following designated agencies
10 for the fiscal year beginning July 1, 1984 and ending
11 June 30, 1985 the following amounts or so much as
12 may be necessary, to be used in the manner designated:

13 1. LEGISLATIVE FISCAL BUREAU

14 For salaries, support, main-
15 tenance and miscellaneous purposes \$ 598,545

16 It is a condition of the funds ap-
17 propriated by this subsection that
18 if subsection 2, appropriating
19 funds to the legislative oversight
20 bureau, becomes law one hundred
21 fifty thousand dollars of the funds
22 appropriated by this subsection
23 shall be transferred to the legis-
24 lative oversight bureau.

25 2. LEGISLATIVE OVERSIGHT BUREAU

26 For salaries, support, mainte-
27 nance and miscellaneous purposes \$ 30,000

28 It is a condition of the funds
29 appropriated by this subsection
30 that the legislative fiscal bureau
31 director serve as the legislative
32 oversight bureau director until
33 one is appointed pursuant to
34 section 2.77 and that the employees
35 of the program evaluation
36 division of the legislative
37 fiscal bureau be trans-
38 ferred to the legislative
39 oversight bureau.

40 Sec. 4. It is a condition of the funds appropriated
41 by section 3 of this Act that the appropriation of
42 funds from the general fund of the state to the
43 legislative fiscal bureau for salaries, support,
44 maintenance and miscellaneous purposes contained in
45 House File 2518 is void, notwithstanding the provisions
46 of that Act.

47 Sec. 5. Section 2.77, unnumbered paragraphs 1
48 and 2, Code 1983, are amended to read as follows:

49 There is established a legislative oversight bureau.
50 The director of the legislative oversight bureau shall

Page 2

1 be a person qualified by education, training and
2 experience. The director shall be appointed upon
3 the nomination of the legislative council and the
4 confirmation of that nomination by two-thirds of the
5 members of each house of the general assembly. The

6 initial director shall not be an employee of the state
7 of Iowa.

8 When a vacancy in the office of the director occurs
9 during the legislative interim, the nomination shall
10 be submitted to the general assembly within thirty
11 days of its convening and must be acted upon by each
12 house within sixty days of its submission. When a
13 vacancy occurs during the legislative session, the
14 nomination shall be submitted within sixty days of
15 the occurrence of the vacancy and must be acted upon
16 by each house within sixty days of its submission
17 unless the general assembly adjourns prior to the
18 expiration of this schedule. If the general assembly
19 adjourns prior to the expiration of this schedule,
20 the nomination may be resubmitted as though the vacancy
21 occurred during the legislative interim. The director
22 may be removed from office for cause by a vote of
23 two-thirds of the members of each house of the general
24 assembly.

25 Sec. 6. Section 2.78, subsection 4, Code 1983,
26 is amended to read as follows:

27 4. Determine the priority of performance audit
28 and program evaluation requests and allocate the
29 workload of the legislative oversight bureau under
30 policies adopted by the legislative council. The
31 director shall submit the priority ranking of the
32 requests for approval to a committee composed of two
33 members of the majority party and two members of the
34 minority party of each house of the general assembly.
35 The presiding officer of each house of the general
36 assembly shall appoint the members from that house
37 for a term of four years and shall consider, in making
38 the appointments, the membership of the appropriate
39 standing committees. The votes of five members of
40 the committee shall be required to disapprove of the
41 priority ranking.

42 Sec. 7. Section 2.78, subsections 5, 7 and 8 and
43 unnumbered paragraphs 3 and 4, Code 1983, are amended
44 by striking those subsections and paragraphs.

45 Sec. 8. Section 2.81, Code 1983, is amended to
46 read as follows:

47 2.81 REPORTS. At the conclusion of an audit or
48 evaluation, the director of the legislative oversight
49 bureau shall provide copies to the governor and to
50 the official whose office is the subject of the audit

Page 3

1 or evaluation. The official shall be given thirty
2 days reasonable time by the director to respond to
3 the findings and recommendations of the audit or

4 evaluation, and the response shall be included in
5 the report. A summary of the findings and
6 recommendations shall accompany each report. A report
7 of an audit or evaluation initiated by the director
8 shall be released upon its completion. A report of
9 a requested audit or evaluation shall be submitted
10 to the requesting party and released fifteen days
11 after submission if the requesting party is a standing
12 committee or budget subcommittee or ten days if the
13 requesting party is other than a standing committee
14 or budget subcommittee unless the requesting party
15 directs an earlier release. The report shall be
16 regarded as confidential by all persons properly
17 having custody of it until the report is released
18 as provided by this section. Upon the release of
19 a report, the director shall provide copies to the
20 presiding officer of each house of the general assembly
21 for referral to the appropriate standing committee
22 and budget subcommittee. At the conclusion of an
23 audit or evaluation, the director shall report the
24 total costs of conducting each audit including the
25 total costs to the agency or program being audited
26 as a part of the audit report.

27 Sec. 9. Acts of the Sixty-seventh General Assembly,
28 chapter 1026, section 10, is repealed.

29 Sec. 10. Sections 5 through 9 of this Act shall
30 take effect only if section 3, subsection 2 of this
31 Act, appropriating funds to the legislative oversight
32 bureau, becomes law." "

Schroeder of Pottawattamie rose on a point of order that amendment H-6493 was not germane.

The Speaker ruled the point well taken and amendment H-6493 not germane.

Varn of Johnson moved that the rules be suspended to consider amendment H-6493.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 53, nays 44.

The motion prevailed and the rules were suspended to consider amendment H-6493.

Varn of Johnson moved the adoption of amendment H—6493, to the Senate amendment H—6334.

A non-record roll call was requested.

The ayes were 31, nays 57. .

Amendment H—6493 lost.

On motion by Renaud of Polk, the House concurred in the Senate amendment H—6334, as amended.

Renaud 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. 2521)

The ayes were, 85:

| | | | |
|------------------|------------|-----------------|------------------|
| Arnould | Bennett | Black | Blanshan |
| Brammer | Branstad | Buhr | Carl |
| Carpenter | Carter | Chapman | Chiodo |
| Clark | Cochran | Connolly | Connors |
| Cooper | Copenhaver | 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 | Maulsby | McIntee |
| McKean | Miller | Muhlbauer | Mullins |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellett | Poncy | Renaud | Rosenberg |
| Running | 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, 11:

| | | | |
|----------|------------|------------|---------|
| Anderson | Daggett | De Groot | Grandia |
| Harbor | Menke | Renken | Rensink |
| Royer | Schnekloth | Van Maanen | |

Absent or not voting, 4:

Baxter

Corey

Norland

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 2521)

'Norland of Worth asked and received unanimous consent to immediately message House File 2521 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of House File 2531.

House File 2531, a bill for an act relating to urban renewal, with report of committee recommending passage was taken up for consideration.

Rosenberg of Story offered the following amendment H-6492 filed by him from the floor and moved its adoption:

H-6492

- 1 Amend House File 2531 as follows:
- 2 1. Page 1, by striking lines 11 through 14 and
- 3 inserting in lieu thereof the words "has been more
- 4 than eighty percent completed as of the most recent
- 5 date of assessment. This subsection permits the
- 6 elimination only of those taxes which are levied
- 7 against assessments made during the construction of
- 8 the development or redevelopment."

Amendment H-6492 was adopted.

Connors of Polk in the chair at 10:43 p.m.

Osterberg of Linn offered the following amendment H-6489 filed by him from the floor and moved its adoption:

H-6489

- 1 Amend House File 2531 as follows:

- 2 1. Page 3, line 18, by striking the words "except
- 3 as provided in section 3 of this Act".
- 4 2. Page 5, by striking lines 11 through 28 and
- 5 inserting in lieu thereof the following: "as an
- 6 industrial building or facility, or a home office or
- 7 regional office facility for a multistate business."

A non-record roll call was requested.

The ayes were 18, nays 67.

Amendment H-6489 lost.

O'Kane of Woodbury offered the following amendment H-6485 filed by him from the floor and moved its adoption:

H-6485

- 1 Amend House File 2531 as follows:
- 2 1. Page 5, line 11, by inserting after the word
- 3 "facility," the words "facilities for use as a center
- 4 for export for international trade,".

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 51, nays 46.

Amendment H-6485 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Torrence of Muscatine, for the remainder of the evening, on request of Bennett of Ida.

Rosenberg of Story offered the following amendment H-6490 filed by him from the floor and moved its adoption:

H-6490

- 1 Amend House File 2531 as follows:
- 2 1. Page 5, line 12, by striking the word "or"
- 3 and inserting in lieu thereof the word "and".

Amendment H-6490 lost.

Rosenberg of Story offered the following amendment H—6491 filed by him from the floor and moved its adoption:

H—6491

- 1 Amend House File 2531 as follows:
- 2 1. Page 5, by striking lines 20 and 21 and
- 3 inserting in lieu thereof the words and figure "market
- 4 value does not apply if the developer enters into
- 5 a written assessment agreement with the municipality
- 6 pursuant to section 1 of this Act and the minimum
- 7 actual value contained in the assessment agreement
- 8 would indicate that there will be".

Amendment H—6491 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. 2531)

The ayes were, 72:

| | | | |
|----------|------------------|------------------|--------------------------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Buhr |
| Carl | Carpenter | Carter | Chapman |
| Chiodo | Clark | Cochran | Connolly |
| Cooper | Copenhaver | Daggett | Diemer |
| Fey | Fogarty | Groninga | Gronstal |
| Gruhn | Halvorson, R. A. | Halvorson, R. N. | Handorf |
| Hanson | Harbor | Haverland | Hermann |
| Holveck | Hughes | Jochum | Koenigs |
| Krewson | Lloyd-Jones | McIntee | Menke |
| Miller | Muhlbauer | Norland | O'Kane |
| Ollie | Parker | Paulin | Pavich |
| Poncy | Renaud | Renken | Rensink |
| Royer | Schnekloth | Schroeder | Sherzan |
| Skow | Spear | Stueland | Sullivan |
| Swartz | Swearingen | Tabor | Tofte |
| Van Camp | Van Gerpen | Van Maanen | Varn |
| Weiden | Woods | Zimmerman | Mr. Speaker (Connors) |

The nays were, 20:

| | | | |
|-----------------|---------|--------|-------------|
| Brammer | Corey | Davitt | De Groot |
| Doderer | Grandia | Groth | Hammond |
| Hoffmann-Bright | Hummel | Knapp | Lageschulte |

Lonergan
Oxley

Maulsby
Peick

McKean
Rosenberg

Osterberg
Running

Absent or not voting, 8:

Branstad
Shoultz

Jay
Stromer

Mullins
Sturgeon

Pellett
Torrence

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 10:55 p.m.

IMMEDIATE MESSAGE
(House File 2531)

Norland of Worth asked and received unanimous consent to immediately message House File 2531 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 2332.

**REPORT OF COMMITTEE ON
FINANCE**

Senate File 2332, a bill for an act relating to the Iowa housing finance authority by changing the definitions of "small business" and "dominant in its field of operation" for the small business loan program and increasing the bonding capacity.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—6495 April 19, 1984.

Senate File 2332, a bill for an act relating to the Iowa housing finance authority by changing the definitions of "small business" and "dominant in its field of operation" for the small business loan program and increasing the bonding capacity, with report of committee recommending amendment and passage was taken up for consideration.

Parker of Jasper offered the following amendment H—6495 filed by the committee on finance from the floor and moved its adoption:

H-6495

1 Amend Senate File 2332 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Sec. . . Section 220.1, subsection 2, Code
6 Supplement 1983, is amended to read as follows:

7 2. "Low or moderate income families" means families
8 who cannot afford to pay enough to cause private
9 enterprise in their locality to build an adequate
10 supply of decent, safe, and sanitary dwellings for
11 their use, and also includes, but is not limited to,
12 (1) elderly families, families in which one or more
13 persons are handicapped or disabled, lower income
14 families and very low income families, and (2) families
15 purchasing or renting qualified residential housing."

16 2. Page 1, line 5, by striking the words "in the
17 preceding fiscal year" and inserting in lieu thereof
18 the words "in as computed, for the preceding fiscal
19 year or as the average of the three preceding fiscal
20 years".

21 3. Page 1, by inserting after line 16 the
22 following:

23 "Sec. . . Section 220.1, subsection 32, first
24 unnumbered paragraph, Code Supplement 1983, is amended
25 to read as follows,

26 The authority shall establish by rule further
27 definitions applicable to this chapter, and
28 clarification of the definitions in this section,
29 as necessary to assure eligibility for funds available
30 under federal housing laws, or to assure complying
31 with federal tax laws relating to the issuance of
32 tax exempt mortgage subsidy bonds pursuant to section
33 103A of the Internal Revenue Code, as defined in
34 section 422.3, or relating to the issuance of tax
35 exempt residential rental property bonds for qualified
36 residential housing under section 103 of the Internal
37 Revenue Code.

38 Sec. . . Section 220.1, Code Supplement 1983,
39 is amended by adding the following new subsection:

40 **NEW SUBSECTION. "Qualified residential housing"**
41 means any of the following:

42 a. Owner-occupied residences purchased in a manner
43 which satisfies the requirements contained in section
44 103A of the Internal Revenue Code in order to be
45 financed with tax exempt mortgage subsidy bonds.

46 b. Residential property qualifying pursuant to
47 section 103 (b) (4) of the Internal Revenue Code to
48 be financed with tax exempt residential rental property
49 bonds.

50 c. Housing for low or moderate income families,

Page 2

- 1 elderly families, and families which include one or
- 2 more persons who are handicapped or disabled."
- 3 4. Page 2, by inserting after line 25 the
- 4 following:
- 5 "Sec. . . Section 220.8, Code 1983, is repealed."
- 6 5. Title page, by striking lines 1 through 4 and
- 7 inserting in lieu thereof the words "An Act relating
- 8 to the Iowa housing finance authority."

The committee amendment H—6495 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?" (S.F. 2332)

The ayes were, 93:

| | | | |
|------------------|------------------|------------|-------------|
| 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 |
| Hanson | Harbor | Haverland | Hermann |
| Hoffmann-Bright | Holveck | Hughes | Hummel |
| Jay | Knapp | Koenigs | Lageschulte |
| Lloyd-Jones | Loneragan | Maulsby | McIntee |
| McKean | Menke | Miller | Muhlbauer |
| Mullins | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellett | Poncy | Renaud | Renken |
| Rensink | Rosenberg | Royer | Running |
| Schneklath | Schroeder | Sherzan | Shoultz |
| Skow | Spear | 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:

Branstad
O'Kane

Jochum
Stromer

Krewson
Torrence

Norland

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 2332)

Norland of Worth asked and received unanimous consent to immediately message Senate File 2332 to the Senate.

**ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE**
(House File 595)

Varn of Johnson called up for consideration the report of the conference committee on House File 595 as follows and moved the adoption of the conference committee report and the amendments contained therein as follows:

**REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 595**

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 595, a bill for an act relating to the deferring of judgment or deferring of sentence of a person previously convicted of a felony, respectfully make the following report:

1. That the Senate recede from its amendment, H-5963, to House File 595, as amended, passed, and reprinted by the House,

2. That House File 595, as amended, passed and reprinted by the House be amended as follows:

1. Page 1, line 9, by striking the word "five" and inserting in lieu thereof the word "three".

ON THE PART OF THE HOUSE:

RICHARD VARN, Chair
DONALD PAULIN
RALPH ROSENBERG

ON THE PART OF THE SENATE:

THOMAS MANN, JR., Chair
JOSEPH COLEMAN
LEE HOLT
DONALD DOYLE

The motion prevailed and the report 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. 595)

The ayes were, 85:

| | | | |
|------------------|------------|-----------|------------------|
| Anderson | Arnould | Bennett | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carter | Chapman | 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 | Hummel | Jay |
| Jochum | Knapp | Koenigs | Lageschulte |
| Lloyd-Jones | Loneragan | 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 | Shoultz | Skow |
| Spear | Stueland | Sturgeon | Sullivan |
| Swartz | Swearingen | Tabor | Tofte |
| Van Camp | Van Gerpen | Varn | Woods |
| Mr. Speaker | | | |

The nays were, 4:

| | | | |
|---------|---------|---------|------------|
| Daggett | Grandia | Maulsby | Van Maanen |
|---------|---------|---------|------------|

Absent or not voting, 11:

| | | | |
|----------|----------|-----------|---------|
| Baxter | Branstad | Carpenter | Chiodo |
| Krewson | Parker | Sherzan | Stromer |
| Torrence | Welden | Zimmerman | |

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

**ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(House File 123)**

Rosenberg of Story called up for consideration the report of the

conference committee on House File 123 and moved the adoption of the report of the conference committee and the amendments contained therein as follows:

**REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 123**

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 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, respectfully make the following report:

1. That the Senate recede from its amendment, H-4066, to House File 123 as amended, passed and reprinted by the House.

2. That House File 123, as amended, passed and reprinted by the House, be amended as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 80B.11, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 6. Grounds for revocation of a law enforcement officer's certification.

Sec. 2. Section 80B.13, subsection 3, Code 1983, is amended by striking the subsection and inserting in lieu thereof the following:

3. Issue certificates to law enforcement officers who have met the requirements of this chapter and rules promulgated under provisions of chapter 17A relative to hiring and training standards.

Sec. 3. Section 80B.13, Code 1983, is amended by adding the following new subsections:

NEW SUBSECTION. 8. Revoke a law enforcement officer's certification for the conviction of a felony. In addition the council may consider revocation proceedings when an employing agency recommends to the council that revocation would be appropriate with regard to a current or former employee.

A recommendation by an employing agency must be in writing and set forth the reasons why the action is being recommended, the findings of the employing agency concerning the matter, the action taken by the employing agency, and that the action by the agency is final. Final, as used in this section, includes all appeals through a grievance procedure available to the officer or civil service have been exhausted. The written recommendations shall be unavailable for inspection by anyone except personnel of the employing agency, the council and the affected law enforcement officer, or as ordered by a reviewing court.

The council shall establish a process for the protest and appeal of a revocation made pursuant to this subsection.

NEW SUBSECTION. 9. In accordance with chapter 17A, conduct investigations, hold hearings, appoint hearing examiners, administer oaths and issue subpoenas enforceable in district court on matters relating to the revocation of a law enforcement officer's certification.

NEW SUBSECTION. 10. Secure the assistance of the state division of criminal investigation in the investigation of alleged violations, as provided under section 80.9, subsection 1, paragraphs "c" and "g", of the provisions adopted under section 80B.11."

2. Page 1, by striking lines 5 through 8, and inserting in lieu thereof the following: "to be a peace officer or fire fighter, whether paid or volunteer, 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 officer or fire fighter, whether paid or volunteer, or who knowingly".

4. Page 1, by striking lines 16 through 19, and inserting in lieu thereof the following: "commits a simple misdemeanor."

5. Page 1, line 26, by inserting after the word "weapon" the words ", as defined in section 702.7,".

6. Page 1, by inserting after line 27, the following: "The terms "resist" and "obstruct", as used in this section, do not include verbal harrassment unless the verbal harrassment is accompanied by a present ability and apparent intention to execute a verbal threat physically."

7. Title page, by striking lines 1 through 4, and inserting in lieu thereof the following: "An act relating to peace officers and fire fighters by expanding the scope of the crime of interference with official acts, establishing authority of the Iowa law enforcement academy director and the law enforcement academy council to enforce standards and requirements upon request, and providing penalties."

8. By renumbering as necessary.

ON THE PART OF THE HOUSE:

RALPH ROSENBERG, Chair
ROGER HALVORSON
LEO MILLER
DENNIS RENAUD

ON THE PART OF THE SENATE:

THOMAS MANN, JR., Chair
JOSEPH WELSH
DONALD DOYLE
JULIA GENTLEMAN
LEE HOLT

The motion prevailed and the report 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, 95:

| | | | |
|------------------|------------------|-------------|-----------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Buhr |
| Carl | Carpenter | Carter | Chapman |
| Chiodo | Clark | Cochran | Connolly |
| Connors | Cooper | Copenhagen | 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 | Loneragan | Maulsby |
| McIntee | McKean | Menke | Miller |
| Muhlbauer | Mullins | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Paulin |
| Pavich | Peick | Pellet | Poncy |
| Renaud | Renken | Rensink | Rosenberg |
| Royer | Running | Schneklath | Schroeder |
| 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:

| | | | |
|----------|---------|--------|---------|
| Branstad | Krewson | Parker | Sherzan |
| Torrence | | | |

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 11:08 p.m., until the fall of the gavel.

The House resumed session at 11:34 p.m., Speaker Avenson in the chair.

**IMMEDIATE MESSAGES
(House Files 123 and 595)**

Norland of Worth asked and received unanimous consent to immediately message House Files 123 and 595 to the Senate.

**ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(House File 2470)**

Varn of Johnson called up for consideration the report of the conference committee on House File 2470 and moved the adoption of the conference committee report and the amendments contained therein as follows:

**REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 2470**

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 2470, a bill for an act relating to the platting requirements upon the subdivision of a parcel of land, respectfully make the following report:

1. That the Senate recede from its amendment, H-6248, to House File 2470, as amended, passed, and reprinted by the House.

2. That House File 2470, as amended, passed, and reprinted by the House, be amended as follows:

1. By striking page 1, line 4 through page 2, line 5 and inserting in lieu thereof the following:

"A proprietor of a parcel of land of any size who divides the property into two parts, either of which are described by a metes and bounds description and are ten acres or less, shall have a survey made of the subdivision, unless the county recorder determines that this description is adequate and a survey is not necessary. The survey shall be prepared and recorded in accordance with sections 355.4, 355.7 and 355.16. A proprietor of a parcel of land of any size who divides the property into three or more parts, any of which are described by a metes and bounds description and are ten acres or less, shall have a plat made of the subdivision. The plat shall be made by a registered land surveyor holding a certificate under chapter 114. The plat shall make reference to monuments of record or permanent control monuments and shall give bearing and distance from a corner of the plat to two corners of the congressional division of which it is a part. The plat shall accurately describe each part of the subdivision by giving its dimensions, length and breadth and shall number the parts by progressive number.

A plat prepared pursuant to the requirements of this section shall be subject only to the requirements of sections 409.3, 409.14, 409.15, 409.16, 409.30, 409.31, 409.32, 409.33, and 409.37, and is exempt from the other provisions of this chapter, where either of the following conditions exist:

1. No street, road, alley, or other public interest is being conveyed.
2. The plat is for assessment and taxation purposes under section 441.65.

Where either of the conditions exist, the plat shall be submitted to the governing city council which shall approve the plat by resolution and affix a certified copy of the resolution for recording with the plat.

A deed, contract, or other conveyance which is presented to the county recorder in violation of this section and is not being platted for assessment and taxation purposes under section 441.65 or surveyed as required, shall not be accepted for recording until the plat or survey has been recorded as required by this section."

2. Page 2, line 13, by inserting after the word "ordinance" the words "specifically referring to authority of this subsection".

3. Page 2, line 20, by inserting after the word "land" the words "in proportion to their interests as determined by the city council in the ordinance".

4. Title page, by striking lines 1 through 3 and inserting in lieu thereof the following:

"An act relating to real property by modifying the platting requirements upon the subdivision of a parcel of land and the vacating of certain public streets, alleys, and other public lands."

ON THE PART OF THE HOUSE:

RICHARD VARN, Chair
DAN JAY
EDWARD PARKER
DON PAULIN
RUHL MAULSBY

ON THE PART OF THE SENATE:

THOMAS MANN, JR., Chair
LEE HOLT
ARNE WALDSTEIN
JOSEPH COLEMAN
JAMES GALLAGHER

The motion prevailed and the report 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. 2470)

The ayes were, 86:

Anderson
Brammer

Arnould
Buhr

Bennett
Carl

Blanshan
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 |
| Hughes | Hummel | Jay | Jochum |
| Koenigs | Lageschulte | Lloyd-Jones | Lonergan |
| Maulsby | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Paulin | Pavich | Peick | Pellett |
| Poncy | Renaud | Rensink | Rosenberg |
| Royer | Running | Schroeder | Shoultz |
| Skow | Spear | Stromer | Stueland |
| Sturgeon | Sullivan | Swartz | Swearingen |
| Tabor | Tofte | Van Camp | Van Gerpen |
| Van Maanen | Varn | Weiden | Woods |
| Zimmerman | Mr. Speaker | | |

The nays were, none.

Absent or not voting, 14:

| | | | |
|---------|----------|----------|------------|
| Baxter | Black | Branstad | Chiodo |
| Doderer | Harbor | Holveck | Knapp |
| Krewson | Parker | Renken | Schnekloth |
| Sherzan | 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
(House File 2211)**

Chapman of Linn called up for consideration the report of the conference committee on House File 2211 and moved the adoption of the report of the conference committee and the amendments contained therein as follows:

**REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 2211**

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the House of Representatives and the Senate on House File 2211, a bill for an act making changes in the practice act relating to physical therapy, respectfully make the following report:

1. That the Senate recedes from its amendment, H—5957, to House File 2211, as amended, passed, and reprinted by the House.

2. That House File 2211, as amended, passed, and reprinted by the House, is amended as follows:

1. Page 1, line 21, by inserting after the word "dentist" the words ", or referral from a chiropractor".

2. Page 1, by striking lines 30 and 31.

ON THE PART OF THE HOUSE:

KAY CHAPMAN, Chair
EMIL S. PAVICH
JOSEPHINE GRUHN
HAROLD VAN MAANEN
KENNETH DE GROOT

ON THE PART OF THE SENATE:

WALLY E. HORN, Chair
ROBERT M. CARR
CHARLES P. MILLER
FORREST V. SCHWENGELS
JOHN SOORHOLTZ

The motion prevailed and the report 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. 2211)

The ayes were, 89:

| | | | |
|-----------------|------------------|------------------|-------------|
| Anderson | Arnould | Baxter | Bennett |
| Blanshan | Brammer | 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 | Koenigs | Lageschulte |
| Lloyd-Jones | Loneragan | Maulsby | McIntee |
| McKean | Menke | Miller | Muhlbauer |
| Mullins | Norland | O'Kane | Ollie |
| Osterberg | Oxley | Paulin | Pavich |
| Peick | Pellett | Poncy | Renaud |
| Renken | Rensink | Rosenberg | Royer |

| | | | |
|------------|------------|-----------|------------|
| Running | Schneklath | Schroeder | 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, 11:

| | | | |
|---------|----------|-------------|---------|
| Black | Branstad | Chioldo | Doderer |
| Harbor | Knapp | Krewson | Parker |
| Sherzan | Torrence | Mr. Speaker | |

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

IMMEDIATE MESSAGES (House Files 2211 and 2470)

Norland of Worth asked and received unanimous consent to immediately message House Files 2211 and 2470 to the Senate.

Ways and Means Calendar

The House resumed consideration of **Senate File 2328**, a bill for an act to amend the Iowa pari-mutuel wagering Act and providing that part-time and seasonal employees of the racing commission are not under the merit employment system, temporarily deferred.

The Speaker announced that with the adoption of the committee amendment H-6412B, amendment H-6208 filed by Hughes of Union on April 9, 1984, was out of order.

Sherzan of Polk offered the following amendment H-6141 filed by Sherzan, et al., and moved its adoption:

H-6141

- 1 Amend Senate File 2328 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 3, line 18, by inserting after the word
- 4 "hearing," the following: "The commission shall
- 5 conduct a neighborhood impact study to determine the
- 6 impact of granting a license on the quality of life

7 in neighborhoods adjacent to the proposed racetrack
8 facility. The applicant for the license shall
9 reimburse the commission for the costs incurred in
10 making the study. A copy of the study shall be
11 retained on file with the commission and shall be
12 a public record. The study shall be completed before
13 the commission may issue a license for the proposed
14 facility."

A non-record roll call was requested.

The ayes were 54, nays 18.

Amendment H—6141 was adopted.

Haverland of Polk in the chair at 11:45 p.m.

Osterberg of Linn offered the following amendment H—6484 filed by him from the floor and moved its adoption:

H—6484

- 1 Amend Senate File 2328 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 6, by striking lines 24 through 32.
- 4 2. Renumber as necessary.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 51, nays 44.

Amendment H—6484 was adopted.

Hughes of Union asked and received unanimous consent to withdraw amendment H—6209 filed by him on April 9, 1984.

Handorf of Marshall called up for consideration the motion to reconsider filed by him from the floor and moved to reconsider the vote by which the committee amendment H—6412C failed to be adopted by the House on April 19, 1984.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 44, nays 51.

The motion 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. 2328)

The ayes were, 60:

| | | | |
|------------------|------------------|-------------|----------------------------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carter | Chiodo | Cochran | Connolly |
| Connors | Cooper | Copenhaver | Davitt |
| Diemer | Fogarty | Groninga | Gronstal |
| Halvorson, R. A. | Halvorson, R. N. | Hanson | Harbor |
| Hughes | Hummel | Jay | Jochum |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| McIntee | Muhlbauer | Norland | O'Kane |
| Parker | Paulin | Pavich | Peick |
| Poncy | Renaud | Rosenberg | Royer |
| Running | Schroeder | Sherzan | Shoultz |
| Skow | Spear | Stromer | Sullivan |
| Swartz | Tabor | Van Camp | Van Gerpen |
| Varn | Woods | Zimmerman | Mr. Speaker (Haverland) |

The nays were, 35:

| | | | |
|-----------------|------------|------------|-----------|
| Anderson | Bennett | Branstad | Carpenter |
| Chapman | Clark | Corey | Daggett |
| De Groot | Doderer | Fey | Grandia |
| Gruhn | Hammond | Handorf | Hermann |
| Hoffmann-Bright | Holveck | Loneragan | Maulsby |
| McKean | Menke | Miller | Mullins |
| Ollie | Osterberg | Oxley | Pellett |
| Renken | Rensink | Schneklath | Stueland |
| Sturgeon | Swearingen | Van Maanen | |

Absent or not voting, 5:

| | | | |
|--------|-------|-------|----------|
| Groth | Knapp | Tofte | Torrence |
| 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 2328)

Norland of Worth asked and received unanimous consent to immediately message Senate File 2328 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 2102.

Unfinished Business Calendar

The House resumed consideration of **Senate File 2102**, a bill for an act relating to the executive director, staff, and administrative expenses of the Iowa family farm development authority, placed on the unfinished business calendar on March 30, 1984.

Cochran of Webster offered the following amendment H-6401 filed by Cochran, et al.:

H-6401

- 1 Amend Senate File 2102, as passed by the Senate,
- 2 as follows:
- 3 1. Page 2, by inserting after line 2 the following
- 4 new sections:
- 5 "Sec. 3. Chapter 175, Code 1983 and Code Supplement
- 6 1983, is amended by adding the following new section:
- 7 **NEW SECTION. FARM OPERATING LOAN INTEREST PROGRAM.**
- 8 1. The general assembly finds and declares as
- 9 follows:
- 10 a. The establishment of a farm interest loan
- 11 program is in all respects for the benefit of the
- 12 people of the state of Iowa, for the improvement of
- 13 their health and welfare and for the promotion of
- 14 the economy, which are public purposes.
- 15 b. The real interest rates applied to farm
- 16 operating loans have a negative effect on the ability
- 17 of the state's agricultural producers to maintain
- 18 viable farm operations, creating a barrier to farming.
- 19 c. The authority's farm operating loan interest
- 20 program will allow the authority to perform an
- 21 essential governmental function in the exercise of
- 22 the powers and duties conferred upon it by this
- 23 section.
- 24 d. There exists a serious problem in this state

25 regarding the ability of farmers to obtain loans to
26 enable them to continue to fund farm operations.
27 e. This barrier to farm operating credit is caused
28 in large part by the high interest cost of borrowing.
29 f. These high interest costs have limited the
30 ability of a large number of farmers to obtain
31 operating loans from private channels which has
32 negative impact upon the state's economy.
33 g. The ordinary operations of private enterprise
34 have not corrected these conditions.
35 h. A supply of public funds for the farm operating
36 loan interest fund established in this section will
37 enable financial institutions to extend credit to
38 agricultural producers who would not otherwise be
39 able to secure operating loans.
40 i. It is necessary to establish a farm operating
41 loan interest program to provide funds to enable
42 agricultural producers to secure loans which in turn
43 will allow them to continue in the business of farming.
44 j. All of the purposes stated in this section
45 are public purposes and uses for which public moneys
46 may be borrowed, expended, advanced, loaned, or
47 granted.
48 2. The authority shall develop a farm operating
49 loan interest program available to all farmers who
50 qualify under subsection 4 to provide loans to persons

Page 2

1 engaged in farming for the purpose of assisting those
2 persons in meeting the interest payments on farm
3 operating loans and to lessen their cash-flow problems
4 in regard to their farming operations. Each loan
5 made under this program shall be for the payment of
6 all or a portion of the interest payment on an
7 operating loan made for a period of not more than
8 one year, shall bear no interest, and shall be
9 repayable in ten equal annual installments. The
10 schedule for repayment of a loan made under the program
11 begins one year following the end of the one-year
12 period of the operating loan for which this loan was
13 made. The amount of the loan shall not exceed ten
14 thousand dollars. A person shall receive only one
15 loan under this program.
16 3. A joint application shall be submitted to the
17 authority for a loan under the program by the financial
18 entity that will make the operating loan and the
19 individual to receive the loan. The application shall
20 contain the following:
21 a. A description of the farm operation involved.
22 b. The amount of a state loan applied for and

23 including the minimum amount of a state operating
24 loan necessary to meet the farmer's immediate needs,
25 the maximum amount of a loan which the financial
26 institution will provide and the amount the financial
27 institution deems necessary for the farmer.

28 c. A statement by the financial entity that an
29 operating loan could not be made without aid under
30 this program and the criteria used by the entity to
31 make this determination.

32 d. Factors that indicate that the farmer will
33 be able to qualify for financing for operations for
34 the subsequent year if the farmer receives assistance
35 under this program.

36 e. Certification by the financial entity that
37 if a loan under this program is granted, the financial
38 entity will continue financing operations for at least
39 one more year without need for additional aid under
40 this program.

41 4. In making loans under this program, the
42 authority shall be guided by the following criteria:

43 a. Preference shall be given to the borrowers
44 of operating loans to be made by the following in
45 the order stated:

46 (1) The United States farmers home administration.

47 (2) Commercial banks and production credit
48 associations.

49 (3) Other financial institutions and entities.

50 b. Loans shall be made only to farmers whose

Page 3

1 applications for an operating loan without reference
2 to aid under this program have been denied by a
3 financial entity.

4 c. The farmer can demonstrate financial viability
5 except for cash-flow problems resulting from the high
6 interest rates on operating loans.

7 d. Any other criteria that the authority has
8 adopted by rule.

9 e. The farmer and the financial institution can
10 demonstrate that the loan will make the farmer
11 financially viable.

12 5. A farm operating loan interest fund is created
13 within the office of the Iowa family farm development
14 authority. Moneys received from fees, penalties,
15 general revenue, federal funds, gifts, bequests,
16 donations, or other moneys so designated shall be
17 deposited in the general fund of the state to the
18 credit of the fund. Notwithstanding section 8.33,
19 no part of this fund shall revert at or after the
20 close of a fiscal period, but shall remain in the

21 fund and appropriated for the purposes of this section.
 22 6. The authority shall obtain and perfect security
 23 interests in and liens against property owned by a
 24 farmer obtaining a loan under this program. Whenever
 25 possible, the security interests and liens shall be
 26 in amounts sufficient to fully secure the loan.

27 Sec. 4. Section 422.63, Code 1983, is amended by
 28 inserting after unnumbered paragraph 1 the following
 29 new unnumbered paragraph:

30 **NEW UNNUMBERED PARAGRAPH.** In addition to the tax
 31 imposed by this section, there is imposed an additional
 32 tax at the rate of two percent of the taxpayer's net
 33 income in excess of two hundred fifty thousand dollars
 34 received or accrued during the taxable year as
 35 determined under this section. The additional tax
 36 shall be imposed for the tax years beginning on or
 37 after January 1, 1984 up to and including December
 38 31, 1985. The additional tax is not subject to
 39 allocation under section 422.65 but shall be credited
 40 to the farm operating loan interest fund created by
 41 this Act. The tax is administered under sections
 42 422.60 to 422.66.

43 Sec. 5. Section 428A.1, unnumbered paragraph 1,
 44 Code 1983, is amended to read as follows:

45 There is imposed on each deed, instrument, or
 46 writing by which any lands, tenements, or other realty
 47 in this state shall be are granted, assigned,
 48 transferred, or otherwise conveyed, a tax determined
 49 in the following manner:

50 1. When there is no consideration or when the

Page 4

1 deed, instrument or writing is executed and tendered
 2 for recording as an instrument corrective of title,
 3 and so states, there shall be is no tax.

4 2. When there is consideration and the actual
 5 market value of the real property transferred is in
 6 excess of five hundred dollars, the tax shall be
 7 fifty-five cents is one dollar and ten cents for each
 8 five hundred dollars or fractional part of five hundred
 9 dollars in excess of five hundred dollars.

10 **PARAGRAPH DIVIDED.** The term "consideration" as
 11 used in this chapter, means the full amount of the
 12 actual sale price of the real property involved, paid
 13 or to be paid, including the amount of an incumbrance
 14 or lien on the property, whether assumed or not by
 15 the grantee. It shall be is presumed that the sale
 16 price so stated shall include includes the value of
 17 all personal property transferred as part of the sale
 18 unless the dollar value of said the personal property

19 is stated on the instrument of conveyance. When the
20 dollar value of the personal property included in
21 the sale is so stated, it shall be deducted from the
22 consideration shown on the instrument for the purpose
23 of determining the tax.

24 Sec. 6. Section 428A.2, subsection 1, Code 1983,
25 is amended by striking the subsection and inserting
26 in lieu thereof the following:

27 1. The cancellation of an executory contract for
28 the sale of land.

29 Sec. 7. Section 428A.2, Code 1983, is amended
30 by adding the following new subsection:

31 NEW SUBSECTION. 19. Deeds transferred pursuant
32 to and upon satisfaction of an executory contract
33 for the sale of land where the contract has been
34 recorded and evidence that the tax has been paid.

35 Sec. 8. Section 428A.8, unnumbered paragraph 1,
36 Code Supplement 1983, is amended to read as follows:

37 On or before the tenth day of each month the county
38 recorder shall determine and pay to the treasurer
39 of state seventy-five percent of the receipts from
40 the real estate transfer tax collected during the
41 preceding month and the treasurer of state shall
42 deposit one-half of the receipts in the general fund
43 of the state and one-half of the receipts in the
44 public outdoor recreation fund.

45 Sec. 9. Notwithstanding section 428A.8, the county
46 recorder shall remit to the treasurer of state one
47 hundred percent of the receipts from the real estate
48 transfer tax collected on executory contracts and
49 assignments of executory contracts for the fiscal
50 period beginning July 1, 1984 and ending June 30,

Page 5

1 1986. The receipts shall be disbursed to the treasurer
2 of state monthly as provided in this section.
3 Effective July 1, 1986, the tax receipts collected
4 on executory contracts and assignments of executory
5 contracts shall be allocated in the same manner as
6 other real estate transfer tax receipts under this
7 section. The treasurer of state shall credit all
8 of the funds received from the real estate transfer
9 tax on executory contracts and assignments of executory
10 contracts to the farm operating loan interest fund.

11 Sec. 10. Notwithstanding House File 2520, enacted
12 by the Seventieth General Assembly, 1984 Session,
13 which appropriates seven hundred fifty thousand
14 (750,000) dollars to the state soil conservation
15 committee for the establishment of a revolving loan
16 fund, these funds shall be transferred to the farm

17 operating loan interest fund for the fiscal year
18 beginning July 1, 1984 and ending June 30, 1985.

19 It is the intent of the general assembly that seven
20 hundred fifty thousand (750,000) dollars shall be
21 appropriated for the fiscal year beginning July 1,
22 1985 and ending June 30, 1986 to the farm operating
23 loan interest fund.

24 Sec. 11. Section 4 is retroactive to January 1,
25 1984 for tax years beginning on or after that date.

26 Sec. 12. Sections 5, 6, 7, 8, 9, and 10 take
27 effect July 1 following enactment.

28 Sec. 13. This Act, being deemed of immediate
29 importance, takes effect from and after its publication
30 in The Van Buren County Leader-Record, a newspaper
31 published in Farmington, Iowa, and in The Messenger,
32 a newspaper published in Fort Dodge, Iowa."

33 2. Amend the title, lines 1 through 3, by striking
34 the words "executive director, staff, and
35 administrative expenses of the Iowa family farm
36 development authority" and inserting in lieu thereof
37 the words "Iowa family farm development authority
38 by providing for the executive director, staff, and
39 administrative expenses of the authority, by
40 authorizing the authority to provide farm operating
41 loan interest loans, and providing funds for the loan
42 program from the franchise tax and the real estate
43 transfer tax".

44 3. Renumber sections and correct internal
45 references as necessary in accordance with this
46 amendment.

Speaker Avenson in the chair at 12:30 a.m.

Woods of Polk offered the following amendment H-6474, to
amendment H-6401, filed by him from the floor and moved its
adoption:

H-6474

1 Amend amendment H-6401 to Senate File 2102 as
2 passed by the Senate as follows:

3 1. By striking page 3, lines 43 through page 4,
4 line 23.

5 2. Page 5, by striking lines 42 and 43 and
6 inserting in lieu thereof the words "programs from
7 the franchise tax." "

8 3. By numbering, renumbering and correcting
9 internal references.

A non-record roll call was requested.

The ayes were 23, nays 60.

Amendment H—6474 lost.

Hummel of Benton offered the following amendment H—6480, to amendment H—6401, filed by him from the floor and moved its adoption:

H—6480

- 1 Amend amendment H—6401 to Senate File 2102 as
- 2 passed by the Senate as follows:
- 3 1. Page 4, line 27, by inserting after the word
- 4 "cancellation" the words "or assignment".
- 5 2. Page 4, by inserting after line 34 the
- 6 following:
- 7 "Sec. . Section 428A.2, Code 1983, is amended
- 8 by adding the following new subsection:
- 9 NEW SUBSECTION. A deed given in fulfillment of
- 10 a contract for sale of land which was recorded on
- 11 or after July 1, 1984 and for which the tax imposed
- 12 by section 428A.1 has been paid."

Amendment H—6480 was adopted.

Cooper of Lucas offered the following amendment H—6482, to amendment H—6401, filed from the floor by Cooper, Bennett and Renken and moved its adoption:

H—6482

- 1 Amend House amendment H—6401 to Senate File 2102,
- 2 as passed by the Senate, as follows:
- 3 1. Page 5, by striking lines 11 through 23.

Roll call was requested by Cochran of Webster and Bennett of Ida.

On the question "Shall amendment H—6482, to amendment H—6401, be adopted?"

The ayes were, 53:

| | | | |
|------------|----------|------------------|----------|
| Anderson | Baxter | Bennett | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cooper |
| Copenhaver | Corey | De Groot | Diemer |
| Grandia | Groninga | Halvorson, R. A. | Hammond |

| | | | |
|-----------------|-------------|------------|------------|
| Handorf | Hanson | Harbor | Hermann |
| Hoffmann-Bright | Holveck | Hummel | Knapp |
| Krewson | Lageschulte | Maulsby | McIntee |
| McKean | Menke | Mullins | Osterberg |
| Parker | Paulin | Pavich | Pellett |
| Renken | Rensink | Rosenberg | Royer |
| Schneklath | Spear | Stromer | Stueland |
| Swearingen | Van Camp | Van Gerpen | Van Maanen |
| Varn | | | |

The nays were, 38:

| | | | |
|------------------|-------------|-------------|---------|
| Arnould | Black | Blanshan | Brammer |
| Cochran | Connolly | Daggett | Davitt |
| Fey | Fogarty | Gronstal | Gruhn |
| Halvorson, R. N. | Haverland | Hughes | Jay |
| Jochum | Koenigs | Lloyd-Jones | Miller |
| Muhlbauer | Norland | O'Kane | Ollie |
| Oxley | Peick | Poncy | Renaud |
| Running | Sherzan | Shoultz | Skow |
| Sturgeon | Sullivan | Swartz | Tabor |
| Zimmerman | Mr. Speaker | | |

Absent or not voting, 9:

| | | | |
|-----------|---------|----------|----------|
| Connors | Doderer | Groth | Lonergan |
| Schroeder | Tofte | Torrence | Weiden |
| Woods | | | |

Amendment H—6482 was adopted.

Branstad of Winnebago rose on a point of order that amendment H—6401 was not germane.

The Speaker ruled the point well taken and amendment H—6401 not germane.

Norland of Worth asked for unanimous consent to consider amendment H—6401.

Objection was raised.

Norland of Worth moved that the rules be suspended to consider amendment H—6401.

A non-record roll call was requested.

The ayes were 52, nays 40.

The motion prevailed and the rules were suspended to consider amendment H—6401.

Hanson of Delaware in the chair at 1:10 a.m.

Speaker Avenson in the chair at 1:20 a.m.

Cochran of Webster moved the adoption of amendment H—6401, as amended.

Roll call was requested by Hughes of Union and Skow of Guthrie.

Rule 76 was invoked.

On the question "Shall amendment H—6401, as amended, be adopted?"

The ayes were, 46:

| | | | |
|-----------|-------------|-----------|------------------|
| Anderson | Arnould | Black | Blanshan |
| Brammer | Carl | Carter | Chapman |
| Cochran | Connolly | Cooper | Daggett |
| Davitt | Fogarty | Gruhn | Halvorson, R. N. |
| Handorf | Hanson | Hughes | Jay |
| Jochum | Knapp | Koenigs | Lloyd-Jones |
| McKean | Miller | Muhlbauer | Norland |
| Ollie | Osterberg | Oxley | Parker |
| Peick | Pellett | Rosenberg | Running |
| Shoultz | Skow | Spear | Sturgeon |
| Sullivan | Swartz | Tabor | Varn |
| Zimmerman | Mr. Speaker | | |

The nays were, 44:

| | | | |
|-----------|------------|------------|------------------|
| Baxter | Bennett | Branstad | Buhr |
| Carpenter | Chiodo | Clark | Copenhaver |
| Corey | De Groot | Diemer | Fey |
| Grandia | Groninga | Gronstal | Halvorson, R. A. |
| Harbor | Haverland | Hermann | Hoffmann-Bright |
| Holveck | Hummel | Krewson | Lageschulte |
| Maulsby | McIntee | Menke | Mullins |
| Paulin | Pavich | Renaud | Renken |
| Rensink | Royer | Schnekloth | Schroeder |
| Sherzan | Stromer | Stueland | Swearingen |
| Van Camp | Van Gerpen | Van Maanen | Woods |

Absent or not voting, 10:

| | | | |
|----------|---------|-------|---------|
| Connors | Doderer | Groth | Hammond |
| Lonergan | O'Kane | Poncy | Tofte |
| Torrence | Weiden | | |

Amendment H—6401, as amended, 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.

Rule 76 was invoked.

On the question "Shall the bill pass?" (S.F. 2102)

The ayes were, 42:

| | | | |
|------------------|-------------|---------|-------------|
| Anderson | Arnould | Black | Blanshan |
| Brammer | Carl | Carter | Chapman |
| Cochran | Cooper | Corey | Daggett |
| Davitt | De Groot | Fogarty | Gruhn |
| Halvorson, R. N. | Handorf | Hughes | Jay |
| Jochum | Knapp | Koenigs | Lloyd-Jones |
| Miller | Muhlbauer | Norland | Ollie |
| Osterberg | Oxley | Parker | Peick |
| Pellett | Rosenberg | Royer | Spear |
| Sturgeon | Sullivan | Tabor | Varn |
| Zimmerman | Mr. Speaker | | |

The nays were, 47:

| | | | |
|------------|------------------|-----------------|------------|
| Baxter | Bennett | Branstad | Buhr |
| Carpenter | Chiodo | Clark | Copenhaver |
| Diemer | Fey | Grandia | Groninga |
| Gronstal | Halvorson, R. A. | Hanson | Harbor |
| Haverland | Hermann | Hoffmann-Bright | Holveck |
| Hummel | Krewson | Lageschulte | Maulsby |
| McIntee | McKean | Menke | Mullins |
| Paulin | Pavich | Renaud | Renken |
| Rensink | Running | Schnekloth | Schroeder |
| Sherzan | Shoultz | Skow | Stromer |
| Stueland | Swartz | Swearingen | Van Camp |
| Van Gerpen | Van Maanen | Woods | |

Absent or not voting, 11:

| | | | |
|----------|----------|---------|-------|
| Connolly | Connors | Doderer | Groth |
| Hammond | Lonergan | O'Kane | Poncy |
| Tofte | Torrence | Weiden | |

The bill, having failed to receive a constitutional majority was declared to have failed to pass 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, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2354, a bill for an act relating to the purchase of equipment and supplies by the board of trustees of a county public hospital.

Also: That the Senate has, on April 19, 1984, adopted the conference committee report and passed Senate File 2262, a bill for an act relating to health insurance by requiring that coverage for educational programs for diabetes be offered.

Also: That the Senate has on April 19, 1984, 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 2271, a bill for an act relating to the department of public safety by providing representation of members in criminal actions and the designation of department members as department administrative hearing officers.

K. MARIE THAYER, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2359, by committee on appropriations, a bill for an act establishing comparable worth salary adjustments for state employees based on a comparable worth pay grade system, establishing a comparable worth review committee, and making supplemental appropriations for salary adjustments and implementation.

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

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 513, a bill for an act relating to the name of a state bank.

Senate File 2262, a bill for an act relating to health insurance by requiring that coverage for educational programs for diabetes be offered.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 19th day of April, 1984: House Files 48, 169, 2065, 2396, 2424 and 2447.

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 April 19, 1984, he approved and transmitted to the Secretary of State the following bills:

House File 111, an act relating to reseeded the topsoil of open ditches with prairie grass seed.

House File 456, an act relating to expenditures for a local, nonprofit historical society or municipally-owned historical projects.

House File 2048, an act relating to conservation easements.

House File 2067, an act establishing an age limit for participants in amateur boxing.

House File 2428, an act relating to mortgage redemption periods.

House File 2471, an act creating a hazardous waste remedial fund and providing for the cleanup of hazardous conditions and the management and cleanup of abandoned or uncontrolled hazardous waste disposal sites.

Senate File 2057, an act to legalize the proceedings of the board of supervisors of Lee County relating to the compensation of certain county officers and deputies.

Senate File 2095, an act providing a penalty for violation of requirements for setting aside handicapped parking spaces.

Senate File 2121, an act relating to the establishment of a state historical building code.

Senate File 2159, an act to allow limited child modeling under the Child Labor Laws.

Senate File 2261, an act relating to the powers of state-chartered savings and loan associations.

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on April 16, 1984 and is on file in the office of the Chief Clerk.

April 16, 1984

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 27, 1983.

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

| Claim Number | Name of Claimant Nature of Claim | Amount of Claim | Amount Approved |
|--------------|--|-----------------|-----------------|
| 1713-71-25 | William K. Walters Burlington, Iowa License Refund. | \$75.00 | Disapproved |
| 1714-71-25 | Food Handling, Inc. Des Moines, Iowa License Refund. | \$9.00 | Disapproved |
| 1745-71-25 | Elizabeth M. Patterson West Des Moines, Iowa Refund. | 22.00 | Disapproved |
| 1759-71-25 | Richard F. Nekvinda Fort Dodge, Iowa License Fee Refund. | 60.00 | Disapproved |

| Claim Number | Name of Claimant Nature of Claim | Amount of Claim | Amount Approved |
|--------------|---|--------------------|--------------------|
| 1785-71-25 | Mark Churchill Houston, Texas License Refund. | 64.00 | Disapproved |
| 1787-71-25 | Bradley Kent Lafavers Parkville, Missouri License Fee Refund. | Unknown | Disapproved |
| 1810-71-25 | Angela C. Feil Sun City, Arizona License Fee Refund. | Unknown | Disapproved |

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Wednesday, April 18, 1984. Had I been present, I would have voted "nay" on House File 2518.

COREY of Louisa

I was necessarily absent from the House chamber on April 18, 1984. Had I been present, I would have voted "aye" on Senate File 2169.

VAN GERPEN of Black Hawk

I was necessarily absent from the House chamber on April 19, 1984. Had I been present, I would have voted "aye" on House File 2521.

COREY of Louisa

PRESENTATION OF VISITORS

Peick of Linn 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:

Twenty-five eighth grade students from Shelby High School, Shelby, accompanied by Dan Merrian. By Pellett of Cass.

Eighty-five sixth grade students from Terrace Elementary School, Ankeny, accompanied by Nick Pauly. By Haverland of Polk.

Nineteen 4-H members from Carroll and Calhoun Counties, accompanied by Julie Almquist. By Anderson of Audubon, Blanshan of Greene and Maulsby of Calhoun.

COMMUNICATION RECEIVED

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

DEPARTMENT OF TRANSPORTATION

An interim report on a study of transit bus/school bus coordination in Iowa, pursuant to Chapter 60, Sec. 1, Acts of the 1983 Regular Session, Seventieth General Assembly.

RESOLUTIONS FILED

HCR 126, by Carl, a concurrent resolution relating to a study of warranties on merchandise.

Laid over under **Rule 25**.

HCR 127, by Pavich, Osterberg, Maulsby, Schroeder, Groninga, O'Kane, Oxley, Koenigs, Branstad, Harbor and McIntee, a concurrent resolution to provide procedures for budgeting by the appropriations subcommittees.

Laid over under **Rule 25**.

HR 109, by Pavich, Avenson, Norland, Lloyd-Jones, Doderer, Varn, Rosenberg, Haverland, Connors, O'Kane, Chapman, Gronstal, Poncy, Halvorson of Webster, Peick, Fey, Parker, Copenhaver, Sherzan, Lonergan, Jochum, Connolly, Chiodo, Sturgeon, Oxley, Cochran, Carl, Zimmerman, Osterberg, Knapp, Jay, Woods, Blanshan, Gruhn, Koenigs, Cooper, Spear, Shoultz, Brammer, Ollie, Tabor, Skow, Black, Fogarty, Muhlbauer, Miller, Davitt, Groth, Baxter, Carter, Renaud, Running, Holveck, Hammond, Groninga, Buhr, Hughes, Sullivan, Arnould and Swartz, a resolution commemorating the one hundredth anniversary of the birth of Harry S. Truman.

Laid over under **Rule 25**.

HR 110, by Schroeder, Pavich, Gronstal and Harbor, a resolution providing for an interim study of sanitary and improvement districts.

Laid over under **Rule 25**.

AMENDMENTS FILED

| | | |
|--------|-----------|----------------------|
| H-6450 | H.F. 2513 | Senate Amendment |
| H-6454 | S.F. 244 | Senate Amendment |
| H-6459 | H.F. 2274 | Krewson of Polk |
| H-6473 | H.F. 2481 | Senate Amendment |
| H-6481 | S.F. 2360 | Woods of Polk |
| H-6488 | H.F. 2441 | Osterberg of Linn |
| H-6494 | H.F. 2354 | Senate Amendment |
| H-6496 | S.F. 2259 | Groth of Buena Vista |
| H-6498 | S.F. 2271 | Senate Amendment |

On motion by Norland of Worth, the House adjourned at 1:29 a.m., until 9:30 a.m., Friday, April 20, 1984.

JOURNAL OF THE HOUSE

One Hundred-third Calendar Day—Seventy-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, April 20, 1984

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 Thursday, April 19, 1984 was approved.

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, 1984, adopted the conference committee report and passed Senate File 513, a bill for an act relating to the name of a state bank.

Also: That the Senate has on April 19, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2363, a bill for an act relating to codified provisions affecting appropriations to the department of human services.

K. MARIE THAYER, Secretary

SPECIAL PRESENTATION

Menke of O'Brien and Cochran of Webster invited to the well and presented to Connors of Polk, chair of the capitol centennial committee, checks in the amount of \$401.00 each. The money, which will be used for the restoration of the capitol building, were funds received from the sale of belt buckles commemorating the capitol centennial.

Connors of Polk expressed appreciation on behalf of all the people of Iowa.

PRESENTATION OF GIFTS

Avenson of Fayette, Norland of Worth and Stromer of Hancock were invited to the well of the House by Fey of Scott and Harbor of Mills for a special presentation.

Fey of Scott, on behalf of the House, presented plaques to each leader in appreciation of his service and dedication to the House of Representatives during the Seventieth General Assembly.

The House rose and expressed its appreciation.

SPECIAL RECOGNITION

Jochum of Dubuque, Arnould of Scott, Halvorson of Clayton and Fey of Scott invited to the well of the House the following members who will be retiring at the conclusion of the Seventieth General Assembly or who are candidates for offices other than the House: Krewson of Polk, Miller of Woodbury, Menke of O'Brien, Gronstal of Pottawattamie, Copenhaver of Buchanan, Chiodo of Polk, Davitt of Warren and Hoffmann-Bright of Muscatine.

Humorous gifts befitting each member were presented in appreciation of their service and dedication to the House of Representatives.

The House rose and expressed its appreciation.

SENATE AMENDMENTS CONSIDERED

Connors of Polk called up for consideration **Senate File 244**, a bill for an act relating to the care given under workers' compensation medical benefits, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-6454 to the House amendment:

H-6454

- 1 Amend House amendment S-5907 to Senate File 244 as
- 2 amended, passed and reprinted by the Senate as follows:
- 3 1. Page 1, line 10, by striking the words "the care"
- 4 and inserting in lieu thereof the words "the a physician
- 5 licensed under chapter 148 or 150A to provide medical
- 6 care. The physician may arrange a consultation, referral,
- 7 or extraordinary or other specialized care as the nature
- 8 of the injury requires".

The motion prevailed and the House concurred in the Senate amendment H-6454.

Connors 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. 244)

The ayes were, 55:

| | | | |
|------------------|-------------|-------------|-----------|
| Arnould | Baxter | Black | Brammer |
| Buhr | Carl | Carter | Chapman |
| Chiodo | Clark | Cochran | Connolly |
| Connors | Copenhaver | Davitt | Doderer |
| Fey | Groninga | Gronstal | Gruhn |
| Halvorson, R. N. | Hammond | Harbor | Haverland |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Lloyd-Jones | Loneragan | McKean |
| Miller | Mullins | O'Kane | Ollie |
| Osterberg | Oxley | Parker | Pavich |
| Peick | Poncy | Renaud | Rosenberg |
| Running | Shoultz | Skow | Spear |
| Sullivan | Swartz | Tabor | Varn |
| Woods | Zimmerman | Mr. Speaker | |

The nays were, 42:

| | | | |
|-------------|------------------|----------|------------|
| Anderson | Bennett | Blanshan | Branstad |
| Carpenter | Cooper | Corey | Daggett |
| De Groot | Diemer | Fogarty | Grandia |
| Groth | Halvorson, R. A. | Handorf | Hanson |
| Hermann | Hoffmann-Bright | Koenigs | Krewson |
| Lageschulte | Maulsby | McIntee | Menke |
| Muhlbauer | Norland | Paulin | Pellett |
| Renken | Rensink | Royer | Schnekloth |
| Schroeder | Stromer | Stueland | Swearingen |
| Tofte | Torrence | Van Camp | Van Gerpen |
| Van Maanen | Welden | | |

Absent or not voting, 3:

| | | |
|--------|---------|----------|
| Hummel | Sherzan | Sturgeon |
|--------|---------|----------|

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

Connors of Polk called up for consideration **House File 2354**, a bill for an act relating to the purchase of equipment and supplies by the board of trustees of a county public hospital, amended by the Senate, and moved that the House concur in the following Senate amendment H—6494:

H-6494

- 1 Amend House File 2354 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 11, by striking the word "and"
- 4 and inserting in lieu thereof the words "under bidding
- 5 and contracting requirements prescribed by the board
- 6 and procure".

The motion prevailed and the House concurred in the Senate amendment H-6494.

Connors 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. 2354)

The ayes were, 92:

| | | | |
|------------|------------|------------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Brammer | 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 | 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 |
| Schnekloth | Sherzan | Shoultz | Skow |
| Spear | Stromer | Stueland | Sturgeon |
| Sullivan | Swearingen | Tabor | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Varn | Weiden | Zimmerman | Mr. Speaker |

The nays were, none.

Absent or not voting, 8:

| | | | |
|----------|-----------|------------|--------|
| Blanshan | Branstad | Copenhaver | Hummel |
| O'Kane | Schroeder | Swartz | Woods |

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

HOUSE REFUSED TO CONCUR

Carpenter of Polk called up for consideration **Senate File 2254**, a bill for an act relating to the state employee suggestion system, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—6396 to the House amendment:

H—6396

- 1 Amend House amendment S—5952 to Senate File 2254
- 2 as passed by the Senate as follows:
- 3 1. Page 1, line 6, by striking the words "two
- 4 thousand" and inserting in lieu thereof the words
- 5 "two thousand".

The motion lost and the House refused to concur in the Senate amendment H—6396.

IMMEDIATE MESSAGE (Senate File 2254)

Norland of Worth asked and received unanimous consent to immediately message Senate File 2254 to the Senate.

The House stood at ease at 10:30 a.m., until the fall of the gavel.

The House resumed session at 11:43 a.m., Speaker Avenson in the chair.

MOTION TO RECONSIDER PREVAILED (Senate File 2102)

Haverland of Polk called up for consideration the motion to reconsider Senate File 2102, filed by him from the floor, and moved to reconsider the vote by which Senate File 2102, a bill for an act

relating to the executive director, staff, and administrative expenses of the Iowa family farm development authority, failed to pass the House and was placed on its last reading on April 19, 1984.

Roll call was requested by Woods of Polk and Black of Jasper.

On the question "Shall Senate File 2102 be reconsidered?"

The ayes were, 51:

| | | | |
|-----------|------------------|-------------|------------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Carl | Carter | Chapman |
| Cochran | Connolly | Cooper | Copenhaver |
| Daggett | Davitt | Doderer | Fey |
| Fogarty | Groninga | Gronstal | Groth |
| Gruhn | Halvorson, R. N. | Hammond | Haverland |
| Hughes | Jay | Jochum | Knapp |
| Koenigs | Lloyd-Jones | Loneragan | Miller |
| Muhlbauer | Norland | O'Kane | Ollie |
| Osterberg | Parker | Pavich | Peick |
| Rosenberg | Shoultz | Skow | Spear |
| Sturgeon | Sullivan | Swartz | Tabor |
| Varn | Zimmerman | Mr. Speaker | |

The nays were, 43:

| | | | |
|------------|----------|-------------|------------------|
| Anderson | Bennett | Branstad | Buhr |
| Carpenter | Chiodo | Clark | Corey |
| De Groot | Diemer | Grandia | Halvorson, R. A. |
| Handorf | Hanson | Hermann | Hoffmann-Bright |
| Holveck | Hummel | Lageschulte | Maulsby |
| McIntee | McKean | Menke | Mullins |
| Paulin | Renaud | Renken | Rensink |
| Royer | Running | Schneklath | Schroeder |
| Sherzan | Stromer | Stueland | Swearingen |
| Tofte | Torrence | Van Camp | Van Gerpen |
| Van Maanen | Welden | Woods | |

Absent or not voting, 6:

| | | | |
|---------|--------|---------|-------|
| Connors | Harbor | Krewson | Oxley |
| Pellett | Poncy | | |

The motion prevailed and Senate File 2102 was reconsidered.

Norland of Worth asked and received unanimous consent that Senate File 2102 be temporarily deferred and that the bill retain its place on the calendar.

RULE 75A SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 75A, relating to voting.

CONSIDERATION OF BILLS**Unfinished Business Calendar**

Norland of Worth asked and received unanimous consent to resume consideration of **Senate File 2259**, a bill for an act relating to the day school shall commence for elementary and secondary schools each year, and amendment H—5846, as amended, (found on page 1498 of the House Journal) which was placed on the unfinished business calendar on March 29, 1984.

Harbor of Mills asked and received unanimous consent to withdraw amendment H—5846, as amended, placing out of order amendment H—5987 (to amendment H—5846) filed by McKean of Jones on March 29, 1984.

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H—5894 filed by him on March 27, 1984.

Groth of Buena Vista offered the following amendment H—6022 filed by him and moved its adoption:

H—6022

- 1 Amend Senate File 2259 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, lines 9 and 10, by striking the word
- 4 "Supplemen" and inserting in lieu thereof the word
- 5 "Supplement".
- 6 2. Page 1, line 11, by striking the words and numeral
- 7 "299.1 ATTENDANCE REQUIREMENT."

Amendment H—6022 was adopted.

Lageschulte of Bremer offered the following amendment H—5988 filed by him:

H-5988

- 1 Amend Senate File 2259 as follows:
- 2 1. Page 1, by striking lines 5 and 6 and inserting
- 3 in lieu thereof the following: "school shall begin no
- 4 sooner than September 1 and shall continue for at least".

Norland of Worth asked and received unanimous consent that Senate File 2259 be deferred and that the bill retain its place on the calendar.

(Amendment H-5988 pending.)

The House resumed consideration of **Senate File 2102**, a bill for an act relating to the executive director, staff, and administrative expenses of the Iowa family farm development authority, temporarily deferred.

Cochran of Webster asked for unanimous consent to reconsider the vote by which amendment H-6401, as amended, (found on pages 2386 through 2391 of the House Journal) was adopted by the House on April 19, 1984.

Objection was raised.

Cochran of Webster moved to reconsider the vote by which amendment H-6401, as amended, was adopted by the House on April 19, 1984.

Roll call was requested by Stromer of Hancock and Van Camp of Scott.

On the question "Shall amendment H-6401 be reconsidered?"

The ayes were, 50:

| | | | |
|---------|-----------|-----------|-----------------|
| Arnould | Baxter | Bennett | Blanshan |
| Brammer | Buhr | Carl | Chapman |
| Cochran | Cconnolly | De Groot | Doderer |
| Fey | Fogarty | Groninga | Gronstal |
| Gruhn | Hammond | Haverland | Hoffmann-Bright |
| Holveck | Jay | Jochum | Knapp |
| Krewson | Loneragan | Miller | Muhlbauer |
| Mullins | Norland | Ollie | Oxley |
| Parker | Paulin | Pavich | Peick |
| Renaud | Rosenberg | Running | Shoultz |

| | | | |
|-----------|-------------|----------|----------|
| Spéar | Stromer | Sturgeon | Sullivan |
| Tabor | Tofte | Varn | Woods |
| Zimmerman | Mr. Speaker | | |

The nays were, 34:

| | | | |
|------------------|------------------|-----------|----------|
| Anderson | Black | Clark | Corey |
| Daggett | Davitt | Diemer | Groth |
| Halvorson, R. A. | Halvorson, R. N. | Hanson | Harbor |
| Hermann | Hughes | Hummel | Koenigs |
| Lageschulte | Maulsby | McIntee | McKean |
| Menke | Osterberg | Renken | Rensink |
| Royer | Schnekloth | Schroeder | Skow |
| Stueland | Swearingen | Torrence | Van Camp |
| Van Gerpen | Van Maanen | | |

Absent or not voting, 16:

| | | | |
|----------|-------------|------------|---------|
| Branstad | Carpenter | Carter | Chiodo |
| Connors | Cooper | Copenhaver | Grandia |
| Handorf | Lloyd-Jones | O'Kane | Pellett |
| Poncy | Sherzan | Swartz | Weiden |

The motion prevailed and the House reconsidered amendment H—6401, as amended.

Norland of Worth asked and received unanimous consent that Senate File 2102 be deferred and that the bill retain its place on the calendar.

SENATE MESSAGE CONSIDERED

Senate File 2363, by committee on appropriations, a bill for an act relating to codified provisions affecting appropriations to the department of human services for the medical assistance and state supplementary assistance programs.

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

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.

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 20, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2527, a bill for an act relating to economic development in the state by providing that the development commission monitor, oversee and spend certain federal funds and creating an economic development study committee.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS

The House resumed consideration of **Senate File 2102**, a bill for an act relating to the executive director, staff, and administrative expenses of the Iowa family farm development authority, temporarily deferred, and amendment H-6401, as amended.

Cochran of Webster asked for unanimous consent to withdraw, amendment H-6401, as amended.

Objection was raised.

Cochran of Webster moved to withdraw amendment H-6401, as amended.

A non-record roll call was requested.

The ayes were 56, nays 16.

The motion prevailed and amendment H-6401, as amended, was withdrawn.

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. 2102)

The ayes were, 79:

Anderson
Black

Arnould
Blanshan

Baxter
Brammer

Bennett
Branstad

| | | | |
|------------------|-----------|-----------------|-------------|
| Buhr | Carl | Chapman | Chiodo |
| Clark | Cochran | Connolly | Copenhaver |
| Corey | Daggett | Davitt | De Groot |
| Doderer | Fey | Fogarty | Grandia |
| Groninga | Gronstal | Groth | Gruha |
| Halvorson, R. A. | Hammond | Hanson | Harbor |
| Haverland | Hermann | Hoffmann-Bright | Holveck |
| Hughes | Hummel | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lloyd-Jones |
| Lonergan | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Paulin | Pavich | Peick | Pellett |
| Poncy | Rosenberg | Running | Sherzan |
| Shoultz | Skow | Spear | Sturgeon |
| Sullivan | Swartz | Tabor | Tofte |
| Torrence | Van Camp | Van Maanen | Varn |
| Woods | Zimmerman | Mr. Speaker | |

The nays were, 9:

| | | | |
|------------|------------------|-------------|----------|
| Carter | Halvorson, R. N. | Lageschulte | Renken |
| Schneklath | Schroeder | Stromer | Stueland |
| Welden | | | |

Absent or not voting, 12:

| | | | |
|-----------|---------|------------|------------|
| Carpenter | Connors | Cooper | Diemer |
| Handorf | Maulsby | Parker | Renaud |
| Rensink | Royer | Swearingen | Van Gerpen |

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

REPORT OF COMMITTEE ON APPROPRIATIONS

Senate File 2359, a bill for an act establishing comparable worth salary adjustments for state employees based on a comparable worth pay grade system, establishing a comparable worth review committee, and making supplemental appropriations for salary adjustments and implementation.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 1984.

Pursuant to House Rule 33, Senate File 2359 was referred to the committee on Finance.

REPORT OF COMMITTEE ON FINANCE

Senate File 2359, a bill for an act establishing comparable worth salary adjustments for state employees based on a comparable worth pay grade system, establishing a comparable worth review committee, and making supplemental appropriations for salary adjustments and implementation.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 1984.

Appropriations Calendar

Norland of Worth asked and received unanimous consent for the immediate consideration of **Senate File 2359**, a bill for an act establishing comparable worth salary adjustments for state employees based on a comparable worth pay grade system, establishing a comparable worth review committee, and making supplemental appropriations for salary adjustments and implementation, with reports of committees recommending passage.

Hanson of Delaware and 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. 2359)

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 | 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 | Loneragan | 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 |
| Sherzan | Shoultz | Skow | Spear |
| Stromer | Stueland | Sturgeon | Sullivan |

| | | | |
|-------------|------------|------------|------------|
| Swartz | Swearingen | Tabor | Tofte |
| Torrence | Van Camp | Van Gerpen | Van Maanen |
| Varn | Weiden | Woods | Zimmerman |
| Mr. Speaker | | | |

The nays were, none.

Absent or not voting, 3:

| | | |
|---------|--------|--------|
| Connors | Diemer | Renaud |
|---------|--------|--------|

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

SENATE AMENDMENT CONSIDERED

House Refused To Concur

Parker of Jasper called up for consideration **House File 2527**, a bill for an act relating to economic development in the state by providing that the development commission monitor, oversee and spend certain federal funds, establish a primary research and marketing center and satellite centers, establish an informal export advisory group, be responsible for agriculture marketing by establishing an agriculture marketing division and board, be responsible for the operation of the existing Iowa community development loan program, participate in the certified development program of the United States small business administration through a state certified development program, and be solely responsible for coordinating and adopting rules for the existing Iowa industrial new jobs training program; by allowing insurance companies, state banks, and state savings and loan associations to invest their assets in venture capital firms making investments in small businesses in the state, and public safety police officers, Iowa public employees and policemen and firemen retirement funds to be invested in venture capital firms making investments in small businesses in the state; by establishing an export loan program as part of the Iowa housing finance authority's small business loan program to aid in providing financing for export sales by small businesses; and by increasing the bonding limits of the Iowa housing finance authority and its small business loan program and redefining "small business" and "dominant in its field of operation" for purposes of the small business loan program, amended by the Senate, and moved that the House concur in the following Senate amendment H - 6502:

H-6502

1 Amend House File 2527 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 2, by striking lines 4 through 12.

4 2. Page 2, by striking lines 19 through 30.

5 3. By striking page 5, line 33 through page 7,
6 line 18.

7 4. Page 7, by inserting after line 18 the
8 following:

9 "Sec. 5. NEW SECTION. 18.170 TITLE. Sections
10 18.171 through 18.175 may be cited as the "Iowa small
11 minority business procurement Act."

12 Sec. 6. NEW SECTION. 18.171 DEFINITIONS. When
13 used in sections 18.170 through 18.175, unless the
14 context otherwise requires:

15 1. "Small business" means a business organized
16 for profit which has its principal place of business
17 in Iowa and which is neither dominant in its field
18 of operation nor an affiliate or subsidiary of a
19 business dominant in its field of operation.

20 2. "Dominant in its field of operation" means
21 exercising a controlling or major influence in a
22 business activity in which a number of businesses
23 are engaged. The following businesses are dominant
24 in their field of operation:

25 a. Manufacturing businesses which employ more
26 than one hundred persons and whose gross receipts
27 for the preceding three fiscal years exceeded a total
28 of fifteen million dollars.

29 b. General construction businesses which had gross
30 receipts exceeding a total of six million dollars
31 in the preceding three fiscal years.

32 c. Specialty construction businesses which had
33 gross receipts exceeding three million dollars in
34 the preceding three fiscal years.

35 d. Nonmanufacturing businesses which employ more
36 than twenty-five persons and which had gross receipts
37 exceeding three million dollars in the preceding three
38 fiscal years.

39 3. "Affiliate or subsidiary of a business dominant
40 in its field of operation" means a business which
41 is at least twenty percent owned by a business dominant
42 in that field of operation, or by partners, officers,
43 directors, majority shareholders, or their equivalent
44 of a business dominant in that field of operation.

45 4. "Socially or economically disadvantaged person"
46 means a person who has been deprived of the opportunity
47 to develop and maintain a competitive position in
48 the economy because of any of the following
49 circumstances:

50 a. Cultural, social, or economic circumstances

Page 2

1 or background.

2 b. Physical location if the person resides or
3 is employed in an area declared a labor surplus area
4 by the United States department of commerce.

5 c. Other similar cause as defined by rules adopted
6 by the director pursuant to chapter 17A.

7 **Sec. 7. NEW SECTION. 18.172 PROCUREMENT FROM**
8 **SMALL MINORITY BUSINESSES.**

9 **1. SMALL MINORITY BUSINESS SET-ASIDES.**

10 Notwithstanding section 18.6, the director may
11 designate and set aside for awarding to small
12 businesses owned and operated by socially or
13 economically disadvantaged persons approximately five
14 percent of the value of anticipated total state
15 procurement of goods and services, including
16 construction, but not including utility services
17 pursuant to section 18.8, each fiscal year. The
18 director may divide the procurements so designated
19 into contract award units of economically feasible
20 production runs to facilitate offers or bids from
21 these small businesses. In designating set-aside
22 procurements, the director may vary the included
23 procurements so that a variety of goods and services
24 produced by different small businesses may be set
25 aside each year.

26 **2. NEGOTIATED PRICE OR BID CONTRACT.** The director
27 may use either a negotiated price or bid contract
28 procedure in the awarding of a contract under this
29 set-aside program. The amount of an award shall not
30 exceed by more than five percent the director's
31 estimated price for the goods or services, if they
32 were to be purchased on the open market or under the
33 competitive bidding procedures of section 18.6, and
34 not under this set-aside program. Surety bonds
35 guaranteed by the federal small business administra-
36 tion are acceptable security for a construction award
37 under this section.

38 **3. DETERMINATION OF ABILITY TO PERFORM.** Before
39 announcing a set-aside award, the director shall
40 evaluate whether the small business scheduled to
41 receive the award is able to perform the set-aside
42 contract. This determination shall include consider-
43 ation of production and financial capacity and
44 technical competence.

45 **4. PROCUREMENT PROCEDURES.** All laws and rules
46 pertaining to solicitations, bid evaluations, contract
47 awards, and other procurement matters apply to
48 procurements set aside for small businesses to the
49 extent there is no conflict. If sections 18.171
50 through 18.175 conflict with other laws or rules,

Page 3

1 then sections 18.171 through 18.175 govern.

2 Sec. 8. NEW SECTION. 18.173 ROLE OF DEVELOPMENT
3 COMMISSION. The director of general services may
4 assist the director of the Iowa development commission
5 in publicizing the set-aside program, attempting to
6 locate small businesses able to perform set-aside
7 awards, and encouraging program participation. When
8 the director of general services determines that a
9 small minority business is unable to perform under
10 a set-aside contract, the director of general services
11 shall inform the director of the Iowa development
12 commission who shall assist the small business in
13 attempting to remedy the causes of the inability to
14 perform. In assisting the small business, the director
15 of the Iowa development commission in cooperation
16 with the director of general services may use any
17 management or financial assistance programs available
18 through state or governmental agencies or private
19 sources. Primary responsibility under this section
20 rests with the director of the Iowa development
21 commission.

22 Sec. 9. NEW SECTION. 18.174 CERTIFICATION.
23 The director shall adopt by rule standards and
24 procedures for certifying that small businesses owned
25 and operated by socially or economically disadvantaged
26 persons are eligible to participate in the set-aside
27 program. The procedure for determination of
28 eligibility may include self-certification by a busi-
29 ness, provided the director retains the ability to
30 verify a self-certification. The director of general
31 services shall maintain a current directory of small
32 businesses which have been certified under this
33 section.

34 Sec. 10. NEW SECTION. 18.175 REPORTS.

35 1. DIRECTOR OF GENERAL SERVICES. The director
36 of general services shall submit an annual report
37 to the governor and the general assembly with a copy
38 to the director of the Iowa development commission
39 relating progress towards realizing the objectives
40 and goals of sections 18.171 through 18.174 during
41 the preceding fiscal year. The report shall include
42 the following information:

43 a. The total dollar value and number of potential
44 set-aside awards identified and the percentage of
45 total state procurements this figure reflects.

46 b. The total dollar value and number of set-aside
47 contracts awarded to small businesses owned and
48 operated by economically or socially disadvantaged
49 persons with appropriate designation as to the total
50 number and value of set-aside contracts awarded to

Page 4

1 each small business, and the percentages of the total
2 state procurements the figures of total dollar value
3 and the number of set asides reflect.

4 c. The number of contracts which were designated
5 and set aside pursuant to section 18.172, but which
6 were not awarded to a small business, the estimated
7 total dollar value of these awards, the lowest offer
8 or bid on each of these awards made by the small
9 business and the price at which these contracts were
10 awarded pursuant to the normal procurement procedures.

11 2. DIRECTOR OF THE IOWA DEVELOPMENT COMMISSION.
12 The director of the Iowa development commission shall
13 submit an annual report to the governor and the general
14 assembly with a copy to the director of general
15 services. The report shall include the following
16 information:

17 a. The efforts undertaken to publicize the set-
18 aside program during the preceding year.

19 b. The efforts undertaken to identify small
20 businesses owned and operated by socially or
21 economically disadvantaged persons, and the efforts
22 undertaken to encourage participation in the set-aside
23 program.

24 c. The efforts undertaken by the director to
25 remedy the inability of these small businesses to
26 perform on potential set-aside awards.

27 d. The director's recommendations for strengthening
28 the set-aside program and delivery of services to
29 these small businesses.

30 Sec. 11. Section 28.7, Code 1983, is amended by
31 adding the following new subsection:

32 NEW SUBSECTION. Aid in the set aside of
33 procurements for small businesses owned and operated
34 by economically or socially disadvantaged persons
35 pursuant to sections 18.171 to 18.175."

36 5. By striking page 7, line 19 through page 10,
37 line 21.

38 6. By striking page 12, line 32 through page 13,
39 line 20.

40 7. Page 16, by striking lines 19 through 35.

41 8. Page 16, by inserting after line 35 the
42 following:

43 "Sec. 40. NEW SECTION. 422B.1 LOCAL OPTION SALES

44 TAX. A county may impose a local sales tax, at a
45 rate not to exceed one percent on the gross receipts
46 taxed by the state under chapter 422, division IV.
47 A local sales tax shall be imposed on the same basis
48 as the state sales and services tax and may not be
49 imposed on the sale of any property or on any service
50 not taxed by the state. However, the tax shall only

Page 5

1 apply to the first twenty thousand dollars of the
2 gross receipts from the sale of a particular item.
3 The tax when imposed by a county shall apply to the
4 incorporated and unincorporated areas within that
5 county.

6 A local sales tax shall be imposed on January 1,
7 April 1, July 1, or October 1, following the
8 notification of the director of revenue. Once imposed,
9 the tax shall remain in effect at the rate imposed
10 for a minimum of one year. The tax shall be repealed
11 upon resolution of the board of supervisors and shall
12 be repealed not later than December 31, 1989. A local
13 sales tax shall terminate only on March 31, June 30,
14 September 30, or December 31. At least sixty days
15 prior to the tax being effective or prior to a revision
16 in the tax rate, or prior to the repeal of the tax,
17 a county shall provide notice by certified mail of
18 such action to the director of revenue.

19 A county shall impose a local sales tax or increase
20 the tax rate, only after an election at which a
21 majority of those voting on the question favors
22 imposition or increase. However, a local sales tax
23 shall not be repealed or reduced in rate if obligations
24 are outstanding which are payable as provided in
25 section 422B.2, unless funds sufficient to pay the
26 outstanding obligations at and prior to the date when
27 due and owing have been properly set aside and pledged
28 for such purpose. The election shall be held at any
29 time after the effective date of this chapter as
30 directed by resolution of the board of supervisors.

31 The director of revenue shall administer the
32 provisions of a local sales tax as nearly as possible
33 in conjunction with the administration of the state
34 sales tax law. The director shall provide appropriate
35 forms, or provide on the regular state tax forms,
36 for reporting local sales tax liability. All moneys
37 received or refunded one hundred eighty days after
38 the date on which a county terminates its local sales
39 tax shall be deposited in or withdrawn from the state
40 general fund.

41 The director, in consultation with county officials,
42 shall collect and account for a local sales tax and
43 shall credit all revenues to a "local sales tax fund"
44 established by section 422B.2.

45 No tax permit other than the state tax permit
46 required under section 422.53 may be required by local
47 authorities.

48 The tax herein levied shall be in addition to any
49 state sales tax imposed under section 422.43 or any
50 local hotel and motel tax under chapter 422A. The

Page 6

1 provisions of sections 422.25, subsection 4, 422.30,
2 422.48 to 422.52, 422.54 to 422.58, 422.67, 422.68,
3 422.69, subsection 1, and 422.70 to 422.75, consistent
4 with the provisions of this chapter, shall apply with
5 respect to the taxes authorized under this chapter,
6 in the same manner and with the same effect as if
7 the local sales taxes were retail sales taxes within
8 the meaning of those statutes.

9 This section applies only to counties having a
10 population in excess of two hundred forty thousand
11 as determined by the most recent federal census.

12 Sec. 41. NEW SECTION. 422B.2 LOCAL SALES TAX
13 FUND.

14 1. There is created in the office of the treasurer
15 of state a local sales tax fund which shall consist
16 of all moneys credited to such fund under section
17 422B.1.

18 2. All moneys in the local sales tax fund shall
19 be remitted at least quarterly by the treasurer of
20 state, pursuant to rules of the director of revenue,
21 to each city in a county in which the local sales
22 tax is imposed in the amount collected from businesses
23 located in that city and to the county in the amount
24 collected from businesses located in the unincorporated
25 areas of the county.

26 3. Moneys received by the county or city from
27 this fund shall be credited to the general fund of
28 such county or city, subject to the provisions of
29 subsection 4.

30 4. The revenue derived from any local sales tax
31 authorized by this chapter shall be used as follows:

32 a. Each county or city which receives moneys from
33 the local sales tax fund shall spend at least fifty
34 percent of the revenues derived therefrom, for a
35 period not to exceed five years, for acquiring of
36 sites for, or constructing, improving, enlarging,
37 repairing, renovating, equipping and furnishing, and
38 operating, a facility or facilities located in the
39 county for use as or in conjunction with a world trade
40 center facility for the promotion of export and trade,
41 including providing for or reimbursing the costs of
42 any city or county improvements appurtenant to or
43 supportive of the world trade center including, but
44 not limited to, streets, sewers, water lines,
45 sidewalks, parking areas and transportation facilities.

46 b. Twenty-five percent of the revenues may be
47 spent by the city or county for any city or county
48 operations authorized by law as a proper purpose for
49 the expenditure within statutory limitations of city
50 or county revenues derived from ad valorem taxes and

Page 7

1 may be spent for purposes of paragraph "a". Twenty-
2 five percent shall be applied for the reduction of
3 property taxes.

4 c. Any city or county which receives the local
5 sales tax receipts pursuant to this chapter may pledge
6 irrevocably, for a period not to exceed five years,
7 an amount of the revenues derived from the local sales
8 tax to the payment of the costs necessary to accomplish
9 the purposes described in paragraph "a" of this
10 subsection. Any revenue pledged to the payment of
11 such capital costs may be credited to the spending
12 requirement of paragraph "a" of this subsection.

13 d. A city, jointly with one or more other cities
14 and the county in which a local sales tax is imposed,
15 or a county, jointly with one or more other cities
16 in the county, all as provided in chapter 28E, may
17 pledge irrevocably any amount derived from the revenues
18 of the local sales tax to the support of a project
19 within the purposes set forth in paragraph "a" of
20 this subsection and located within one or more of
21 the participatory cities or counties. Revenue so
22 pledged or applied shall be credited to the spending
23 requirement of paragraph "a" of this subsection.

24 Sec. 42. NEW SECTION. 422B.3 DECLARATION OF
25 POLICY AND PURPOSE. It is found and declared that
26 there exists a need to promote, develop, maintain,
27 and expand export and trade opportunities for
28 agricultural, commercial, and manufactured products
29 and services and any other products and services of
30 the state in order to protect and advance the welfare
31 and interests of residents of the state; that such
32 export and trade opportunities with other nations
33 can be promoted, developed, maintained, and expanded
34 by an Iowa world trade center; that jobs can be
35 maintained and created in the state as a result of
36 increased export and trade opportunities; and that
37 such economic results will benefit all residents of
38 the state.

39 It is further found and declared that the promotion,
40 development, maintenance, and expansion of exports
41 and trade opportunities are public purposes and uses
42 for which public moneys may be expended, advanced,
43 loaned, or granted, that such activities serve a
44 public purpose in improving export and trade
45 opportunities or otherwise benefiting the people of
46 this state, and that local governments involvement
47 through purchase or otherwise of a facility or
48 facilities as a world trade center or a part thereof
49 will aid in accomplishing these purposes.

50 Sec. 43. NEW SECTION. 422B.7 LOCAL VEHICLE TAX.

Page 8

1 1. A county may impose a local option vehicle
2 tax.

3 2. A local option tax shall be imposed only after
4 an election at which a majority of those voting on
5 the question favors imposition and shall then be
6 imposed until repealed as provided in subsection 3.
7 If the tax is imposed by a county, it shall apply
8 to the incorporated and unincorporated areas of that
9 county.

10 3. If a majority of those voting on the question
11 of imposition of a local vehicle tax favor its
12 imposition, the governing body of that county shall
13 impose the tax at the rate specified for a minimum
14 of one year. The tax shall be repealed upon resolution
15 of the governing body and shall be repealed not later
16 than December 31, 1989. The local vehicle tax rate
17 may be increased only after an election at which a
18 majority of those voting on the question of rate
19 change favor the rate change. The election for the
20 imposition or for a rate change shall be called upon
21 resolution of the board of supervisors.

22 4. Sections 422B.7 through 422B.11 apply only
23 to counties having a population in excess of two
24 hundred forty thousand as determined by the most
25 recent federal census.

26 Sec. 44. NEW SECTION. 422B.8 LOCAL VEHICLE TAX.

27 An annual local vehicle tax may be imposed by a county
28 on every vehicle which is required to be registered
29 by the state and is registered with the county
30 treasurer to a person residing within the county where
31 the tax is imposed at the time of registration of
32 the vehicle.

33 For the purpose of the tax authorized by this
34 section, "person" and "registration year" mean the
35 same as defined in section 321.1, "vehicle" means
36 motor vehicle as defined in section 321.1 which is
37 subject to registration under section 321.18, and
38 which is to be registered with the county treasurer,
39 and "axle" means the assembly of housing and axle
40 shafts which supports and propels either a pair of
41 wheels or one wheel only.

42 Sec. 45. NEW SECTION. 422B.9 ADMINISTRATION.

43 A local vehicle tax or change in the rate shall be
44 imposed on the first day of the second calendar month
45 immediately following a favorable election for
46 registration years beginning on or after that date
47 and the repeal of the tax shall be as of the
48 anniversary date of the first imposition but not later
49 than as provided in section 422B.7 for registration
50 years beginning on or after that date. The county

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1 treasurer shall collect all local vehicle taxes and
2 any penalties, crediting local vehicle tax receipts
3 including penalties to a "local vehicle tax fund"
4 established in section 422B.11.

5 Sec. 46. NEW SECTION. 422B.10 PAYMENT. Taxpayers
6 shall pay a local vehicle tax to the county treasurer
7 at the time of application for registration of the
8 vehicle under section 321.40 for the registration
9 year. The county treasurer shall require a person
10 applying for registration of a vehicle to state the
11 person's residence and shall not issue a state
12 registration certificate to the owner of a vehicle
13 on which a local vehicle tax is due until the local
14 vehicle tax is paid.

15 Payment of a local vehicle tax shall be evidenced
16 by a notation on the state registration certificate.
17 A local vehicle tax imposed on a vehicle registered
18 for a part of a registration year only shall be
19 prorated on the same basis and in the same manner
20 as state registration fees. A local vehicle tax shall
21 not be refunded even when state registration fees
22 are refunded.

23 Penalties for late payment which are comparable
24 to the penalties for late payment of state regis-
25 tration fees shall be imposed by the ordinance imposing
26 a local vehicle tax. Willful violation of a local
27 vehicle tax ordinance is a simple misdemeanor.

28 Sec. 47. NEW SECTION. 422B.11 LOCAL VEHICLE
29 TAX FUND.

30 1. There is created in the office of the county
31 treasurer a local vehicle tax fund which shall consist
32 of all moneys credited to such fund under section
33 422B.9.

34 2. All moneys in the local vehicle tax fund shall
35 be remitted at least quarterly by the county treasurer
36 to each city in a county in which the local vehicle
37 tax is imposed in the amount collected from vehicles
38 registered to residents of that city and to the county
39 in the amount collected from vehicles registered to
40 residents of the unincorporated areas of the county.

41 3. Moneys received by the county or city from
42 this fund shall be credited to the general fund of
43 such county or city, subject to the provisions of
44 subsection 4.

45 4. The revenue derived from any local vehicle
46 tax authorized by this chapter shall be used for the
47 purposes, in the manner, and to the extent as provided
48 in section 422B.2, subsection 4.

49 Sec. 48. NEW SECTION. 422.12 A county may
50 impose both a local sales tax and a local vehicle

Page 10

1 tax at the same time and may have the question of
2 the imposition of either or both of those taxes on
3 the same ballot.

4 Sec. 49. NEW SECTION. 422B.13 This chapter is
5 repealed effective January 1, 1990.

6 Sec. 50. Section 321.30, subsection 5, Code 1983,
7 is amended to read as follows:

8 5. That the required fee or local vehicle tax
9 has not been paid except as provided in section 321.48.

10 Sec. 51. Section 321.30, unnumbered paragraph
11 2, Code 1983, is amended to read as follows:

12 The treasurer shall also refuse registration of
13 any vehicle if the applicant for registration of such
14 vehicle has failed to pay the required registration
15 fees or local vehicle tax of any vehicle owned or
16 previously owned when the registration fee or local
17 vehicle tax was required to be paid by the applicant
18 and for which vehicle the registration was suspended
19 or revoked under the ~~provisions~~ section 321.101,
20 subsection 4, until ~~such~~ the fees of local vehicle
21 taxes are paid together with any accrued penalties.

22 Sec. 52. Section 321.101, subsection 4, Code 1983,
23 is amended to read as follows:

24 4. When the department determines that the required
25 fee or local vehicle tax has not been paid and the
26 same is not paid upon reasonable notice and demand.

27 Sec. 53. Section 321.130, Code 1983, is amended
28 to read as follows:

29 321.130 FEES IN LIEU OF TAXES. The registration
30 fees imposed by this chapter upon private passenger
31 motor vehicles or semitrailers ~~shall be~~ are in lieu
32 of all state taxes, ~~general or~~ and local personal
33 property taxes based upon assessed valuation, to which
34 motor vehicles or semitrailers ~~may be~~ are subject,
35 and if a motor vehicle or semitrailer ~~shall have~~ has
36 been registered at any time under this chapter it
37 shall not thereafter be subject to a personal property
38 tax based upon assessed valuation, unless ~~such~~ the
39 motor vehicle or semitrailer ~~shall have~~ has been in
40 storage continuously as an unregistered motor vehicle
41 or semitrailer during the preceding registration
42 year."

43 9. Page 16, by inserting after line 35 the
44 following:

45 "Sec. . Section 427B.1, Code 1983, is amended
46 after unnumbered paragraph 1 by adding the following
47 new unnumbered paragraph:

48 NEW UNNUMBERED PARAGRAPH. A city council or county
49 board of supervisors, as authorized by section 427B.2,
50 may provide by ordinance for a partial exemption from

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1 property taxation of the actual value of a building
2 or structure, exclusive of the land, which remained
3 vacant and unused for at least one year prior to its
4 use for industrial purposes. The ordinance shall
5 provide that a building or structure shall not be
6 eligible for or receive the tax exemption if it is
7 operated by a business which closes or substantially
8 reduces its operation in one area of the state of
9 Iowa and relocates the same operation within the
10 building or structure.

11 Sec. . Section 427B.2, subsection 1 and
12 subsection 2, unnumbered paragraph 1, Code, 1983, are
13 amended to read as follows:

14 1. The board of supervisors of a county which
15 has appointed a county zoning commission and provided
16 for county zoning under chapter 358A may provide for
17 a partial exemption from property taxation of the
18 actual value added to industrial real estate or the
19 actual value of a building or structure as provided
20 under section 427B.1.

21 The board of supervisors of a county which has
22 not appointed a zoning commission may provide for
23 a partial exemption from property taxation of the
24 actual value added to industrial real estate or the
25 actual value of a building or structure as provided
26 under section 427B.1 in the following areas:

27 Sec. . Section 427B.3, unnumbered paragraph
28 1, Code 1983, is amended to read as follows:

29 The actual value added to industrial real estate
30 and the actual value of a building or structure for
31 the reasons specified in section 427B.1 is eligible
32 to receive a partial exemption from taxation for a
33 period of five years. "Actual value added" as used
34 in this chapter means the actual value added as of
35 the first year for which the exemption is received,
36 except that actual value added by improvements to
37 machinery and equipment means the actual value as
38 determined by the assessor as of January 1 of each
39 year for which the exemption is received. "Actual
40 value" as used in this division means the actual value
41 as of the first year for which the exemption is
42 received. The amount of actual value added or of
43 the actual value, whichever is applicable, which is
44 eligible to be exempt from taxation shall be as
45 follows:

46 Sec. . Section 427B.4, Code 1983, is amended
47 to read as follows:

48 427B.4 APPLICATION FOR EXEMPTION BY PROPERTY
49 OWNER. An application shall be filed for each project
50 resulting in actual value added or in the industrial

Page 12

1 use of a previously vacant and unused building or
2 structure for which an exemption is claimed. The
3 application for exemption shall be filed by the owner
4 of the property with the local assessor by February
5 1 of the assessment year in which the value added
6 is first assessed for taxation or, in the case of
7 the industrial use of a previously vacant and unused
8 building or structure, by February 1 of the assessment
9 year following the year in which the industrial use
10 begins. Applications for exemption shall be made
11 on forms prescribed by the director of revenue and
12 shall contain information pertaining to the nature
13 of the improvement, its cost, its use, and other
14 information deemed necessary by the director of
15 revenue.

16 A person may submit a proposal to the city council
17 of the city or the board of supervisors of a county
18 to receive prior approval for eligibility for a tax
19 exemption on new construction or for the industrial
20 use of a previously vacant and unused building or
21 structure. The city council or the board of
22 supervisors, by ordinance, may give its prior approval
23 of a tax exemption for new construction if the new
24 construction it is in conformance with the zoning
25 plans for the city or county. The prior approval
26 shall also be subject to the hearing requirements
27 of section 427B.1. Prior approval does not entitle
28 the owner to exemption from taxation until the new
29 construction has been completed or industrial use
30 begins and found to be qualified real estate. However,
31 if the tax exemption for new construction is not
32 approved, the person may submit an amended proposal
33 to the city council or board of supervisors to approve
34 or reject."

35 10. By striking page 17, line 1 through page 18,
36 line 4.

37 11. Page 21, by striking lines 3 through 20.

38 12. Page 21, by striking line 21.

39 13. Striking page 21, line 22 through page 25,
40 line 8.

41 14. Page 25, by striking lines 25 through 34 and
42 inserting in lieu thereof the words "nine public
43 members appointed by the legislative council with
44 not more than five of the members being of the same
45 political party."

46 15. Page 27, by inserting after line 19 the
47 following:

48 "Sec. . Sections 40 through 53 of this Act,
49 being deemed of immediate importance, takes effect
50 from and after its publication in the Lee Town News,

Page 13

- 1 a newspaper published in Des Moines, Iowa, and in
2 The Catholic Mirror, a newspaper published in Des
3 Moines, Iowa.”
- 4 16. Title page 1, by striking lines 5 through
5 12.
- 6 17. Title page 1, line 13, by striking the words
7 “industrial new jobs training” and inserting in lieu
8 thereof the words “centers; by redefining “small
9 business” and “dominant in its field of operation”
10 for purposes of the Iowa housing finance authority
11 small business loan”.
- 12 18. Title page, line 13, by inserting after the
13 word “program;” the following: “by providing for set-
14 asides in state procurement contracts for small
15 minority businesses, by providing penalties and
16 prohibitions on bidding on governmental contracts
17 by persons convicted of violations of the Iowa
18 competition law, by”.
- 19 19. Title page 1, by striking lines 19 through
20 23.
- 21 20. Title page 1, line 24 by striking the words
22 “purposes of the small”.
- 23 21. Title page 1, line 24, by inserting after
24 the word “program;” the words “by providing local
25 option tax abatement for previously vacant and unused
26 buildings or structures that begin to be used for
27 industrial purposes;”.
- 28 22. Title page 1, line 24, by inserting after
29 the word “program;” the words “by authorizing a county
30 to impose a local option sales tax and vehicle tax
31 with revenues used for a word trade center and
32 property tax relief;”.
- 33 23. By striking title page 1, line 25, through
34 title page 2, line 4.
- 35 24. Title, page 2, line 7, by inserting after
36 the word “plan” the words “and providing penalties”.
- 37 25. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 34, nays 60.

The motion lost and the House refused to concur in the Senate amendment H—6502.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of the following bills: Senate Files 2158, 2182, 2356 and 2170.

CONSIDERATION OF BILLS

Unfinished Business Calendar

The House resumed consideration of **Senate File 2153**, a bill for an act relating to drainage district expenses and assessments, placed on the unfinished business calendar on March 30, 1984.

Koenigs of Mitchell asked and received unanimous consent to withdraw amendment H-5789 filed by the committee on agriculture on March 22, 1984.

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. 2153)

The ayes were, 93:

| | | | |
|-------------|------------------|------------------|------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Branstad | Buhr |
| Carl | Carpenter | Carter | Chapman |
| Chiodo | Clark | Cochran | Connolly |
| Cooper | Copenhaver | Corey | Daggett |
| Davitt | De Groot | 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 | Lageschulte | Lloyd-Jones | Loneragan |
| Maulsby | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Pellet |
| Poncy | Renken | Rensink | Rosenberg |
| Royer | Running | Schnecloth | 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:

| | | | |
|---------|---------|--------|----------|
| Brammer | Connors | Diemer | Groninga |
| Krewson | O'Kane | Renaud | |

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

Hanson of Delaware in the chair at 2:18 p.m.

The House resumed consideration of **Senate File 2182**, a bill for an act relating to the membership of the Iowa development commission, placed on the unfinished business calendar on March 30, 1984.

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. 2182)

The ayes were, 87:

| | | | |
|-------------|------------------|------------------|-------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Cooper | Copenhaver | Daggett |
| Davitt | De Groot | Doderer | Fey |
| Fogarty | Grandia | Groninga | Gronstal |
| Groth | Halvorson, R. A. | Halvorson, R. N. | Hammond |
| Handorf | Harbor | Hermann | Holveck |
| Hughes | Hummel | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lageschulte |
| Lloyd-Jones | Lonergan | Maulsby | McIntee |
| Menke | Miller | Muhlbauer | Mullins |
| Norland | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellett. | 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 | Zimmerman | |

The nays were, 2:

| | |
|-------|--------|
| Corey | McKean |
|-------|--------|

Absent or not voting, 11:

| | | | |
|-----------|-----------------|-------------------------|-------|
| Avenson | Connors | Diemer | Gruhn |
| Haverland | Hoffmann-Bright | O'Kane | Poney |
| Renaud | Woods | Mr. Speaker (Hanson) | |

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

Regular Calendar

Senate File 2356, a bill for an act to allow the use of special railroad facility fund moneys for purchase or upgrading railroad right of way and trackage facilities for development of railroad passenger tourism, with report of committee recommending passage was taken up for consideration.

Loneragan 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?" (S.F. 2356)

The ayes were, 91:

| | | | |
|-----------|------------------|------------------|-------------|
| 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 |
| Harbor | Haverland | Hermann | Holveck |
| Hughes | Hummel | Jay | Jochum |
| Knapp | Krewson | Lageschulte | Lloyd-Jones |
| Loneragan | Maulsby | McIntee | McKean |
| Menke | Muhlbauer | Mullins | Norland |
| O'Kane | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellett | Poney | Renaud | Rosenberg |
| Royer | Running | Schnekloth | Schroeder |
| Sherzan | Shoultz | Skow | Spear |
| Stromer | Stueland | Sturgeon | Sullivan |
| Swartz | Swearingen | Tabor | Tofte |

| | | | |
|-------------------|-------------------------|---------------------------------------|------|
| Torrence Woods | Van Gerpen Zimmerman | Van Maanen Mr. Speaker (Hanson) | Varn |
|-------------------|-------------------------|---------------------------------------|------|

The nays were, 8:

| | | | |
|-------------------|----------------------------|---------------------|------------------|
| Handorf Renken | Hoffmann-Bright Rensink | Koenigs Van Camp | Miller Welden |
|-------------------|----------------------------|---------------------|------------------|

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.

Senate File 2170, a bill for an act to provide temporary funding for the brucellosis and tuberculosis eradication fund, with report of committee recommending passage was taken up for consideration.

Stueland 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. 2170)

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 | 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 | Loneragan | Maulsby |
| McIntee | McKean | Menke | Miller |
| Muhlbauer | Mullins | Norland | O'Kane |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poney | 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 (Hanson) |

The nays were, none.

Absent or not voting, 4:

| | | | |
|---------|----------|---------|--------|
| Connors | Groninga | Sherzan | Welden |
|---------|----------|---------|--------|

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 2:29 p.m.

SENATE AMENDMENT CONSIDERED

Royer of Page called up for consideration **House File 224**, a bill for an act relating to the listing of dogs and collection of license fees by the assessor, amended by the Senate amendment H-6215 as follows:

H-6215

- 1 Amend House File 224 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting in lieu thereof the following:
- 5 "Section 1. Section 331.427, subsection 2,
- 6 paragraph k, Code Supplement 1983, is amended by
- 7 striking the paragraph.
- 8 Sec. 2. Chapter 352, Code 1983, is repealed."
- 9 2. Amend the title, by striking lines 1 and 2
- 10 and inserting in lieu thereof the following: "An
- 11 Act repealing the domestic animal fund."

The following amendments, to the Senate amendment H-6215, were withdrawn by unanimous consent:

H-6252 filed by Davitt of Warren and Krewson of Polk on April 11, 1984.

H-6255 filed by Renken of Grundy on April 12, 1984.

On motion by Royer of Page, the House concurred in the Senate amendment H-6215.

Royer of Page 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. 224)

The ayes were, 75:

| | | | |
|----------|-----------------|------------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Blanshan | Brammer | Branstad | Buhr |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Cooper | Copenhaver | Corey |
| De Groot | Diemer | Fey | Gronstal |
| Groth | Gruhn | Halvorson, R. A. | Halvorson, R. N. |
| Hammond | Handorf | Harbor | Haverland |
| Hermann | Hoffmann-Bright | Holveck | Hughes |
| Hummel | Jay | Jochum | Knapp |
| Krewson | Lloyd-Jones | Loneragan | McIntee |
| McKean | Menke | Muhlbauer | Mullins |
| Norland | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Pellett |
| Poncy | Rensink | Rosenberg | Royer |
| Running | Schneklath | Schroeder | Sherzan |
| Shoultz | Spear | Stromer | Stueland |
| Sturgeon | Swartz | Swearingen | Tabor |
| Tofte | Torrence | Van Camp | Van Gerpen |
| Varn | Woods | Mr. Speaker | |

The nays were, 19:

| | | | |
|------------|-------------|-----------|--------|
| Black | Carl | Carpenter | Carter |
| Daggett | Fogarty | Grandia | Hanson |
| Koenigs | Lageschulte | Maulsby | Miller |
| O'Kane | Peick | Renken | Skow |
| Van Maanen | Welden | Zimmerman | |

Absent or not voting, 6:

| | | | |
|---------|----------|---------|----------|
| Connors | Davitt | Doderer | Groninga |
| Renaud | Sullivan | | |

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 March 29, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2472, a bill for an act relating to the transportation of open containers of alcoholic beverages and beer and the hours of sale of alcoholic beverages and beer.

Also: That the Senate has on April 20, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2473, a bill for an act to implement certain recommendations of the governor's task force by providing limitations on leave of absence for certain military purposes.

Also: That the Senate has on April 19, 1984, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2528, a bill for an act relating to the administration and benefits of certain public retirement and benefit systems and to make an appropriation.

Also: That the Senate has on April 20, 1984, 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 2328, a bill for an act relating to the pari-mutuel wagering Act.

Also: That the Senate has on April 11, 1984, 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 2330, a bill for an act relating to the financing of state government.

Also: That the Senate has on April 19, 1984, 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 2334, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons.

Also: That the Senate has on April 18, 1984, 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 2337, a bill for an act relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety and public defense.

Also: That the Senate has on April 19, 1984, 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 2352, 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.

Also: That the Senate has on April 19, 1984, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 2357, a bill for an act creating a petroleum overcharge fund in the state treasury and appropriating money from the fund.

Also: That the Senate has on April 20, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2361, a bill for an act relating to and making appropriations for various government projects and programs and providing effective dates.

Also: That the Senate has on April 19, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2365, a bill for an act relating to the payment of funds from the additional personal property tax credit fund.

Also: That the Senate has on April 20, 1984, passed the following bill in which the concurrence of the House is asked:

Senate File 2366, a bill for an act relating to the finance charge permitted in open-end credit accounts including credit cards and retail credit sales.

Also: That the Senate has on April 19, 1984, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 125, providing for referral of all interim study resolutions to the Legislative Council.

Also: That the Senate has on April 20, 1984, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 126, to provide for the adjournment of the second regular session of the seventieth general assembly.

K. MARIE THAYER, Secretary

The House stood at ease at 2:38 p.m., until the fall of the gavel.

The House resumed session at 2:44 p.m., Hanson of Delaware in the chair.

SENATE MESSAGES CONSIDERED

Senate File 2361, by committee on appropriations, a bill for an act relating to and making appropriations for various government projects and programs and providing effective dates.

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

Senate File 2365, by committee on finance, a bill for an act relating to the payment of funds from the additional personal property tax credit fund.

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

Senate File 2366, by Junkins and Hultman, a bill for an act relating to the finance charges permitted in open-end credit accounts including credit cards and retail credit sales.

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

RULE 58 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 58, relating to committee notice and agenda, for committee on appropriations and committee on finance meetings.

The House stood at ease at 2:45 p.m., until the fall of the gavel.

The House resumed session at 3:53 p.m., Lloyd-Jones of Johnson in the chair.

REPORT OF COMMITTEE ON FINANCE

Senate File 2365, a bill for an act relating to the payment of funds from the additional personal property tax credit fund.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 1984.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the consideration of Senate File 2365.

SENATE AMENDMENTS CONSIDERED

Renaud of Polk called up for consideration **House File 2472**, a bill for an act relating to the transportation of open containers of alcoholic beverages and beer, the hours of sale of alcoholic beverages and beer, the notification of parents or legal guardians of a child that appears before the court for a violation of section 123.47, the motor vehicle license or nonoperator's identification card issued to a person under nineteen years of age, and providing penalties, amended by the Senate, and moved that the House concur in the following Senate amendment H-6507:

H-6507

1 Amend House File 2472 as amended, passed, and
2 reprinted by the House as follows:
3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. Section 123.28, Code 1983, is amended
6 to read as follows:
7 123.28 TRANSPORTATION PERMITTED. It shall be
8 is lawful to transport, carry, or convey alcoholic
9 liquors from the place of purchase by the department
10 to any a state warehouse, store, or depot established
11 by the department or from one such place to another
12 and, when so permitted by this chapter, it shall be
13 is lawful for any a common carrier or other person
14 to transport, carry, or convey alcoholic liquor sold
15 by a vendor from a state warehouse, store, depot or
16 point of purchase by the state to any place to which
17 such the liquor may be lawfully delivered under this
18 chapter. Notwithstanding section 321.230, sections
19 321.225 and 321.226 do not apply to department
20 employees in the regular course of their employment.
21 A common carrier or other person shall not break or
22 open or allow to be broken or opened any a container
23 or package containing alcoholic liquor or use or drink
24 or allow to be used or drunk any alcoholic liquor
25 while it is being transported or conveyed, but this
26 section shall does not prohibit a private person from
27 transporting individual bottles or containers of
28 alcoholic liquor exempted pursuant to section 123.22
29 and individual bottles or containers bearing the
30 identifying mark prescribed in section 123.26 which
31 have been opened previous to the commencement of such
32 the transportation. This section shall does not
33 affect the right of any a special permit or liquor
34 control license holder to purchase, possess, or
35 transport alcoholic liquors subject to the provisions
36 of this chapter.
37 A person driving a motor vehicle shall not knowingly
38 possess in a motor vehicle upon a public street or

39 highway any open or unsealed bottle, can, jar, or
40 other receptacle containing an alcoholic beverage
41 or beer with the intent to consume the alcoholic
42 beverage or beer while the motor vehicle is upon a
43 public street or highway. Evidence that an open or
44 unsealed receptacle containing an alcoholic beverage
45 or beer was found during an authorized search in the
46 glove compartment, utility compartment, console, front
47 passenger seat, or any unlocked portable device and
48 within the immediate reach of the driver while the
49 motor vehicle is upon a public street or highway is
50 evidence from which the court or jury may infer that

Page 2

1 the driver intended to consume the alcoholic beverage
2 or beer while upon the public street or highway if
3 the inference is supported by corroborative evidence.
4 However, an open or unsealed receptacle containing
5 an alcoholic beverage or beer may be transported at
6 any time in the trunk of the motor vehicle or in some
7 other area of the interior of the motor vehicle not
8 designed or intended to be occupied by the driver
9 and not readily accessible to the driver while the
10 motor vehicle is in motion.

11 Sec. 2. Section 123.36, subsection 6, Code
12 Supplement 1983, is amended to read as follows:
13 6. Any club, hotel, motel, or commercial
14 establishment holding a liquor control license for
15 whom the sale of goods and services other than
16 alcoholic liquor or beer constitutes fifty percent
17 or more of the gross receipts from the licensed
18 premises, subject to the provisions of section 123.49,
19 subsection 2, paragraph "b", may sell and dispense
20 alcoholic liquor to patrons on Sunday for consumption
21 on the premises only, and beer for consumption on
22 or off the premises between the hours of ~~noon~~ ten
23 a.m. and ten p.m. twelve midnight on Sunday. For
24 the privilege of selling beer and alcoholic liquor
25 on the premises on Sunday the liquor control license
26 fee of the applicant shall be increased by twenty
27 percent of the regular fee prescribed for the license
28 pursuant to this section, and the privilege shall
29 be noted on the liquor control license. The department
30 shall prescribe the nature and the character of the
31 evidence which shall be required of the applicant
32 under this subsection.

33 Sec. 3. Section 123.49, subsection 2, paragraph
34 b, Code 1983, is amended to read as follows:
35 b. Sell or dispense any alcoholic beverage or
36 beer on the premises covered by the license or permit,
37 or permit ~~the~~ its consumption thereon between the

38 hours of two a.m. and six a.m. on any a weekday, and
39 between the hours of two a.m. on Sunday and six a.m.,
40 on the following Monday, however, a holder of a liquor
41 control license or retail beer permit granted the
42 privilege of selling alcoholic liquor or beer on
43 Sunday may sell or dispense such alcoholic liquor
44 or beer between the hours of ~~noon~~ ten a.m. and ~~ten~~
45 ~~p.m.~~ twelve midnight on Sunday.

46 Sec. 4. Section 123.50, Code 1983, is amended
47 by adding the following new subsection:
48 NEW SUBSECTION. 4. A person, other than a licensee
49 or permittee or a minor, who violates section 123.47
50 is guilty of a serious misdemeanor punishable by a

Page 3

1 minimum fine of one hundred dollars for a first
2 offense, two hundred and fifty dollars for a second
3 offense, and five hundred dollars for a third and
4 subsequent offense, and a maximum fine for any offense
5 of not more than one thousand dollars.

6 Sec. 5. Section 123.134, subsection 5, Code 1983,
7 is amended to read as follows:

8 5. Any club, hotel, motel, or commercial
9 establishment holding a class "B" beer permit for
10 whom the sale of goods and services other than beer
11 constitutes fifty percent or more of the gross receipts
12 from the licensed premises, subject to the provisions
13 of section 123.49, subsection 2, paragraph "b", may
14 sell and dispense beer to patrons on Sunday for
15 consumption on the premises and for consumption of
16 beer off the premises between the hours of ~~noon~~ 10
17 a.m. and ~~ten p.m.~~ twelve midnight on Sunday. Any class
18 "C" beer permittee may sell beer for consumption off
19 the premises between the hours of ~~noon~~ ten a.m. and
20 ~~ten p.m.~~ twelve midnight on Sunday. For the privilege
21 of selling beer on Sunday the beer permit fees of
22 the applicant shall be increased by twenty percent
23 of the regular fees prescribed for the permit pursuant
24 to this section and the privilege shall be noted on
25 the beer permit. The department shall prescribe the
26 nature and character of the evidence which shall be
27 required of the applicant under this subsection.

28 Sec. 6. Section 232.8, subsection 1, unnumbered
29 paragraph 2, Code 1983, is amended to read as follows:

30 Violations by a child of provisions of chapters
31 106, 106A, 109, 109A, 110, 110A, 110B, 111, 321, or
32 321G which would be simple misdemeanors if committed
33 by an adult, violations of county or municipal cuffed
34 or traffic ordinances, and violations by a child of
35 the provisions of section 123.47, are excluded from
36 the jurisdiction of the juvenile court and shall be

37 prosecuted as simple misdemeanors as provided by law.
 38 The court may advise appropriate juvenile authorities.
 39 and may refer violations of section 123.47 to the
 40 juvenile court when there is reason to believe that
 41 the child regularly abuses alcohol and may be in need
 42 of treatment. The court shall notify the parents
 43 or legal guardians of a child that appears before
 44 it for a violation of section 123.47.
 45 Sec. 7. Section 602.6405, subsection 1, Code
 46 Supplement 1983, is amended to read as follows:
 47 1. Magistrates have jurisdiction of simple
 48 misdemeanors, including traffic and ordinance
 49 violations, and preliminary hearings, search warrant
 50 proceedings, and small claims. They also have

Page 4

1 jurisdiction to exercise the powers specified in
 2 sections 644.2 and 644.12, and to hear complaints
 3 or preliminary informations, issue warrants, order
 4 arrests, make commitments, and take bail. They also
 5 have jurisdiction of first offense violations of
 6 section 321.281 but only to the extent that they may
 7 approve trial informations, conduct arraignments,
 8 accept guilty pleas if the defendant is represented
 9 by legal counsel, sentence those pleading guilty and
 10 make appropriate orders authorized by section 321.283.
 11 They also have jurisdiction over violations of section
 12 123.47 and section 123.49, subsection 2, paragraph
 13 "h".

The motion prevailed and the House concurred in the Senate amendment H-6507.

Renaud 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. 2472)

The ayes were, 92:

| | | | |
|----------|------------|----------|-----------|
| Anderson | Arnould | Avenson | Baxter |
| Bennett | Black | Blanshan | Brammer |
| Branstad | Buhr | Carl | Carpenter |
| Chapman | Chiodo | 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 | Loneragan | Maulsby | McIntee |
| McKean | Muhlbauer | Mullins | Norland |
| 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 | Weiden | Woods | Madam Speaker (Lloyd-Jones) |

The nays were, 3:

| | | |
|--------|--------|-----------|
| Carter | Miller | Schroeder |
|--------|--------|-----------|

Absent or not voting, 5:

| | | | |
|-----------|---------|-------|--------|
| Clark | Connors | Menke | O'Kane |
| Zimmerman | | | |

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 **Senate File 2330**, a bill for an act relating to the financing of state government by providing for a reduction in general fund appropriations through reallocation of general fund financial aid to merged area schools, by reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983, by updating references to the Internal Revenue Code for individual and corporate income, franchise tax, and inheritance tax purposes with coordinating amendments, by imposing an additional income tax of two percent on the amount of taxable income exceeding thirty thousand dollars for the tax year beginning after December 31, 1983 subject to certain limitations, by restructuring the fee for operator's and chauffeur's licenses, by providing for the creation of an Iowa economic emergency fund including its funding, by providing for the payment of one-half of the additional personal property tax credit in the fiscal year beginning July 1, 1984, by imposing the sales and use tax on beverages, electronic repair and installation, and rental of tangible personal property, and making certain provisions of the Act retroactive, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-6505 to the House amendment:

H-6505

1 Amend the House amendment, S-5845, to Senate File
2 2330 as amended, passed and reprinted by the Senate
3 as follows:

4 1. By striking page 1, line 5 through page 2,
5 line 16.

6 2. Page 2, lines 17 and 18, by striking the words
7 "primary road" and inserting in lieu thereof the words
8 "road use tax".

9 3. Page 2, by striking lines 32 through 47 and
10 inserting in lieu thereof the following:
11 "Sec. . . . There is appropriated from the general
12 fund of the state for the administration and
13 supervision of the public highways to the department
14 of public safety for the fiscal year beginning July
15 1, 1984 and ending June 30, 1985, the following amount,
16 or so much thereof as is necessary, to be used for
17 funding the following functions and programs for the
18 purposes designated:

19 For salaries, support, mainte-
20 nance, and miscellaneous purposes
21 of the division of highway safety
22 and uniformed force for the
23 administration and supervision of
24 the public highways, including the
25 state's contribution to the peace
26 officers' retirement, accident,
27 and disability system provided in
28 chapter 97A in the amount of six-
29 teen percent of the salaries for
30 which the funds are appropriated \$16,232,000".

31 4. Page 3, line 2, by inserting after the figure
32 "28" the following: "and inserting in lieu thereof
33 the following:

34 Sec. . . . Section 8.33, 1983 Code Supplement,
35 unnumbered paragraph 2, is amended to read as follows:

36 No payment of an obligation for goods and services
37 shall be charged to an appropriation subsequent to
38 the last day of the fiscal term for which the
39 appropriation is made unless such goods or services
40 are received on or before the last day of the fiscal
41 term September 15 of the following fiscal year, except
42 that repair projects, purchase of specialized equipment
43 and furnishings, and other contracts for services
44 and capital expenditures for the purchase of land
45 or the erection of buildings or new construction or
46 remodeling, which were committed and in progress prior
47 to the end of the fiscal term are excluded from this
48 provision".

49 5. Page 8, line 12, by striking the word "ten"
50 and inserting in lieu thereof the word "five".

Page 2

- 1 6. Page 13, line 22, by striking the word "ten"
- 2 and inserting in lieu thereof the word "seven".
- 3 7. Page 13, line 23, by striking the word "four"
- 4 and inserting in lieu thereof the words "four six".
- 5 8. Page 13, line 25, by striking the word "twenty"
- 6 and inserting in lieu thereof the word "fourteen".
- 7 9. Page 13, line 27, by striking the word "four"
- 8 and inserting in lieu thereof the words "four six".
- 9 10. Page 13, by inserting after line 42 the follow-
- 10 ing new section:
- 11 "Sec. . Section 321.197, Code 1983, is amended
- 12 to read as follows:
- 13 ~~§~~ 321.197 EXPIRATION OF CHAUFFEUR'S LICENSE. Every
- 14 chauffeur's license shall expire every ~~two or four~~
- 15 ~~six years at the option of the applicant on the~~
- 16 ~~licensee's birthday anniversary. A chauffeur's license~~
- 17 ~~may be renewed within thirty days after the applicant's~~
- 18 ~~license expiration date without written examination~~
- 19 ~~or penalty. A person shall not be considered to be~~
- 20 ~~driving with an invalid license during a period of~~
- 21 ~~thirty days following the license expiration date.~~
- 22 However, if the licensee is seventy years of age or
- 23 older on the date of issuance of the license, the
- 24 license shall be issued to be valid for two years.
- 25 For the purposes of this section the birthday
- 26 anniversary of a person born on February 29 shall
- 27 be deemed to occur on March 1. The department in
- 28 its discretion may waive the examination of any
- 29 applicant previously licensed as a chauffeur under
- 30 this chapter, provided that the person satisfactorily
- 31 passes a vision test as prescribed by the department.
- 32 An application for the renewal of a chauffeur's license
- 33 shall be made under the direct supervision of a
- 34 uniformed member of the department and shall be
- 35 approved by the uniformed member."
- 36 11. Page 14, by inserting after line 3 the
- 37 following new section:
- 38 "Sec. . Notwithstanding section 321.145, there
- 39 is transferred from the road use tax fund to the
- 40 general fund of the state the sum of sixteen million
- 41 two hundred thirty-two thousand (16,232,000) dollars
- 42 for the fiscal year beginning July 1, 1984 and ending
- 43 June 30, 1985 which funds shall be appropriated to
- 44 the department of public safety for the highway patrol
- 45 and uniformed force for the administration and
- 46 supervision of the public highways."
- 47 12. Page 14, by striking lines 4 through 9.
- 48 13. Page 14, by striking lines 19 through 45.
- 49 14. By striking page 14, line 50 through page
- 50 15, line 1.

Page 3

1 15. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-6505.

Doderer 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. 2330)

The ayes were, 52:

| | | | |
|-----------|----------|------------------|--------------------------------|
| Arnould | Avenson | Baxter | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carter | Chapman | Chiodo | Cochran |
| Connolly | Cooper | Copenhaver | Davitt |
| Doderer | Fey | Groninga | Gronstal |
| Groth | Gruhn | Halvorson, R. N. | Hammond |
| Haverland | Holveck | Hughes | Jay |
| Jochum | Knapp | Koenigs | Lonergan |
| Muhlbauer | Norland | Ollie | Osterberg |
| Parker | Pavich | Renaud | Rosenberg |
| Running | Sherzan | Shoultz | Spear |
| Sturgeon | Sullivan | Swartz | Tabor |
| Varn | Woods | Zimmerman | Madam Speaker (Lloyd-Jones) |

The nays were, 45:

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

Absent or not voting, 3:

| | | |
|-------|---------|--------|
| Clark | Connors | O'Kane |
|-------|---------|--------|

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

Blanshan of Greene called up for consideration **House File 2528**, a bill for an act relating to the administration and benefits of certain public retirement and benefit systems and to make an appropriation, amended by the Senate amendment H-6509 as follows:

H-6509

1 Amend House File 2528, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:

5 "Section 1. Section 97.51, Code 1983, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. Effective July 1, 1984, a person
8 receiving benefits, on or after July 1, 1984, under
9 this chapter, shall receive a monthly increase in
10 benefits equal to ten percent of the monthly benefits
11 received for June 1984 or which the person was eligible
12 to receive for June 1984, except as otherwise provided
13 in this subsection. A person who becomes eligible
14 for benefits under chapter 97, Code 1950, on or after
15 July 1, 1984 shall receive the ten percent increase.

16 A person eligible to receive benefits under this
17 chapter on June 30, 1984, may elect in writing to
18 the Iowa department of job service not to receive
19 the monthly benefit increase granted in this
20 subsection.

21 There is appropriated annually from the general
22 fund of the state to the Iowa old-age and survivors'
23 insurance liquidation fund from funds not otherwise
24 appropriated an amount sufficient to pay the benefit
25 increases provided in this subsection.

26 Sec. 2. Section 97A.6, subsection 14, paragraph
27 a, subparagraph (2), Code 1983, is amended to read
28 as follows:

29 (2) Twenty percent for members with five or more
30 years of membership service who are receiving an
31 ordinary disability retirement allowance. However,
32 effective July 1, 1984, for members who retired before
33 July 1, 1979, twenty-five percent shall be used for
34 members who are receiving an ordinary disability
35 retirement allowance.

36 Sec. 3. Section 97B.7, subsection 2, paragraph
37 b, subparagraph (6), unnumbered paragraph 2, Code
38 1983, is amended to read as follows:

39 In the event of If there is loss on the redemption
40 or sale of securities, where invested as prescribed
41 by law, neither the treasurer nor the department shall
42 be personally liable, but such the loss shall be
43 charged against the retirement fund and there is
44 hereby appropriated from such the retirement fund
45 an amount as may be so required for the loss. Expenses
46 incurred in the sale and purchase of securities

47 belonging to the retirement fund shall be charged
 48 to the retirement fund and there is hereby appropriated
 49 from such the retirement fund an amount as may be
 50 so required and investment for the expenses incurred.

Page 2

1 Investment management expenses shall be charged to
 2 the investment income of the retirement fund and such
 3 expense shall otherwise be budgeted and appropriated
 4 in the same manner as administrative expenses for
 5 the rest of the system there is appropriated from
 6 the retirement fund an amount as required for the
 7 investment management expenses, subject to the
 8 limitations stated in this subparagraph. The amount
 9 appropriated for a fiscal year under this subparagraph
 10 shall not exceed one-half percent of the market value
 11 of the retirement fund. The department shall report
 12 the investment management expenses for a fiscal year
 13 as a percent of the market value of the retirement
 14 fund in the annual report to the governor required
 15 in section 97B.4.

16 Sec. 4. Section 97B.41, subsection 1, paragraph
 17 b, subparagraph (6), Code Supplement 1983, is amended
 18 to read as follows:

19 (6) For each the calendar year from January 1,
 20 1986 and thereafter through December 31, 1986, wages
 21 not in excess of twenty-two thousand dollars.

22 Sec. 5. Section 97B.41, subsection 1, paragraph
 23 b, Code Supplement 1983, is amended by adding the
 24 following new subparagraphs:

25 NEW SUBPARAGRAPH. (6A) For the calendar year
 26 from January 1, 1987 through December 31, 1987, wages
 27 not in excess of twenty-three thousand dollars.

28 NEW SUBPARAGRAPH. (6B) For each calendar year
 29 from January 1, 1988 and thereafter, wages not in
 30 excess of twenty-four thousand dollars.

31 Sec. 6. Section 97B.41, subsection 3, paragraph
 32 b, subparagraph (7), Code Supplement 1983, is amended
 33 to read as follows:

34 (7) Persons employed under the federal
 35 Comprehensive Employment Training Act as amended to
 36 January 1, 1978 Job Training Partnership Act of 1982,
 37 Pub. L. No. 97-300 unless such these employees shall
 38 make an application to the department to be covered
 39 under the provisions of this chapter.

40 Sec. 7. Section 97B.41, subsection 3, paragraph
 41 b, subparagraph (9), Code Supplement 1983, is amended
 42 to read as follows:

43 (9) Members of the ministry, rabbinate, or other
 44 religious order who have taken the vow of poverty
 45 unless, within one year of commencing employment or
 46 no later than July 1, 1985 for individuals who are
 47 members of the system on July 1, 1984, a member makes

48 an application to the department to be covered under
49 this chapter.
50 Sec. 8. Section 97B.41, subsection 3, paragraph

Page 3

1 b. Code 1983, is amended by adding the following new
2 subparagraphs:
3 NEW SUBPARAGRAPH. Employees of the Iowa dairy
4 industry commission established under chapter 179,
5 the Iowa beef cattle producers association established
6 under chapter 181, the Iowa swine producers association
7 established under chapter 183, the Iowa turkey
8 marketing council established under chapter 184A,
9 the Iowa soybean promotion board established under
10 chapter 185, the Iowa corn promotion board established
11 under chapter 185C, and the Iowa egg council
12 established under chapter 196A.
13 NEW SUBPARAGRAPH. Judicial hospitalization referees
14 appointed under section 229.21.
15 Sec. 9. Section 97B.49, subsection 8, paragraph
16 a, unnumbered paragraphs 1 and 2, Code Supplement
17 1983, is amended to read as follows:
18 Notwithstanding other provisions of this chapter,
19 a member who is or has been employed as a county
20 sheriff, as defined in section 39.17, or as a deputy
21 sheriff appointed pursuant to section 341.1, Code
22 1981, or section 331.903, and who retires between
23 January 1, 1978 and June 30, 1982, and at the time
24 of retirement is at least sixty years of age and has
25 completed at least twenty-five years of membership
26 service as a county sheriff or deputy sheriff, may
27 elect to receive, in lieu of the benefits under
28 subsection 5 of this section, a monthly retirement
29 allowance equal to one-twelfth of forty-seven percent
30 of the member's five-year average covered wage as
31 a sheriff or deputy sheriff, with benefits payable
32 during the member's lifetime. For each sheriff and
33 deputy sheriff eligible for benefits under this
34 subsection who retires between July 1, 1982 and June
35 30, 1983, the percent used in computing the monthly
36 retirement allowance is fifty.
37 Notwithstanding other provisions of this chapter,
38 a member who is or has been employed as a peace
39 officer, and who retires on or after July 1, 1983
40 and meets the age requirements and membership service
41 requirements for benefits specified in this paragraph
42 is sixty years of age and has completed twenty-five
43 years of membership service may elect to receive a
44 monthly retirement allowance equal to one-twelfth
45 of fifty percent of the member's five-year average
46 covered wage as a peace officer, with benefits payable
47 during the member's lifetime.
48 A peace officer who retires on or after July 1,

49 1984 and has not completed twenty-five years of
50 membership service as required under this subsection

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1 is eligible to receive a monthly retirement allowance
2 equal to one-twelfth of fifty percent multiplied by
3 a fraction of years of service as a peace officer.
4 For the purpose of this subsection, "fraction of years
5 of service" means a number, not to exceed one, equal
6 to the sum of the years of membership service as a
7 peace officer, divided by twenty-five years. On or
8 after July 1, 1984, if the peace officer has not
9 reached sixty years of age at retirement, the monthly
10 retirement allowance shall be reduced by five-tenths
11 of one percent per month for each month that the peace
12 officer's retirement precedes the date on which the
13 peace officer attains sixty years of age.

14 For the purpose of this paragraph, "fraction of
15 years of service" means a number, not to exceed one,
16 equal to the sum of the years of membership service
17 as a peace officer, divided by twenty-five years.

18 Sec. 10. Section 97B.49, Code Supplement 1983,
19 is amended by adding the following new subsection:
20 NEW SUBSECTION. a. Each member who retired from
21 the system between January 1, 1976 and June 30, 1982,
22 or a contingent annuitant or beneficiary of such a
23 member, shall receive with the November 1984 and the
24 November 1985 monthly benefit payments a retirement
25 dividend equal to fifty percent of the monthly benefit
26 payment the member received for the preceding June.
27 The retirement dividend does not affect the amount
28 of a monthly benefit payment.

29 b. Each member who retired from the system between
30 July 4, 1953 and December 31, 1975, or a contingent
31 annuitant or beneficiary of such a member, shall
32 receive with the November 1984 and the November 1985
33 monthly benefit payments a retirement dividend equal
34 to seventy-five percent of the monthly benefit payment
35 the member received for the preceding June. The
36 retirement dividend does not affect the amount of
37 a monthly benefit payment.

38 Sec. 11. Section 97B.50, subsection 1, paragraph
39 b, Code 1983, is amended to read as follows:

40 b. For a member who is at least sixty-two years
41 of age and less than sixty-five years of age who has
42 not completed thirty-five years of membership service
43 and prior service, by twenty-five hundredths of one
44 percent per month for each month that the early
45 retirement date precedes the normal retirement date.

46 Sec. 12. Section 97B.50, Code 1983, is amended
47 by adding the following new subsection:

48 NEW SUBSECTION. 4. A member who is at least
49 sixty-two years of age and less than sixty-five years
50 of age who has completed thirty-five or more years

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1 of membership service and prior service shall receive
2 full benefits under section 97B.49 determined as if
3 the member had attained sixty-five years of age.

4 Sec. 13. Section 97B.51, subsection 5, Code 1983,
5 is amended by striking the subsection and inserting
6 in lieu thereof the following:

7 5. At retirement, a member may designate that
8 upon the member's death, a specified amount of money
9 shall be paid to a named beneficiary, and the member's
10 monthly retirement allowance will be reduced by an
11 actuarially determined amount to provide for the lump
12 sum payment. The amount designated by the member
13 must be in thousand dollar increments, and the amount
14 designated shall not lower the monthly retirement
15 allowance of the member by more than one-half the
16 amount payable under section 97B.49, subsection 1
17 or 5.

18 Sec. 14. Section 97B.52, subsection 1, Code 1983,
19 is amended by striking the subsection and inserting
20 in lieu thereof the following:

21 1. If a member dies prior to the date the member's
22 first retirement allowance is payable under the system,
23 the accumulated contributions of the member at the
24 date of death plus the product of an amount equal
25 to the highest year of covered wages of the deceased
26 member and the number of years of membership service
27 divided by thirty shall be paid to the member's
28 beneficiary in a lump sum payment. However, a lump
29 sum payment made to a beneficiary under this subsection
30 due to the death of a member shall not be less than
31 the amount that would have been payable on the death
32 of the member on June 30, 1984 under this subsection
33 as it appeared in the 1983 Code.

34 Effective July 1, 1978, a method of payment under
35 this subsection filed with the department by a member
36 does not apply.

37 Sec. 15. Section 97B.52, Code 1983, is amended
38 by adding the following new subsection:

39 **NEW SUBSECTION. 5.** Following written notification
40 to the department, a beneficiary of a deceased member
41 may waive current and future rights to payments to
42 which the beneficiary would otherwise be entitled
43 under sections 97B.51 and this section. Upon receipt
44 of the waiver, the department shall pay to the estate
45 of the deceased member the amount designated to be
46 received by the beneficiary.

47 Sec. 16. Section 97B.53, subsection 5, unnumbered
48 paragraph 1, Code 1983, is amended to read as follows:

49 A member shall not be considered as having has
50 not terminated his employment if he the member accepts

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1 other employment in the state of Iowa under which
2 he the member is eligible to membership in the Iowa
3 public employees' retirement system, within ~~three~~
4 months thirty days after he the member has left public
5 employment.

6 Within sixty days after a member has been issued
7 payment for a refund of the member's accumulated
8 contributions, the member may repay the accumulated
9 contributions plus interest that would have accrued,
10 as determined by the department, and receive credit
11 for membership service for the period covered by the
12 refund payment.

13 **Sec. 17. NEW SECTION. 97B.66 FORMER MEMBERS.**

14 A vested or retired member who was a member of the
15 teachers insurance and annuity association-college
16 retirement equity fund at any time between July 1,
17 1967 and June 30, 1971 and who became a member of
18 the system on July 1, 1971, upon submitting
19 verification of service and wages earned during the
20 period of service under the teachers insurance and
21 annuity association-college retirement equity fund,
22 may make employer and employee contributions to the
23 system based upon the covered wages of the member
24 and the covered wages and the contribution rates in
25 effect for that period of service and receive credit
26 for membership service under this system equivalent
27 to the number of years of service in the teachers
28 insurance and annuity association-college retirement
29 equity fund. In addition, a member making employer
30 and employee contributions because of membership in
31 the teachers insurance and annuity association-college
32 retirement equity fund under this section who was
33 a member of the system on June 30, 1967 and withdrew
34 the member's accumulated contributions because of
35 membership on July 1, 1967 in the teachers insurance
36 and annuity association-college retirement equity
37 fund, may make employee contributions to the system.
38 for the period of service under the system prior to
39 July 1, 1967.

40 The contributions paid by the vested or retired
41 member shall be equal to the accumulated contributions
42 as defined in section 97B.41, subsection 13, by the
43 member for that period of service, and the employer
44 contribution for that period of service under the
45 teachers insurance and annuity association-college
46 retirement equity fund, that would have been or had
47 been contributed by the vested or retired member and
48 the employer, if applicable, plus interest on the
49 contributions that would have accrued for the period
50 from the date the previous service commenced under

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1 this system or from the date the service of the member
2 in the teachers insurance and annuity association-
3 college retirement equity fund commenced to the date
4 of payment of the contributions by the member equal
5 to two percent plus the interest dividend rate
6 applicable for each year.

7 Verification of service and wages earned and payment
8 of contributions shall be made to the department not
9 later than June 30, 1985.

10 Sec. 18. Section 97B.72, unnumbered paragraph.

11 1, Code 1983, is amended to read as follows:

12 Persons who are members of the Sixty-eighth Seventy-
13 first General Assembly or a succeeding general assembly
14 who submit proof to the department of membership in
15 the general assembly during any period beginning July
16 4, 1953 and ending January 8, 1979 may make
17 contributions to the system for service equal to the
18 accumulated contributions as defined in section 97B.41,
19 subsection 13, which would have been made if the
20 member of the general assembly had been a member of
21 the system during the member's service in the general
22 assembly. The proof of membership in the general
23 assembly and payment of accumulated contributions
24 shall be transmitted to the department not later than
25 December 31, 1979. Persons eligible to receive
26 retirement allowances under this section shall be
27 eligible to commence receiving retirement allowances
28 on January 8, 1979 14, 1985.

29 Sec. 19. Section 97B.73, Code 1983, is amended
30 to read as follows:

31 97B.73 MEMBERS FROM OTHER PUBLIC SYSTEMS. A
32 vested or retired member who was a member of a public
33 retirement system in another state but was not vested
34 or retired under that system may, upon submitting
35 verification of membership and service in the other
36 public retirement system to the department not later
37 than July 1, 1979 for members vested on July 1, 1978
38 or within one year after the member becomes vested,
39 make employer and employee contributions to the system
40 for the period of service in the other public
41 retirement system and receive credit for membership
42 service in this system equivalent to the number of
43 years of service in the other public retirement system.
44 The contributions paid by the vested or retired member
45 for service in the other public retirement system
46 shall be equal to the accumulated contributions as
47 defined in section 97B.41, subsection 13, by the
48 member for that period of service and the employer
49 contribution for that period of service that would
50 have been contributed by the vested or retired member

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1 and the employer plus interest on the contributions
2 that would have accrued if the member had been a
3 member of this system earning the same wages earned
4 under the other system for the period from the date
5 of service of the member in the other public retirement
6 system to the date of payment of the contributions
7 by the member equal to two percent plus the interest
8 dividend rate applicable for each year.

9 This section is applicable to a vested or retired
10 member who was a member of a public retirement system
11 established in sections 294.8, 294.9, and 294.10 but
12 was not vested or retired under that system. However,
13 ~~the verification and contributions must be submitted~~
14 ~~not later than July 1, 1981 for members who were~~
15 ~~vested members on July 1, 1980 or within one year~~
16 ~~after the member becomes a vested member of this~~
17 ~~system.~~

18 Sec. 20. Section 97C.11, Code 1983, is amended
19 to read as follows:

20 97C.11 PAYMENT - ADJUSTMENT OR REFUND. Taxes
21 deducted by the employer from the earnings of employees
22 or upon the employers shall be paid in a manner, at
23 times and under conditions prescribed by the state
24 agency. However, the taxes shall be remitted monthly
25 by the employer. If more or less than the correct
26 amount of the tax imposed upon the employer is paid
27 or deducted, proper adjustments or refund, if
28 adjustment is impracticable, shall be made in a manner
29 and at times as the state agency prescribes.

30 Sec. 21. Section 294.15, unnumbered paragraph
31 1, Code 1983, is amended to read as follows:

32 Any A person having attained ~~attaining~~ the age
33 of sixty-five who ~~shall have been~~ was an employee,
34 holding a valid teaching certificate, in the public
35 schools of this state with a record of service of
36 twenty-five years or more, including a maximum of
37 five years out-of-state service followed by at least
38 ten years' service in this state prior to retirement
39 and who ~~shall have retired~~ prior to July 4, 1953,
40 ~~shall be entitled to effective~~ July 1, 1984, may
41 receive retirement allowance payments from the state
42 of Iowa of one hundred dollars per month and beginning
43 July 1, 1975, shall be entitled to receive equal to
44 two hundred twenty dollars per month. Such sums as
45 are An amount necessary to meet this requirement shall
46 be added to the retirement allowance payments, if
47 any, now being received from the state of Iowa by
48 individuals covered by the provisions of under this
49 section. No such person shall receive retirement
50 benefits from the state of more than two hundred

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1 dollars per month. The word "employee" as used herein
2 shall be construed to include in this section includes
3 persons who were state superintendents, county
4 superintendents, or deputy county superintendents.
5 However, a person receiving retirement allowance
6 payments under this section may elect in writing to
7 the Iowa department of job service to continue to
8 receive two hundred dollars per month.

9 Sec. 22. Section 411.1, subsection 12, Code 1983,
10 is amended to read as follows:

11 12. "Earnable compensation" or "compensation
12 earnable" shall mean the regular compensation which
13 a member would earn during one year on the basis of
14 the stated compensation for the member's rank or
15 position including compensation for longevity and
16 holidays and excluding any amount received for overtime
17 compensation or other special additional compensation,
18 meal and travel expenses, and uniform allowances and
19 excluding any amount received upon termination or
20 retirement in payment for accumulated sick leave or
21 vacation.

22 Sec. 23. Section 411.6, subsection 12, paragraph
23 a, subparagraph (2), Code 1983, is amended to read
24 as follows:

25 (2) Twenty percent for members with five or more
26 years of membership service who are receiving an
27 ordinary disability retirement allowance. However,
28 effective July 1, 1984, for members who retired before
29 July 1, 1979, twenty-five percent shall be used for
30 members who are receiving an ordinary disability
31 allowance.

32 Sec. 24. Section 509A.7, Code 1983, is amended
33 to read as follows:

34 509A.7 EMPLOYEE DEFINED. The word "employee"
35 as used in this division does not include temporary
36 or retired employees except as otherwise provided
37 in this chapter. However, this section does not
38 prevent a retired employee sixty-five years of age
39 or older from voluntarily continuing in force, at
40 the employee's own expense, an existing contract.

41 Sec. 25. NEW SECTION. CONTINUATION OF GROUP
42 INSURANCE. If a governing body, a county board of
43 supervisors, or a city council has procured for its
44 employees accident, health, or hospitalization
45 insurance, or a medical service plan, or has contracted
46 with a health maintenance organization authorized
47 to do business in this state, the governing body,
48 county board of supervisors, or city council shall
49 allow its employees who retired before attaining
50 sixty-five years of age to continue participation

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1 in the group plan or under the group contract at the
2 employee's own expense until the employee attains
3 sixty-five years of age.

4 Sec. 26. Section 602.1611, subsections 1 and 2,
5 Code Supplement 1983, are amended to read as follows:

6* 1. Justices of the supreme court, judges of the
7 court of appeals and district judges are members of
8 either the judicial retirement system or the Iowa
9 public employees' retirement system, as determined
10 under section ~~97B.69~~ and article 9, part 1.

11 2. District associate judges who were municipal
12 court judges prior to July 1, 1973, and who are members
13 of the judicial retirement system under article 9
14 shall remain members of the system. Other district
15 associate judges are members of, part 1, or the Iowa
16 public employees' retirement system; ~~except that~~
17 ~~alternate~~. Alternate district associate judges whose
18 appointment is authorized under section 602.6303 are
19 not members of either the judicial retirement system
20 or the Iowa public employees' retirement system.

21 Sec. 27. Section 602.1613, Code Supplement 1983,
22 is amended to read as follows:

23 602.1613 COURT EMPLOYEE RETIREMENT. Court
24 employees are members of the Iowa public employees'
25 retirement system under chapter 97B, except as
26 otherwise provided in ~~that~~ chapter 97B or this chapter.

27 Sec. 28. NEW SECTION. 602.11115 DISTRICT
28 ASSOCIATE JUDGES' RETIREMENT. If a full-time judicial
29 magistrate who became a district associate judge on
30 January 1, 1981 pursuant to statute or a person who
31 was appointed a district associate judge between
32 January 1, 1981 and June 30, 1984 is a member of the
33 Iowa public employees' retirement system on June 30,
34 1984, the district associate judge may elect, by
35 informing the state court administrator by June 30,
36 1984, one of the following retirement benefit options
37 to be effective July 1, 1984:

38 1. To remain covered under the Iowa public
39 employees' retirement system pursuant to chapter 97B.

40 2. To commence coverage under the judicial
41 retirement system pursuant to chapter 602, article
42 9, part 1, effective July 1, 1984, but to become an
43 inactive member of the Iowa public employees'
44 retirement system pursuant to chapter 97B and remain
45 eligible for benefits under section 97B.49 for the
46 period of membership service under chapter 97B.

47 3. To commence coverage under the judicial
48 retirement system pursuant to chapter 602, article
49 9, part 1, retroactive to the date the district
50 associate judge became a district associate judge

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1 or a full-time judicial magistrate, whichever was
2 earlier, and to cease to be a member of the Iowa
3 public employees' retirement system, effective July
4 1, 1984. The Iowa department of job service shall
5 transmit by January 1, 1985 to the state court
6 administrator for deposit in the judicial retirement
7 fund the district associate judge's accumulated
8 contributions as defined in section 97B.41, subsection
9 13 for the judge's period of membership service as
10 a district associate judge or full-time judicial
11 magistrate, or both. Before July 1, 1986, or at
12 retirement previous to that date, a district associate
13 judge who becomes a member of the judicial retirement
14 system pursuant to this subsection shall contribute
15 to the judicial retirement fund an amount equal to
16 the difference between four percent of the district
17 associate judge's total basic salary for the entire
18 period of service before July 1, 1984 as a district
19 associate judge or judicial magistrate, or both, and
20 the district associate judge's accumulated
21 contributions transmitted by the department of job
22 service to the state court administrator pursuant
23 to this subsection. The district associate judge's
24 contribution shall not be limited to the amount
25 specified in section 602.9104, subsection 1. The
26 state court administrator shall credit a district
27 associate judge with service under the judicial
28 retirement system for the period of service for which
29 contributions at the four percent level are made.

30 Sec. 29. Section 602.9115, unnumbered paragraph
31 1, Code Supplement 1983, is amended to read as follows:

32 The survivor of a judge who was qualified for
33 retirement compensation under the system at the time
34 of his the judge's death, is entitled to receive an
35 annuity of one-half the amount of the annuity the
36 judge was receiving or would have been entitled to
37 receive at the time of his the judge's death, or if
38 the judge died before age sixty-five, then one-half
39 of the amount he the judge would have been entitled
40 to receive at age sixty-five based on his the judge's
41 years of service. ~~Such~~ The annuity shall begin on
42 the judge's death; or on the date the judge would
43 have been sixty-five if he died earlier than age
44 sixty-five, or upon the survivor reaching age sixty,
45 whichever is later.

46 Sec. 30. Section 97B.69, Code 1983, is repealed.

47 Sec. 31. During the fiscal year commencing July
48 1, 1984, the Iowa public employees' retirement system
49 division of the Iowa department of job service shall
50 evaluate the present contracts it has with investment

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- 1 portfolio managers to determine the performance of
- 2 the portfolio managers and solicit competitive bids
- 3 for those services for the fiscal year commencing
- 4 July 1, 1985."

The House stood at ease at 4:09 p.m., until the fall of the gavel.

The House resumed session and consideration of the Senate amendment H-6509 to House File 2528 at 5:17 p.m., Speaker Avenson in the chair.

Blanshan of Greene moved that the House concur in the Senate amendment H-6509.

The motion prevailed and the House concurred in the Senate amendment H-6509.

Blanshan of Greene 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. 2528)

The ayes were, 90:

| | | | |
|------------------|-----------|-----------------|------------------|
| 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 | 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 |
| Lonerган | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mulkins | Norland |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Payich | Peick | Pellett |
| Poncy | Renaud | Rensink | Rosenberg |
| Royer | Running | Schneklath | Schroeder |
| Shoultz | Skow | Spears | Stromer |

| | | | |
|------------|-------------|----------|----------|
| Stueland | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Varn | Woods |
| Zimmerman | Mr. Speaker | | |

The nays were, 6:

| | | | |
|---------|---------|--------|---------|
| Grandia | Handorf | Hummel | Maulsby |
| Renken | Welden | | |

Absent or not voting, 4:

| | | | |
|---------|--------|---------|-------|
| Connors | O'Kane | Sherzan | Tofte |
|---------|--------|---------|-------|

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

Regular Calendar

Senate File 2365, a bill for an act relating to the payment of funds from the additional personal property tax credit fund, 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. 2365)

The ayes were, 87:

| | | | |
|-----------------|------------------|------------------|----------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | 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 | McKean |
| Menke | Miller | Muhlbauer | Mullins |

| | | | |
|-----------|-----------|-------------|------------|
| Norland | Ollie | Osterberg | Oxley |
| Parker | Paulin | Pavich | Peick |
| Pellett | Poncy | Renaud | Rensink |
| Rosenberg | Royer | Running | Schneklath |
| 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:

| | | | |
|------------|----------|---------|---------|
| Branstad | De Groot | Grandia | Handorf |
| Hummel | Mausby | McIntee | Renken |
| Van Maanen | Welden | | |

Absent or not voting, 3:

| | | |
|---------|--------|-------|
| Connors | O'Kane | Tofte |
|---------|--------|-------|

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

REPORTS OF COMMITTEE ON APPROPRIATIONS

Senate File 2335, a bill for an act relating to appropriations to the department of human services for the fiscal year beginning July 1, 1983, and ending June 30, 1984, by appropriating funds for payments to certain recipients of aid to dependent children under the unemployed parent program due to denial of a portion of benefits to them in the 1982-1983 fiscal year and for reimbursement to the United States department of health and human services for audit exceptions relating to federal funds received pursuant to Title XIX of the federal Social Security Act, by removing the prohibition on the expenditure of certain funds for job training, and by requiring that excess social services block grant funds replace state funds previously appropriated for the purchase of local services.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 1984.

Pursuant to House Rule 33, Senate File 2335 was referred to the committee on Finance.

Senate File 2361, a bill for an act relating to and making appropriations for various government projects and programs and providing effective dates.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 1984.

Pursuant to House Rule 33, Senate File 2361 was referred to the committee on Finance.

Senate Concurrent Resolution 118, a concurrent resolution relating to state mental health institutes.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 1984.

REPORTS OF COMMITTEE ON FINANCE

Senate File 2335, a bill for an act relating to appropriations to the department of human services for the fiscal year beginning July 1, 1983, and ending June 30, 1984, by appropriating funds for payments to certain recipients of aid to dependent children under the unemployed parent program due to denial of a portion of benefits to them in the 1982-1983 fiscal year and for reimbursement to the United States department of health and human services for audit exceptions relating to federal funds received pursuant to Title XIX of the federal Social Security Act, by removing the prohibition on the expenditure of certain funds for job training, and by requiring that excess social services block grant funds replace state funds previously appropriated for the purchase of local services.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 1984.

Senate File 2361, a bill for an act relating to and making appropriations for various government projects and programs and providing effective dates.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 1984.

Senate File 2363, a bill for an act relating to codified provisions affecting appropriations to the department of human services for the medical assistance and state supplementary assistance programs.

Fiscal Note is not required.

Recommended **Do Pass** April 20, 1984.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of the following bills: Senate Files 2361, 2363 and 2335.

Appropriations Calendar

Senate File 2361, a bill for an act relating to and making appropriations for various government projects and programs and providing effective dates, 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. 2361)

The ayes were, 83:

| | | | |
|-------------|------------------|-------------|-----------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Buhr |
| Carl | 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 | Handorf |
| Hanson | Haverland | Hermann | Hoffmann-Bright |
| Holveck | Hughes | Jay | Jochum |
| Knapp | Koenigs | Krewson | Lageschulte |
| Lloyd-Jones | Lonergan | McIntee | McKean |
| Menke | Miller | Muhlbauer | Mullins |
| Ollie | Osterberg | Oxley | Parker |
| Pavich | Peick | Pellet | Poncy |
| Renaud | Renken | Rensink | Rosenberg |
| Running | Schnekloth | Schroeder | Sherzan |
| Shoultz | Skow | Spear | Stromer |
| Stueland | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Van Gerpen | Varn |
| Woods | Zimmerman | Mr. Speaker | |

The nays were, 12:

| | | | |
|----------|----------|------------------|--------|
| Branstad | Grandia | Halvorson, R. A. | Harbor |
| Hummel | Maulsby | Paulin | Royer |
| Torrence | Van Camp | Van Maanen | Weiden |

Absent or not voting, 5:

| | | | |
|-----------|---------|---------|--------|
| Carpenter | Connors | Norland | O'Kane |
| Tofte | | | |

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

SENATE AMENDMENT CONSIDERED

Pavich of Pottawattamie called up for consideration **Senate File 2337**, a bill for an act relating to transportation by making appropriations to state 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-6510 to the House amendment:

H-6510

1 Amend the House amendment, S-5964, to Senate File
2 2337, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. By striking page 1, line 3 through page 8,
5 line 1 and inserting in lieu thereof the following:

6 "Section 1. There is appropriated from the general
7 fund of the state to the following named agencies
8 for the fiscal year beginning July 1, 1984 and ending
9 June 30, 1985, the following amounts, or so much
10 thereof as is necessary, for the purposes designated:

| | | |
|----|---------------------------------|--------------------|
| 11 | | 1984-1985 |
| 12 | | <u>Fiscal Year</u> |
| 13 | 1. IOWA LAW ENFORCEMENT | |
| 14 | ACADEMY | |
| 15 | For salaries, support, main- | |
| 16 | tenance, and miscellaneous pur- | |
| 17 | poses | \$ 797,300 |

18 2. DEPARTMENT OF PUBLIC
19 DEFENSE

| | | |
|----|---------------------------------|--------------|
| 20 | Military division | |
| 21 | For salaries, support, main- | |
| 22 | tenance, and miscellaneous pur- | |
| 23 | poses | \$ 2,993,334 |

24 Notwithstanding section 29A.33, the per capita
25 annual allowance to units will be five dollars per
26 capita to be paid on a semiannual basis in installments
27 of two dollars fifty cents per capita for the fiscal
28 year beginning July 1, 1984 and ending June 30, 1985.
29 The per capita allowance shall be used for morale
30 purposes and be for the welfare of the troops and
31 in no circumstances expended for support and
32 maintenance.

33 3. OFFICE OF DISASTER SERVICES

| | | |
|----|---------------------------------|------------|
| 34 | For salaries, support, main- | |
| 35 | tenance, and miscellaneous pur- | |
| 36 | poses | \$ 118,295 |

37 Sec. 2. There is appropriated from the general
38 fund of the state to the department of public safety
39 for the fiscal year beginning July 1, 1984 and ending
40 June 30, 1985, the following amounts, or so much
41 thereof as is necessary, to be used for funding the
42 following functions and programs for the purposes
43 designated:

| | | |
|----|--|--------------------|
| 44 | | 1984-1985 |
| 45 | | <u>Fiscal Year</u> |

46 DEPARTMENT OF PUBLIC SAFETY
47 1. ADMINISTRATIVE FUNCTION

48 For salaries, support,
49 maintenance, and miscellaneous
50 purposes of the department,

Page 2

1 criminal justice information sys-
 2 tem, and radio communications \$ 4,687,600

3 It is the intent of the general assembly that only
 4 ten percent of the funds appropriated under this
 5 paragraph shall be used for the paymnt of operational
 6 expenses.

7 2. INSPECTION FUNCTION

8 For salaries, support, main-
 9 tenance, and miscellaneous pur-
 10 poses of fire marshal's inspec-
 11 tions, administration of the
 12 state building code, arson in-
 13 vestigators including the state's
 14 contribution to the peace offi-
 15 cers' retirement, accident, and
 16 disability provided in chapter
 17 97A in the amount of sixteen per-
 18 cent of the salaries for which
 19 the funds are appropriated \$ 1,026,700

20 3. SECURITY FUNCTION

21 For salaries, support, mainte-
 22 nance, and miscellaneous purposes
 23 of the capitol security division \$ 672,000

24 4. INVESTIGATION FUNCTION

25 a. For salaries, support, main-
 26 tenance, and miscellaneous pur-
 27 poses, including lease or lease
 28 purchase of laboratory equipment,
 29 of the division of criminal in-
 30 vestigation containing the bu-
 31 reaus of identification, drug
 32 law enforcement, welfare fraud,
 33 and beer and liquor law enforce-
 34 ment, including the state's con-
 35 tribution to the peace officers'
 36 retirement, accident, and dis-
 37 ability system provided in chap-
 38 ter 97A in the amount of sixteen
 39 percent of the salaries for which
 40 the funds are appropriated \$ 4,663,500

41 b. For undercover purchases
 42 by the division of criminal in-
 43 vestigation agents and local law
 44 enforcement agents \$ 200,000

45 c. For salaries, support,
 46 maintenance, and miscellaneous
 47 purposes for the employment of
 48 new pari-mutuel law enforcement
 49 agents, including the state's
 50 contribution to the peace

Page 3

1 officers' retirement, accident,
 2 and disability system provided
 3 in chapter 97A in the amount
 4 of sixteen percent of the
 5 salaries for which the funds are
 6 appropriated. \$ 175,000

7. It is the intent of the general assembly that the
 8 division of criminal investigation of the department
 9 of public safety shall purchase not more than five
 10 motor vehicles of any make or model based upon
 11 specifications submitted by the department.

12 5. DIVISION OF HIGHWAY SAFETY
 13 AND UNIFORMED FORCE

14 a. For various crime preven-
 15 tion programs sponsored within the
 16 department of public safety \$ 53,125

17 The Iowa highway safety patrol shall endeavor to
 18 purchase one-half of the motor fuel and special fuel
 19 necessary to operate motor vehicles from state
 20 department of transportation facilities. For the
 21 fiscal year beginning July 1, 1984 and ending June
 22 30, 1985, the general assembly assumes that there
 23 is substantial compliance with this requirement if
 24 the Iowa highway safety patrol purchases at least
 25 forty-five percent of the motor fuel and special fuel
 26 necessary to operate motor vehicles from state
 27 department of transportation facilities. If the state
 28 comptroller's estimates of motor fuel and special
 29 fuel prices exceeds the amount needed for purchase
 30 of motor fuel and special fuel necessary to operate
 31 Iowa highway safety patrol motor vehicles, the amount
 32 of the difference may be expended only for the
 33 maintenance of the motor vehicle fleet of the Iowa
 34 highway safety patrol. The Iowa highway safety patrol
 35 shall report the amount expended for the total
 36 purchases of motor fuel and special fuel and the
 37 amount expended for fleet maintenance to the
 38 transportation and law enforcement appropriations
 39 subcommittee not later than August 1 following the
 40 end of the fiscal year.

41 It is the intent of the general assembly that the
 42 department of public safety shall not retain more
 43 than seven motor vehicles at department headquarters
 44 for departmental use. All of these motor vehicles,
 45 except two, shall be properly marked to identify the
 46 department of public safety.

47 Sec. 3. There is appropriated from the general
 48 fund of the state to the state department of
 49 transportation for the fiscal year beginning July
 50 1, 1984 and ending June 30, 1985, the following

Page 4

1 amounts, or so much thereof as may be necessary, to
2 be used for the following purposes:

| | | |
|----|---------------------------------|--------------------|
| 3 | | 1984-1985 |
| 4 | | <u>Fiscal Year</u> |
| 5 | STATE DEPARTMENT OF TRANSPOR- | |
| 6 | TATION | |
| 7 | 1. For salaries, support, | |
| 8 | maintenance, and miscellaneous | |
| 9 | purposes | \$ 5,359,853 |
| 10 | 2. For public transit purposes | |
| 11 | to implement a state assistance | |
| 12 | plan | \$ 1,854,600 |

13 Notwithstanding chapter 8, it is the intent of
14 the general assembly that funds appropriated for
15 public transit purposes to implement a state assistance
16 plan shall be allocated in whole or in part to a
17 public transit system prior to the time actual
18 expenditures are incurred if the allocation is first
19 approved by the state department of transportation.
20 A public transit system shall make application for
21 advance allocations to the state department of
22 transportation specifically stating the reasons why
23 an advance allocation is required and this allocation
24 shall be included in the total to be audited.

| | | |
|----|---------------------------------|------------|
| 25 | 3. For deposit in the rail- | |
| 26 | road assistance fund for branch | |
| 27 | line improvement | \$ 972,000 |

28 Sec. 4. There is appropriated from the road use
29 tax fund to the state department of transportation
30 for the fiscal year beginning July 1, 1984 and ending
31 June 30, 1985, the following amounts, or so much
32 thereof as may be necessary, to be used for the
33 following purposes:

| | | |
|----|------------------------------------|--------------------|
| 34 | | 1984-1985 |
| 35 | | <u>Fiscal Year</u> |
| 36 | STATE DEPARTMENT OF TRANSPOR- | |
| 37 | TATION | |
| 38 | 1. For salaries, support, | |
| 39 | maintenance, and miscellaneous | |
| 40 | purposes | \$ 13,094,154 |
| 41 | 2. For funding for two pilot | |
| 42 | projects for area-wide ride- | |
| 43 | sharing programs authorized | |
| 44 | by law | \$ 5,000 |
| 45 | 3. For the purpose of making | |
| 46 | payments to the Iowa merit employ- | |
| 47 | ment department for expenses in- | |
| 48 | curring in administering the merit | |
| 49 | system on behalf of the state | |
| 50 | department of transportation, as | |

Page 5

1 required by chapter 19A \$ 18,000
 2 4. Unemployment compensation \$ 12,250
 3 Sec. 5. There is appropriated from the road use
 4 tax fund to the state comptroller for the fiscal year
 5 beginning July 1, 1984 and ending June 30, 1985, the
 6 sum of twenty-three thousand (23,000) dollars, or
 7 so much thereof as is necessary, to be used for the
 8 purpose of paying workers' compensation claims under
 9 chapter 85 on behalf of employees of the state
 10 department of transportation.

11 Sec. 6. There is appropriated from the primary
 12 road fund to the state department of transportation
 13 for the fiscal year beginning July 1, 1984 and ending
 14 June 30, 1985, the following amounts, or so much
 15 thereof as may be necessary, to be used for the
 16 following purposes:

17 1984-1985
 18 Fiscal Year

19 STATE DEPARTMENT OF TRANSPOR-
 20 TATION

21 1. For salaries, support,
 22 maintenance, and miscellaneous
 23 purposes \$ 121,438,357

24 2. To be deposited in the
 25 state department of transportation
 26 materials and equipment revolving
 27 fund established by section 307A.7
 28 for funding the increased replace-
 29 ment cost of vehicles \$ 2,000,000

30 3. For the purpose of making
 31 payments to the Iowa merit em-
 32 ployment department for expenses
 33 incurred in administering the
 34 merit system on behalf of the
 35 state department of transportation,
 36 as required by chapter 19A \$ 342,000

37 4. Unemployment compensation \$ 232,750

38 Sec. 7. There is appropriated from the primary
 39 road fund to the state comptroller for the fiscal
 40 year beginning July 1, 1984 and ending June 30, 1985,
 41 the sum of four hundred thirty-seven thousand (437,000)
 42 dollars, or so much thereof as is necessary, for the
 43 purpose of paying workers' compensation claims under
 44 chapter 85 on behalf of the employees of the state
 45 department of transportation.

46 Sec. 8. There is appropriated from the state
 47 aviation fund to the state department of transportation
 48 for the fiscal year beginning July 1, 1984 and ending
 49 June 30, 1985, the following amount, or so much thereof
 50 as may be necessary, to be used for the following

Page 6

1 purposes:

2

3

4 For salaries, support, main-
5 tenance, and miscellaneous pur-
6 poses

1984-1985
Fiscal Year

7 \$ 331,000

8 Sec. 9. 1983 Iowa Acts, chapter 198, section 31,
9 is amended to read as follows:

10 SEC. 31. Notwithstanding the provisions of section
11 423.24, there is transferred from revenues collected
12 under chapter 423 during the fiscal year beginning
13 July 1, 1983 and ending June 30, 1984, from the use
14 tax imposed on motor vehicles, trailers and motor
15 vehicle accessories and equipment under section 423.7
16 the sum of one million (1,000,000) dollars which shall
17 be transferred to the state department of
18 transportation for public transit assistance for the
19 fiscal year beginning July 1, 1983 and ending June
20 30, 1984. The funds transferred under this section
21 to the state department of transportation for public
22 transit assistance shall be considered in advance
23 an interest-free loan of funds to be received for
24 public transit assistance under the Surface
25 Transportation Assistance Act of 1982 and the road
26 use tax fund shall receive reimbursement of the funds
27 from receipts received by the state department of
28 transportation for public transit assistance from
29 the United States government pursuant to the Surface
30 Transportation Assistance Act of 1983 loan during
31 the fiscal period beginning July 1, 1983 1984 and
32 ending June 30, 1985 1989.

33 Sec. 10. Section 312.2, subsection 5, unnumbered
34 paragraph 1, Code Supplement 1983, is amended to read
35 as follows:

36 The treasurer of state shall before making the
37 above allotments credit annually to the highway grade
38 crossing safety fund the sum of seven hundred thousand
39 dollars, credit annually from the road use tax fund
40 the sum of five nine hundred thousand dollars to the
41 highway railroad grade crossing surface repair fund,
42 credit monthly to the primary road fund the dollars
43 yielded from an allotment of sixty-five hundredths
44 of one percent of all road use tax funds for the
45 express purpose of carrying out subsection 11 of
46 section 307A.2, section 313.4; subsection 2, and
47 section 307A.5, and credit annually to the primary
48 road fund the sum of five hundred thousand dollars
49 to be used for paying expenses incurred by the state
50 department of transportation other than expenses
incurred for extensions of primary roads in cities.

Page 7

1 All unobligated funds provided by this subsection,
 2 except those funds credited to the highway grade
 3 crossing safety fund, shall at the end of each year
 4 revert to the road use tax fund. Funds in the highway
 5 grade crossing safety fund shall not revert to the
 6 road use tax fund except to the extent they exceed
 7 five hundred thousand dollars at the end of any
 8 biennium. The cost of each highway railroad grade
 9 crossing repair project shall be allocated in the
 10 following manner:

11 Sec. 11. Registration fees collected under section
 12 321.109 and 321.122, subsection 1, paragraph a, to
 13 the extent that these fees exceed one hundred twenty
 14 million (120,000,000) dollars for the fiscal year
 15 beginning July 1, 1983 and ending June 30, 1984, shall
 16 be placed in escrow by the treasurer of state until
 17 April 15, 1985 and then credited to the road use tax
 18 fund.

19 Sec. 12. 1983 Iowa Acts, chapter 198, section
 20 34, is repealed.

21 Sec. 13. All federal grants to and the federal
 22 receipts of the agencies appropriated funds under
 23 this Act are appropriated for the purposes set forth
 24 in such federal grants and receipts unless otherwise
 25 provided by the general assembly.

26 Sec. 14. Section 10 takes effect July 1, 1985.

27 Sec. 15. This Act, being deemed of immediate
 28 importance, takes effect from and after its publication
 29 in The Bancroft Register, a newspaper published in
 30 Bancroft, Iowa and in the Carroll Daily Times-Herald,
 31 a newspaper published in Carroll, Iowa."

On motion by Pavich of Pottawattamie, the House concurred in the Senate amendment H-6510.

Pavich of Pottawattamie 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. 2337)

The ayes were, 88:

| | | | |
|----------|-----------|---------|----------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Buhr |
| Carl | Carpenter | Carter | Chapman |
| Chiodo | Clark | Cochran | Connolly |

| | | | |
|------------|------------------|------------------|-------------|
| 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 |
| Hummel | Jay | Jochum | Knapp |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Lonergan | McIntee | McKear | Miller |
| Muhlbauer | Mullins | Norland | Ollie |
| Parker | Paulin | Pavich | Peick |
| Pellett | Poncy | Renaud | Renken |
| Rensink | Rosenberg | Royer | Running |
| Schneklath | 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, 8:

| | | | |
|-----------|---------|------------|---------|
| Branstad | Daggett | Grandia | Maulsby |
| Osterberg | Oxley | Van Maanen | Welden |

Absent or not voting, 4:

| | | | |
|---------|-------|--------|-------|
| Connors | Menke | O'Kane | Tofte |
|---------|-------|--------|-------|

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

Senate File 2363, a bill for an act relating to codified provisions affecting appropriations to the department of human services for the medical assistance and state supplementary assistance 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?" (S.F. 2363)

The ayes were, 84:

| | | | |
|------------------|------------------|-------------|-------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Buhr |
| Carl | Carpenter | Carter | Chapman |
| Chiodo | Clark | Cochran | Connolly |
| Cooper | Copenhaver | Corey | 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 |
| Krewson | Lageschulte | Lloyd-Jones | Loneragan |
| McIntee | McKean | Menke | Miller |
| Muhlbauer | Mullins | Norland | Ollie |
| Osterberg | Oxley | Parker | Paulin |
| Pavich | Peick | Pellet | Poncy |
| Renaud | Rosenberg | Running | Schroeder |
| Sherzan | Skow | Spear | Stromer |
| Stueland | Sturgeon | Sullivan | Swartz |
| Tabor | Van Camp | Van Gerpen | Varn |
| Welden | Woods | Zimmerman | Mr. Speaker |

The nays were, 12:

| | | | |
|------------|------------|----------|------------|
| Branstad | Daggett | De Groot | Grandia |
| Maulsby | Renken | Rensink | Royer |
| Schnekloth | Swearingen | Torrence | Van Maanen |

Absent or not voting, 4:

| | | | |
|---------|--------|---------|-------|
| Connors | O'Kane | Shoultz | Tofte |
|---------|--------|---------|-------|

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

Appropriations Calendar

Senate File 2335, a bill for an act relating to appropriations to the department of human services for the fiscal year beginning July 1, 1983, and ending June 30, 1984, by appropriating funds for payments to certain recipients of aid to dependent children under the unemployed parent program due to denial of a portion of benefits to them in the 1982-1983 fiscal year and for reimbursement to the United States department of health and human services for audit exceptions relating to federal funds received pursuant to Title XIX of the federal Social Security Act, by removing the prohibition on the expenditure of certain funds for job training, and by requiring that excess social services block-grant funds replace state funds

previously appropriated for the purchase of local services, with report of committees 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. 2335)

The ayes were, 96:

| | | | |
|------------------|-------------|------------|-----------------|
| 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. N. | Hammond | Handorf | Hanson |
| Harbor | Haverland | Hermann | Hoffmann-Bright |
| Holveck | Hughes | Hummel | Jay |
| Jochum | Knapp | Koenigs | Krewson |
| Lageschulte | Lloyd-Jones | Lönergan | 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 |
| 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:

| | | | |
|---------|------------------|--------|-------|
| Connors | Halvorson, R. A. | O'Kane | Tofte |
|---------|------------------|--------|-------|

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

SENATE AMENDMENTS CONSIDERED

Loneragan of Boone called up for consideration **Senate File 2334**, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1984 and ending June 30, 1985 and providing an effective date, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-6506 to the House amendment:

H-6506

- 1 Amend House amendment S-6001 to Senate File 2334
- 2 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, line 29, by striking the figure "1985." "
- 5 and inserting in lieu thereof the following: "1985.
- 6 It is the intent of the general assembly that the
- 7 childhood cancer diagnostic and treatment network
- 8 program and the rural comprehensive care for hemophilia
- 9 patients be continued at the University of Iowa
- 10 hospitals and clinics at the funding level necessary
- 11 to provide continued existence of the programs in
- 12 the rural areas of the state. To provide for the
- 13 contingency that the programs could not continue
- 14 during the fiscal year beginning July 1, 1984 and
- 15 ending June 30, 1985, there is appropriated from the
- 16 general fund of the state to the office of the state
- 17 comptroller for the fiscal year beginning July 1,
- 18 1984 and ending June 30, 1985, the sum of fifty-two
- 19 thousand (52,000) dollars, or so much thereof as is
- 20 necessary. The state comptroller shall pay to the
- 21 university of Iowa hospitals and clinics the necessary
- 22 amount determined by the university of Iowa hospitals
- 23 and clinics." "
- 24 2. By striking page 1, line 30 through page 2,
- 25 line 24.
- 26 3. Page 2, by striking lines 25 through 28 and
- 27 inserting in lieu thereof the following:
- 28 " Page 17, line 15, by striking the figures
- 29 "5, 7," and inserting in lieu thereof the figure "7"."
- 30 4. Page 2, by striking lines 29 through 31.
- 31 5. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-6506.

Loneragan of Boone 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. 2334)

The ayes were, 83:

| | | | |
|-----------|-----------------|------------------|------------------|
| Anderson | Arnould | Baxter | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carpenter | Carter | Chapman | Chiodo |
| Clark | Cochran | Connolly | 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 | Lageschulte | Lloyd-Jones |
| Loneragan | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poncy | Renaud | Rosenberg | Running |
| 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, 14:

| | | | |
|------------|----------|---------|------------|
| Bennett | Branstad | Cooper | Corey |
| Daggett | Grandia | Handorf | Maulsby |
| Renken | Rensink | Royer | Schmekloth |
| Van Maanen | Weiden | | |

Absent or not voting, 3:

| | | |
|---------|--------|-------|
| Connors | O'Kane | Tofte |
|---------|--------|-------|

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

Loneragan of Boone called up for consideration **Senate File 2352**, 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, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-6508 to the House amendment:

H-6508

- 1 Amend the House amendment S-6036 to Senate File
- 2 2352 as amended, passed and reprinted by the Senate
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 8.

The motion prevailed and the House concurred in the Senate amendment H-6508.

Lonergan of Boone 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. 2352)

The ayes were, 92:

| | | | |
|-----------|-----------------|------------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carter | Chapman |
| Chiodo | Clark | Cochran | Connolly |
| Cooper | Copenhaver | Corey | Daggett |
| Dayitt | 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 |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Lonergan | 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 | Stromer | Stueland | Sturgeon |
| Sullivan | Swartz | Swearingen | Tabor |
| Torrence | Van Camp | Van Gerpen | Varn |
| Welden | Woods | Zimmerman | Mr. Speaker |

The nays were, 5:

Carpenter
Van Maanen

Grandia

Hanson

Maulsby

Absent or not voting, 3:

Connors

O'Kane

Tofte

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 2473**, a bill for an act to implement certain recommendations of the governor's task force by providing limitations on leaves of absence for certain military purposes, providing a phased retirement incentive program for full-time state employees, providing for the use of investment income as management expenses for certain retirement programs, providing that persons who are not full-time employees of the state who do not accrue sick leave or vacation and who work on a state holiday shall receive pay only for hours worked, and providing that all state departments and agencies shall have appropriations for the 1984-1985 fiscal year reduced by the amount of out-of-state travel incurred in the 1984-1985 fiscal year, amended by the Senate, and moved that the House concur in the following Senate amendment H-6504:

H-6504

- 1 Amend House File 2473 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. By striking page 1, line 1 through page 2,
- 4 line 4.
- 5 2. Page 5, by striking lines 13 through 25 and
- 6 inserting in lieu thereof the words "expenses incurred.
- 7 management expenses shall be charged to the investment
- 8 income of the retirement fund and such expense shall
- 9 otherwise be budgeted and appropriated in the same
- 10 manner as administrative expenses for the rest of the
- 11 system."
- 12 3. Page 6, line 14, by inserting after the word
- 13 "duties" the words "or for professional purposes".

The motion prevailed and the House concurred in the Senate amendment H-6504.

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. 2473)

The ayes were, 97:

| | | | |
|------------------|------------------|-------------|------------|
| Anderson | Arnould | Baxter | Bennett |
| Bläck | 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 | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poncy | Renaud | Renken | Rensink |
| Rosenberg | Royer | Running | Schneklath |
| Schroeder | Sherzan | Shultz | 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:

| | | |
|---------|--------|-------|
| Connors | O'Kane | Tofte |
|---------|--------|-------|

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

HOUSE RECEDED

Sturgeon of Woodbury called up for consideration **Senate File 2357**, a bill for an act creating a petroleum overcharge fund in the state treasury and appropriating money from the fund, and moved that the House recede from its amendment, which motion prevailed.

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?" (S.F. 2357)

The ayes were, 92:

| | | | |
|------------------|-------------|------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Cannolly | 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 | Mullins | Norland | Ollie |
| Osterberg | Oxley | Paulin | Pavich |
| Peick | Pellett | Poncy | Renaud |
| Rensink | Rosenberg | Royer | Running |
| Schroeder | Shoultz | Skow | Spear |
| Stromer | Stueland | Sturgeon | Sullivan |
| Swartz | Swearingen | Tabor | Torrence |
| Van Camp | Van Gerpen | Van Maanen | Varn |
| Weiden | Woods | Zimmerman | Mr. Speaker |

The nays were, none.

Absent or not voting, 8:

| | | | |
|---------|------------|---------|--------|
| Connors | Groninga | O'Kane | Parker |
| Renken | Schnekloth | Sherzan | Tofte |

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 Joint Resolution 2001 and Senate File 2014.

Buhr of Polk in the chair at 5:56 p.m.

CONSIDERATION OF BILLS**Unfinished Business Calendar**

The House resumed consideration of **Senate Joint Resolution 2001**, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor, previously deferred.

Halvorson of Webster asked and received unanimous consent to withdraw amendments H-6421 and H-6434 filed by him on April 18, 1984.

Blanshan of Greene 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 2001, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor.

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:

1. Section 2 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 2. The governor and the lieutenant governor shall be elected by the qualified electors at the time and place of voting for members of the general assembly. Each of them shall hold office for four years from the time of installation in office and until a successor is elected and qualifies.

2. Section 3 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 3. The electors shall designate their selections for governor and lieutenant governor as if these two offices were one and the same. The names of nominees for the governor and the lieutenant governor shall be grouped together in a set on the ballot according to which nominee for governor is seeking office with which nominee for lieutenant governor, as prescribed by law. An elector shall cast only one vote for both a nominee for governor and a nominee for lieutenant governor. The returns of every election for governor and lieutenant governor shall be sealed and transmitted to the seat of government of the state, and directed to the speaker of the house of representatives who shall open and publish them in the presence of both houses of the general assembly.

3. Section 4 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1952, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 4. The nominees for governor and lieutenant governor jointly having the highest number of votes cast for them shall be declared duly elected. If two or more sets of nominees for governor and lieutenant governor have an equal and the highest number of votes for the offices jointly, the general assembly shall by joint vote proceed, as soon as is possible, to elect one set of nominees for governor and lieutenant governor. If, upon the completion by the general assembly of the canvass of votes for governor and lieutenant governor, it appears that the nominee for governor in the set of nominees for governor and lieutenant governor receiving the highest number of votes has since died or resigned, is unable to qualify, fails to qualify, or is for any other reason unable to assume the duties of the office of governor for the ensuing term, the powers and duties shall devolve to the nominee for lieutenant governor of the same set of nominees for governor and lieutenant governor, who shall assume the powers and duties of governor upon inauguration and until the disability is removed. If both nominees for governor and lieutenant governor are unable to assume the duties of the office of governor, the person next in succession shall act as governor.

4. Section 5 of Article IV of the Constitution of the State of Iowa is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 5. Contested elections for the offices of governor and lieutenant governor shall be determined by the general assembly as prescribed by law.

Sec. 2. The following amendment to the Constitution of the State of Iowa is proposed:

1. Section 15 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the second Monday in January, 1987 and the following adopted in lieu thereof:

SEC. 15. The official terms of the governor and lieutenant governor shall commence on the Tuesday after the second Monday of January next after their election and shall continue until their successors are elected and qualify. The governor and lieutenant governor shall be paid compensation and expenses as provided by law. The lieutenant governor, while acting as governor, shall be paid the compensation and expenses prescribed for the governor.

2. Section 18 of Article IV of the Constitution of the State of Iowa is repealed beginning with the second Monday in January, 1987 and the following adopted in lieu thereof:

SEC. 18. The lieutenant governor shall have the duties provided by law and those duties of the governor assigned to the lieutenant governor by the governor.

3. Section 19 of Article IV of the Constitution of the State of Iowa as amended by amendment number 2 of the amendments of 1952 is repealed beginning with the second Monday in January, 1987 and the following adopted in lieu thereof:

SEC. 19. If there be a vacancy in the office of the governor and the lieutenant governor shall by reason of death, impeachment, resignation, removal from office, or other disability become incapable of performing the duties pertaining to the office of governor, the president of the senate shall act as governor until the vacancy is filled or the disability removed; and if the president of the senate, for any of the above causes, shall be incapable of performing the duties pertaining to the office of governor the same shall devolve upon the speaker of the house of representatives; and if the speaker of the house of representatives, for any of the above causes, shall be incapable of performing the duties of the office of

governor, the justices of the supreme court shall convene the general assembly by proclamation and the general assembly shall organize by the election of a president by the senate and a speaker by the house of representatives. The general assembly shall thereupon immediately proceed to the election of a governor and lieutenant governor in joint convention.

Sec. 3. The foregoing proposed amendments to the Constitution of the State of Iowa are referred to the general assembly to be chosen at the next general election for members of the general assembly and the secretary of state is directed to cause them to be published for three consecutive months before the date of that election as provided by law.

On the question "Shall the joint resolution be adopted and agreed to?" (S.J.R. 2001)

The ayes were, 61:

| | | | |
|-------------------------|------------------|-------------|-------------|
| Arnould | Avenson | Baxter | Bennett |
| Blanshan | Brammer | Carl | Carter |
| Chiodo | Clark | Cochran | Connolly |
| Copenhaver | Davitt | Fey | Fogarty |
| Groninga | Gronstal | Groth | Gruhn |
| Halvorson, R. A. | Halvorson, R. N. | Hammond | Handorf |
| Hanson | Haverland | Hermann | Holveck |
| Hughes | Jay | Jochum | Knapp |
| Koenigs | Krewson | Lloyd-Jones | Lonergan |
| McIntee | Miller | Muhlbauer | Mullins |
| Norland | Ollie | Osterberg | Paulin |
| Pavich | Peick | Pellett | Poney |
| Renaud | Rosenberg | Running | Schneklloth |
| Sherzan | Shoultz | Stueland | Sturgeon |
| Sullivan | Van Gerpen | Van Maanen | Zimmerman |
| Madam Speaker (Buhr) | | | |

The nays were, 33:

| | | | |
|-----------------|----------|-------------|----------|
| Anderson | Black | Branstad | Chapman |
| Cooper | Corey | Daggett | De Groot |
| Diemer | Doderer | Grandia | Harbor |
| Hoffmann-Bright | Hummel | Lageschulte | Maulsby |
| McKean | Menke | Oxley | Parker |
| Renken | Rensink | Royer | Skow |
| Spear | Swartz | Swearingen | Tabor |
| Torrence | Van Camp | Varn | Weiden |
| Woods | | | |

Absent or not voting, 6:

| | | | |
|-----------|---------|--------|-----------|
| Carpenter | Connors | O'Kane | Schroeder |
| Stromer | Tofte | | |

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

Speaker Avenson in the chair at 6:08 p.m.

The House resumed consideration of **Senate File 2014**, a bill for an act to provide an independent study of campaign financing of candidates for state offices and the independent expenditures of political committees, and amendment H—5936, (found on pages 1467 through 1470 of the House Journal) placed on the unfinished business calendar on March 29, 1984.

Halvorson of Webster asked and received unanimous consent to withdraw amendment H—5936, placing out of order the following amendments to amendment H—5936:

H—5953 filed by Carpenter of Polk and Bennett of Ida on March 29, 1984.

H—5965 filed by Van Gerpen of Black Hawk on March 29, 1984.

H—5949 filed by Lageschulte of Bremer on March 29, 1984.

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. 2014)

The ayes were, 78:

| | | | |
|------------------|------------------|-------------|-----------------|
| Arnould | Baxter | Black | Blanshan |
| Brammer | Buhr | Carl | Carpenter |
| Carter | Chapman | Chiodo | Clark |
| Cochran | Connolly | Cooper | Copenhagen |
| Corey | Daggett | Davitt | De Groot |
| Doderer | Fey | Fogarty | Grandia |
| Groninga | Gronstal | Groth | Gruhn |
| Halvorson, R. A. | Halvorson, R. N. | Hammond | Handorf |
| Hanson | Harbor | Haverland | Hoffmann-Bright |
| Holveck | Hughes | Jochum | Knapp |
| Koenigs | Krewson | Lageschulte | Lloyd-Jones |
| Lonergan | McIntee | McKean | Miller |
| Muhlbauer | Mullins | Norland | Ollie |

| | | | |
|------------|-------------|---------|--------------|
| Osterberg | Oxley | Parker | Paulin |
| Pavich | Peick | Poney | Renaud |
| Rosenberg | Royer | Running | Schroeder |
| Sherzan | Skow | Spear | Stromer |
| Sturgeon | Swartz | Tabor | Vaughan Camp |
| Van Gerpen | Van Maanen | Varn | Woods |
| Zimmerman | Mr. Speaker | | |

The nays were, 18:

| | | | |
|------------|----------|----------|------------|
| Anderson | Bennett | Branstad | Diemer |
| Hermann | Hummel | Jay | Maulsby |
| Menke | Pellett | Renken | Rensink |
| Schnekloth | Stueland | Sullivan | Swearingen |
| Torrence | Welden | | |

Absent or not voting, 4:

| | | | |
|---------|--------|---------|-------|
| Connors | O'Kane | Shoultz | Tofte |
|---------|--------|---------|-------|

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

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (Senate File 513)

Gronstal of Pottawattamie called up for consideration the report of the conference committee on Senate File 513 and moved the adoption of the report of the conference committee and the amendments contained therein:

REPORT OF THE CONFERENCE COMMITTEE ON SENATE FILE 513

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 513, a bill for an act relating to the name of a state bank, respectfully make the following report:

1. The House recedes from the House amendment S—3586 to Senate File 513 as passed by the Senate.

2. Senate File 513 as passed by the Senate is amended as follows:

1. Page 1, by inserting after line 8 the following:

"Sec. 2. 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) 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) 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) 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.

Sec. 3. Section 524.1507, Code 1983, is amended to read as follows:

524.1507 CHANGE OF LOCATION OF PRINCIPAL PLACE OF BUSINESS.

1. If a change in the location of the principal place of business of a state bank is proposed and involves a change other than a change within the municipal corporation, urban complex or unincorporated area in which the state bank has its principal place of business, pursuant to section 524.312 application for the required approval of the superintendent shall be made in the manner required by the superintendent and subject to the provisions of this section. Any A change in location of the principal place of business of a state bank subject to this section, including a change from one municipal corporation to another corporation within an urban complex, shall require amendment to the articles of incorporation in accordance with the provisions of sections 524.1502, 524.1504 and 524.1506. A state bank seeking approval of a change of location pursuant to this subsection shall publish a notice of the proposed change of location in a newspaper of general circulation published in the municipal corporation or unincorporated area in which the state bank has its principal place of business, or if there is none, in a newspaper of general circulation published in the county, or in a county adjoining the county, in which the state bank has its principal place of business, and in the municipal corporation in which it seeks to establish its principal place of business, or if there is none, in a newspaper of general circulation published in the county, or in a county adjoining the county, in which such the municipal corporation is located. The notice shall be published within thirty days after making application to the superintendent for approval of the change in location. The notice shall set forth the name of the state bank, the present location of its principal place of business, the location to which it wishes to move its principal place of business and the date upon which the state bank made application to the superintendent for approval of the change.

2. Upon receipt of an application for approval of a change of location of the principal place of business of a state bank pursuant to subsection 1 of this section, the superintendent shall conduct such investigation as he deems deemed necessary giving due consideration to factors substantially similar to those set forth in section 524.305,

subsections 2 to 6 subsection 1, paragraphs "c" through "f". Within one hundred eighty days after receipt of the application, the superintendent shall make a determination whether to approve or disapprove the application on the basis of his the investigation. Prior to making a determination on the pending application the superintendent shall, upon adequate notice, afford all interested persons an opportunity for a stenographically reported hearing during which such persons shall be allowed to present evidence in support of, or in opposition to, the pending application. Thereafter the superintendent shall give written notice of his the decision to the state bank and, in the event of disapproval, a statement of the reasons for his the decision. If the superintendent shall approve the change in location he the superintendent shall deliver the articles of amendment to the secretary of state. The decision of the superintendent shall be subject to judicial review in accordance with the terms of the Iowa administrative procedure Act. Before receiving the decision of the superintendent with respect to the pending application, the state bank shall upon notice reimburse the superintendent to the extent of the expenses incurred by him the superintendent in connection with the application."

2. Title page, by striking line 1 and inserting in lieu thereof the following: "An act relating to state banks by providing for the name and the location of the principal place of business and offices of a state bank."

ON THE PART OF THE HOUSE:

NED CHIDO, Chair
MICHAEL GRONSTAL
EDWARD PARKER
LAVERNE SCHROEDER
BOB RENKEN

ON THE PART OF THE SENATE:

WILLIAM PALMER, Chair
CHARLES BRUNER
JOHN JENSEN
GEORGE KINLEY *
DALE TIEDEN

The motion prevailed and the report 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, 94:

| | | | |
|------------------|----------|-----------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | Cooper | Copenhaver | Corey |
| Davitt | De Groot | Diemer | Doderer |
| Fey | Fogarty | Grandia | Gronings |
| 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 | 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 | Torrence | Van Camp | Van Gerpen |
| Van Maanen | Varn | Welden | Woods |
| Zimmerman | Mr. Speaker | | |

The nays were, 2:

Daggett Spear

Absent or not voting, 4:

Connors Handorf O'Kane Tofte

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 2262)**

Parker of Jasper called up for consideration the report of the conference committee on Senate File 2262 and moved the adoption of the report of the conference committee and the amendments contained therein as follows:

**REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 2262**

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 2262, a bill for an act relating to health insurance by requiring that coverage for educational programs for diabetes be offered, respectfully make the following report:

1. That the Senate concur in the House amendment, S—5731, to Senate File 2262, as amended, passed, and reprinted by the Senate.

ON THE PART OF THE HOUSE:

EDWARD G. PARKER, Chair
 NED F. CHIDO
 DARRELL R. HANSON
 BETTY HOFFMANN-BRIGHT
 BOB SKOW

ON THE PART OF THE SENATE:

JAMES GALLACHER, Chair
 JOHN W. JENSEN
 JOHN N. NYSTROM
 BERL E. PRIEBE
 DALE L. TIEDEN

The motion prevailed and the report 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?" (S.F. 2262)

The ayes were, 95:

| | | | |
|------------------|-------------|-------------|------------------|
| 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 | Loneragan | Maulsby |
| McIntee | McKean | Menke | Miller |
| Muhlbauer | Mullins | 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 | Weiden |
| Woods | Zimmerman | Mr. Speaker | |

The nays were, none.

Absent or not voting, 5:

Anderson
Tofte

Connors

Norland

O'Kane

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

SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Avenson invited the House Pages to the Speaker's station for a special presentation and thanked them for their service to the House.

Certificates of excellence for serving with honor and distinction as a House Page during the Second Regular Session of the Seventieth General Assembly were presented to the following Pages by Speaker Avenson and Minority Leader Stromer of Hancock:

Stacy M. Avery
Debbie Bittle
Kristi Conway
John Feyen
Michaela S. Gamble
Brenda Horrigan
Tony J. Huegel
Laura L. Jessen
Christa Kippes
Dee Knoshaug
Scott D. Livermore

Christine Lucy
David J. Manderschied
Dawn Y. McNeil
Dawn M. Moeller
Dan Peterson
Laura E. Rawson
Erin Robbins
Tim Rupp
Grant Sovern
Aimee L. Sturm
Craig A. White

SENATE AMENDMENTS CONSIDERED

Jay of Appanoose called up for consideration **Senate File 2271**, a bill for an act relating to the criminal and civil liability of state employees by modifying the definition of "claim" under the state tort claims act, modifying the requirements of representation of, indemnification for, and restitution from state employees, providing for representation of department of public safety members in criminal actions and providing for the designation of department members as department administrative hearing officers, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-6498 to the House amendment:

H-6498

- 1 Amend the House amendment S-5953 to Senate File
- 2 2271 as amended, passed and reprinted by the Senate
- 3 as follows:
- 4 1. Page 1, by striking lines 38 through 43.

The motion prevailed and the House concurred in the Senate amendment H-6498.

Jay of Appanoose 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. 2271)

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 | Hummel |
| Jay | Jochum | Knapp | Koenigs |
| Krewson | Lageschulte | Lloyd-Jones | Loneragan |
| Maulsby | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| Ollie | Osterberg | Oxley | Parker |
| Paulin | Pavich | Peick | Pellett |
| Poncy | Renaud | Renken | Rensink |
| Rosenberg | Royer | Running | Schneklath |
| Schroeder | Sherzan | Shultz | 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:

| | | |
|---------|--------|-------|
| Connors | O'Kane | Tofte |
|---------|--------|-------|

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

Gronstal of Pottawattamie called up for consideration **House File 2481**, a bill for an act relating to the taxation, valuation, and qualification of a fruit-tree or forest reservation for property tax purposes, amended by the Senate, and moved that the House concur in the following Senate amendment H-6473:

H-6473

- 1 Amend House File 2481 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 16, by striking the word "shall"
- 4 and inserting in lieu thereof the word "may".
- 5 2. Page 2, line 28, by inserting after the word
- 6 "tax." the following: "However, the area shall not
- 7 be subject to the recapture tax if the owner, including
- 8 one possessing under a contract of sale, and the
- 9 owner's direct antecedents or descendants have owned
- 10 the area for more than ten years."

The motion prevailed and the House concurred in the Senate amendment H-6473.

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. 2481)

The ayes were, 95:

| | | | |
|-------------|-----------|------------------|------------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Brammer | Branstad |
| Buhr | Carl | Carpenter | Carter |
| Chapman | Chiodo | Clark | Cochran |
| Connolly | 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 | Krewson | Lageschulte |
| Lloyd-Jones | Loneragan | Maulsby | McIntee |
| McKean | Menke | Miller | Muhlbauer |

| | | | |
|------------|------------|-------------|-----------|
| Mullins | Norland | Ollie | Osterberg |
| Oxley | Parker | Paulin | Pavich |
| Peick | Pellett | Poncy | Renaud |
| Renken | Rensink | Rosenberg | Royer |
| Running | Schneklath | Schroeder | Sherzan |
| Shoultz | Skow | Spear | Stromer |
| Stueland | Sturgeon | Sullivan | Swartz |
| Swearingen | Tabor | Torrence | Van Camp |
| Van Gerpen | Van Maanen | Varn | Weiden |
| Woods | Zimmerman | Mr. Speaker | |

The nays were, 1:

Corey

Absent or not voting, 4:

Connors Doderer O'Kane Tofte

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

Black of Jasper called up for consideration **House File 2274**, a bill for an act relating to the designation of moneys to be paid to the state fish and game protection fund by a taxpayer on an income tax return, amended by the Senate amendment H-6351 as follows:

H-6351

- 1 Amend House File 2274 as passed by the House as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the following
- 4 new section:
- 5 "Section 1. Section 56.18, subsection 3, unnumbered
- 6 paragraph 3, Code Supplement 1983, is amended to read
- 7 as follows:
- 8 However, before a checkoff pursuant to subsection
- 9 2 of the section shall be permitted, all liabilities
- 10 on the books of the department of revenue, and accounts,
- 11 identified as owing under section 421.17 and the
- 12 checkoff permitted under section 107.16 shall be
- 13 satisfied."
- 14 2. Page 1, line 1, by striking the word and figure
- 15 "paragraph 1" and inserting in lieu thereof the words
- 16 and figures "paragraphs 1 and 7".
- 17 3. Page 1, by inserting after line 13 the
- 18 following:
- 19 "The department shall adopt rules to implement
- 20 this section. However, before a checkoff pursuant
- 21 to this section shall be permitted, all liabilities

22 on the books of the department of revenue and accounts
 23 identified as owing under section 42F.17, subsection
 24 21, paragraph "b", and the political contribution
 25 allowed under section 56.18 shall be satisfied."

26 4. Page 1, by striking lines 14 and 15 and
 27 inserting in lieu thereof the following:

28 "Sec. 2. This Act is retroactive to January 1,
 29 1984, for the tax years beginning on or after that
 30 date."

31 5. Renumber sections and correct internal
 32 references as necessary in accordance with this
 33 amendment.

Krewson of Polk asked and received unanimous consent to withdraw amendment H-6459, to the Senate amendment H-6351, filed by him on April 19, 1984.

On motion by Black of Jasper, the House concurred in the Senate amendment H-6351.

Black of Jasper 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. 2274)

The ayes were, 83:

| | | | |
|-------------|-----------------|-------------|------------------|
| Anderson | Arnould | Baxter | Black |
| Blanshan | Brammer | Buhr | Carl |
| Carpenter | Carter | Chapman | Chiodo |
| Clark | Cochran | Connolly | Cooper |
| Corey | Daggett | Davitt | Diemer |
| Doderer | Fey | Fogarty | Groninga |
| Gronstal | Groth | Gruhn | Halvorson, R. A. |
| Hammond | Hanson | Harbor | Haverland |
| Hermann | Hoffmann-Bright | Holveck | Hughes |
| Jay | Jochum | Knapp | Koenigs |
| Lageschulte | Lloyd-Jones | Loneragan | McIntee |
| McKean | Menke | Miller | Muhlbauer |
| Mullins | Norland | Ollie | Osterberg |
| Oxley | Parker | Paulin | Pavich |
| Peick | Pellett | Poncy | Renaud |
| 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, 12:

| | | | |
|------------------|----------|------------|---------|
| Bennett | Branstad | De Groot | Grandia |
| Halvorson, R. N. | Hummel | Krewson | Maulsby |
| Renken | Rensink | Van Maanen | Welden |

Absent or not voting, 5:

| | | | |
|---------|------------|---------|--------|
| Connors | Copenhaver | Handorf | O'Kane |
| Tofte | | | |

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, relating to committee notice and agenda, for a committee on finance meeting.

The House stood at ease at 6:31 p.m., until the fall of the gavel.

The House resumed session at 6:52 p.m., Speaker Avenson in the chair.

SENATE AMENDMENT CONSIDERED

Brammer of Linn called up for consideration **Senate File 2328**, a bill for an act to amend the Iowa pari-mutuel wagering Act and providing that part-time and seasonal employees of the racing commission are not under the merit employment system, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-6503 to the House amendment:

H-6503

- 1 Amend House amendment S-6053 to Senate File 2328
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, by striking line 50.

A non-record roll call was requested.

The ayes were 48, nays 45.

The motion prevailed and the House concurred in the Senate amendment H-6503.

Brammer of Linn 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. 2328)

The ayes were, 53:

| | | | |
|-------------|-------------|----------|------------|
| Arnould | Baxter | Black | Blanshan |
| Buhr | Carter | Chapman | Chiodo |
| Cochran | Connolly | Cooper | Copenhaver |
| Davitt | Diemer | Fogarty | Groninga |
| Gronstal | Hanson | Harbor | Hughes |
| Jay | Jochum | Knapp | Koenigs |
| Krewson | Lageschulte | Lonergan | McIntee |
| Muhlbauer | Norland | Oxley | Parker |
| Paulin | Pavich | Peick | Poney |
| Renaud | Rosenberg | Royer | Running |
| Schroeder | Sherzan | Shoultz | Skow |
| Stromer | Sullivan | Swartz | Tabor |
| Van Gerpen | Varn | Woods | Zimmerman |
| Mr. Speaker | | | |

The nays were, 43:

| | | | |
|-----------------|------------|------------------|------------------|
| Anderson | Bennett | Brammer | Branstad |
| Carl | Carpenter | Clark | Corey |
| Daggett | De Groot | Doderer | Fey |
| Grandia | Gruhn | Halvorson, R. A. | Halvorson, R. N. |
| Hammond | Handorf | Haverland | Hermann |
| Hoffmann-Bright | Holveck | Hummel | Lloyd-Jones |
| Maulsby | McKean | Miller | Mullins |
| Ollie | Osterberg | Pellet | Renken |
| Rensink | Schnekloth | Spear | Stueland |
| Sturgeon | Swearingen | Tofte | Torrence |
| Van Camp | Van Maanen | Welden | |

Absent or not voting, 4:

| | | | |
|---------|-------|-------|--------|
| Connors | Groth | Menke | O'Kane |
|---------|-------|-------|--------|

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

REPORT OF COMMITTEE ON FINANCE

Senate File 2366, a bill for an act relating to the finance charges permitted in open-end credit accounts including credit cards and retail credit sales.

Fiscal Note is not required.

Without Recommendation, as amended with amendment H—6512, April 20, 1984.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 2366.

CONSIDERATION OF BILLS

Regular Calendar

Senate File 2366, a bill for an act relating to the finance charges permitted in open-end credit accounts including credit cards and retail credit sales, with report of committee specifying "without recommendation, as amended with amendment H—6512," was taken up for consideration.

Chiodo of Polk offered the following amendment H—6512 filed by the committee on finance and moved its adoption:

H—6512

- 1 Amend Senate File 2366 as passed by the Senate
- 2 as follows:
- 3 1. Page 1, by striking line 4 and inserting in
- 4 lieu thereof the following: "exceed an amount equal
- 5 to one and one-half".
- 6 2. Page 1, line 17, by striking the word "subsec-
- 7 tions" and inserting in lieu thereof the word "sub-
- 8 section".
- 9 3. Page 1, by striking lines 26 through 30.

Roll call was requested by Chiodo of Polk and Parker of Jasper.

On the question "Shall the committee amendment H—6512 be adopted?"

The ayes were, 27:

Arnould
Clark

Brammer
Connolly

Buhr
Copenhaver

Chiodo
Doderer

| | | | |
|----------|----------|-----------|------------------|
| Fey | Gronstal | Gruhn | Halvorson, R. N. |
| Hammond | Holveck | Hughes | Jay |
| Jochum | Krewson | Osterberg | Oxley |
| Parker | Renaud | Rosenberg | Sherzan |
| Sturgeon | Swartz | Torrence | |

The nays were, 68:

| | | | |
|------------------|-----------|-----------------|-------------|
| Anderson | Baxter | Bennett | Black |
| Blanshan | Branstad | Carl | Carpenter |
| Carter | Chapman | Cochran | Cooper |
| Corey | Daggett | Davitt | De Groot |
| Diemer | Fogarty | Grandia | Groninga |
| Halvorson, R. A. | Handorf | Hanson | Harbor |
| Haverland | Hermann | Hoffmann-Bright | Hummel |
| Knapp | Koenigs | Lloyd-Jones | Loneragan |
| Maulsby | McIntee | McKean | Menke |
| Miller | Muhlbauer | Mullins | Norland |
| Ollie | Paulin | Pavich | Peick |
| Pellett | Poncy | Renken | Rensink |
| Royer | Running | Schnekloth | Schroeder |
| Shoultz | Skow | Spear | Stromer |
| Stueland | Sullivan | Swearingen | Tabor |
| Tofte | Van Camp | Van Gerpen | Van Maanen |
| Varn | Weiden | Zimmerman | Mr. Speaker |

Absent or not voting, 5:

| | | | |
|---------|-------|-------------|--------|
| Connors | Groth | Lageschulte | O'Kane |
| Woods | | | |

The committee amendment H—6512 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. 2366)

The ayes were, 66:

| | | | |
|------------------|------------------|----------|-----------------|
| Anderson | Arnould | Baxter | Bennett |
| Black | Blanshan | Branstad | Carpenter |
| Chapman | Cochran | Cooper | Corey |
| De Groot | Diemer | Doderer | Fey |
| Fogarty | Grandia | Groninga | Gruhn |
| Halvorson, R. A. | Halvorson, R. N. | Handorf | Hanson |
| Harbor | Haverland | Hermann | Hoffmann-Bright |
| Hummel | Jay | Knapp | Koenigs |

| | | | |
|------------|-------------|-----------|------------|
| Krewson | Lloyd-Jones | Loneragan | Maulsby |
| McIntee | Menke | Miller | Muhlbauer |
| Mullins | Norland | Paulin | Pellett |
| Renken | Rensink | Royer | Schneklath |
| Schroeder | Shoultz | Skow | Spear |
| Stromer | Stueland | Sullivan | Swartz |
| Swearingen | Tabor | Tofte | Torrence |
| Van Gerpen | Van Maanen | Varn | Welden |
| Zimmerman | Mr. Speaker | | |

The nays were, 29:

| | | | |
|-----------|----------|------------|-----------|
| Brammer | Buhr | Carl | Chiodo |
| Clark | Connolly | Copenhaver | Daggett |
| Davitt | Gronstal | Hammond | Holveck |
| Hughes | Jochum | McKean | Ollie |
| Osterberg | Oxley | Parker | Pavich |
| Peick | Poncy | Renaud | Rosenberg |
| Running | Sherzan | Sturgeon | Van Camp |
| Woods | | | |

Absent or not voting, 5:

| | | | |
|--------|---------|-------|-------------|
| Carter | Connors | Groth | Lageschulte |
| O'Kane | | | |

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 House Resolutions 107 and 109 and Senate Concurrent Resolution 118.

ADOPTION OF HOUSE RESOLUTION 107

Peick of Linn called up for consideration House Resolution 107 relating to the recognition of female veterans, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE CONCURRENT RESOLUTION 118

Carter of Henry called up for consideration Senate Concurrent Resolution 118, relating to state mental health institutes, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 109

Pavich of Pottawattamie called up for consideration House Resolution 109, commemorating the one hundredth anniversary of the birth of Harry S. Truman, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE CONCURRENT RESOLUTION 125

Norland of Worth asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 125, relating to interim studies, and moved its adoption.

The motion prevailed and the resolution was adopted.

REMARKS BY THE MINORITY LEADER

Representative Stromer offered the following remarks:

Mr. Speaker, Members of the House:

It would probably be too easy to be critical of the Seventieth General Assembly especially of our actions the past four days. I will, however, save that rhetoric for the campaign trail this summer and fall.

The Seventieth General Assembly started with a very large number of new legislators, the most in a decade. We also had a change in the party controlling this body. The exceptional ability of new legislators blended well with the seasoned legislators helping us move quickly into the lawmaking role very early in 1983.

In fact in January 1983, Speaker Avenson pledged to make the Republicans full partners in the process. We held many republican caucuses trying to understand how this new partnership really worked. Many felt it was a limited partnership, some even felt we were only silent partners. However, eventually we learned and even accepted the role the minority party must play in the process.

I'm proud of the role our caucus has had in developing and perfecting many pieces of legislation. I thank the majority party for soliciting and accepting our input.

Despite our day to day confrontations on issues we always respected the others' rights to disagree.

I join with others in giving special tribute to those who are either seeking a different role or warmer climates next year. Your service will be missed. The process provides for someone to be replaced: The free and fair use of that process is the most sacred right we have and hopefully, we have done nothing to weaken that procedure.

To judge our final work product tonight is difficult but we will have plenty of time to reflect upon our mistakes. Good government, however, is always an on-going process; so in contemplating our errors we will begin working to correct them.

I may not be completely objective, but I do believe Iowa can be proud of its good government. The citizens who serve in this legislature are honest, dedicated people who serve more out of a sense of public duty and responsibility than out of a desire for fame, glory or financial reward.

I would ask those of you who are elected to serve the people of this state to join me in acknowledging another group of people also serving Iowa — the fine professionals on our caucus staffs, legislative staff, Service and Fiscal Bureaus and the media. They have worked long, hard hours doing an outstanding job and they do deserve our thanks.

Ladies and gentlemen, there are crops to be planted, vacations to be taken and campaigns to be run. Let us leave here tonight remembering not our differences — which, admittedly, are occasionally many — but the one important goal we have in common, the best interests of Iowa.

REMARKS BY MAJORITY LEADER

Representative Norland offered the following remarks:

Mr. Speaker, Ladies and Gentlemen:

In the haste to get this job done today, I neglected to write a speech, but I would like to just take this opportunity to thank some of the people who make this place work — people like the Legislative Service Bureau, the Legislative Fiscal Bureau, Shirley at the copy center, the caucus staffs, the staff in the well and in the Chief Clerk's office, the Legal Counsel, the pages, secretaries, Sergeant-at-Arms and doorkeepers, the Assistant Minority Leaders, the Minority Leader, the Assistant Majority Leaders, the Speaker and all of the one hundred representatives here in the House.

I think that you are what this state is and I am very proud of you and appreciative of you and I thank you for the session time and your cooperation.

REMARKS BY THE SPEAKER

Speaker Avenson offered the following remarks:

When a General Assembly nears adjournment, we have a brief opportunity to reflect on our successes and failures, and I would like to share my thoughts with you on the record of the Seventieth General Assembly.

I am proud of the work we have done. I believe we have made a major difference for the betterment of our state.

We took on and passed a number of bills which had been pending for years: reorganization of the state court system, containment of health care costs, consolidation of county finances and reform of utility regulations.

We faced up to a critical problem in the unemployment trust fund by bringing labor and small business groups together to reach a consensus which required sacrifices, but which were fair.

We solved an inherited budget crisis and dealt with our own biennium by raising revenues where necessary, cutting bureaucracy and completing our work with spending levels lower than those recommended by the Governor by thirty-four million dollars, the first time this has occurred in over a decade. We have been fiscally responsible.

We toughened our drunk driving laws, created protections for our children and families, helped to safeguard against the dangers of hazardous wastes, took a first step toward ensuring excellence in our system of education and began to eliminate pay discrimination in state employment.

We put a downpayment on the future of the state through research and development of Iowa agriculture, our excellence in education study, our comprehensive tax structure study, and our economic and job development incentives. Our jobs package has earned high regard throughout the state, and well it should: Venture capital funds, Regents construction bonding, a community development loan program, and an industrial new jobs training program. While I am personally disappointed that the World Trade Center concept did not get approval in the House, I am proud of the creativity and innovation which characterized this body's economic development effort.

I want to thank each and every one of you for your hard work and cooperation in making this a successful two years. It is difficult to leave your family for the time required to do the business of the state each year, and I appreciate your sacrifice greatly. You have been diligent, imaginative problem-solvers, and have lived up fully to the trust placed in you by your constituents.

I too want to thank the staff of the Service Bureau, Fiscal Bureau, Chief Clerk and Caucus staffs and I think we ought to take a moment to give them a hand.

Personally, I thank you for putting up with this big ego sometimes. I have tried as hard as I can to serve you both fairly and objectively and to defuse the partisanship of this chair — although I have at times exercised my responsibility and expressed my opinion from the floor of the House. I think we have done well.

I wish you a happy, healthy, fulfilling and restful interim.

ADOPTION OF SENATE CONCURRENT RESOLUTION 126

Norland of Worth asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 126 as follows, and moved its adoption:

SENATE CONCURRENT RESOLUTION 126
By Committee on Rules and Administration

- 1 A Senate Concurrent Resolution to provide for the
- 2 adjournment of the second regular session of
- 3 the seventieth general assembly.
- 4 *Be It Resolved by the Senate, the House Concurring,*
- 5 That when adjournment is had on the date of adoption
- 6 of this resolution, it shall be the sine die
- 7 adjournment of the second regular session of the
- 8 seventieth general assembly.

The motion prevailed and the resolution was adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 20, 1984, he approved and transmitted to the Secretary of State the following bills:

House File 48, an act authorizing counties to contract with certified public accountants to audit their financial records and transactions.

House File 169, an act establishing a time limit for completion of audits of units of local government.

House File 2187, an act to increase the filing or recording fee collected by the county recorder.

House File 2194, an act relating to the reporting of receipts by the county treasurer.

House File 2267, an act relating to the waiver of presentence investigations for class "B", "C", and "D" felonies.

House File 2416, an act relating to employee continuation rights under an employer-provided health benefit plan and to employer liability for breaking an agreement to provide a health benefit plan for employees.

House File 2417, an act relating to the inspection of jails and municipal holding facilities by the Iowa Department of Corrections.

Senate File 256, 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.

Senate File 414, an act relating to health service and health care providers by providing for the licensing of a health service provider in psychology and the ability of a nonprofit medical service plan to contract with certain health care providers.

Senate File 2155, an act relating to internal expense reporting and payroll procedures in the Office of the Auditor of State.

Senate File 2173, an act relating to appeals of awards by compensation commissions in condemnation proceedings.

Senate File 2189, an act relating to bacterial and organoleptic milk standards.

Senate File 2213, an act relating to the authority of the Department of Water, Air and Waste Management over waste water disposal systems.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Friday, April 20, 1984. Had I been present, I would have voted "aye" on Senate File 2359.

VAN GERPEN of Black Hawk

PRESENTATION OF VISITORS

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

Ninety fifth grade students from Douglas Elementary School, Des Moines, accompanied by Karen Bush. By Renaud of Polk.

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF REVENUE

The Annual Report of the Department of Revenue for the fiscal year ending June 30, 1983, pursuant to Chapter 421.13, Code of Iowa.

STATE OF KENTUCKY

House Resolution 134 and Senate Resolution 61, urging the boycott of all products manufactured in the Socialist Republic of Romania until substantial progress is made by that government in resolving specific human rights violations.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

- | | |
|---------|---|
| 1984-31 | Druggist Mutual Insurance Company, Algona — 75th anniversary of its founding. |
| 1984-32 | United Auto Workers Local 893, Marshalltown — 20th Anniversary of its founding. |
| 1984-33 | Laur and Jay Murphy and the descendants of Matthew J. Edel for their generous gift to the state, of the Matthew J. Edel Blacksmith Shop, Haverhill. |
| 1984-34 | Graduation Class of 1949 of Thomas Jefferson High School, Council Bluffs — 35th reunion of an outstanding class. |
| 1984-35 | City of Sharpsburg — Celebrating their centennial on September 1, 2, and 3, 1984. |

SUBCOMMITTEE ASSIGNMENTS

House File 2441

Finance: Connolly, Chair; Chiodo and Krewson.

House File 2473

Finance: Hanson, Chair; Arnould and Krewson.

House File 2526

Finance: Doderer, Chair; Halvorson of Webster and Krewson.

House File 2528

Finance: Halvorson of Webster, Chair; Arnould and Krewson.

Senate File 2043

Finance: Doderer, Chair; Halvorson of Webster and Krewson.

Senate File 2073

Finance: Halvorson of Webster, Chair; Arnould and Branstad.

Senate File 2170

Finance: Halvorson of Webster, Chair; Branstad and Jochum.

Senate File 2178

Ways and Means: Pavich, Chair; Diemer and Doderer.

Senate File 2328

Finance: Connolly, Chair; Branstad and Chiodo.

Senate File 2332

Finance: Chiodo, Chair; Arnould and Branstad.

Senate File 2334

Finance: Jochum, Chair; Arnould and Krewson.

Senate File 2337

Finance: Jochum, Chair; Branstad and Halvorson of Webster.

Senate File 2342

Ways and Means: Koenigs, Chair; Anderson and Chiodo.

Senate File 2346

Ways and Means: Koenigs, Chair; Cochran, De Groot and Doderer.

Senate File 2348

Ways and Means: Osterberg, Chair; Brammer and Maulsby.

Senate File 2349

Ways and Means: Cochran, Chair; Chiodo and De Groot.

Senate File 2351

Finance: Jochum, Chair; Arnould and Krewson.

Senate File 2352

Finance: Jochum, Chair; Connolly and Hanson.

Senate File 2353

Finance: Jochum, Chair; Halvorson of Webster and Krewson.

Senate File 2354

Ways and Means: Gronstal, Chair; Connolly and Renken.

Senate File 2356

Finance: Connolly, Chair; Branstad and Chiodo.

Senate File 2361

Finance: Jochum, Chair; Branstad and Connolly.

Senate File 2363

Finance: Jochum, Chair; Arnould and Krewson.

The House stood at ease at 7:53 p.m., until the fall of the gavel.

MESSAGES FROM THE SENATE SUBSEQUENT TO RECESS

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, 1984, adopted the conference committee report and passed 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 April 19, 1984, adopted the conference committee report and passed 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.

Also: That the Senate has on April 18, 1984, 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 582, a bill for an act relating to the postconviction procedure Act.

Also: That the Senate has, on April 20, 1984, adopted the conference committee report and passed House File 595, a bill for an act relating to the deferring of judgment or deferring of sentence of a person previously convicted of a felony.

Also: That the Senate has, on April 20, 1984, adopted the conference committee report and passed House File 2211, a bill for an act making changes in the practice act relating to physical therapy.

Also: That the Senate has on April 19, 1984, 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 2217, a bill for an act to establish a board of educational examiners to issue certificates and provide for their renewal, and to prescribe their duties.

Also: That the Senate has on April 19, 1984, 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 2401, a bill for an act relating to the creation of a public outdoor recreation and resources program, an advisory council, and a county conservation board fund.

Also: That the Senate has on April 11, 1984, 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 2439, a bill for an act relating to pari-mutuel betting by requiring certain information from an applicant for a racing license.

Also: That the Senate has, on April 20, 1984, adopted the conference committee report and passed House File 2470, a bill for an act relating to the platting requirements upon the subdivision of a parcel of land.

Also: That the Senate has on April 19, 1984, 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 2486, a bill for an act to provide a deterrent to persons operating a motor vehicle while under the influence of an alcoholic beverage or other drug, providing instruction and treatment for drinking drivers, declaring certain acts illegal and establishing penalties.

Also: That the Senate has on April 20, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2517, a bill for an act to legalize proceedings by the city council of the city of Ryan, Iowa relating to the sale of certain property.

Also: That the Senate has on April 19, 1984, 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 2518, a bill for an act relating to and making appropriations to various executive, legislative and judicial departments and agencies.

Also: That the Senate has on April 19, 1984, 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 2519, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs for this state.

Also: That the Senate has on April 19, 1984, 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 2520, a bill for an act relating to and appropriating funds for various operations and grants and aids to departments whose responsibility relates to agricultural affairs, economic development, and energy and natural resources management.

Also: That the Senate has on April 19, 1984, 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 2521, 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 18, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2522, a bill for an act relating to the disposition of unclaimed property.

Also: That the Senate has on April 18, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2524, a bill for an act increasing the limit on the tax rate that may be certified by the board of directors of a school corporation to be levied on taxable property in a school district for the use of a free public library by residents of the school district.

Also: That the Senate has on April 18, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2525, a bill for an act to increase the authorized property tax levy for a benefited law enforcement district.

Also: That the Senate has on April 20, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2531, a bill for an act relating to urban renewal.

Also: That the Senate has on April 19, 1984, passed the following bill in which the concurrence of the Senate was asked:

House File 2532, a bill for an act allowing telephone utilities to offer certain services without filing a tariff with the Iowa state commerce commission and providing an effective date.

Also: That the Senate has on April 18, 1984, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 16, designating the American library association's symbol for libraries as the official symbol.

Also: That the Senate has on April 19, 1984, concurred in the House amendment, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2043, a bill for an act authorizing a partial exemption from property taxation for new warehouses and new warehouse machinery and equipment.

Also: That the Senate has on April 19, 1984, concurred in the House amendment, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2169, a bill for an act including vehicles used to transport agricultural products being pulled by a tractor as implements of husbandry.

Also: That the Senate has on April 2, 1984, concurred in the House amendment, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2228, a bill for an act prohibiting zoning regulations or other ordinances which disallow plans and specifications of a proposed residential dwelling solely because the proposed dwelling is a manufactured home.

Also: That the Senate has on April 19, 1984, receded from the Senate amendment to the House amendment, and passed the following bill:

Senate File 2238, a bill for an act making Code corrections which strike or replace incorrect references, strike expired provisions, and make statutes consistent, including statutes relating to penalties.

Also: That the Senate has on April 20, 1984, receded from the Senate amendment to the House amendment and passed the following bill:

Senate File 2254, a bill for an act relating to the state employee suggestion system.

Also: That the Senate has on April 19, 1984, receded from the Senate amendment to the House amendment and passed the following bill:

Senate File 2268, a bill for an act providing for the mandatory assignment of a person's income when the person is delinquent in paying court-ordered support and providing a penalty.

Also: That the Senate has on April 19, 1984, concurred in the House amendment, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2327, a bill for an act relating to what constitutes discounts on transactions occurring between January 1, 1978 and July 1, 1984 involving farm equipment and related products for purposes of the state sales, services, and use tax, relating to refunds, and providing retroactive effect.

Also: That the Senate has on April 20, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2332, a bill for an act relating to the Iowa housing finance authority by changing the definitions of "small business" and "dominant in its field of operation" for the small business loan program and increasing the bonding capacity.

Also: That the Senate has on April 19, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2342, a bill for an act relating to regional transit systems by defining the systems to include systems which receive state or federal funds, by providing motor fuel and special fuel tax exemptions for these systems, and by providing free registration plates and validation stickers for these systems.

Also: That the Senate has on April 19, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2351, a bill for an act relating to the administration and financing of current programs other than mental health programs under the jurisdiction of the department of human services and to the foster care review board for the fiscal year beginning July 1, 1984, and ending June 30, 1985.

Also: That the Senate has on April 19, 1984, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2354, a bill for an act to treat the sale of vulcanizing, recapping, and retreading services under the state sales, services, and use tax as a sale of tangible personal property, and providing retroactive effect.

K. MARIE THAYER, Secretary

The House resumed session, Speaker Avenson in the chair.

RESOLUTION FILED

HCR 128, by Carl, Rosenberg, Clark, Lloyd-Jones, Peick, Gruhn and Jay, a concurrent resolution relating to the proper and just treatment of children who must appear as witnesses in judicial and quasi-judicial proceedings.

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 and resolution 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 20th day of April, 1984: House Files 4, 123, 189, 205, 224, 406, 434, 446, 508, 523, 531, 540, 558, 573, 582, 595, 2015, 2043, 2062, 2068, 2100, 2110, 2164, 2167, 2172, 2180, 2183, 2211, 2217, 2219, 2234, 2247, 2272, 2274, 2302, 2306, 2326, 2331, 2334, 2340, 2348, 2354, 2373, 2378, 2385, 2386, 2389, 2390, 2392, 2393, 2398, 2401, 2414, 2415, 2423, 2425, 2426, 2427, 2430, 2431, 2432, 2433, 2436, 2437, 2439, 2440, 2444, 2452, 2457, 2459, 2463, 2465, 2467, 2468, 2470, 2472, 2473, 2478, 2481, 2486, 2487, 2501, 2503, 2507, 2510, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2524, 2525, 2528, 2531, 2532 and House Concurrent Resolution 117.

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 126 duly adopted.

The motion prevailed and the Speaker appointed as such committee: Lloyd-Jones of Johnson, Schroeder of Pottawattamie and Connors of Polk.

COMMITTEE TO NOTIFY THE SENATE

Sherzan of Polk 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 126 duly adopted.

The motion prevailed and the Speaker appointed as such committee: Sherzan of Polk, Clark of Cerro Gordo and Döderer of Johnson.

COMMITTEE FROM THE SENATE

The committee from the Senate appeared and notified the House that the Senate was ready to adjourn.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

The committee appointed to notify the Senate that the House was ready to adjourn returned and reported it had performed its duty.

The report was received and the committee discharged.

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

The committee appointed to notify the Governor that the House was ready to adjourn returned and reported it had performed its duty.

The report was received and the committee discharged.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

1984-36 City of Mingo — Celebration of Centennial.

1984-37 City of Bondurant — Celebration of Centennial.

JOSEPH O'HERN
Chief Clerk of the House

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 126, duly adopted, the day of April 20, 1984 having arrived, the Speaker of the House of Representatives declared the 1984 Regular Session of the Seventieth General Assembly adjourned sine die.

COMMUNICATION FROM THE GOVERNOR

OFFICE OF THE GOVERNOR
State Capitol
Des Moines, Iowa 50319

May 25, 1984

The Honorable Donald D. Avenson
Speaker of the House
State Capitol Building
L O C A L

Dear Don:

Each year, the Governor of Iowa is required to comment on the Condition of the State and to make recommendations to the General Assembly. In January, I made my annual address to the Legislature and outlined a progressive program for Iowans within the fiscal restrictions we currently face. The needs of Iowans range from dealing with the tragedy of sexual exploitation of small children to marketing Iowa's agricultural goods and manufactured products. I presented several initiatives to stimulate Iowa's economy and improve the quality of life for all of our citizens.

Promoting Iowa Exports and Jobs

Iowa must compete in an ever-changing worldwide economy. We need bold moves and innovative concepts to strengthen our position. The proposal for a World Trade Center was both of these things and more. It offered the promise of thousands of jobs for Iowans.

The failure to approve an Iowa World Trade Center in 1984 should not preclude a serious, ongoing effort to expand markets, increase exports and add jobs.

The Meat Export Technology and Policy Research group at Iowa State will contribute to expanding world markets. Unfortunately, Iowa's Asian office will be handicapped because the legislature provided less than half the amount I recommended for its operation. Economic development received far less than I recommended in my budget. This is a great disappointment and will handicap our efforts to make more jobs available for Iowans.

Encouraging Educational Excellence

Educating young Iowans is one of our greatest responsibilities. We take that responsibility very seriously, not only in philosophy, but also in action. Besides fully supporting the School Foundation plan, I recommended for fiscal 1985 additional incentives to strengthen our schools and encourage educational excellence. Foreign language and advanced math courses, a science foundation, science programs and new classroom technology will aid us in all of these areas.

Helping higher education was, as always, a priority of this administration. Increasing student tuition grants, help for parents of deaf students and planning for increased home economics facilities at Iowa State University are all ways the legislature and executive branches cooperated to support Iowa's institutions of higher learning.

Protecting Young Iowans

Iowa's young people represent our future, and I recommended important measures to insure their safety. I am gratified that the legislature agreed with me and passed bills that concurred with these priorities. Young Iowans will be safer because we have a car seat restraint law, because we have increased penalties for child sexual exploitation, and because we will look for missing children as soon as possible.

Parents have a duty to support their children. This obligation continues even though a marriage has been dissolved. And, we have a responsibility to enforce support orders and to make sure visitation rights are not denied. The bills passed this year and signed by me demonstrate our commitment to guarantee that court orders for support or visitation are followed.

Curbing Substance Abuse and Drunk Driving

The substance abuse legislation I signed will greatly enhance our efforts to curb drinking and drug use by providing funds for education, prevention, and treatment. In the bill, state funds will be substituted for county monies and consequently our resources for treatment will be extended. I have exercised my authority to item veto certain sections that would have placed untenable burdens on county government and one section that was clearly in conflict with existing statutes.

The legislature's response to my request for tough drunk driving measures was disappointing. You passed my recommendations for increased fines and helpful procedural changes to assist county attorneys. Unfortunately, the legislature failed to provide the uniformity and certainty needed to have an effective deterrent to drunk drivers. The legislature failed to eliminate deferred and suspended sentences for drunk drivers and failed to pass the nationally recognized .10 per se level. Iowa will continue to miss out on federal funds because the legislature failed to act on the latter provision.

Toughening Criminal Procedures

Only five of my thirteen priorities to strengthen Iowa's criminal justice system were passed by the legislature. Although some proposals were technical alterations of existing procedures, they were designed to save time, money, and in some cases, lives. Of all the possibilities, the legislature selected only the following tools to fight crime: to issue warrants for escaped prisoners; to eliminate the waiver of a pre-sentence investigation; to expand the home work release program; and to require a mental evaluation for anyone found not guilty by reason of insanity.

Two additional programs I consider important will be continued. The state will assume fiscal responsibility for the court system over a period of years and the victim restitution program will be continued and expanded.

Improving Government

The legislature neglected a timely opportunity to streamline state government by reorganizing state boards and commissions. In keeping with the findings of the Governor's Task Force on Efficiencies and Cost-Effectiveness, I proposed eliminating or combining 11 boards and standardizing all others. Unfortunately, these ideas never moved beyond committee assignment.

Measures approved to further state government efficiency included the Code Editor's Corrections Bill, elimination of the list of unpaid obligations, forms management regulations, and a voluntary phased retirement system. Others that failed to receive positive action were the limit to allowable military leave and charging for official state publications.

You made several significant changes in the tort liability system. The main emphasis was on clarifying comparative fault, which I believe will help ensure reasonable and fair settlements of disputed liability cases.

Other Priorities

My program contained a number of other provisions aimed at benefiting Iowans. Some of the more significant pieces of legislation were:

- more funding for soil conservation
- more dollars for community mental health and mental retardation
- a new law to combat computer crime, and
- fuel tax exemption for regional transit systems.

In the final analysis, the Second Session of the 70th General Assembly produced only mixed results. While I am grateful that legislators approved two-thirds of my recommendations, I am disappointed with both the failure to act on several key issues and the lack of support for economic development.

Iowans want job opportunities. Yet, if I had permitted the tax increases, potential tax increases, and triggers to become the law of this state, they could have jeopardized our jobs and development program.

Very truly yours,
Terry E. Branstad
Governor

AMENDMENTS FILED

Amendments filed during the Seventieth General Assembly,
1984 Session, not otherwise printed in the House Journal:

H—5003

- 1 Amend the Senate amendment H—3766 to House File
- 2 582 amended, passed, and reprinted as follows:
- 3 1. Page 1, by striking line 3 and inserting in
- 4 lieu thereof the following:
- 5 "1. Page 1, line 10, by striking the word "six"
- 6 and inserting in lieu thereof the word "two".
- 7 2. Page 1, line 13, by inserting after the word".

JAY of Appanoose
 HALVORSON of Clayton
 SCHROEDER of Pottawattamie
 PARKER of Jasper*
 COREY of Louisa
 CLARK of Cerro Gordo

McINTEE of Black Hawk
 TABOR of Jackson
 MAULSBY of Calhoun
 McKEAN of Jones
 MILLER of Woodbury
 PAULIN of Plymouth
 VARN of Johnson

H—5004

- 1 Amend House File 2004 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting in lieu thereof the following:
- 4 "Section 1. NEW SECTION. REIMBURSEMENT OF TRAINING
- 5 COST. If a political subdivision of the state hires
- 6 a law enforcement officer from another political
- 7 subdivision of the state, the hiring political
- 8 subdivision shall reimburse the former employer
- 9 political subdivision for the necessary and actual
- 10 expenses incurred by the former employer political
- 11 subdivision in training the law enforcement officer.
- 12 Necessary and actual expenses incurred by the former
- 13 employer political subdivision means the salary paid
- 14 to the officer while the officer was in attendance
- 15 at the Iowa law enforcement academy and the cost of
- 16 tuition, lodging, meals, and travel expenses paid
- 17 by the former employer political subdivision for
- 18 training the officer. Reimbursement shall be made
- 19 by the hiring political subdivision as follows:
- 20 1. If the law enforcement officer was employed
- 21 for one year or less after training was completed,
- 22 the hiring political subdivision shall reimburse the
- 23 former employer political subdivision for ninety-five
- 24 percent of the necessary and actual expenses incurred
- 25 by the former employer political subdivision in
- 26 training the officer.
- 27 2. For each subsequent year, the law enforcement
- 28 officer was employed by the former employer political
- 29 subdivision the rate of reimbursement required shall
- 30 be reduced by five percent.

31 3. Reimbursement is not required from the hiring
 32 political subdivision if the law enforcement officer
 33 was employed by the former employer political
 34 subdivision for five years or more following the law
 35 enforcement officer's completion of training at the
 36 Iowa law enforcement academy."

37 2. Amend the title, by striking lines 1 and 2
 38 and inserting in lieu thereof the following: "An
 39 Act relating to reimbursement to a political
 40 subdivision for the cost of training a law enforcement
 41 officer hired away from the political subdivision."

SCHNEKLOTH of Scott
 PAULIN of Plymouth
 MILLER of Woodbury
 DE GROOT of Lyon

H-5006

1 Amend House File 2002 as follows:
 2 1. Page 1, lines 17 and 18, by striking the words
 3 "~~been admitted to completed the~~" and inserting in
 4 lieu thereof the words "been admitted to".

HERMANN of Scott

H-5007

1 Amend the Report of the House Rules and
 2 Administration Committee found on pages 56 and 57
 3 of the January 11, 1984 House Journal by adding the
 4 following:

| | | |
|-----------------------------------|----------------------|--------------------|
| 5 "Assistant to Legal Counsel and | | |
| 6 Engrossing-Enrolling Clerk | Peg E. Kephart | 21-7 P-FT 1/09/84 |
| 7 Assistant Finance Officer | Debra K. Olson | 17-6 P-FT 1/09/84 |
| 8 Compositor | C. Elaine Schoonover | 17-3 P-FT 1/09/84 |
| 9 Chief Indexer | Juanita Swackhammer | 19-7 P-FT 1/09/84 |
| 10 Finance Officer | Billie Jean Walling | 26-7 P-FT 1/09/84 |
| 11 Indexing Assistant | Wilma F. Zika | 17-5 P-FT 1/09/84 |
| 12 Assistant Legal Counsel | Maxine Mann | 23-7 P-FT 1/09/84" |

SCHROEDER of Pottawattamie

H-5009

1 Amend House File 2072 as follows:
 2 1. Page 7, by striking lines 5 through 8.

WELDEN of Hardin

H-5021

1 Amend House File 2039 as follows:

2 1. Page 1, line 4, by inserting after the word
3 "appointment." the words "If the vacancy occurs within
4 sixty days of an election at which a successor will
5 be elected, the board is not required to appoint a
6 member to fill the vacancy."

SPEAR of Lee

H-5026

1 Amend House File 93 as follows:

2 1. Page 1, by inserting after line 19 the
3 following:
4 "If the industrial commissioner disapproves a claim
5 or a portion of a claim for benefits under this section
6 because it did not meet the reasonable or necessary
7 standards of this section, the employee shall reimburse
8 the employer for the cost or that portion of the cost
9 of the care which did not meet the reasonable or
10 necessary standards."

Committee on Labor and Industrial Relations

H-5028

1 Amend Senate File 413 as passed by the Senate as
2 follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. Section 514.1, Code Supplement 1983,
6 is amended to read as follows:
7 514.1 INSURANCE LAWS EXCLUDED GENERALLY. Any
8 corporation hereafter organized under the provisions
9 of chapter 504 or chapter 504A, for the purpose of
10 establishing, maintaining, and operating a nonprofit
11 hospital service plan, whereby hospital service may
12 be provided by the corporation or by a hospital with
13 which it has a contract for service, to the public
14 who become subscribers to this plan under a contract
15 which entitles each subscriber to hospital service,
16 or any corporation organized for the purpose of
17 establishing, maintaining, and operating a plan whereby
18 medical and surgical service may be provided at the
19 expense of this corporation, by duly licensed
20 physicians and surgeons, dentists, podiatrists,
21 osteopathic physicians, or osteopathic physicians
22 and surgeons, to subscribers under contract, entitling
23 each subscriber to medical and surgical service, as

24 provided in the contract or any corporation organized
25 for the purpose of establishing, maintaining, and
26 operating a nonprofit pharmaceutical service plan
27 or optometric service plan, whereby pharmaceutical
28 or optometric service may be provided by this
29 corporation or by a licensed pharmacy with which it
30 has a contract for service, to the public who become
31 subscribers to this plan under a contract which
32 entitles each subscriber to pharmaceutical or
33 optometric service or any corporation organized for
34 the purpose of establishing, maintaining, and operating
35 a nonprofit chiropractic service plan whereby
36 chiropractic service may be provided by this
37 corporation to the public who became subscribers to
38 this plan under a contract which entitles each
39 subscriber to chiropractic services, shall be governed
40 by the provisions of this chapter and shall be exempt
41 from all other provisions of the insurance laws of
42 this state, unless specifically designated herein,
43 not only in governmental relations with the state
44 but for every other purpose, and additions hereafter
45 enacted shall not apply to these corporations unless
46 they be expressly designated therein. For the purposes
47 of this chapter, "subscriber" means an individual
48 who enters into a contract for hospital services,
49 medical or surgical services, dental services, or
50 pharmaceutical or optometric services, or chiropractic

Page 2

1 services with a corporation subject to this chapter
2 and includes any person eligible for medical assistance
3 or additional medical assistance as defined under
4 chapter 249A, with respect to whom the department
5 of human services has entered into a contract with
6 any firm operating under chapter 514. For purposes
7 of this chapter, "provider" is as defined in section
8 514B.1.

9 Sec. 2. Section 514.2, Code 1983, is amended to
10 read as follows:

11 514.2 INCORPORATION. Persons desiring to form
12 a nonprofit hospital service corporation, or a
13 nonprofit medical service corporation, or a nonprofit
14 pharmaceutical or optometric service corporation,
15 or a nonprofit chiropractic service corporation shall
16 incorporate under the provisions of chapter 504 or
17 chapter 504A, as supplemented and amended herein and
18 any acts amendatory thereof.

19 Sec. 3. Section 514.4, unnumbered paragraph 1,
20 Code Supplement 1983, is amended to read as follows:

21 At least two-thirds of the directors of a hospital
22 service corporation, medical service corporation,
23 dental service corporation, ~~or~~ pharmaceutical or
24 optometric service corporation, or chiropractic service
25 corporation subject to this chapter shall be at all
26 times subscribers and not more than one-third of the
27 directors shall be providers as provided in this
28 section. The board of directors of each corporation
29 shall consist of at least nine members.

30 Sec. 4. Section 514.5, Code Supplement 1983, is
31 amended by adding the following new unnumbered
32 paragraph:

33 **NEW UNNUMBERED PARAGRAPH.** Any chiropractic service
34 corporation organized under the provisions of said
35 chapter may enter into contracts for the rendering
36 of chiropractic service to any of its subscribers
37 through chiropractors.

38 Sec. 5. Section 514.6, Code 1983, is amended to
39 read as follows:

40 **514.6 RATES – APPROVAL BY COMMISSIONER.** The rates
41 charged by any such corporation to the subscribers
42 for hospital service or for medical and surgical
43 service, or for pharmaceutical or optometric service
44 or for chiropractic service shall at all times be
45 subject to the approval of the commissioner of
46 insurance.

47 Sec. 6. Section 514.7, unnumbered paragraph 1,
48 Code Supplement 1983, is amended to read as follows:

49 The contracts by any such corporation with the
50 subscribers for hospital service or for medical and

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1 surgical service or for pharmaceutical or optometric
2 service or for chiropractic service shall at all times
3 be subject to the approval of the commissioner of
4 insurance. The commissioner shall require that
5 participating pharmacies be reimbursed by the
6 pharmaceutical service corporation at rates or prices
7 equal to the rates or prices charged nonsubscribers,
8 unless the commissioner determines otherwise to prevent
9 loss to subscribers.

10 Sec. 7. Section 514.8, Code 1983, is amended to
11 read as follows:

12 **514.8 CONTRACTS WITH HOSPITALS – APPROVAL.** The
13 contracts by any such corporation with participating
14 hospitals for hospital service or with participating
15 physicians and surgeons, dentists, podiatrists,
16 osteopathic physicians, or osteopathic physicians
17 and surgeons for medical and surgical service, or
18 with participating pharmacies for pharmaceutical

19 service, or with participating optometrists for
20 optometric service, or with participating chiropractors
21 for chiropractic service shall at all times be subject
22 to the approval of the commissioner of insurance.

23 Sec. 8. Section 514.11, Code 1983, is amended
24 to read as follows:

25 514.11 COSTS APPROVED. All acquisition costs
26 in connection with the solicitation of subscribers
27 to such hospital service plan or medical service plan
28 or pharmaceutical or optometric service plan or
29 chiropractic service plan, and administration costs
30 including salaries paid its officers, if any, shall
31 at all times be subject to the approval of the
32 commissioner of insurance.

33 Sec. 9. Section 514.13, Code 1983, is amended
34 to read as follows:

35 514.13 ARBITRATION OF DISPUTES. Any dispute
36 arising between a corporation organized under said
37 chapter and any hospital with which such corporation
38 has a contract for hospital service, or any physician
39 and surgeon, dentist, podiatrist, osteopathic
40 physician, or osteopathic physician and surgeon with
41 whom any such corporation has a contract for medical
42 and surgical service, or any pharmacy or optometrist
43 with whom any such corporation has a contract for
44 pharmaceutical or optometric service, or any
45 chiropractor with whom any such corporation has a
46 contract for chiropractic service, as provided for
47 herein, may be submitted to the commissioner of
48 insurance for his a decision. All decisions and
49 findings of the commissioner of insurance may be
50 judicially reviewed in accordance with the terms of

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1 the Iowa administrative procedure Act chapter 17A.

2 Sec. 10. Section 514.16, Code 1983, is amended
3 to read as follows:

4 514.16 GOVERNMENTAL EMPLOYEES INCLUDED. An
5 employee or employees of the state, or of any county,
6 city or of any institution supported in whole or in
7 part by public funds, or any subdivisions thereof,
8 may authorize the deduction from his the employee's
9 or their salary or wages of the amount of his the
10 employee's or their subscription payments to any
11 corporation operating a nonprofit hospital service
12 plan or medical service plan or pharmaceutical or
13 optometric service plan or chiropractic plan, as
14 provided in this chapter. The governing body of the
15 state, or of the county, city or of any institution
16 supported in whole or in part by public funds, or

17 any subdivisions thereof, may authorize deductions
 18 from the salaries or wages of employees subscribing
 19 to such nonprofit hospital service plan or medical
 20 service plan or pharmaceutical or optometric service
 21 plan or chiropractic plan. The authorization by an
 22 employee or employees for deductions from his
 23 employee's or their salaries or wages shall be
 24 evidenced by a written request signed by the employee
 25 directed to and filed with the treasurer of the state,
 26 county, city or of any institution supported in whole
 27 or in part by public funds, or any subdivisions
 28 thereof, and said treasurer is authorized to draw
 29 and deliver checks in favor of the hospital service
 30 corporation or medical service corporation or
 31 pharmaceutical or optometric service corporation or
 32 chiropractic service corporation stipulated in such
 33 authorization for the amount covering the sum total
 34 of the deductions authorized. The foregoing provisions
 35 are not to be deemed an assignment of salaries or
 36 wages.

37 Sec. 11. Section 514D.2, subsection 1, Code 1983,
 38 is amended to read as follows:

39 1. "Accident and sickness insurance" means
 40 individual accident and sickness insurance within
 41 the meaning of section 514A.1. "Accident and sickness
 42 insurance" also means individual subscriber contracts
 43 for hospital service, or medical and surgical service,
 44 or individual pharmaceutical or optometric service,
 45 or chiropractic service issued under chapter 514,
 46 and for purposes of this division, corporations issuing
 47 contracts under chapter 514 are deemed to be engaged
 48 in the business of insurance."

49 Sec. 12. Title page, by striking lines 1 through
 50 3 and inserting in lieu thereof the words "An Act

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1 providing for the establishment of chiropractic service
 2 corporations."

SCHNEKLOTH of Scott

H - 5030

1 Amend House File 473 as follows:
 2 1. Page 1, line 8, by striking the words "a
 3 physician determines" and inserting in lieu thereof
 4 the following: "a physician selected by the applicant
 5 and a physician selected by the academy determine"

HAMMOND of Story
 CLARK of Cerro Gordo
 ROSENBERG of Story

H-5031

1 Amend House File 224 as follows:

2 1. Page 1, by striking lines 1 through 30.

3 2. Page 1, line 33, by striking the word
4 "UNLICENSED" and inserting in lieu thereof the word
5 "UNLICENSED".

6 3. Page 2, line 3, by striking the words "a license
7 or" and inserting in lieu thereof the words "a license
8 an".

9 4. Page 2, line 4, by striking the words "license
10 tag or" and inserting in lieu thereof the words
11 "license tag an".

12 5. Page 2, by striking lines 9 through 11 and
13 inserting in lieu thereof the following: "for any
14 a person to kill a dog, licensed and wearing a collar
15 with license an antirabies tag attached, when such
16 the dog is caught in the".

17 6. By striking page 2, line 15 through page 3,
18 line 10 and inserting in lieu thereof the following:
19 "Sec. . Section 351.34, Code 1983, is amended
20 to read as follows:

21 351.34 CONDITION FOR LICENSE. Before In a city
22 or county which requires dogs to be licensed, before
23 a license is issued for any dog, the owner must present
24 evidence with the application required by section
25 351.3 that the dog has been vaccinated against rabies,
26 or if the dog license fee is paid to the assessor,
27 as permitted in section 351.16, such evidence must
28 be presented to the assessor. Such The evidence shall
29 be a certificate of vaccination signed by a licensed
30 veterinarian, and the certificate shall show that
31 the vaccination does not expire within six months
32 from the effective date of the dog license.

33 Sec. . Section 331.427, subsection 2, paragraph
34 k, Code Supplement 1983, is amended by striking the
35 paragraph.

36 Sec. . 1. Sections 351.1 through 351.14,
37 351.16, 351.17, 351.20, 351.22 through 351.27, 351.29,
38 and chapter 352, Code 1983, are repealed.

39 2. Section 351.15 Code Supplement 1983, is
40 repealed."

41 7. By renumbering sections to conform to this
42 amendment.

H - 5032

1 Amend Senate File 414 as passed by the Senate as
2 follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. Section 514.1, Code Supplement 1983,
6 is amended to read as follows:

7 514.1 INSURANCE LAWS EXCLUDED GENERALLY. Any
8 corporation hereafter organized under the provisions
9 of chapter 504 or chapter 504A for the purpose of
10 establishing, maintaining, and operating a nonprofit
11 hospital service plan, whereby hospital service may
12 be provided by the corporation or by a hospital with
13 which it has a contract for service, to the public
14 who become subscribers to this plan under a contract
15 which entitles each subscriber to hospital service,
16 or any corporation organized for the purpose of
17 establishing, maintaining, and operating a plan whereby
18 medical and surgical service may be provided at the
19 expense of this corporation, by duly licensed
20 physicians and surgeons, dentists, podiatrists,
21 osteopathic physicians, or osteopathic physicians
22 and surgeons, to subscribers under contract, entitling
23 each subscriber to medical and surgical service, as
24 provided in the contract or any corporation organized
25 for the purpose of establishing, maintaining, and
26 operating a nonprofit pharmaceutical service plan
27 or optometric service plan, whereby pharmaceutical
28 or optometric service may be provided by this
29 corporation or by a licensed pharmacy with which it
30 has a contract for service, to the public who become
31 subscribers to this plan under a contract which
32 entitles each subscriber to pharmaceutical or
33 optometric service or any corporation organized for
34 the purpose of establishing, maintaining, and operating
35 a nonprofit psychological service plan whereby
36 psychological service may be provided by this
37 corporation to the public who become subscribers to
38 this plan under a contract which entitles each
39 subscriber to psychological services, shall be governed
40 by the provisions of this chapter and shall be exempt
41 from all other provisions of the insurance laws of
42 this state, unless specifically designated herein,
43 not only in governmental relations with the state
44 but for every other purpose, and additions hereafter
45 enacted shall not apply to these corporations unless
46 they be expressly designated therein. For the purposes
47 of this chapter, "subscriber" means an individual
48 who enters into a contract for hospital services,
49 medical or surgical services, dental services, or
50 pharmaceutical or optometric services, or psychological

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1 services with a corporation subject to this chapter
2 and includes any person eligible for medical assistance
3 or additional medical assistance as defined under
4 chapter 249A, with respect to whom the department
5 of human services has entered into a contract with
6 any firm operating under chapter 514. For purposes
7 of this chapter, "provider" is as defined in section
8 514B.1.

9 Sec. 2. Section 514.2, Code 1983, is amended to
10 read as follows:

11 514.2 INCORPORATION. Persons desiring to form
12 a nonprofit hospital service corporation, or a
13 nonprofit medical service corporation, or a nonprofit
14 pharmaceutical or optometric service corporation,
15 or a nonprofit psychological service corporation shall
16 incorporate under the provisions of chapter 504 or
17 chapter 504A, as supplemented and amended herein and
18 any acts amendatory thereof.

19 Sec. 3. Section 514.4, unnumbered paragraph 1,
20 Code Supplement 1983, is amended to read as follows:

21 At least two-thirds of the directors of a hospital
22 service corporation, medical service corporation,
23 dental service corporation, or pharmaceutical or
24 optometric service corporation, or psychological
25 service corporation subject to this chapter shall
26 be at all times subscribers and not more than one-
27 third of the directors shall be providers as provided
28 in this section. The board of directors of each
29 corporation shall consist of at least nine members.

30 Sec. 4. Section 514.5, Code Supplement 1983, is
31 amended by adding the following new unnumbered
32 paragraph:

33 NEW UNNUMBERED PARAGRAPH. Any psychological service
34 corporation organized under the provisions of said
35 chapter may enter into contracts for the rendering
36 of psychological service to any of its subscribers
37 through licensed psychologists.

38 Sec. 5. Section 514.6, Code 1983, is amended to
39 read as follows:

40 514.6 RATES—APPROVAL BY COMMISSIONER. The rates
41 charged by any such corporation to the subscribers
42 for hospital service or for medical and surgical
43 service, or for pharmaceutical or optometric service
44 or for psychological service shall at all times be
45 subject to the approval of the commissioner of
46 insurance.

47 Sec. 6. Section 514.7, unnumbered paragraph 1,
48 Code Supplement 1983, is amended to read as follows:

49 The contracts by any such corporation with the
50 subscribers for hospital service or for medical and

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1 surgical service or for pharmaceutical or optometric
2 service or for psychological service shall at all
3 times be subject to the approval of the commissioner
4 of insurance. The commissioner shall require that
5 participating pharmacies be reimbursed by the
6 pharmaceutical service corporation at rates or prices
7 equal to the rates or prices charged nonsubscribers,
8 unless the commissioner determines otherwise to prevent
9 loss to subscribers.

10 Sec. 7. Section 514.8, Code 1983, is amended to
11 read as follows:

12 514.8 CONTRACTS WITH HOSPITALS – APPROVAL. The
13 contracts by any such corporation with participating
14 hospitals for hospital service or with participating
15 physicians and surgeons, dentists, podiatrists,
16 osteopathic physicians, or osteopathic physicians
17 and surgeons for medical and surgical service, or
18 with participating pharmacies for pharmaceutical
19 service, or with participating optometrists for
20 optometric service, or with participating psychologists
21 for psychological service shall at all times be subject
22 to the approval of the commissioner of insurance.

23 Sec. 8. Section 514.11, Code 1983, is amended
24 to read as follows:

25 514.11 COSTS APPROVED. All acquisition costs
26 in connection with the solicitation of subscribers
27 to such hospital service plan or medical service plan
28 or pharmaceutical or optometric service plan or
29 psychological service plan, and administration costs
30 including salaries paid its officers, if any, shall
31 at all times be subject to the approval of the
32 commissioner of insurance.

33 Sec. 9. Section 514.13, Code 1983, is amended
34 to read as follows:

35 514.13 ARBITRATION OF DISPUTES. Any dispute
36 arising between a corporation organized under said
37 chapter and any hospital with which such corporation
38 has a contract for hospital service, or any physician,
39 and surgeon, dentist, podiatrist, osteopathic
40 physician, or osteopathic physician and surgeon with
41 whom any such corporation has a contract for medical
42 and surgical service, or any pharmacy or optometrist
43 with whom any such corporation has a contract for
44 pharmaceutical or optometric service, or any
45 psychologists with whom any such corporation has a
46 contract for psychological service, as provided for
47 herein, may be submitted to the commissioner of
48 insurance for his a decision. All decisions and
49 findings of the commissioner of insurance may be
50 judicially reviewed in accordance with the terms of

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1 the Iowa administrative procedure Act chapter 17A.

2 Sec. 10. Section 514.16, Code 1983, is amended

3 to read as follows:

4 514.16 GOVERNMENTAL EMPLOYEES INCLUDED. An
5 employee or employees of the state, or of any county,
6 city or of any institution supported in whole or in
7 part by public funds, or any subdivisions thereof,
8 may authorize the deduction from ~~his~~ the employee's
9 or their salary or wages of the amount of ~~his~~ the
10 employee's or their subscription payments to any
11 corporation operating a nonprofit hospital service
12 plan or medical service plan or pharmaceutical or
13 optometric service plan or psychological plan, as
14 provided in this chapter. The governing body of the
15 state, or of the county, city or of any institution
16 supported in whole or in part by public funds, or
17 any subdivisions thereof, may authorize deductions
18 from the salaries or wages of employees subscribing
19 to such nonprofit hospital service plan or medical
20 service plan or pharmaceutical or optometric service
21 plan or psychological plan. The authorization by
22 an employee or employees for deductions from ~~his~~ the
23 employee's or their salaries or wages shall be
24 evidenced by a written request signed by the employee
25 directed to and filed with the treasurer of the state,
26 county, city or of any institution supported in whole
27 or in part by public funds, or any subdivisions
28 thereof, and said treasurer is authorized to draw
29 and deliver checks in favor of the hospital service
30 corporation or medical service corporation or
31 pharmaceutical or optometric service corporation or
32 psychological service corporation stipulated in such
33 authorization for the amount covering the sum total
34 of the deductions authorized. The foregoing provisions
35 are not to be deemed an assignment of salaries or
36 wages.

37 Sec. 11. Section 514D.2, subsection 1, Code 1983,
38 is amended to read as follows:

39 1. "Accident and sickness insurance" means
40 individual accident and sickness insurance within
41 the meaning of section 514A.1. "Accident and sickness
42 insurance" also means individual subscriber contracts
43 for hospital service, or medical and surgical service,
44 or individual pharmaceutical or optometric service,
45 or psychological service issued under chapter 514,
46 and for purposes of this division, corporations issuing
47 contracts under chapter 514 are deemed to be engaged
48 in the business of insurance."

49 Sec. 12. Title page, by striking lines 1 through
50 3 and inserting in lieu thereof the words "An Act

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1 providing for the establishment of psychological
2 service corporations."

SCHNEKLOTH of Scott

H-5038

1 Amend House File 93 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:

4 "Section 1. Section 85.27, unnumbered paragraph
5 4, Code 1983, is amended by striking the unnumbered
6 paragraph and inserting in lieu thereof the following:

7 For purposes of this section, the employer shall
8 select and maintain a panel of physicians who are
9 not employees of the employer and who are reasonably
10 accessible to the employees of the employer. The
11 panel selected and maintained by an employer with
12 three hundred or fewer employees per site shall contain
13 at least three physicians and the panel selected and
14 maintained by an employer with more than three hundred
15 employees per site shall contain at least seven
16 physicians. The employer shall post the list of the
17 physicians on the panel in a place accessible to the
18 employees.

19 An employee may accept the services of a physician
20 selected by the employer or may select a physician
21 from the employer's panel of physicians. The employee
22 may choose an alternative physician from the panel
23 if the employee is not satisfied with the physician
24 first selected. In an emergency, the employee may
25 choose a physician at the employer's expense, provided
26 the employer or the employer's agent cannot be reached
27 immediately. The physician selected may arrange for
28 a consultation, referral, extraordinary or other
29 specialized medical services as the nature of the
30 injury requires. The employer is not responsible
31 for the charges for medical services furnished or
32 ordered by a physician or other person selected by
33 the employee in disregard of the provisions of this
34 paragraph and is not responsible for compensation
35 for an aggravation of the employee's injury
36 attributable to improper medical services by the
37 physician or other person.

38 The industrial commissioner may order necessary
39 changes in an employer's panel of physicians if the
40 commissioner finds that the panel fails to contain
41 a sufficient number of physicians who are conveniently
42 available to or in the community in which medical

43 services are required and who are qualified to perform
44 the medical services necessary to meet the particular
45 needs of the employer's employees. The commissioner
46 may suspend or remove a physician from a panel of
47 physicians under rules adopted by the commissioner
48 pursuant to chapter 17A.
49 An employer required under this section to select
50 and maintain a panel of three or seven physicians

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1 may apply to the industrial commissioner for a total
2 or partial waiver of the panel requirement. The
3 application for waiver shall state the reasons for
4 the submission of the application and that the employer
5 has attempted to select and maintain the required
6 panel. A copy of the application for waiver shall
7 be posted in a place accessible to the employer's
8 employees. The industrial commissioner may deny the
9 waiver or grant the employer a partial or total waiver
10 of the panel requirement. A total or partial waiver
11 shall only be granted if the employer can demonstrate
12 that the community lacks a sufficient number of
13 physicians to fulfill the panel requirement, who are
14 located in or reasonably near the community in which
15 the medical services are required and qualified to
16 perform the medical services necessary to meet the
17 needs of the employer's employees.

18 If an employer has knowledge of an injury to an
19 employee and the necessity for medical services, and
20 fails to maintain a panel of physicians and a waiver
21 has not been granted, or fails to permit the injured
22 employee to choose a physician from the panel, the
23 employee may select a physician to provide medical
24 services at the expense of the employer. A claim
25 for the medical services shall not be valid or
26 enforceable against the employer unless the physician
27 providing the services furnishes a report of the
28 injury and services to the employer within ten days
29 following the first services provided by the physician.
30 However, the commissioner, in the interests of justice,
31 may excuse the failure to furnish the report within
32 the ten days and may, upon application of a party
33 in interest, award the reasonable value of the medical
34 services provided to the employee.

35 Sec. 2. Section 86.38, Code 1983, is amended to
36 read as follows:

37 86.38 EXAMINATION BY PHYSICIAN—FEE. The
38 industrial commissioner may appoint a duly qualified,
39 impartial physician to examine the injured employee
40 and make a report. The fee for this service shall

41 be five dollars, to be paid by the industrial
 42 commissioner, together with traveling expenses, but
 43 the commissioner may allow additional reasonable
 44 amounts in extraordinary cases. Any A physician so
 45 examining any an injured employee shall not be
 46 prohibited from testifying before the industrial
 47 commissioner, or any other another person, commission,
 48 or court, as to the results of his the physician's
 49 examination or the condition of the injured employee.
 50 The fee for services under this section shall be taxed

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1 as costs pursuant to section 86.40.
 2 Sec. 3. This Act applies to injuries incurred
 3 on or after July 1, 1984."

COREY of Louisa
 GRANDIA of Marion
 HERMANN of Scott

HALVORSON of Clayton
 BRANSTAD of Winnebago
 HANDORF of Marshall
 HUMMEL of Benton
 SCHNEKLOTH of Scott

H-5041

1 Amend House File 257 as follows:
 2 1. Page 2, by striking lines 2 through 6.
 3 2. Page 2, by striking lines 10 through 16.
 4 3. Page 2, by striking lines 20 through 33.
 5 4. Page 4, by striking lines 17 through 27.
 6 5. By renumbering as necessary.

SCHROEDER of Pottawattamie

H-5042

1 Amend House File 2049 as follows:
 2 1. Page 1, line 5, by striking the words "class
 3 "D" felony" and inserting in lieu thereof the words
 4 "serious misdemeanor".

Committee on Judiciary and Law Enforcement

H-5044

1 Amend House File 2113 as follows:
 2 1. Title page, line 2, by striking the word
 3 "seventy" and inserting in lieu thereof the word
 4 "fifty".
 5 2. Title page, line 3, by striking the word "five".

PAVICH of Pottawattamie

H-5045

1 Amend the amendment, H-5034, to Senate File 345,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 30, by inserting after the figure
5 "28" the words "and inserting in lieu thereof the
6 following:

7 "5. Notwithstanding subsections 1 and 3, a
8 physician's assistant or registered nurse with ten
9 years of experience in the supplying of prescription
10 drugs, controlled substances, or contraceptive devices
11 to patients, accumulated prior to the effective date
12 of this Act, may continue to supply the drugs,
13 substances, or devices to patients." "

HARBOR of Mills

H-5048

1 Amend House File 2068 as follows:

2 1. Page 1, line 11, by inserting after the word
3 "utility." the following: "This paragraph does not
4 apply to a public utility furnishing communication
5 services as defined in section 476.1, subsection.2."

SCHNEKLOTH of Scott

H-5049

1 Amend the House amendment H-5027 to Senate File
2 442 as amended, passed and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking lines 8 through 10, and
5 inserting in lieu thereof the following:

6 "NEW SUBSECTION. 6. Affidavits of search warrants
7 until such time as".

8 2. Page 1, by striking lines 18 through 20, and
9 inserting in lieu thereof the following: "relating
10 to the confidentiality of affidavits of search warrants
11 and records".

DODERER of Johnson
McINTEE of Black Hawk

H-5051

1 Amend House File 540 as follows:

2 1. Page 1, line 19, by adding after the word "premises"
3 the word "or".

SCHROEDER of Pottawattamie

H-5054

- 1 Amend Senate File 345, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting after line 12 the following:
- 4 "3. An industrial clinic, college or school clinic,
- 5 or nonprofit clinic may dispense prescription drugs
- 6 upon the order of a physician."
- 7 2. By renumbering as necessary.

SCHROEDER of Pottawattamie

H-5055

- 1 Amend the amendment, H-5034, to Senate File 345,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 10 and 11 and
- 5 inserting in lieu thereof the following:
- 6 "3. Page 1, by striking lines 9 through 12 and
- 7 inserting in lieu thereof the words "pensing functions
- 8 to staff assistants when the accuracy and completeness
- 9 of the prescription is verified by the delegating
- 10 pharmacist or practitioner."
- 11 2. By renumbering as necessary.

SCHROEDER of Pottawattamie

H-5056

- 1 Amend the amendment, H-5034, to Senate File 345,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 10 and 11 and
- 5 inserting in lieu thereof the following:
- 6 "3. Page 1, by striking lines 9 through 12 and
- 7 inserting in lieu thereof the words "pensing functions
- 8 to a nurse, assistant, or other qualified person under
- 9 the pharmacist's or practitioner's direction or
- 10 supervision." "

SCHROEDER of Pottawattamie

H-5057

- 1 Amend the amendment, H-5034, to Senate File 345,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 3 through 32 and
- 5 inserting in lieu thereof the following:

- 6 "1. By striking everything after the enacting
7 clause and inserting in lieu thereof the following:
8 "Section 1. Section 147.76, Code 1983, is amended
9 by adding the following new unnumbered paragraph:
10 NEW UNNUMBERED PARAGRAPH. No later than January
11 1, 1985, the board of medical examiners, the board
12 of dental examiners, and the board of podiatry
13 examiners shall adopt rules pursuant to chapter 17A
14 establishing criteria by which a person licensed by
15 the respective examining board may delegate
16 nonjudgmental or mechanical functions in the dispensing
17 of prescription drugs, including controlled substances
18 under chapter 204, to a nurse, assistant, or other
19 qualified person under the licensed person's direction
20 or supervision."
21 2. Title page, by striking lines 1 through 4 and
22 inserting in lieu thereof the following: "An Act
23 requiring certain medical professional boards to adopt
24 rules to delegate nonjudgmental or mechanical
25 dispensing functions to certain individuals." "

SCHROEDER of Pottawattamie

H—5062

- 1 Amend Senate File 345, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, by inserting after line 12 the
4 following:
5 "3. An industrial clinic, college or school clinic,
6 or nonprofit clinic may dispense prescription drugs
7 upon the order of a physician."
8 2. By renumbering as necessary.

SCHROEDER of Pottawattamie

H—5063

- 1 Amend the amendment, H—5034, to Senate File 345,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, by striking lines 3 through 30 and
5 inserting in lieu thereof the following:
6 "1. Page 1, by striking lines 2 through 28 and
7 inserting in lieu thereof the following:
8 "1. As used in this section:
9 a. "Dispense" means the preparation, delivery,
10 and distribution of a prescription drug pursuant to
11 a lawful order of a practitioner in a suitable
12 container appropriately labeled for subsequent
13 administration to or use by a patient or other
14 individual entitled to receive the prescription drug.

15 b. "Practitioner" means a person licensed to
 16 practice medicine and surgery under chapter 148,
 17 podiatry under chapter 149, osteopathy under chapter
 18 150, osteopathic medicine and surgery under chapter
 19 150A, or dentistry under chapter 153.

20 c. "Prescription drugs" means a drug, medicine,
 21 or controlled substance under chapter 204, which by
 22 law can be dispensed for human use only by a
 23 practitioner or by a pharmacist licensed under chapter
 24 155 upon the order of a practitioner.

25 2. A practitioner or pharmacist may delegate non-
 26 judgmental mechanical dispensing functions to qualified
 27 hospital personnel, or to an agent of the practitioner
 28 or pharmacist under the practitioner's or pharmacist's
 29 direction and supervision, including the dispensing
 30 of controlled substances under chapter 204,
 31 notwithstanding any other contrary provision of the
 32 law. The examining boards which license practitioners
 33 and pharmacists may adopt rules pursuant to chapter
 34 17A establishing criteria for the delegation of
 35 dispensing functions." "

36 2. Title page, by striking lines 1 through 4 and
 37 inserting in lieu thereof the words "An Act authorizing
 38 specified professionals to delegate nonjudgmental
 39 or mechanical dispensing functions."

40 3. By renumbering as necessary.

SCHROEDER of Pottawattamie

H—5066

1 Amend Senate File 190 as amended, passed and
 2 reprinted by the Senate, as follows:

3 1. Page 1, line 22, by inserting after the word
 4 "violating" the words and figure "section 1 of".

5 2. Page 1, by inserting after line 24 the
 6 following:

7 "Sec. 3. Section 341A.18, unnumbered paragraph
 8 8, Code 1983, is amended to read as follows:

9 Any officer or employee subject to civil service
 10 who shall become a candidate for any partisan elective
 11 office for remuneration shall, commencing thirty days
 12 prior to the date of the primary or general election
 13 and continuing until such person is eliminated as
 14 a candidate, either voluntarily or otherwise thirty
 15 days prior to the general election if still a
 16 candidate, automatically receive leave of absence
 17 without pay and during such period shall perform no
 18 duties connected with the office or position so held."

JAY of Appanoose

H-5077

- 1 Amend House File 2022 as follows:
- 2 1. Page 1, line 17, by inserting after the word
- 3 "person's" the words "whole blood".

COREY of Louisa

H-5079

- 1 Amend the House amendment H-5027 to Senate File
- 2 442, as amended, passed and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, by striking lines 14 and 15, and
- 5 inserting in lieu thereof the following:
- 6 "2. Page 1, by striking lines 1 through 13."
- 7 2. Page 1, by striking lines 20 and 21, and
- 8 inserting in lieu thereof the following: "warrants,
- 9 and returns of search warrants." "

MILLER of Woodbury

H-5080

- 1 Amend House File 2093 as follows:
- 2 1. Page 1, by inserting after line 2 the following:
- 3 "Sec. . Section 239.9, subsection 2, Code
- 4 Supplement 1983, is amended to read as follows:
- 5 2. The decedent does not leave an estate which
- 6 may be probated with sufficient proceeds to allow
- 7 a for payment of the funeral claim of at least one
- 8 thousand dollars."
- 9 2. Page 1, by inserting after line 4 the following:
- 10 "Sec. . Section 249.9, subsection 2, Code
- 11 Supplement 1983, is amended to read as follows:
- 12 2. The decedent does not leave an estate which
- 13 may be probated with sufficient proceeds to allow
- 14 a for payment of the funeral claim of at least one
- 15 thousand dollars."
- 16 3. By numbering and renumbering sections as
- 17 necessary.

SPEAR of Lee

H-5081

- 1 Amend House File 2041 as follows:
- 2 1. Page 1, line 7, by inserting after the word
- 3 "chapter" the words ", provided application is made
- 4 yearly to the county assessor by April 15".
- 5 2. Page 1, by inserting after line 20 the
- 6 following:

7 "Sec. 2. Section 161.11, Code 1983, is amended
8 by striking the section and inserting in lieu thereof
9 the following:

10 161.11 PENALTY. If the owner of a fruit tree
11 or forest reservation violates a provision of this
12 chapter, the assessor shall assess the property at
13 fair market value and notify the owner and the county
14 auditor that the property shall be placed on the tax
15 rolls. If the owner wishes to appeal the assessor's
16 decision, the assessor shall notify the owner to
17 appear before the board of review and show why the
18 assessment should be changed.

19 Sec. 3. Section 441.22, Code 1983, is amended
20 to read as follows:

21 441.22 FOREST AND FRUIT-TREE RESERVATIONS. ~~Forest~~
22 ~~reservations fulfilling the conditions of sections~~
23 ~~161.1 to 161.13 which are located within the corporate~~
24 ~~limits of a city and which are not open to public~~
25 ~~use shall be assessed at market value. Fruit-tree~~
26 ~~reservations fulfilling the conditions of sections~~
27 ~~161.1 to 161.13 shall be assessed on a taxable~~
28 ~~valuation of twenty dollars per acre for a period~~
29 ~~of eight years from the time of planting except that~~
30 ~~a fruit-tree reservation located within the corporate~~
31 ~~limits of a city which is not open to public use shall~~
32 ~~be assessed at market value. In all other cases where~~
33 ~~trees are planted upon any tract of land, without~~
34 ~~regard to area, for forest, fruit, shade, or ornamental~~
35 ~~purposes, or for windbreaks, the assessor shall not~~
36 ~~increase the valuation of such property because of~~
37 ~~such improvements."~~

38 3. Amend the title, by striking lines 1 through
39 3 and inserting in lieu thereof the words "An Act
40 relating to the property tax benefits granted to
41 forest and fruit-tree reservations."

COCHRAN of Webster

H-5096

1 Amend the amendment, H-5051, to House File 540,
2 as follows:

3 1. Page 1, by striking lines 2 and 3 and inserting
4 in lieu thereof the following:

5 "1. Page 1, lines 18 and 19, by striking the words
6 "who reside on the premises" and inserting in lieu
7 thereof the words "who reside on the premises"."

SCHROEDER of Pottawattamie

H-5098

- 1 Amend House File 2085 as follows:
2 1. Page 1, line 5, by inserting after the word
3 "or" the words "after July 1, 1984 for a purpose".

KOENIGS of Mitchell

H-5099

- 1 Amend the amendment, H-5051, to House File 540,
2 as follows:
3 1. Page 1, by striking lines 2 and 3 and inserting
4 in lieu thereof the following:
5 "1. Page 1, by inserting after line 20 the
6 following:
7 "c. Neighboring persons engaged in agriculture
8 who are exchanging labor or other services." "

SCHROEDER of Pottawattamie
CONNORS of Polk

H-5100

- 1 Amend House File 2200 as follows:
2 1. Page 1, by striking everything after the
3 enacting clause and inserting in lieu thereof the
4 following:
5 "Section 1. NEW SECTION. CHILDREN IN NEED OF
6 ASSISTANCE. A minor adjudicated as a child in need
7 of assistance, as defined in section 232.2, and placed
8 in a facility licensed by the state to provide care
9 for minors may make application for and, upon
10 successful completion of the program, receive a high
11 school equivalency diploma."
12 2. Title page, line 1, by striking the words
13 "residential care facilities" and inserting in lieu
14 thereof the words "facilities licensed by the state
15 to provide care for minors".

GRUHN of Dickinson

H-5111

- 1 Amend House File 2217 as follows:
2 1. Page 2, by inserting after line 1 the
3 following:
4 "Sec. . NEW SECTION. 260.2A. POWER OF
5 STATE BOARD OF PUBLIC INSTRUCTION. Proposed rules
6 of the board to implement this chapter shall be
7 transmitted in writing to the state board of public
8 instruction for review prior to their submission to

9 the administrative rules coordinator. Within thirty
10 days after receipt of the proposed rules, the state
11 board of public instruction may vote by majority vote
12 to return a proposed rule to the board together with
13 a proposed amendment. Upon expiration of the thirty-
14 day period, rules that have not been returned to the
15 board may be submitted to the administrative rules
16 coordinator.

17 The board may either reject or accept the state
18 board of public instruction's proposed amendment.
19 If the board accepts the proposed amendment, the
20 board may submit the amended rule to the administrative
21 rules coordinator. If the board rejects the proposed
22 amendment, the board shall send written notice of its
23 rejection to the state board of public instruction.
24 The presiding officers of the two boards shall each
25 appoint a subcommittee of their memberships to meet
26 jointly to develop a proposed rule acceptable to both
27 boards. If the joint subcommittee cannot develop a
28 proposed rule acceptable to both boards within ten
29 days from their appointment, the presiding officers
30 of the two boards shall each appoint new subcommittees.
31 Rules developed by a joint subcommittee that are
32 acceptable to both boards may be submitted to the
33 administrative rules coordinator."

34 2. Page 3, line 20, by inserting after the
35 figure "17A" the words and figure "and section
36 260.2A".

37 3. By numbering and renumbering sections as
38 necessary.

SWEARINGEN of Keokuk

H-5112

1 Amend House File 2217 as follows:

2 1. Page 13, by inserting after line 8 the
3 following:

4 "Sec. . Section 279.13, subsection 2,
5 Code 1983, is amended to read as follows:

6 2. The contract of a teacher holding a pro-
7 fessional or permanent professional certificate
8 issued under chapter 260 prior to July 1, 1989 and
9 of a teacher holding a professional certificate
10 issued under section 260.14A shall remain in force
11 and effect for the period stated in the contract and
12 shall be automatically continued for equivalent
13 periods except as modified or terminated by mutual
14 agreement of the board of directors and the teacher
15 or as terminated in accordance with the provisions
16 specified in this chapter. The contract of a
17 teacher holding a provisional certificate shall

18 remain in force and effect for the period stated in
 19 the contract and may be modified by mutual agreement
 20 by the board of directors and teacher or terminated
 21 at the end of the contract period. A contract
 22 shall not be offered by the employing board to a
 23 teacher under its jurisdiction prior to March 15
 24 of any year. A teacher who has not accepted a
 25 contract for the ensuing school year tendered by
 26 the employing board may resign effective at the end
 27 of the current school year by filing a written
 28 resignation with the secretary of the board. The
 29 resignation must be filed not later than the last
 30 day of the current school year or the date specified
 31 by the employing board for return of the contract,
 32 whichever date occurs first. However, a teacher
 33 shall not be required to return a contract to the
 34 board or to resign less than twenty-one days after
 35 the contract has been offered."

36 2. Page 13, by inserting after line 18 the
 37 following:

38 "Sec. . Section 279.19, unnumbered
 39 paragraphs 2 and 3, Code 1983, are amended by
 40 striking the unnumbered paragraphs and inserting
 41 in lieu thereof the following:

42 The employing board's decision to terminate
 43 the contract of a teacher holding a provisional
 44 certificate is final and binding unless the
 45 termination was based upon an alleged violation of
 46 a constitutionally guaranteed right of the teacher
 47 or an alleged violation of public employee rights
 48 of the teacher under section 20.10."

49 3. By renumbering as necessary.

SWEARINGEN of Keokuk

H-5113

1 Amend House File 2230 as follows:

2 1. Page 1, by inserting after line 6 the following:
 3 "Sec. 2. Section 327G.81, unnumbered paragraph

4 2, Code 1983, is amended to read as follows:

5 This section does not absolve the property owners
 6 of other duties and responsibilities that may be
 7 assigned as property owners by law. Subsection 1
 8 does not apply to rights of way located on land within
 9 the corporate limits of a city except where the
 10 acquired right of way is contiguous to land assessed
 11 as agricultural land."

12 2. Page 1, line 11, by striking the words and
 13 figure "subsection 1 or".

HAVERLAND of Polk

H-5114

- 1 Amend House File 2217 as follows:
- 2 1. Page 3, by striking lines 10 through 12.
- 3 2. Page 13, by inserting after line 31 the
- 4 following new section:
- 5 "Sec. . The North Central Association of
- 6 Colleges and Schools shall be the sole certification
- 7 authority for merged area schools."
- 8 3. By renumbering as necessary.

VAN GERPEN of Black Hawk
DAGGETT of Taylor

H-5115

- 1 Amend House File 2186 as follows:
- 2 1. Page 7, line 19, by striking the words "with
- 3 a district".
- 4 2. Page 7, line 20, by striking the words
- 5 "department of" and inserting in lieu thereof the
- 6 word "for".
- 7 3. Page 7, line 23, by striking the word "five"
- 8 and inserting in lieu thereof the words "five six".
- 9 4. Page 7, by striking lines 29 and 30, and
- 10 inserting in lieu thereof the following:
- 11 "Sec. 21. Section 85.60, Code Supplement 1983,
- 12 is repealed."

SCHROEDER of Pottawattamie

H-5116

- 1 Amend House File 2187 as follows:
- 2 1. Page 1, line 5, by striking the word "each"
- 3 and inserting in lieu thereof the words "the first
- 4 page and one dollar for each additional".

SCHROEDER of Pottawattamie

H-5119

- 1 Amend House File 2217 as follows:
- 2 1. Page 2, by striking lines 27, 28, and 29, and
- 3 inserting in lieu thereof the following:
- 4 "1. Issue certificates to qualified teachers."
- 5 2. Page 3, lines 6 and 7, by striking the words
- 6 and figure "and the subject matter and professional
- 7 competency examinations pursuant to section 260.12A".
- 8 3. Page 3, by striking lines 8 and 9.
- 9 4. Page 3, by striking lines 17 and 18 and
- 10 inserting in lieu thereof the words "the basic skills

- 11 assessment examination, based upon".
 12 5. Page 3, line 31, by striking the word
 13 "EXAMINATIONS" and inserting in lieu thereof the words
 14 "DEVELOPMENT OF EXAMINATION".
 15 6. By striking page 3, line 34 through page 4,
 16 line 1, and inserting in lieu thereof the words "skills
 17 assessment examination. The board".
 18 7. Page 4, line 6, by striking the word
 19 "examinations" and inserting in lieu thereof the word
 20 "examination".
 21 8. Page 4, line 11, by striking the words "a
 22 provisional" and inserting in lieu thereof the words
 23 "an initial".
 24 9. Page 4, line 34, by striking the words "a
 25 provisional" and inserting in lieu thereof the words
 26 "an initial".
 27 10. By striking page 5, line 3, through page 8,
 28 line 20.
 29 11. Page 9, by striking lines 12 through 17.
 30 12. Page 12, by striking lines 20, 21, and 22,
 31 and inserting in lieu thereof the following: "date
 32 of this Act, shall upon completing the requirements
 33 set by the board be issued a certificate by the board
 34 pursuant to this chapter. An individual holding a
 35 permanent professional".
 36 13. Page 13, by striking lines 9 through 18.
 37 14. Page 13, by striking line 20 and inserting
 38 in lieu thereof the following:
 39 "Sec. . Sections 260.10, 260.11, 260.12, and
 40 260.14, Code 1983, are".

SHOULTZ of Black Hawk

H-5127

- 1 Amend House File 2217 as follows:
 2 1. By striking page 11, line 20 through page
 3 12, line 13.
 4 2. By striking page 13, line 19.
 5 3. By renumbering as necessary.

SWEARINGEN of Keokuk

H-5134

- 1 Amend House File 2186 as follows:
 2 1. Page 7, by striking lines 16 through 30, and
 3 inserting in lieu thereof the following:
 4 "Sec. 19. 1983 Iowa Acts, chapter 96, is amended
 5 by adding the following new section:
 6 NEW SECTION. The department of corrections may
 7 enter into agreements, as provided in chapter 28E,

- 8 for correctional services as necessary.
 9 Sec. 20. 1983 Iowa Acts, chapter 205, section
 10 7, subsection 1, is amended by adding the following
 11 new lettered paragraph:
 12 **NEW LETTERED PARAGRAPH.**
 13 f. Salary range 6 45,400 60,600
 14 Sec. 21. 1983 Iowa Acts, chapter 205, section
 15 7, subsection 6, is amended to read as follows:
 16 6. The following are range five six positions:
 17 state comptroller, superintendent of public
 18 instruction, executive secretary of the state board
 19 of regents, director of the department of revenue,
 20 director of the Iowa development commission,
 21 commissioner of ~~social human services or its successor~~
 22 agency, director of the department of corrections,
 23 chairperson and members of the Iowa state commerce
 24 commission, consumer advocate, and director of the
 25 department of transportation.
 26 Sec. 22. Section 85.60, Code Supplement 1983,
 27 is repealed."
 28 2. By renumbering to conform to this amendment.

SCHROEDER of Pottawattamie

H-5142

- 1 Amend Senate File 309, as passed by the Senate,
 2 as follows:
 3 1. Page 1, line 6, by inserting after the period
 4 the following: "This subsection shall not apply to
 5 persons whose driving privileges have been denied,
 6 suspended or revoked under chapters 321, 321A or
 7 321B."

KOENIGS of Mitchell

H-5143

- 1 Amend House File 2230 as follows:
 2 1. Page 1, by striking lines 7 through 14.

HUMMEL of Benton
 COCHRAN of Webster

H-5146

- 1 Amend House File 2217 as follows:
 2 1. Page 2, line 29, by inserting after the word
 3 "teachers" the words ", not including administrators,
 4 supervisors, school service persons, or teachers
 5 employed by merged area schools".
 6 2. Page 3, by striking lines 10, 11, and 12.

- 7 3. Page 13, by inserting after line 21 the
 8 following:
 9 "Sec. . Effective July 1, 1984 rules adopted
 10 by the board of educational examiners and contained
 11 in the Iowa administrative code relating to the ,
 12 certification of employees of merged area schools
 13 are void."
 14 4. By numbering and renumbering sections and
 15 subsections as necessary.

VAN GERPEN of Black Hawk

H-5148

- 1 Amend amendment H-5112 to House File 2217 as fol-
 2 lows:
 3 1. Page 1, line 10 by inserting after the numerals
 4 "260.14A" the following: "or a probationary certifi-
 5 cate issued under section 260.11".

SWEARINGEN of Keokuk

H-5149

- 1 Amend the amendment, H-5147, to House File 2217,
 2 as follows:-
 3 1. Page 1, line 5, by inserting after the word
 4 "applicants." the following: "The board shall not
 5 issue certificates to administrators, supervisors,
 6 school service persons, or teachers employed by merged
 7 area schools."
 8 2. Page 1, by striking lines 11, 12, and 13 and
 9 inserting in lieu thereof the following:
 10 " . Page 3, by striking lines 10, 11, and 12."
 11 3. Page 3, by inserting after line 23 the
 12 following:
 13 " . Page 13, by inserting after line 21 the
 14 following:
 15 "Sec. . Effective July 1, 1984 rules adopted
 16 by the board of educational examiners and contained
 17 in the Iowa administrative code relating to the
 18 certification of employees of merged area schools
 19 are void." "

VAN GERPEN of Black Hawk

H-5150

- 1 Amend H-5147, filed to House File 2217, as follows:
 2 1. Page 1, by striking lines 28, 29, and 30 and
 3 inserting in lieu thereof the following: "for purposes
 4 related to its duties."

- 5 2. Page 3, by inserting after line 9 the following:
 6 " . By striking page 11, line 20, through page
 7 12, line 13."
 8 3. Page 3, by inserting after line 23 the
 9 following:
 10 " . Page 13, by striking line 19."

SWEARINGEN of Keokuk

H—5151

- 1 Amend H—5147, filed to House File 2217, as follows:
 2 1. Page 3, by striking lines 10, 11, and 12 and
 3 inserting in lieu thereof the following:
 4 " . Page 12, by striking lines 18 through 22,
 5 and inserting in lieu thereof the following: "date.
 6 Individuals holding a permanent professional"."
 7 2. Page 3, by inserting after line 14 the
 8 following:
 9 " . Page 12, line 28, by inserting after the
 10 figure "1987" the words "and may be issued a
 11 certificate pursuant to standards prescribed by the
 12 board"."

GROTH of Buena Vista

H—5152

- 1 Amend the amendment, H—5119, to House File 2217,
 2 as follows:
 3 1. Page 1, line 4, by inserting after the word
 4 "teachers." the following: "The board shall not issue
 5 certificates to administrators, supervisors, school
 6 service persons, or teachers employed by merged area
 7 schools."

VAN GERPEN of Black Hawk

H—5153

- 1 Amend amendment H—5147 to House File 2217 as follows:
 2 1. Page 1, by inserting after line 30, the following:
 3 " . Page 3, by striking lines 33 and 34 and
 4 inserting in lieu thereof the following: "interested in
 5 education in this state in adopting the subject matter
 6 and".
 7 . Page 4, by inserting after line 10, the
 8 following: "The teacher education program at an institute
 9 of higher learning shall design the basic skills assessment
 10 examination."

11 . Page 4, by striking lines 13 and 14 and
 12 inserting in lieu thereof the following: "completed the
 13 basic skills assessment examination demonstrating
 14 competency in basic skills required"."

ROSENBERG of Story
 HAMMOND of Story

H-5154

1 Amend House File 2217, as follows:
 2 1. Page 8, by inserting after line 9 the following:
 3 "Notwithstanding the terms of a collective
 4 bargaining agreement negotiated pursuant to chapter
 5 20, a teacher employed on a provisional certificate,
 6 for less than a full-time basis, shall receive the/
 7 base salary and benefits prorated to the actual time
 8 devoted to teaching duties as compared to a full-time
 9 teacher."

CARPENTER of Polk

H-5155

1 Amend House File 2217 as follows:
 2 1. Page 7, by inserting after line 33 the follow-
 3 ing:
 4 "The professional evaluation criteria and other
 5 procedures established pursuant to this section shall
 6 be used for the purpose of determining whether a
 7 teacher will be issued a professional certificate,
 8 and shall not be required to be used for any purpose
 9 related to the nonrenewal of a certificated employee's
 10 continuing employment contract."

CARPENTER of Polk

H-5161

1 Amend House File 2177 as follows:
 2 1. Page 2, line 22, by inserting after the word
 3 "parts" the words "except that this payment shall
 4 not be due to the franchisee if the franchisor elects
 5 to perform the handling, packing, and loading".
 6 2. Page 4, by striking lines 5 through 11 and
 7 inserting in lieu thereof the following: "-CIVIL
 8 PENALTY. If a franchisor fails to make payment to
 9 the franchisee or the franchisee's heir or heirs as
 10 required by this chapter within sixty days after the
 11 inventory has been received by the franchisor, the
 12 franchisor is liable for one hundred percent of the
 13 current-net price of farm implements; transportation

14 charges which have been paid by the franchisee; eighty-
 15 five percent of the current net price of repair parts;
 16 five percent of the current net price of repair parts
 17 to cover handling, packing and loading, if applicable;
 18 and attorney fees incurred by the franchisee or the
 19 franchisee's heir or heirs."

20 3. Page 4, by inserting after line 18 the following
 21 new section:

22 "Sec. 6. NEW SECTION. 322D.6 SECURITY INTERESTS
 23 NOT AFFECTED. This chapter does not affect the
 24 existence or enforcement of a security interest which
 25 a supplier, a financial institution or any other
 26 person may have in the inventory of the retailer.
 27 A repurchase of inventory which is made under this
 28 chapter is not subject to the bulk sales provisions
 29 of the uniform commercial code, chapter 554, article
 30 6."

HARBOR of Mills
 COOPER of Lucas
 ROYER of Page

H-5163

1 Amend House File 2217 as follows:

2 1. Page 1, by striking line 2 and inserting in
 3 lieu thereof the following: "amended to read as
 4 follows:

5 11. Constitute the board of educational examiners
 6 for the certification of administrative, supervisory
 7 and instructional personnel for the public school
 8 systems merged area schools system of the state;
 9 prescribe types and classes of certificates to be
 10 issued, the subjects and fields and positions which
 11 certificates cover and determine the requirements
 12 for certificates; establish fees for the issuance
 13 and renewal of certificates; prescribe the terms of
 14 years and expiration dates of certificates; prescribe
 15 the requirements for renewal of certificates; enter
 16 into reciprocity agreements with other states and
 17 countries that have similar certification requirements;
 18 suspend or revoke a certificate for any cause that
 19 would have authorized or required a refusal to grant
 20 a certificate; establish standards for the acceptance
 21 of degrees, credits, courses, and other evidences
 22 of training and preparation from institutions of
 23 higher learning, junior colleges, or other training
 24 institutions, both public and private, within or
 25 without the state. The state board shall perform
 26 duties imposed upon the board of educational examiners
 27 under chapter 260."

- 28 2. Page 3, by striking lines 10 through 12.
 29 3. Page 13, by inserting after line 18 the
 30 following:
 31 "Sec. . NEW SECTION. 280A.29 EMPLOYMENT OF
 32 PERSONNEL. The board of directors of each merged
 33 area shall employ administrative, supervisory, and
 34 instructional personnel for the area school who hold
 35 certificates valid for the types of positions in which
 36 the personnel are employed. The certificates for
 37 these persons shall be issued by the state board of
 38 public instruction pursuant to section 257.10,
 39 subsection 11."
 40 4. By numbering and renumbering sections and
 41 subsections as necessary.

VAN GERPEN of Black Hawk

H-5166

- 1 Amend amendment H-5147 to House File 2217 as
 2 follows:
 3 1. Page 1, by inserting after line 30, the
 4 following:
 5 " . Conduct a comprehensive study of the effect
 6 that collective bargaining for public employees has
 7 had on the maintenance of quality education in Iowa.
 8 The board shall file a copy of the results of the
 9 study with the chief clerk of the house of
 10 representatives and the secretary of the senate on
 11 or before January 1, 1986."

WELDEN of Hardin
 HALVORSON of Clayton
 MENKE of O'Brien

H-5169

- 1 Amend House File 322 as follows:
 2 1. Page 1, line 13, by striking the word "shall"
 3 and inserting in lieu thereof the word "may".

Committee on Local Government

H-5179

- 1 Amend House File 2163 as follows:
 2 1. Page 1, by inserting after line 7 the following:
 3 "Sec. . Section 144.9, Code 1983, is amended
 4 to read as follows:
 5 144.9 CLERK OF COURT AS REGISTRAR. The clerk
 6 of the district court county recorder shall be the
 7 county registrar and with respect to his the recorder's

8 registration district shall:

9 1. Administer and enforce the provisions of this
10 chapter and the rules issued by the department, and
11 exercise general supervision over the local and deputy
12 local registrars in his district.

13 2. Record and transmit the certificates, reports,
14 or other returns filed with him to the state registrar
15 at least semimonthly, or more frequently when directed
16 by the state registrar.

17 3. Provide the clerk of the district court with
18 access to all records held by the recorder as county
19 registrar if access to the records is necessary for
20 the clerk to perform the clerk's duties."

21 2. By striking page 1, line 8 through page 3,
22 line 28.

23 3. Page 3, line 33, by striking the word "recorder"
24 and inserting in lieu thereof the word "registrar".

25 4. Page 4, line 3, by striking the word "recorder"
26 and inserting in lieu thereof the word "registrar".

27 5. Page 4, line 13, by striking the word "recorder"
28 and inserting in lieu thereof the word "registrar".

29 6. Page 4, line 17, by striking the word "recorder"
30 and inserting in lieu thereof the word "registrar".

31 7. Page 4, line 20, by striking the word "recorder"
32 and inserting in lieu thereof the word "registrar".

33 8. Page 4, by inserting after line 21 the
34 following:

35 "Sec. . Section 144.37, Code Supplement 1983,
36 is amended to read as follows:

37 144.37 DISSOLUTION AND ANNULMENT RECORDS. For
38 each dissolution or annulment of marriage granted
39 by any court in this state, a record shall be prepared
40 by the clerk of the district court or by the petitioner
41 or the petitioner's legal representative if directed
42 by the clerk and filed delivered by the clerk of court
43 to the county registrar who shall file the record
44 with the state registrar. The information necessary
45 to prepare the report shall be furnished with the
46 petition, to the clerk of court by the petitioner
47 or the petitioner's legal representative, on forms
48 supplied by the state registrar.

49 The clerk of the district court in each county
50 registrar shall keep a record book for dissolutions.

Page 2

1 The form of dissolution record books shall be uniform
2 throughout the state and shall be prescribed by the
3 state department. A properly indexed record of
4 dissolutions upon microfilm, electronic computer,
5 or data processing equipment may be kept in lieu of
6 dissolution record books.

7 On or before the tenth day of each calendar month,
8 the clerk of court county registrar shall forward
9 to the state registrar the record of each dissolution
10 and annulment granted during the preceding calendar
11 month and related reports required by regulations
12 issued under this chapter."

13 9. Page 4, by striking lines 22 through 27.

14 10. Page 4, lines 30 and 31, by striking the words
15 "~~and the clerk of the district court, and the county~~
16 ~~recorder~~" and inserting in lieu thereof the words
17 "~~and the clerk of the district court county registrar~~".

18 11. Page 4, lines 33 and 34, by striking the words
19 "~~the clerk's, or the recorder's~~".

20 12. Page 5, by inserting after line 3 the
21 following:

22 "Sec. . Section 144.46, Code Supplement 1983,
23 is amended to read as follows:

24 144.46 FEE FOR COPY OF RECORD. The department
25 by rule shall establish fees based on the average
26 administrative cost which shall be collected by the
27 state registrar or the clerk of the district court
28 county registrar for each certified copy or short
29 form certification of certificates or records, or
30 for a search of the files or records when no copy
31 is made, or when no record is found on file. Fees
32 collected by the state registrar under this section
33 shall be deposited in the general fund of the state.
34 Fees collected by the clerk of the district court
35 county registrar shall be deposited in the court
36 revenue distribution account established under section
37 602.8108 general fund of the county. A fee shall
38 not be collected from a political subdivision or
39 agency of this state."

40 13. Page 5, lines 7 and 8, by striking the words
41 "relating to birth and death certificates" and
42 inserting in lieu thereof the words "as county
43 registrar of vital statistics".

44 14. Page 9, by striking lines 10 and 11 and
45 inserting in lieu thereof the following:

46 "Sec. . Section 602.8102, subsections 32 and
47 83, Code Supplement 1983, are amended by striking
48 the subsections."

49 15. By renumbering as necessary.

COOPER of Lucas
HANDORF of Marshall
ROYER of Page

H-5180

1 Amend House File 2295 as follows:

2 1. Page 8, line 6, by inserting after the word
3 "nature" the words "and replacing revenues in the

4 general fund of the state occurring pursuant to section
 5 422.7, subsection 19".
 6 2. Page 17, by inserting after line 15 the
 7 following new sections:
 8 "Sec. 25. Section 422.7, Code Supplement 1983,
 9 is amended by adding the following new subsection:
 10 NEW SUBSECTION. 19. Subtract the amount of any
 11 social security benefit received under Title II of
 12 the federal Social Security Act as amended to January
 13 1, 1984, or any tier 1 railroad retirement benefit
 14 under section 3(a), 4(a), or 4(f) of the federal
 15 Railroad Retirement Act of 1974, and included in the
 16 adjusted gross income computed for federal income
 17 tax purposes.
 18 Sec. 26. Section 25 of this Act is retroactive
 19 to January 1, 1984."
 20 3. Renumber sections and correct internal
 21 references as are necessary in accordance with this
 22 amendment.

SCHNEKLOTH of Scott

H-5186

1 Amend House File 2295 as follows:
 2 1. Page 10, line 1, by inserting after the word
 3 "INTEREST" the word "-PENALTY".
 4 2. Page 10, line 9, by inserting after the word
 5 "not" the words "ask for, offer to accept, or".
 6 3. Page 10, by inserting after line 14 the
 7 following:
 8 " . A person, corporation, association, or firm
 9 contracting or seeking to contract with the state
 10 to supply gaming equipment or materials for use in
 11 the operation of a lottery, an applicant for a license
 12 to sell tickets or shares in the lottery or a licensee
 13 shall not offer a member of the board, the
 14 commissioner, an employee of the lottery, or a member
 15 of their immediate families any gift, gratuity, or
 16 other thing of value. A violation of this subsection
 17 is a serious misdemeanor."

ROSENBERG of Story
 JAY of Appanoose

H-5189

1 Amend House File 443 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting in lieu thereof the following:
 4 "Section 1. Section 321.453, Code 1983, is amended
 5 by adding the following new unnumbered paragraph:
 6 NEW UNNUMBERED PARAGRAPH. However, notwithstanding
 7 section 321.463 or any other weight limitation

8 contained in this chapter or imposed under authority
9 of this chapter, a farm trailer which is an implement
10 of husbandry is subject to a weight limitation of
11 twenty thousand pounds per axle and a gross vehicle
12 weight limitation of forty thousand pounds."

13 2. Amend the title, by striking lines 1 and 2
14 and inserting in lieu thereof the following: "An
15 Act relating to the imposition of a weight limitation
16 of twenty thousand pounds per axle and a gross vehicle
17 weight limitation of forty thousand pounds on farm
18 trailers, and subjecting violators to a penalty."

Committee on Local Government

H-5190

1 Amend House File 407 as follows:

2 1. Page 1, by inserting before line 1, the
3 following:

4 "Section 1. Section 351A, subsection 1, Code 1983,
5 is amended to read as follows:

6 1. "Institution" shall mean any means a school
7 or college of medicine, veterinary medicine, pharmacy,
8 dentistry, and osteopathy, or hospital, diagnostic
9 or research laboratories, or other educational or
10 scientific establishment situated in this state
11 properly concerned with the investigation of, or
12 instruction concerning the structure or function of
13 living organisms, the cause, prevention, control or
14 cure of diseases or abnormal conditions of human
15 beings or animals."

16 2. By renumbering as necessary.

Committee on Local Government

H-5199

1 Amend House File 531 as follows:

2 1. By striking all after the enacting clause and
3 inserting in lieu thereof the following:

4 "Section 1, Section 83.14, subsection 4, Code
5 1983, is amended by striking the subsection and
6 inserting in lieu thereof the following:

7 4. A permittee may request in writing a hearing,
8 to be conducted as a contested case and not as an
9 appeal, to contest a notice or order issued pursuant
10 to this section or section 83.15 or a penalty
11 assessment issued pursuant to section 83.15. The
12 request for a contested case shall be filed with the
13 department within thirty days of receipt of the notice,
14 order, or penalty assessment, and shall otherwise
15 conform to department rules.

16 The contested case hearing shall be scheduled
 17 within thirty days of receipt by the department of
 18 the request for a contested case hearing. If the
 19 decision in the contested case is to revoke the permit,
 20 the permittee shall be given a specific period to
 21 complete reclamation, or the attorney general shall
 22 be requested to institute bond forfeiture proceedings.

23 Sec. 2. Section 83.14, subsection 8, Code 1983,
 24 is amended to read as follows:

25 8. At the request of the department, the attorney
 26 general shall institute any legal proceedings,
 27 including an action for an injunction or a temporary
 28 injunction necessary to enforce the penalty provisions
 29 of this chapter or to obtain compliance with this
 30 chapter. Injunctive relief may be requested to enforce
 31 a cessation order issued by the director pending a
 32 hearing pursuant to subsection 4.

33 Sec. 3. Section 83.15, Code 1983, is amended by
 34 adding the following new subsections:

35 **NEW SUBSECTION.** A person who violates a permit
 36 condition, a provision of this chapter, or a rule
 37 or order issued under this chapter shall be subject
 38 to a civil penalty not to exceed five thousand dollars
 39 per day for each day of violation. If a violation
 40 results in the issuance of a cessation order, a civil
 41 penalty shall be imposed. The penalty shall not
 42 exceed five thousand dollars for each day of violation.

43 In determining the amount of the penalty,
 44 consideration shall be given to the operator's history
 45 of previous violations at the particular mining
 46 operation, the seriousness of the violation, including
 47 any irreparable harm to the environment and any hazard
 48 to the health or safety of the public, whether the
 49 operator was negligent, and the demonstrated good
 50 faith of the operator charged in attempting to achieve

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1 rapid compliance after notification of the violation.

2 An operator who fails to correct a violation for
 3 which a notice or order has been issued within the
 4 period permitted for its correction shall be required
 5 to pay a civil penalty of not less than seven hundred
 6 fifty dollars for each day during which the failure
 7 or violations continue.

8 **NEW SUBSECTION.** Where a notice or order has been
 9 issued, the department may assess a recommended penalty
 10 in accordance with a schedule established by rule.
 11 The person to whom the notice or order was issued
 12 may submit written information within fifteen days
 13 of the notice or order to be considered by the
 14 department. The department shall serve the assessment

15 by certified mail return receipt requested within
16 thirty days of issuance of the notice or order. The
17 department may reassess any penalty if necessary to
18 consider facts not reasonably available on the date
19 of issuance of the assessment and may provide an
20 informal conference to review the recommended penalty.
21 A person may consent to a penalty assessment by paying
22 the penalty without resort to judicial proceedings.

23 If any violation results in the issuance of a
24 cessation order pursuant to section 83.14 the
25 department shall assess a penalty.

26 Any proposed schedule shall be submitted to the
27 senate and the house natural resources committees
28 not later than seven days after the convening of the
29 next regular session of the general assembly and may
30 become effective after the seventieth calendar day
31 of the session unless disapproved or amended by
32 concurrent resolution of the general assembly.

33 NEW SUBSECTION. A contested case may be requested
34 pursuant to section 83.14, subsection 4 to review
35 a notice, order, or penalty assessment. A person
36 to whom a penalty assessment has been issued may
37 request a contested case hearing solely for review
38 of the amount of the penalty. A penalty assessment
39 shall be final if a request for review is not made
40 in a timely manner.

41 NEW SUBSECTION. Judicial review of any action
42 of the department shall be in accordance with the
43 provisions of chapter 17A. Judicial review of a
44 penalty assessment shall not be permitted unless the
45 petitioner has posted a bond equal to the amount of
46 the assessed penalty in the district court or has
47 placed the proposed amount in an escrow fund approved
48 by the department.

49 NEW SUBSECTION. If a violation results in a
50 cessation order pursuant to section 83.14, the attorney

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1 general shall, at the request of the department,
2 institute a civil action in district court for
3 injunctive relief.

4 Notwithstanding section 17A.20, an appeal bond
5 shall be required for an appeal of a judgment assessing
6 a civil penalty.

7 Sec. 4. Section 83.15, subsections 1 and 4, Code
8 1983, are amended by striking the subsections."

H-5200

- 1 Amend House File 576 as follows:
 2 1. Page 5, line 34, by striking the word "approve"
 3 and inserting in lieu thereof the words "or approve
 4 mercy killing".
 5 2. Page 6, by inserting after line 1 the following:
 6 "This Act shall create no presumption concerning
 7 the intention of an individual who has not executed
 8 a declaration to consent to the use or withholding
 9 of life-sustaining procedures in the event of a
 10 terminal condition."

Committee on Human Resources

H-5203

- 1 Amend the amendment, H-5179, to House File 2183,
 2 as follows:
 3 1. Page 1, line 17, by striking the word "Provide"
 4 and inserting in lieu thereof the words "Maintain
 5 birth, death, marriage, and other records of the
 6 county registrar's office and provide".
 7 2. Page 2, by inserting after line 48 the
 8 following:
 9 " . Page 9, by inserting after line 24 the
 10 following:
 11 "Sec. . TRANSFER OF RECORDS. All birth, death,
 12 marriage, and other records of the county registrar's
 13 office shall be transferred by the clerk of the
 14 district court to the county recorder, effective July
 15 1, 1986." "
 16 3. By renumbering as necessary.

COOPER of Lucas

H-5204

- 1 Amend House File 417 as follows:
 2 1. Page 1, by striking lines 1 through 32 and
 3 inserting in lieu thereof the following:
 4 "Section 1. NEW SECTION. 306C.24 COMPENSATION
 5 FOR SIGN REMOVAL.
 6 1. DEFINITION. "Off-premises advertising device"
 7 means an advertising device which does not advertise
 8 or give information about a business or activity
 9 located upon the premises where the advertising device
 10 is located or which does not advertise the sale or
 11 lease of property on which the device is located.
 12 2. JUST COMPENSATION REQUIRED. A political sub-
 13 division of this state shall not remove, take, or
 14 cause to be removed or to be taken a lawfully erected

15 off-premises advertising device subject to control
16 under chapter 306B or 306C for which just compensation
17 is required to be paid under 23 U.S.C. sec. 131(g)
18 without paying just compensation in cash to the owner
19 of the advertising device and to the owner of the
20 real property on which the advertising device is
21 located as provided in section 306C.16. The sole
22 intent of this section is to comply with 23 U.S.C.
23 sec. 131(g) and it is otherwise not the intent to
24 in any manner relinquish any powers of political
25 subdivisions relating to the control and removal of
26 advertising devices under police power.

27 3. EXCEPTIONS. This section does not apply to
28 the removal or taking of an off-premises advertising
29 device under any of the following conditions:

30 a. The device is unlawfully erected.

31 b. The device is being maintained in violation
32 of section 306C.18.

33 c. The device has been abandoned or not used for
34 a period of at least six months.

35 4. DEPARTMENT AUTHORIZATION. When required by
36 23 U.S.C. sec. 131(g), the department may acquire
37 through purchase or condemnation and shall pay just
38 compensation as provided in section 306C.16 for off-
39 premise advertising devices removed after July 1,
40 1984, through amortization by an ordinance of a
41 political subdivision either enacted prior to the
42 devices becoming subject to either chapter 306B or
43 chapter 306C or enacted prior to July 1, 1984.

44 Notwithstanding the requirements of section 306C.14,
45 the department may first pay just compensation from
46 the highway beautification fund and then claim
47 reimbursement for the federal share of the payment
48 from the federal government.

49 5. SAVINGS CLAUSE. If any provision of this
50 section is inconsistent, conflicts with or is not

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1 required by 23 U.S.C. sec. 131, the provision shall
2 be suspended but only to the extent necessary to
3 eliminate the inconsistency, conflict or requirement.
4 If any part of this section is found to be invalid
5 or unconstitutional, such judgment shall not affect
6 the validity of the section as a whole or any provision
7 or part thereof not found to be invalid or
8 unconstitutional.

9 Sec. 2. This Act takes effect July 1, 1984."

H - 5205

- 1 Amend House File 2217 as follows:
- 2 1. Page 1, line 10, by striking the word "seven"
- 3 and inserting in lieu thereof the word "nine".
- 4 2. Page 1, line 18, by striking the word "Three"
- 5 and inserting in lieu thereof the word "Four".
- 6 3. Page 1, by striking lines 30 and 31 and
- 7 inserting in lieu thereof the following:
- 8 " Two members who do not hold teacher or
- 9 administrator certificates and who represent the
- 10 general public."
- 11 4. Page 13, line 25, by inserting after the word
- 12 "appointment," the words "one teacher, one member
- 13 representing the general public, and".
- 14 5. Page 13, line 28, by striking the words "the
- 15 member" and inserting in lieu thereof the words "one
- 16 member".
- 17 6. By numbering and renumbering subsections as
- 18 necessary.

. HUGHES of Union

H - 5210

- 1 Amend amendment H - 5118 to page 1 of House File
- 2 2217 as follows:
- 3 1. Page 1, by inserting after line 1, the following:
- 4 " Page 1, line 10, by striking the word "seven"
- 5 and inserting in lieu thereof the word "nine"."

DAGGETT of Taylor

H - 5211

- 1 Amend House File 405 as follows:
- 2 1. Page 1, line 19, by striking the words "by
- 3 striking the unnumbered paragraph" and inserting in
- 4 lieu thereof the following: "to read as follows:
- 5 None of the education or ~~experience~~ requirements
- 6 in subsection 2 shall apply to a candidate who, within
- 7 three years after July 1, 1984, fulfills the experience
- 8 requirements provided for by law prior to the effective
- 9 date of this chapter and passes the examination
- 10 required in subsection 3."

Committee on State Government

H-5214

1 Amend the amendment H-5205 to House File 2217 as
2 follows:
3 1. Page 1, by striking lines 4 and 5.
4 2. Page 1, line 8, by striking the word "Two"
5 and inserting in lieu thereof the word "Three".
6 3. Page 1, by striking lines 11 through 16 and
7 inserting in lieu thereof the following:
8 " . Page 13, by striking lines 25 through 28
9 and inserting in lieu thereof the following: "shall
10 end the year following appointment; one teacher and
11 one member representing the general public shall end
12 two years after appointment; one teacher, the faculty
13 member and one member representing the general public
14 shall end three years after appointment; and the
15 superintendent and one member representing the general
16 public".

DAGGETT of Taylor

H-5218

1 Amend the amendment H-5205 to House File 2217 as
2 follows:
3 1. Page 1, by inserting after line 5 the following:
4 " . Page 1, by striking lines 23 through 26
5 and inserting in lieu thereof the following:
6 " . One member who possesses endorsement as
7 a school administrator." "
8 2. Page 1, by striking lines 11 through 16 and
9 inserting in lieu thereof the following:
10 " . Page 13, by striking lines 24 through 28
11 and inserting in lieu thereof the following: "to
12 staggered terms. The term of one teacher and one
13 member representing the general public shall end the
14 year following appointment; one teacher and the faculty
15 member shall end two years after appointment; one
16 teacher and one member representing the general public
17 shall end three years after appointment; and the term
18 of one teacher, the administrator, and one member
19 representing the general public".

HUGHES of Union

H-5219

1 Amend the amendment H-5208 to House File 2217 as
2 follows:
3 1. Page 3, line 9, by inserting after the word
4 "development." the following: "However, the board
5 of directors shall not assign coaching responsibilities
6 to a teacher possessing a provisional certificate."

DODERER of Johnson
DAGGETT of Taylor

H-5221

1 Amend House File 322 as follows:

2 1. Page 1, by striking line 17, and inserting in
3 lieu thereof the following: "the county, all newspapers
4 published in the county, all licensed commercial radio and
5 television stations in the county,".

6 2. Page 2, by striking line 3, and inserting in lieu
7 thereof the following: "copies to the city library, all
8 newspapers of the city, all licensed commercial radio and
9 television stations in the city,".

PAULIN of Plymouth

H-5222

1 Amend House File 2217 as follows:

2 1. Page 1, by striking line 2 and inserting in
3 lieu thereof the following: "amended by striking
4 the subsection and inserting in lieu thereof the
5 following:

6 11. Appoint the membership of a board of area
7 school educational examiners made up of teachers and
8 administrators employed by an area school, one or
9 more members of the teaching faculty of the education
10 college or department of a college or university that
11 has an approved teacher education program, and members
12 representing the general public. The state board
13 shall adopt rules under chapter 17A to implement this
14 procedure."

15 2. Page 3, by striking lines 10, 11, and 12.

16 3. Page 13, by inserting after line 21 the
17 following:

18 "Sec. . NEW SECTION. 280A.29 BOARD OF AREA
19 SCHOOL EDUCATIONAL EXAMINERS. The board of area
20 school educational examiners appointed by the state
21 board of public instruction is the board for the
22 certification of individuals actually involved in
23 teaching in the area schools. The board shall
24 prescribe types and classes of certificates to be
25 issued, the subjects and fields and positions which
26 certificates cover and determine the requirements
27 for certificates; establish fees for the issuance
28 and renewal of certificates; prescribe the terms of
29 years and expiration dates of certificates; prescribe
30 the requirements for renewal of certificates; enter
31 into reciprocity agreements with other states and
32 countries that have similar certification requirements;
33 suspend or revoke a certificate for any cause that
34 would have authorized or required a refusal to grant
35 a certificate; establish standards for the acceptance
36 of degrees, credits, courses, and other evidences

37 of training and preparation from public and private
 38 institutions of higher learning, junior colleges,
 39 or other training institutions located inside and
 40 outside the state. Those individuals actively teaching
 41 on an emergency basis for less than thirty days during
 42 a school year need not possess certification under
 43 this section. The board shall adopt rules under
 44 chapter 17A to implement this section. Fees collected
 45 under this section shall be deposited in the general
 46 fund of the state.

47 Sec. . NEW SECTION. 280A.30 EMPLOYMENT OF
 48 PERSONNEL. The board of directors of each merged
 49 area shall employ instructional personnel for the
 50 area-school who hold certificates valid for the types

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1 of positions in which the personnel are employed."
 2 4. By numbering and renumbering sections and
 3 subsections as necessary.

SCHROEDER of Pottawattamie

H-5223

1 Amend House File 2217 as follows:
 2 1. Page 1, line 10, by striking the word "seven"
 3 and inserting in lieu thereof the word "nine".
 4 2. Page 1, line 18, by striking the word "Three"
 5 and inserting in lieu thereof the word "Four".
 6 3. Page 1, by striking lines 23 and 24.
 7 4. Page 1, lines 25 and 26, by striking the words
 8 "school superintendent" and inserting in lieu thereof
 9 the words "a school administrator".
 10 5. Page 1, by striking lines 30 and 31 and
 11 inserting in lieu thereof the following:
 12 " . Three members who do not hold teacher or
 13 administrator certificates and who represent the
 14 general public."
 15 6. Page 13, by striking lines 24 through 28 and
 16 inserting in lieu thereof the following: "to staggered
 17 terms. The term of one teacher and one member
 18 representing the general public shall end the year
 19 following appointment; one teacher and the faculty
 20 member shall end two years after appointment; one
 21 teacher and one member representing the general public
 22 shall end three years after appointment; and the term
 23 of one teacher, the administrator, and one member
 24 representing the general public".
 25 7. By numbering and renumbering subsections as
 26 necessary.

HUGHES of Union

H-5224

- 1 Amend amendment H-5223 to House File 2217 as follows:
2 1. Page 1, by striking lines 2 through 9.
3 2. Page 1, line 17, by striking the words "one
4 teacher" and inserting in lieu thereof the words
5 "the principal".

DAGGETT of Taylor

H-5231

- 1 Amend House File 422 as follows:
2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:
4 "Section 1. Section 28E.5, Code 1983, is amended
5 by adding the following new subsection:
6 **NEW SUBSECTION.** If the agreement establishes an
7 entity whose purposes include issuing revenue bonds
8 under chapter 28F for financing electric power
9 facilities, the agreement shall specify that any
10 amendment to the agreement shall not become effective
11 until ratified by resolutions of a majority of the
12 current members.
13 Sec. 2. Section 28E.5, Code 1983, is amended by
14 adding the following new subsection:
15 **NEW SUBSECTION.** If the agreement establishes an
16 entity whose purposes include issuing revenue bonds
17 under chapter 28F for financing electric power
18 facilities, the agreement shall specify that each
19 public agency subscribing to the agreement is entitled
20 to at least one full-voting member on the governing
21 body of the entity.
22 Sec. 3. Section 28F.1, Code Supplement 1983, is
23 amended to read as follows:
24 **28F.1 SCOPE OF CHAPTER.** This chapter provides
25 a means for the joint financing by public agencies
26 of works or facilities useful and necessary for the
27 collection, treatment, purification, and disposal
28 in a sanitary manner of liquid and solid waste, sewage,
29 and industrial waste, also electric power facilities
30 constructed within the state of Iowa except that
31 hydroelectric power facilities may also be located
32 in the waters and on the dams of or on land adjacent
33 to either side of the Mississippi or Missouri river
34 bordering the state of Iowa, natural gas facilities,
35 water supply systems, swimming pools or golf courses.
36 This chapter applies to the acquisition, construction,
37 reconstruction, ownership, operation, repair,
38 extension, or improvement of such works or facilities,
39 by a separate administrative or legal entity created
40 pursuant to chapter 28E. When the legal entity created

41 under this chapter is comprised solely of cities,
42 counties, and sanitary districts established under
43 chapter 358, or any combination thereof or any
44 combination of the foregoing with other public
45 agencies, the entity shall be both a corporation and
46 a political subdivision with the name under which
47 it was organized. The legal entity may sue and be
48 sued, contract, acquire and hold real and personal
49 property necessary for corporate purposes, adopt a
50 corporate seal and alter the seal at pleasure, and

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1 execute all the powers conferred in this chapter.

2 A city shall not join an entity created under this
3 chapter for the purpose of financing electric power
4 facilities unless that city owned and operated a
5 municipal electric utility as of July 1, ~~1981~~ 1984.
6 Power supplied by a municipal power agency may shall
7 not be furnished to a municipal utility not existing
8 as of July 1, ~~1981~~ 1984.

9 ~~After July 1, 1981,~~ a city shall not join an
10 entity created under this chapter or any separate
11 administrative or legal entity created pursuant to
12 chapter 28E for the purpose of utilizing the provisions
13 of this chapter for financing electric power facilities
14 until the proposal for the city to join such an entity
15 has been submitted to and approved by the voters of
16 the city.

17 The proposal shall be submitted at any city election
18 by the council on its own motion. If a majority of
19 those voting in the city does not approve the proposal,
20 the same or a similar proposal may be submitted to
21 the voters no sooner than one year from the date of
22 the election at which the proposal was defeated.

23 Sec. 4. Section 28F.3, Code 1983, is amended to
24 read as follows:

25 28F.3 REVENUE BONDS.

26 1. An entity created to carry out an agreement
27 authorizing the joint exercise of those governmental
28 powers enumerated in section 28F.1 shall have power
29 to may construct, acquire, own, repair, improve,
30 expand, operate and maintain a project or projects
31 necessary to carry out the purposes of such the
32 agreement, and to may issue from time to time revenue
33 bonds payable from the revenues derived from such
34 the project or projects, or any combination of such
35 the projects, to finance the cost or part of the cost
36 of the acquisition, construction, reconstruction,
37 repair, extension or improvement of such the project
38 or projects, including the acquisition for the purposes
39 of such the agreement, of any property, real or

40 ~~personal or mixed therefor.~~ The power of the entity,
 41 to issue revenue bonds shall not be exercised until
 42 authorized by resolution duly adopted by each of the
 43 public agencies participating in such agreement the
 44 entity, except as provided in subsection 2. Public
 45 agencies participating in such an agreement may not
 46 withdraw or in any way terminate, amend, or modify
 47 the agreement in any manner to the detriment of the
 48 bondholders ~~said agreement~~ if revenue bonds or
 49 obligations issued in anticipation of the issuance
 50 of ~~said~~ the revenue bonds have been issued and are

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1 then outstanding and unpaid as provided for herein
 2 in this chapter. Any revenue bonds for the payment
 3 and discharge of which, upon maturity or upon
 4 redemption prior to maturity, provision has been made
 5 through the setting apart in a reserve fund or special
 6 trust account created pursuant to this chapter to
 7 insure the payment thereof of the bonds, of moneys
 8 sufficient for that purpose or through the irrevocable
 9 segregation for that purpose in a sinking fund or
 10 other fund or trust account of moneys sufficient
 11 therefor for the payment of the bonds, shall be deemed
 12 to be no longer outstanding and unpaid within the
 13 meaning of any provision of this chapter.

14 2. Beginning with the effective date of this Act,
 15 an entity may exercise the power to issue revenue
 16 bonds for a project involving electric power facilities
 17 and natural gas facilities only after obtaining
 18 authorization from each of the public agencies
 19 participating in the agreement. A public agency which
 20 is a county, city or municipality of this state or
 21 another state shall only give this authorization after
 22 an election at which the question of the issuance
 23 of revenue bonds for electric power facilities or
 24 natural gas facilities has been submitted to the
 25 qualified electors of the public agency and sixty
 26 percent of those voting for or against the question
 27 favor the issuance of the revenue bonds. The election
 28 may be held at a special election or at the time of
 29 the regular or general election of the public agency.

30 Sec. 5. Section 28F.10, Code 1983, is amended
 31 to read as follows:

32 28F.10 REFUNDING BONDS. Refunding bonds may be
 33 issued by an entity in a principal amount sufficient
 34 to provide funds for the payment, (including premium,
 35 if any), of bonds issued by ~~said~~ the entity pursuant
 36 to the provisions of this chapter to be refunded
 37 thereby and the interest thereon and in addition for
 38 the payment of all expenses incident to the calling,

39 retiring, or paying of ~~such~~ the outstanding bonds
 40 to be refunded, ~~such~~ refunding. Refunding bonds may
 41 also finance the construction of a ~~project or projects~~
 42 authorized by this chapter or the improvement,
 43 addition, betterment or extension of an existing
 44 project or projects so authorized, subject to the
 45 requirement of section 28F.3, subsection 2, if
 46 applicable. Said refunding bonds shall not be issued
 47 to refund the principal of and interest on any bonds
 48 to be refunded unless such bonds mature or are
 49 redeemable under their terms within ten years from
 50 the date of delivery of the refunding bonds. The

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1 proceeds of ~~said~~ the refunding bonds to be used for
 2 the payment of the principal of, interest on and
 3 redemption premiums, if any, on ~~said~~ the bonds to
 4 be refunded which will not be due and payable
 5 immediately shall be deposited in trust for the sole
 6 purpose of making ~~such~~ the payments in a bank or trust.
 7 company within the state. Any moneys in ~~such~~ the
 8 trust fund, prior to the date ~~such~~ the funds will
 9 be needed for the payment of ~~such~~ the principal of,
 10 interest on and redemption premiums, if any, of ~~such~~
 11 the outstanding bonds to be refunded, may be invested
 12 or reinvested as provided in the resolution authorizing
 13 ~~said~~ the refunding bonds. Refunding bonds shall be
 14 issued in the same manner and detail as revenue bonds
 15 herein authorized by this chapter.

16 Sec. 6. Section 28F.11, Code 1983, is amended
 17 by adding the following new unnumbered paragraph:
 18 NEW UNNUMBERED PARAGRAPH. If the entity is
 19 comprised solely of cities, counties, and sanitary
 20 districts, or any combination thereof, the entity
 21 has the power of eminent domain to acquire interests
 22 in property under provisions of law then in effect
 23 and applicable to those public agencies comprising
 24 the entity.

25 Sec. 7. Chapter 28F, Code 1983, is amended by
 26 adding the following new sections:
 27 NEW SECTION. Before the entity may institute
 28 proceedings for the issuance of revenue bonds, it
 29 shall conduct a public hearing on the proposal to
 30 issue the bonds. Notice of intention to issue the
 31 bonds, specifying the amount and purpose and the time
 32 and place of hearing, shall be published at least
 33 once not less than fifteen days prior to the date
 34 fixed for the hearing in a newspaper having a general
 35 circulation within the state. At the time and place
 36 fixed for the public hearing, the governing body of
 37 the entity shall give all interested persons who

38 appear at the hearing an opportunity to express their
39 views for or against the proposal to issue the bonds
40 and at the hearing, or any adjournment of the hearing,
41 shall adopt a resolution determining whether or not
42 to proceed with the issuance of the bonds.

43 An action shall not be brought questioning the
44 legality of proceedings or bonds executed in connection
45 with a project authorized by this chapter from and
46 after three months from the time the bonds are ordered
47 issued by the entity.

48 NEW SECTION. Unless a majority interest in a
49 project is owned by cities or electric power agencies
50 comprised entirely of cities located within the state.

Page 5

1 an entity created to carry out an agreement is not
2 subject to statutes generally applicable to public
3 contracts, including hearings on plans, specifications,
4 form of contracts, costs, notice, and competitive
5 bidding required under sections 384.95 to 384.103.

6 NEW SECTION. In addition to other powers conferred
7 by this chapter, an entity created to carry out an
8 agreement authorizing the joint financing of electric
9 power facilities may purchase all or part of a power
10 plant constructed within the state and may purchase
11 all or part of the capacity, power, or energy
12 associated with a power plant, or contract to sell
13 all or part of the entity's power and energy, including
14 any surplus, to a public agency or private agency
15 within or without the state. Notwithstanding any
16 other provision of law, the entity and a city or other
17 public agency may enter into contracts for the purchase
18 or supply, from any source, of all or a portion of
19 the capacity, power, and energy requirements of that
20 city or other public agency on terms and conditions
21 the entity and city or other public agency deem fit,
22 including terms and provisions providing for the
23 payment for capacity or output of a facility whether
24 or not the facility is completed or operating, and
25 establishing the rights and obligations of all parties
26 to the contract in the event of default, and payments
27 made by a city or other public agency under the
28 contracts constitute an operating expense of its
29 electric utility payable solely from the revenues
30 derived from the electric utility."

H-5236

- 1 Amend amendment H-5222 to House File 2217 as
- 2 follows:
- 3 1. Page 1, by striking lines 7 through 11 and
- 4 inserting in lieu thereof the following: "school
- 5 educational examiners consisting of three members
- 6 of the faculty of merged area schools, two
- 7 administrators from merged area schools, and two
- 8 members".
- 9 2. Page 1, line 21, by striking the words "the
- 10 board" and inserting in lieu thereof the words "the
- 11 final authority".

SCHROEDER of Pottawattamie

H-5238

- 1 Amend amendment H-5199 to House File 531 as follows:
- 2 1. Page 1, line 30, by striking the word
- 3 "Injunctive" and inserting in lieu thereof the words
- 4 "Notwithstanding section 17A.18, injunctive".
- 5 2. Page 1, line 47, by striking the word
- 6 "irreparable".

O'KANE of Woodbury

H-5241

- 1 Amend House File 2269 as follows:
- 2 1. Page 1, line 13, by inserting after the word
- 3 "commissioner" the words "and the county soil
- 4 conservation commissioners".
- 5 2. Page 1, line 18, by striking the words "one
- 6 third" and inserting in lieu thereof the words "one-
- 7 fourth".
- 8 3. Page 2, lines 18 through 20, by striking the
- 9 words " but not all of the funds appropriated in
- 10 this section shall be allocated to a limited acreage
- 11 within an area".

Committee on Agriculture

H-5245

- 1 Amend House File 2231 as follows:
- 2 1. Page 1, line 10, by inserting after the word
- 3 "section." the following: "However, if the commission
- 4 did not preside at the reception of evidence in the
- 5 proceedings, the ten-month deadline for completion
- 6 shall be extended to twelve months."

7 2. Page 1, by striking lines 12 through 17 and
 8 inserting in lieu thereof the following: "testimony,
 9 and exhibits, briefs and hearings, and may provide
 10 for the granting of additional time upon the request
 11 of a party one or more parties to the proceeding or
 12 commission staff for good cause shown. The commission
 13 may, on its own motion or upon the request of one
 14 or more parties to the proceeding, extend the time
 15 for the completion of the proceeding under section
 16 476.3 or 476.6 to accommodate unusual circumstances
 17 where the public interest dictates that an extension
 18 of time is necessary."

GRONSTAL of Pottawattamie

H-5248

1 Amend House File 2339 as follows:
 2 1. Page 1, line 15, by striking the words "tenants
 3 and suppliers" and inserting in lieu thereof the words
 4 "families, tenants, employees, and suppliers and
 5 adjacent property owners, their families, tenants,
 6 employees and suppliers, whose property abuts the
 7 adjacent property which abuts the closed road".

FOGARTY of Palo Alto

H-5262

1 Amend the amendment H-5208 to House File 2217 as
 2 follows:
 3 1. Page 1, by inserting after line 42 the
 4 following:
 5 "If by July 1, 1991, no one taking the examination
 6 under this section has failed the examination, the
 7 successful completion of the examination shall no
 8 longer be required for an applicant for a provisional
 9 certificate."

SCHROEDER of Pottawattamie

H-5265

1 Amend the amendment H-5232 to House File 2217 as
 2 follows:
 3 1. Page 1, line 12, by inserting after the word
 4 "board." the following: "If the teacher is an employee
 5 of an approved nonpublic school, the evaluator shall
 6 be an employee of another approved nonpublic school."

STROMER of Hancock

H-5267

- 1 Amend the amendment H-5208 to House File 2217 as
- 2 follows:
- 3 1. Page 2, by striking lines 19, 20, and 21 and
- 4 inserting in lieu thereof the words "as a teacher
- 5 during that year or for extraordinary circumstances."

HUGHES of Union

H-5268

- 1 Amend House File 2338 as follows:
- 2 1. Page 1, by striking lines 2 through 12 and
- 3 inserting in lieu thereof the following: "1983, is
- 4 amended by striking the subsection."
- 5 2. Title, by striking lines 1 and 2 and inserting
- 6 in lieu thereof the following: "An Act striking a
- 7 prohibition".

GRONSTAL of Pottawattamie

H-5269

- 1 Amend the amendment H-5147 to House File 2217 as
- 2 follows:
- 3 1. Page 1, by inserting after line 30 the
- 4 following:
- 5 " . . . Examine the laws relating to teacher
- 6 certification in the other forty-nine states, compare
- 7 them to the laws of this state, and report the
- 8 preliminary results to the general assembly not later
- 9 than January 21, 1985, with a final report due January
- 10 22, 1986.
- 11 . . . Annually report to the general assembly the
- 12 number of individuals passing and failing the
- 13 professional and subject matter proficiency
- 14 examination.
- 15 . . . Prepare a rating formula for the evaluation
- 16 system using excellent, very good, fair, and poor."

SCHROEDER of Pottawattamie

H-5271

- 1 Amend the amendment H-5208 to House File 2217 as
- 2 follows:
- 3 1. Page 3, line 12, by striking the figure "1988"
- 4 and inserting in lieu thereof the figure "1987".
- 5 2. Page 3, line 27, by striking the figure "1988"
- 6 and inserting in lieu thereof the figure "1987".
- 7 3. Page 3, by striking lines 42 and 43.
- 8 4. Page 3, line 47, by striking the figure "1988"
- 9 and inserting in lieu thereof the figure "1987".
- 10 5. Page 4, line 4, by striking the figure "1988"
- 11 and inserting in lieu thereof the figure "1987".

SCHROEDER of Pottawattamie

H-5272

- 1 Amend the amendment H-5147 to House File 2217 as
 2 follows:
 3 1. Page 3, line 1, by striking the figure "1989"
 4 and inserting in lieu thereof the figure "1988".
 5 2. Page 3, line 4, by striking the figure "1989"
 6 and inserting in lieu thereof the figure "1988".

SCHRÖEDER of Pottawattamie

H-5273

- 1 Amend House File 356 as follows:
 2 1. Page 1, by striking lines 27 through 30 and
 3 inserting in lieu thereof the following:
 4 "5. The employee is domiciled in this state and
 5 the employee's employer engaged in business in this
 6 state during the period of time in which the employee
 7 was employed by the employer. For the purpose of
 8 this subsection, an employer engages in business in
 9 this state if the employer is incorporated under the
 10 laws of this state or is a foreign corporation
 11 authorized to do business in this state pursuant to
 12 section 496A.108."

Committee on Labor and Industrial Relations

H-5278

- 1 Amend House File 2341 as follows:
 2 1. Page 1, line 5, by inserting after the word
 3 "brokerage." the following: "However, a state bank
 4 or service corporation of a state bank, which as of
 5 February 13, 1984, was engaged in real estate brokerage
 6 in excess of that permitted under this section, may
 7 continue those activities."
 8 2. Page 1, line 12, by inserting after the word
 9 "brokerage." the following: "However, an association
 10 or service corporation, which as of February 13, 1984,
 11 was engaged in real estate brokerage in excess of
 12 that permitted under this subsection, may continue
 13 those activities."
 14 3. Page 1, by striking lines 13 through 20.

GRONINGA of Cerro Gordo

H-5281

- 1 Amend House File 2231 as follows:
 2 1. Page 1, line 10, by inserting after the word
 3 "section." the following: "However, if the commission

4 did not preside at the reception of evidence in the
 5 proceedings, the ten-month deadline for completion
 6 shall be extended to twelve months."

7 2. Page 1, by striking lines 12 through 17 and
 8 inserting in lieu thereof the following: "testimony,
 9 and exhibits, briefs and hearings, and may provide
 10 for the granting of additional time upon the request
 11 of a party one or more parties to the proceeding or
 12 commission staff for good cause shown. The commission
 13 may, on its own motion or upon the request of one
 14 or more parties to the proceeding, extend the time
 15 for the completion of the proceeding under section
 16 476.3 or 476.6 up to six additional months to
 17 accommodate unusual circumstances where the public
 18 interest dictates that an extension of time is
 19 necessary."

GRONSTAL of Pottawattamie

H-5282

1 Amend amendment H-5231 to House File 422 as follows:

2 1. Page 1, by striking lines 43 through 45 and
 3 inserting in lieu thereof the following: "chapter
 4 358, or any combination thereof or any combination
 5 of the foregoing with other public agencies, the
 6 entity shall be both a corporation and".

HALVORSON of Clayton

H-5283

1 Amend House File 576 as follows:

2 1. Page 2, line 6, by inserting after the word
 3 "patient" the words "or suffers brain function death".

4 2. Page 2, line 30, by inserting after the word
 5 "directive" the words "may include the declarant's
 6 desire not to have the declarant's life artificially
 7 prolonged in the case of brain function death. The
 8 directive".

9 3. Page 2, line 30, by striking the words "to
 10 not" and inserting in lieu thereof the words "not
 11 to".

SPEAR of Lee

H-5284

1 Amend House File 576 as follows:

2 1. Page 4, line 11, by inserting after the word
 3 "in" the words "the case of brain function death or
 4 in".

- 5 2. Page 4, line 16, by inserting after the word
6 "in" the words "the case of brain function death or
7 in".

SPEAR of Lee

H-5285

- 1 Amend amendment H-5275 to House File 2217 as follows:
2 1. Page 1, line 25, by striking the word "Four" and
3 inserting in lieu thereof the word "Three".
4 2. Page 1, by inserting after line 31, the following:
5 " . One member who possesses endorsement as a
6 school principal."
7 3. Page 11, line 18, by striking the words "one teacher"
8 and inserting in lieu thereof the words "the school
9 principal".

DAGGETT of Taylor

H-5287

- 1 Amend Senate File 2089, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 2; by striking the word "three"
4 and inserting in lieu thereof the word "two".
5 2. Page 1, by striking line 10, and inserting
6 in lieu thereof the following:
7 "2. A child at least two years of age but under
8 five years".

WELDEN of Hardin

H-5292

- 1 Amend House File 356 as follows:
2 1. Page 1, by inserting after line 30 the
3 following:
4 "6. The employee is personally acquainted with
5 a natural person residing in this state.
6 7. The employee is related within the third degree
7 of consanguinity to a natural person residing in this
8 state.
9 8. The employee wishes to be personally acquainted
10 with a natural person residing in this state."

HALVORSON of Clayton

H-5293

- 1 Amend House File 576 as follows:
- 2 1. Page 3, line 14, by inserting after the word
- 3 "agent" the words ", if one has been appointed."
- 4 2. Page 3, line 14, by striking the words "in
- 5 attendance".
- 6 3. Page 3, line 21, by inserting after the word
- 7 "patient" the words ", if one has been designated".

SPEAR of Lee

H-5294

- 1 Amend House File 576 as follows:
- 2 1. Page 5, lines 3 and 4, by striking the words
- 3 "or a patient experiencing brain function death in
- 4 accordance with a directive" and inserting in lieu
- 5 thereof the words "in accordance with a directive
- 6 or from a patient experiencing brain function death
- 7 is not".

SPEAR of Lee

H-5306

- 1 Amend House File 2154 as follows:
- 2 1. Page 1, line 9, by inserting after the word
- 3 "the" the word "initial".
- 4 2. Page 1, line 29, by inserting after the word
- 5 "the" the word "initial".

BRAMMER of Linn

H-5307

- 1 Amend the amendment, H-5189, to House File 443
- 2 as follows:
- 3 1. Page 1, line 11, by striking the word "twenty"
- 4 and inserting in lieu thereof the word "thirty".
- 5 2. Page 1, line 12, by striking the words "forty
- 6 thousand pounds." and inserting in lieu thereof the
- 7 words "fifty thousand pounds. A farm trailer which
- 8 exceeds twenty thousand pounds per axle but not more
- 9 than thirty thousand pounds per axle and a gross
- 10 vehicle weight of more than forty thousand pounds
- 11 but not more than fifty thousand pounds may be pulled
- 12 on a public road or highway between farm sites included
- 13 in the same farming operation, but the distance which
- 14 the farm trailer is pulled along a public road or
- 15 highway shall not exceed three miles."

- 16 3. Page 1, line 16, by striking the word "twenty"
 17 and inserting in lieu thereof the word "thirty".
 18 4. Page 1, line 17, by striking the word "forty"
 19 and inserting in lieu thereof the word "fifty".

RENKEN of Grundy

H-5314

- 1 Amend the amendment H-5275 to House File 2217 as
 2 follows:
 3 1. Page 4, by inserting after line 21 the
 4 following:
 5 "If by July 1, 1991, no one taking the examination
 6 under this section has failed the examination, the
 7 successful completion of the examination shall no
 8 longer be required for an applicant for a provisional
 9 certificate."

SCHROEDER of Pottawattamie

H-5316

- 1 Amend the amendment H-5275 to House File 2217 as
 2 follows:
 3 1. Page 3, by inserting after line 11 the
 4 following:
 5 " . . . Examine the laws relating to teacher
 6 certification in the other forty-nine states, compare
 7 them to the laws of this state, and report the
 8 preliminary results to the general assembly not later
 9 than January 21, 1985, with a final report due January
 10 22, 1986.
 11 . . . Annually report to the general assembly the
 12 number of individuals passing and failing the
 13 professional and subject matter proficiency
 14 examination.
 15 . . . Prepare a rating formula for the evaluation
 16 system using excellent, very good, fair, and poor."

SCHROEDER of Pottawattamie

H-5320

- 1 Amend House File 576 as follows:
 2 1. Page 4, by striking lines 4 through 8 and
 3 inserting in lieu thereof the following:
 4 "Sec. 6. NEW SECTION. 144A.6 NONLIABILITY.
 5 A physician or health facility causing the withholding
 6 or withdrawal of life-sustaining procedures of a
 7 patient experiencing brain function death or acting
 8 in accordance with a directive from a qualified patient
 9 is not subject to civil liability for".

SPEAR of Lee

H-5323

- 1 Amend the amendment H-5275 to House File 2217 as
 2 follows:
 3 1. Page 5, line 9, by striking the words "The
 4 board" and inserting in lieu thereof the words: "The
 5 colleges of education of the institutions of higher
 6 education under the state board of regents shall each
 7 appoint two members of their faculty to a committee
 8 that".
 9 2. Page 5, line 12, by striking the word "and"
 10 and inserting in lieu thereof the words ". The board
 11 shall adopt rules implementing the criteria developed
 12 by the committee and".

SCHROEDER of Pottawattamie

H-5325

- 1 Amend House File 2339 as follows:
 2 1. Page 1, line 15, by striking the words "tenants
 3 and suppliers" and inserting in lieu thereof the words
 4 "families, tenants, employees, and suppliers and
 5 adjacent property owners, their families, tenants,
 6 employees and suppliers, whose property abuts the
 7 adjacent property which abuts the closed road".
 8 2. Page 1, line 15, by striking the word "provide"
 9 and inserting in lieu thereof the word "permit".

FOGARTY of Palo Alto
 WOODS of Polk

H-5333

- 1 Amend House File 2235 as follows:
 2 1. Page 1, line 19, by inserting after the word
 3 "only" the words "fifty percent of".

Committee on Small Business and Commerce

H-5339

- 1 Amend House File 2060 as follows:
 2 1. Page 1, lines 6 and 7, by striking the words
 3 "rate of ~~seven nine~~ percent" and inserting in lieu
 4 thereof the words "percentage rate of ~~seven percent~~
 5 as provided in this paragraph".
 6 2. Page 1, line 8, by inserting after the period
 7 the words "The capitalized percentage rate shall be
 8 as follows:
 9 (1) For assessment years beginning January 1,
 10 1984 and January 1, 1985, seven and one-half percent.

- 11 (2) For assessment years beginning January 1,
 12 1986 and January 1, 1987, eight percent.
 13 (3) For assessment years beginning January 1,
 14 1988 and January 1, 1989, eight and one-half percent.
 15 (4) For the assessment year beginning January
 16 1, 1990 and each succeeding assessment year, nine
 17 percent."
 18 3. Page 1, by striking lines 9 and 10 and inserting
 19 in lieu thereof the following:
 20 "Sec. 2. This Act is retroactive to January 1,
 21 1984 for assessment years beginning on and after
 22 January 1, 1984."
 23 4. Amend the title, line 3, by inserting before
 24 the period the words "and making the Act retroactive".

SCHNEKLOTH of Scott

H-5341

- 1 Amend House File 576 as follows:
 2 1. Page 4, by striking lines 4 through 8 and
 3 inserting in lieu thereof the following:
 4 "Sec. 6. NEW SECTION. 144A.6 NONLIABILITY.
 5 A physician or health facility causing the withholding
 6 or withdrawal of life-sustaining procedures from a
 7 patient experiencing brain function death or acting
 8 in accordance with a directive from a qualified patient
 9 is not subject to civil liability for".

SPEAR of Lee

H-5346

- 1 Amend House File 140 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 1, by striking lines 1 through 14.
 4 2. Page 1, by striking lines 15 through 22.
 5 3. Page 1, by striking lines 28 through 30 and
 6 inserting in lieu thereof the following: "that rule
 7 is deemed to be unreasonable, arbitrary, capricious
 8 or otherwise beyond the procedural or substantive
 9 authority delegated to the agency, the committee,
 10 governor".
 11 4. Page 1, by striking line 32 and inserting in
 12 lieu thereof the following: "the objection prior
 13 to within one year after the effective date of such
 14 a the rule."
 15 5. Page 2, line 4, by striking the words "Code
 16 editor" and inserting in lieu thereof the words "Code
 17 editor administrative rules coordinator".
 18 6. Page 2, line 5, by striking the words "within
 19 the above time limits" and inserting in lieu thereof

20 the words "within the above time limits one year
21 limit".

22 7. Page 2, by striking lines 13 through 15 and
23 inserting in lieu thereof the following: "is not
24 unreasonable, arbitrary, capricious or otherwise
25 beyond the procedural or substantive authority del-
26 egated to it."

27 8. Page 2, line 29, by inserting after the word
28 "bulletin." the words "The governor shall precede
29 this action by publishing a notice in the Iowa
30 administrative bulletin. This notice shall identify
31 the rule under consideration for rescission and allow
32 interested persons not less than twenty days to sub-
33 mit written comments or arguments concerning this
34 proposed action."

35 9. Page 2, line 30, by striking the words and
36 figures "subsections 1 and 9" and inserting in lieu
37 thereof the word and figure "subsection 1".

38 10. Page 2, line 31, by striking the word "are"
39 and inserting in lieu thereof the word "is".

40 11. Page 3, by striking lines 6 through 28.

41 12. Page 3, line 31, by striking the word and
42 figures "May 1, 1983" and inserting in lieu thereof
43 the words "on the effective date of this Act".

44 13. By striking page 3, line 33 through page 4,
45 line 1.

46 14. Title, by striking lines 3 and 4 and inserting
47 in lieu thereof the words "committee, attorney general,
48 and governor."

Senate Amendment

H-5351

1 Amend House File 2384 as follows:

2 1. Page 1, by striking lines 10 and 11 and
3 inserting in lieu thereof the words "imposed by a
4 county, it shall only apply to those incorporated
5 areas and the unincorporated area of that county in
6 which a majority of those voting in that area favors
7 the imposition."

8 2. Page 2, line 8, by inserting after the word
9 "period." the words "However, the tax shall not be
10 imposed in any incorporated area or the unincorporated
11 area if the majority of those voting on the tax in
12 that area did not favor its imposition."

13 3. Page 2, line 16, by inserting after the word
14 "tax" the words ", except that the question of repeal
15 or rate change shall be voted on only in those areas
16 which have imposed the local vehicle tax".

17 4. Page 2, line 26, by inserting after the word
18 "within" the words "an incorporated area or the
19 unincorporated area of".

SCHNEKLOTH of Scott

H - 5353

1 Amend the amendment H - 5275 to House File 2217 as
 2 follows:
 3 1. Page 9, by inserting after line 29 the
 4 following:
 5 "Sec. . Section 260.28, Code 1983, is amended
 6 by adding the following new unnumbered paragraph:
 7 **NEW UNNUMBERED PARAGRAPH.** The board of educational
 8 examiners may expend funds in addition to the funds
 9 appropriated to the board by the general assembly
 10 from the general fund of the state if those additional
 11 expenditures are greater than funds budgeted by the
 12 board for expenses incurred by the board as a result
 13 of services rendered by the attorney general's office
 14 or other legal counsel for time spent in defending
 15 the board in a legal action. Before the board expends
 16 or encumbers an amount in excess of the funds budgeted
 17 by the board for legal expenses the state comptroller
 18 shall approve the expenditure or encumbrance. Before
 19 approval is given, the state comptroller shall
 20 determine that the legal expenses exceed the amount
 21 budgeted by the board for these purposes. Upon approval
 22 of the state comptroller, the board may expend and
 23 encumber funds for excess legal expenses. The amounts
 24 necessary to fund the excess legal expenses shall
 25 be collected as fees from examination applicants and
 26 shall be treated as repayment receipts as defined
 27 in section 8.2, subsection 5."

SCHROEDER of Pottawattamie
 DE GROOT of Lyon

H - 5357

1 Amend H - 5276 to Senate File 414 as amended, passed,
 2 and reprinted by the Senate, as follows:
 3 1. Page 1, line 8, by striking the figure "1984"
 4 and inserting in lieu thereof the figure "1985".
 5 2. Page 1, line 40, by striking the words "and
 6 treat".
 7 3. Page 1, line 40, by inserting after the word
 8 "disorders" the following: ", and to treat mental
 9 illnesses and nervous disorders which are established
 10 as primarily of biological etiology with the exception
 11 of the treatment of the psychological and behavioral
 12 aspects of those mental illnesses and nervous
 13 disorders".

CHIODO of Polk
 JOCHUM of Dubuque

H-5358

- 1 Amend Senate File 510 as amended, passed and
- 2 reprinted as follows:
- 3 1. Page 2, line 26, by striking the word "two"
- 4 and inserting in lieu thereof the word "four".

TOFTE of Winneshiek

H-5360

- 1 Amend House File 2230 as follows:
- 2 1. Page 1, by striking lines 3 through 6 and
- 3 inserting in lieu thereof the following:
- 4 "1. Construction, maintenance and repair of the
- 5 fence on each side of the property acquired after
- 6 July 1, 1979, and as provided in chapter 113 on the
- 7 property acquired after July 1, 1984, however, this
- 8 requirement may be waived by a written agreement with
- 9 the adjoining landowner."

KOENIGS of Mitchell

H-5361

- 1 Amend House File 2416 as follows:
- 2 1. Page 2, by inserting after line 16 the
- 3 following:
- 4 "5. Expenses incurred by an employee for which
- 5 an employer is liable under this section are
- 6 recoverable as wages by the labor commissioner under
- 7 chapter 91A."

SHERZAN of Polk

H-5367

- 1 Amend House File 2416 as follows:
- 2 1. Page 2, line 4, by striking the word "and".

SKOW of Guthrie

H-5381

- 1 Amend the Senate amendment H-5346 to House File
- 2 140 as amended, passed and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, line 28, by striking the word "The"
- 5 and inserting in lieu thereof the words "In the event
- 6 the rule to be rescinded has been in effect for longer
- 7 than one year the".

SCHROEDER of Pottawattamie

H-5382

1 Amend House File 2023 as follows:

- 2 1. Page 2, by striking lines 8 through 11 and
 3 inserting in lieu thereof the following: "under this
 4 section to any person except the state or a state
 5 agency. This section does not authorize the state
 6 to own or operate a hazardous waste treatment or
 7 disposal facility ~~and the state shall not own or~~
 8 ~~operate such a facility~~ for the treatment and disposal
 9 of hazardous wastes other than those generated by
 10 the state. The".

SHOULTZ of Black Hawk

H-5386

1 Amend House File 2395 as follows:

- 2 1. Page 1, line 4, by inserting after the word
 3 "of" the word "a".
 4 2. Page 1, line 16, by inserting after the words
 5 "complaint of" the word "a".
 6 3. Page 1, line 22, by inserting after the word
 7 "of" the word "a".
 8 4. Page 1, line 24, by inserting after the word
 9 "on" the word "the".
 10 5. Page 1, line 26, by inserting after the word
 11 "on" the word "the".
 12 6. Page 2, line 15, by inserting after the word
 13 "of" the word "a".
 14 7. Page 2, line 19, by inserting after the word
 15 "of" the word "a".
 16 8. Page 2, line 24, by inserting after the word
 17 "of" the word "a".

SPEAR of Lee

H-5395

1 Amend House File 2436 as follows:

- 2 1. Page 2, line 1, by striking the word "all"
 3 and inserting in lieu thereof the word "any".

LONERGAN of Boone
 COCHRAN of Webster
 MULLINS of Kossuth

H-5397

1 Amend House File 2426 as follows:

- 2 1. By striking page 1, line 33 through page 2,
 3 line 1, and inserting in lieu thereof the following:
 4 "under this section to any person except the state
 5 or a state agency. This section does not authorize
 6 the state to own or operate a hazardous waste treatment
 7 or disposal facility ~~and the state shall not own or~~
 8 operate such a facility for the treatment and disposal
 9 of hazardous wastes other than those generated by
 10 the state. The".

SHOULTZ of Black Hawk

H-5400

1 Amend the Fogarty and Woods amendment, H-5325,
 2 to House File 2339, as follows:

- 3 1. Page 1, by striking lines 2 through 9 and
 4 inserting in lieu thereof the following:
 5 "1. Page 1, by striking lines 1 through 34.
 6 2. Page 2, by striking line 24.
 7 3. Renumber sections and correct internal
 8 references as necessary in accordance with this
 9 amendment.
 10 4. Amend the title, lines 2 and 3, by striking
 11 the words "and roads temporarily closed for repair
 12 and maintenance"."

FOGARTY of Palo Alto
 WOODS of Polk

H-5403

1 Amend the committee amendment, H-5231, to House
 2 File 422 as follows:

- 3 1. Page 1, line 21, by inserting after the word
 4 "entity." the words "The full-voting member of each
 5 public agency that is a city shall be an elector of
 6 the city elected by the voters of the city."

VAN MAANEN of Mahaska
 PARKER of Jasper

H-5404

1 Amend amendment H-5231 to House File 422 as
 2 follows:

- 3 1. Page 4, by striking lines 16 through 24.

KREWSON of Polk

H-5406

- 1 Amend House File 576 as follows:
 2 1. Page 2, by striking line 1, and inserting in
 3 lieu thereof the following: "of all functions of
 4 the entire brain, including the brain stem."
 5 2. Page 2, by inserting before line 2, the
 6 following:
 7 " "Mercy killing" means killing an individual
 8 on account of the quality of life of that individual."

VAN CAMP of Scott
 LONERGAN of Boone
 RUNNING of Linn

H-5408

- 1 Amend House File 2433 as follows:
 2 1. Page 5, by inserting after line 5 the follow-
 3 ing:
 4 "Sec. 1000. Section 96.7, subsection 3, paragraph
 5 b, unnumbered paragraph 5, Code Supplement 1983, is
 6 amended to read as follows:
 7 Provided, however, that However, the application
 8 by any affected employer for such transfer of partial
 9 record is shall be made within sixty days from the
 10 date of transfer and meets shall meet the approval
 11 of the predecessor and the director, and provided
 12 further that such the partial record shall include
 13 sufficient information for the proper administration
 14 of this chapter with respect to payment of unemployment
 15 benefits and computation of future rates based on
 16 benefit experience. If a transferring employer fails
 17 to produce the partial record, the department shall
 18 assign all historical charges related to payrolls,
 19 contributions, accounts, contribution rates, and
 20 benefits to that transferring employer failing to
 21 produce the partial record and not to another acquiring
 22 employer."
 23 2. Page 8, by inserting after line 32 the follow-
 24 ing:
 25 " Section 1000 of this Act is retroactive
 26 to July 1, 1982 and applies to a transfer under section
 27 96.7, subsection 3, paragraph "b" made on or after
 28 that date. However, the application under section
 29 1000 of this Act for a transfer which occurred prior
 30 to the publication of this Act shall be made before
 31 July 1, 1984."

BLANSHAN of Greene

H-5412

- 1 Amend House File 2419 as follows:
- 2 1. Page 1, line 28, by striking the word "of"
- 3 and inserting in lieu thereof the word "after".
- 4 2. Page 1, line 31, by striking the word "of"
- 5 and inserting in lieu thereof the word "after".

SPEAR of Lee

H-5415

- 1 Amend the committee amendment, H-5231, to House
- 2 File 422 as follows:
- 3 1. Page 1, by inserting after line 21 the
- 4 following:
- 5 "Sec. . Section 28E.5, Code 1983, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. If the agreement establishes an
- 8 entity whose purposes include issuing revenue bonds
- 9 under chapter 28F for financing electric power
- 10 facilities, the agreement shall additionally specify
- 11 that the entity shall not sell electric power or
- 12 energy at retail to the ultimate users of the electric
- 13 power or energy."
- 14 2. By numbering, renumbering and correcting
- 15 internal references as necessary.

HARBOR of Mills

H-5416

- 1 Amend the committee amendment, H-5231, to House
- 2 File 422 as follows:
- 3 1. Page 2, line 5, by striking the figures "1981
- 4 1984" and inserting in lieu thereof the figure "1981".
- 5 2. Page 2, line 8, by striking the figures "1981
- 6 1984" and inserting in lieu thereof the figure "1981".

SCHROEDER of Pottawattamie

H-5417

- 1 Amend the committee amendment, H-5231, to House
- 2 File 422 as follows:
- 3 1. Page 1, line 10, by inserting after the word
- 4 "agreement" the words ", including but not limited
- 5 to an amendment which increases the membership of
- 6 the entity,".

HERMANN of Scott
SCHNEKLOTH of Scott
VAN CAMP of Scott

H-5418

1 Amend the committee amendment, H-5231, to House
2 File 422 as follows:

3 1. Page 1, by inserting after line 3 the following:

4 "Sec. Section 11.18, unnumbered paragraph

5 1, Code 1983, is amended to read as follows:

6 The financial condition and transactions of all
7 cities and city offices, merged areas, area education
8 agencies, and all school offices in school districts,
9 and separate administrative or legal entities created
10 pursuant to chapter 28E financing electric power
11 facilities pursuant to chapter 28F shall be examined
12 at least once each year, except that cities having
13 a population of seven hundred or more but less than
14 two thousand shall be examined at least once every
15 four years, and cities having a population of less
16 than seven hundred may be examined as otherwise
17 provided in this section. Such examination shall cover
18 the fiscal year next preceding the year in which the
19 audit is conducted. The examination of school offices
20 shall include an audit of activity funds. Examinations
21 may be made by the auditor of state, or in lieu of
22 the examination by state accountants the local
23 governing body whose accounts are to be examined,
24 in case it elects so to do, may contract with, or
25 employ, certified or registered public accountants,
26 certified and registered in the state of Iowa, and
27 pay the same from the proper public funds. If a city,
28 merged area, area education agency or school district
29 elect to have the audit made by certified or registered
30 public accountants, it must so notify the auditor
31 of state within sixty days after the close of the
32 fiscal year to be examined. A city must so notify
33 the state auditor by filing a resolution of the
34 council. Such notification and designation shall
35 remain in effect until rescinded or modified by a
36 subsequent resolution of the council filed with the
37 state auditor. If any city, merged area, area
38 education agency or school district does not file
39 such notification with the auditor of state within
40 the required period, the auditor of state is authorized
41 to make the examination and cover any period which
42 has not been previously examined."

43 2. By numbering, renumbering and correcting
44 internal references as necessary.

H-5419

- 1 Amend the committee amendment, H-5231, to House
- 2 File 423 as follows:
- 3 1. Page 5, by inserting after line 30 the
- 4 following:
- 5 "NEW SECTION. An entity created to carry out an
- 6 agreement authorizing the joint exercise of powers
- 7 enumerated in section 28F.1 with regard to electric
- 8 power facilities shall keep accurate books, records,
- 9 and accounts of all its dealings which books, records,
- 10 and accounts shall be open to inspection and audit
- 11 by the representatives of any member of the entity
- 12 and shall be audited annually by the auditor of state."

SCHROEDER of Pottawattamie

H-5420

- 1 Amend the committee amendment, H-5231, to House
- 2 File 422 as follows:
- 3 1. Page 4, by striking lines 43 through 47.

SCHROEDER of Pottawattamie

H-5421

- 1 Amend the committee amendment, H-5231, to House
- 2 File 422 as follows:
- 3 1. Page 5, line 5, by inserting after the figure
- 4 "384.103." the words and figure "However, entities
- 5 created to acquire, construct, reconstruct, own,
- 6 operate, repair, extend, or improve electric power
- 7 facilities which have other than cities or electric
- 8 power agencies for members shall be formed under the
- 9 provisions of chapter 28E."

SCHROEDER of Pottawattamie

H-5422

- 1 Amend the committee amendment, H-5231, to House
- 2 File 422 as follows:
- 3 1. Page 2, by inserting after line 8 the following:
- 4 "Only cities may join an entity created under this
- 5 chapter for the purpose of financing electric power
- 6 facilities."

SCHROEDER of Pottawattamie

H - 5430

1 Amend House File 2182 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:
4 "Section 1. Section 692.2, Code Supplement 1983,
5 is amended by adding the following new subsection:
6 NEW SUBSECTION. 5. Notwithstanding other
7 provisions of this section, the department and bureau
8 may provide copies or communicate information from
9 criminal history data to any youth service agency
10 approved by the confidential records council. The
11 department shall adopt rules to provide for the
12 qualification and approval of youth service agencies
13 to receive criminal history data.

14 The department may charge a fee to any nonlaw
15 enforcement agency to conduct criminal history record
16 checks and otherwise administer this section and other
17 sections of the Code providing access to criminal
18 history records. The fee shall be set by the
19 commissioner of public safety equal to the cost
20 incurred not to exceed twenty dollars for each
21 individual check requested.

22 The criminal history data to be provided by the
23 department and bureau to authorized youth service
24 agencies shall be limited to information on applicants
25 for paid or voluntary positions, where those positions
26 would place the applicant in direct contact with
27 children."

PARKER of Jasper
SCHROEDER of Pottawattamie
ROSENBERG of Story
VARN of Johnson
McINTEE of Black Hawk
JAY of Appanoose

H - 5431

1 Amend the committee amendment, H - 5231, to House
2 File 422 as follows:

3 1. Page 1, by inserting after line 3 the following:
4 "Sec. Section 20.3, subsection 1, Code 1983,
5 is amended to read as follows:

6 1. "Public employer" means the state of Iowa,
7 its boards, commissions, agencies, departments, and
8 its political subdivisions including school districts,
9 entities financing electric power facilities under
10 chapter 28F and other special purpose districts."

11 2. By numbering, renumbering and correcting
12 internal references as necessary.

OLLIE of Clinton

H-5432

- 1 Amend the committee amendment, H-5231, to House
- 2 File 422 as follows:
- 3 1. Page 1, line 34, by striking the words "natural
- 4 gas facilities."
- 5 2. Page 3, line 17, by striking the words "and
- 6 natural gas facilities".
- 7 3. Page 3, lines 23 and 24, by striking the words
- 8 "or natural gas facilities".

LONERGAN of Boone

H-5433

- 1 Amend amendment H-5231 to House File 422 as
- 2 follows:
- 3 1. Page 5, line 30, by inserting after the word
- 4 "utility." the following: "Transactions of an entity
- 5 authorized by this section are subject to sections
- 6 476.22 through 476.26."

BENNETT of Ida

H-5434

- 1 Amend the Woods amendment, H-5204, to House File
- 2 417 as follows:
- 3 1. Page 2, by inserting after line 8 the following:
- 4 "Sec. NEW SECTION. 306C.25 Notwithstanding
- 5 other provisions of this division or chapter 306B,
- 6 a person owning a business which is conducted at a
- 7 single location within this state and which employs
- 8 fewer than the equivalent of fifteen full-time
- 9 employees may cause to be erected one or more
- 10 advertising devices directing travelers to the location
- 11 of the business at points within or beyond the adjacent
- 12 areas of roads and streets of the primary road system
- 13 as defined in section 306.3, except when contrary
- 14 to 23 U.S.C. section 131 or rules or regulations
- 15 promulgated thereunder or when contrary to the
- 16 standards contained in section 306C.13, subsections
- 17 1 through 8. The department shall adopt rules under
- 18 chapter 17A specifying the federal and state standards
- 19 applicable to advertising devices authorized by this
- 20 section and the procedures to be followed under section
- 21 306C.18 for the issuance of permits for advertising
- 22 devices authorized by this section."
- 23 2. Renumber sections as necessary.

PARKER of Jasper

H-5436

- 1 Amend the committee amendment, H-5231, to House
 2 File 422 as follows:
 3 1. Page 1, line 21, by inserting after the word
 4 "entity." the words "This governing body shall be
 5 the only committee of this entity."

SCHROEDER of Pottawattamie

H-5437

- 1 Amend the committee amendment, H-5231, to House
 2 File 422 as follows:
 3 1. Page 1, line 21, by inserting after the word
 4 "entity" the words "which members shall constitute
 5 the governing body of the entity".

SCHROEDER of Pottawattamie

H-5440

- 1 Amend House File 2410 as follows:
 2 1. By striking page 1, line 1 through page 2,
 3 line 7.
 4 2. Page 2, by inserting after line 28 the
 5 following:
 6 "Sec. 101. Section 524.1507, Code 1983, is amended
 7 to read as follows:
 8 524.1507 CHANGE OF LOCATION OF PRINCIPAL PLACE
 9 OF BUSINESS.
 10 1. If a change in the location of the principal
 11 place of business of a state bank is proposed and
 12 involves a change other than a change within the
 13 municipal corporation, urban complex or unincorporated
 14 area in which the state bank has its principal place
 15 of business, pursuant to section 524.312 application
 16 for the required approval of the superintendent shall
 17 be made in the manner required by the superintendent
 18 and subject to the provisions of this section. Any
 19 A change in location of the principal place of business
 20 of a state bank subject to this section, including
 21 a change from one municipal corporation to another
 22 corporation within an urban complex, shall require
 23 amendment to the articles of incorporation in
 24 accordance with the provisions of sections 524.1502,
 25 524.1504 and 524.1506. A state bank seeking approval
 26 of a change of location pursuant to this subsection
 27 shall publish a notice of the proposed change of
 28 location in a newspaper of general circulation
 29 published in the municipal corporation or
 30 unincorporated area in which the state bank has its

31 principal place of business, or if there is none,
32 in a newspaper of general circulation published in
33 the county, or in a county adjoining the county, in
34 which the state bank has its principal place of
35 business, and in the municipal corporation in which
36 it seeks to establish its principal place of business,
37 or if there is none, in a newspaper of general
38 circulation published in the county, or in a county
39 adjoining the county, in which ~~such~~ the municipal
40 corporation is located. The notice shall be published
41 within thirty days after making application to the
42 superintendent for approval of the change in location.
43 The notice shall set forth the name of the state bank,
44 the present location of its principal place of
45 business, the location to which it wishes to move
46 its principal place of business and the date upon
47 which the state bank made application to the
48 superintendent for approval of the change.
49 2. Upon receipt of an application for approval
50 of a change of location of the principal place of

Page 2

1 business of a state bank pursuant to subsection 1
2 of this section, the superintendent shall conduct
3 such investigation as ~~he deems~~ deemed necessary giving
4 due consideration to factors substantially similar
5 to those set forth in section 524.305, subsections
6 2 to 6 subsection 1, paragraph "d" through "f".
7 Within one hundred eighty days after receipt of the
8 application, the superintendent shall make a
9 determination whether to approve or disapprove the
10 application on the basis of his the investigation.
11 Prior to making a determination on the pending
12 application the superintendent shall, upon adequate
13 notice, afford all interested persons an opportunity
14 for a stenographically reported hearing during which
15 such persons shall be allowed to present evidence
16 in support of, or in opposition to, the pending
17 application. Thereafter the superintendent shall give
18 written notice of his the decision to the state bank
19 and, in the event of disapproval, a statement of the
20 reasons for his the decision. If the superintendent
21 shall approve the change in location he the
22 superintendent shall deliver the articles of amendment
23 to the secretary of state. The decision of the
24 superintendent shall be subject to judicial review
25 in accordance with the terms of the Iowa administrative
26 procedure Act. Before receiving the decision of the
27 superintendent with respect to the pending application,
28 the state bank shall upon notice reimburse the
29 superintendent to the extent of the expenses incurred

- 30 by him the superintendent in connection with the
 31 application."
 32 3. Renumber as necessary.

GRONSTAL of Pottawattamie

H-5442

- 1 Amend amendment H-5231 to House File 422 as
 2 follows:
 3 1. Page 5, by inserting after line 30 the
 4 following:
 5 "Sec. Section 390.1, subsection 6, Code 1983,
 6 is amended to read as follows:
 7 6. "Participant" means a city, electric co-operative,
 8 or privately owned utility company, or an entity created
 9 pursuant to chapter 28E financing electric power facili-
 10 ties under chapter 28F which is a party to a joint
 11 agreement."
 12 2. By renumbering as necessary.

McINTEE of Black Hawk

H-5452

- 1 Amend House File 2114 as follows:
 2 1. Page 1, line 20, by inserting after the period
 3 the words "Contractors who have done business with
 4 a municipality or have been certified by the department
 5 for a period of five years are exempt from the require-
 6 ments of this section."

TOFTE of Winneshiek

H-5456

- 1 Amend House File 2370 as follows:
 2 1. Page 1, by striking lines 1 through 9.
 3 2. By renumbering as necessary.

HUMMEL of Benton
 HALVORSON of Clayton

H-5460

- 1 Amend House amendment H-5274 to House File 2209
 2 as follows:
 3 1. Page 1, by inserting after line 8 the following:
 4 "4. Page 1, by inserting after line 10 the
 5 following:
 6 "As used in this section "cultivation" means placing

7 the land in the production of grain as defined in
 8 section 543.1." "
 9 2. By renumbering sections as required by this
 10 amendment.

BLANSHAN of Greene

H-5461

1 Amend House File 2378 as follows:
 2 1. Page 1, by striking lines 6 and 7, and inserting
 3 in lieu thereof the following: "interview the person.
 4 Thereafter, at ~~regular intervals, not to exceed one~~
 5 year intervals of not more than twenty-four months,
 6 the board or a three member panel of the".

SPEAR of Lee

H-5463

1 Amend House File 2434 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting in lieu thereof the following:
 4 "Section 1. Section 257.18, Code 1983, is amended
 5 by adding the following new subsection:
 6 NEW SUBSECTION. Act as the executive officer of
 7 the board of area school examiners. The superintendent
 8 shall direct the work of employees of the department
 9 of public instruction in carrying out the work of
 10 the board.
 11 Sec. 2. NEW SECTION. 280A.29 BOARD OF AREA
 12 SCHOOL EXAMINERS. There is established the state
 13 board of area school examiners consisting of seven
 14 members appointed by the governor, subject to senate
 15 confirmation. Associations interested in education
 16 may recommend the names of potential board members
 17 to the governor, but the governor is not bound by
 18 the recommendations. The members shall consist of
 19 the following:
 20 1. Two members of the teaching faculty of an area
 21 school.
 22 2. Two members who are administrators at an area
 23 school.
 24 3. One member of the teaching faculty of an
 25 industrial technology education department or program
 26 at a university or college in this state.
 27 4. Two members who represent the general public.
 28 Each instructor from an area school and
 29 administrator member of the board shall be employed
 30 as an instructor or administrator in an area school
 31 and shall have been so employed for a period of three

32 years just preceding the member's appointment, the
33 last two of which shall have been in this state.

34 Sec. 3. NEW SECTION. 280A.29A TERM - COMPENSATION.

35 The members of the board shall serve four-year terms
36 that commence and end as provided in section 69.19.

37 A vacancy in the membership of the board shall be
38 filled by appointment of the governor, subject to
39 senate confirmation.

40 A member of the board shall receive forty dollars
41 per day from funds appropriated to the board for each
42 day the member is actually engaged in the discharge
43 of duties except that members of the board who are
44 public employees shall not receive the per diem payment
45 if they are receiving compensation for that day from
46 their employer. The member shall also receive
47 necessary and actual travel and expenses from funds
48 appropriated to the board.

49 The board of directors of an area school or
50 authorities in charge of a college or university shall

Page 2

1 allow members appointed to the board to serve as
2 members of the board and shall not discriminate against
3 the member in employment.

4 Sec. 4. NEW SECTION. 280A.30 DUTIES. The board
5 shall adopt rules that provide for the certification
6 of employees of the area schools. The board shall
7 prescribe types and classes of certificates to be
8 issued, the subjects and fields and positions which
9 certificates cover and the requirements for
10 certificates; establish fees for the issuance and
11 renewal of certificates; prescribe the terms of years
12 and expiration dates of certificates; prescribe the
13 requirements for renewal of certificates; enter into
14 reciprocity agreements with other states and countries
15 that have similar certification requirements; suspend
16 or revoke a certificate for any cause that would have
17 authorized or required a refusal to grant a
18 certificate; and establish standards for the acceptance
19 of degrees, credits, courses, and other evidences
20 of training and preparation from public and private
21 institutions of higher learning, junior colleges,
22 or other training institutions located inside and
23 outside the state. The board shall adopt rules under
24 chapter 17A to implement this section. Fees collected
25 under this section shall be deposited in the general
26 fund of the state.

27 Sec. 5. NEW SECTION. 280A.30A EMPLOYMENT OF
28 PERSONNEL. The board of directors of each merged
29 area shall employ personnel for the area school who

30 hold certificates valid for the types of positions
 31 in which the personnel are employed.
 32 Sec. 6. Notwithstanding section 280A.29, the
 33 governor shall appoint initial members of the board
 34 of area school examiners to staggered terms. The
 35 term of one member of the teaching faculty of an area
 36 school and one member representing the general public
 37 shall end the year following appointment, one
 38 administrator shall end two years after appointment,
 39 one administrator and the member of the teaching
 40 faculty of the industrial technology education
 41 department or program shall end three years after
 42 appointment, and one member of the teaching faculty
 43 of an area school and one member representing the
 44 general public shall end four years following
 45 appointment. The governor shall appoint initial
 46 members in the same manner as vacancies, subject to
 47 section 2.32.
 48 Sec. 7. If House File 2217 is not enacted by the
 49 Seventieth General Assembly, this Act is void. If
 50 both House File 2217 and this Act are enacted by the

Page 3

1 Seventieth General Assembly, this Act prevails and
 2 the board of educational examiners established in
 3 House File 2217 does not possess the authority to
 4 establish standards for the certification and renewal
 5 of certification of administrators, supervisors, and
 6 teachers employed at the merged area schools."

HUGHES of Union
 DAGGETT of Taylor
 JAY of Appanoose
 VAN GERPEN of Black Hawk
 GROTH of Buena Vista

H - 5464

1 Amend House File 2387 as follows:
 2 1. Page 1, by striking line 1 through page 6,
 3 line 25, and inserting in lieu thereof the following:
 4 "Section 1. Section 455B.183, subsection 1 and
 5 unnumbered paragraph 4, Code Supplement 1983, are
 6 amended to read as follows:
 7 1. The construction, installation or modification
 8 of any disposal system or public water supply system
 9 or part thereof or any extension or addition thereto
 10 except those sewer extensions and water supply
 11 distribution system extensions that are subject to
 12 review and approval by a city or county public works
 13 department pursuant to this section and private sewage

14 disposal systems. A permit shall be issued for the
 15 construction, installation or modification of a public
 16 water supply distribution system or part of a system
 17 if a qualified, registered engineer certifies to the
 18 commission that the plans for the system or part of
 19 the system meet the requirements of state and federal
 20 law or regulations. The permit shall state that
 21 approval is based only upon the engineer's
 22 certification that the system's design meets the
 23 requirements of all applicable state and federal laws
 24 and regulations and the review of the department shall
 25 be advisory.

26 Plans and specifications for all other waste
 27 disposal systems and public water supply systems,
 28 including sewer extensions and water supply
 29 distribution system extensions not reviewed by a city
 30 or county public works department under this section,
 31 shall be submitted to the department certified by
 32 a registered engineer as provided in subsection 1
 33 before a written permit may be is issued. The
 34 construction of any such waste disposal system or
 35 public water supply system shall be in accordance
 36 with standards formulated and adopted by the commission
 37 pursuant to section 455B.173, subsections 6 to 9,
 38 or otherwise approved by the department. If it is
 39 necessary or desirable to make material changes in
 40 the plans or specifications, revised plans or
 41 specifications together with reasons for the proposed
 42 changes must be submitted to the department certified
 43 by a registered engineer as provided in subsection
 44 1 for a supplemental written permit."

GROTH of Buena Vista

H - 5469

- 1 Amend House File 2475 as follows:
- 2 1. Page 1, by striking lines 28 and 29 and
- 3 inserting in lieu thereof the following: "of the
- 4 building and construction field. In the case".
- 5 2. Page 3, line 13, by striking the word "protest,"
- 6 and inserting in lieu thereof the word "protest".
- 7 3. Page 3, line 14, by striking the words "either
- 8 written or oral,"
- 9 4. Page 3, line 15, by striking the word "May"
- 10 and inserting in lieu thereof the word "May".
- 11 5. Page 3, line 16, by striking the word and
- 12 figures "5 June 1" and inserting in lieu thereof the
- 13 figure "5".

SKOW of Guthrie
 VARN of Johnson

H-5471

1 Amend Senate File 2122, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. By striking page 1, line 33 through page 2,
4 line 2 and inserting in lieu thereof the following:

5 NEW UNNUMBERED PARAGRAPH. A city which has elected
6 to withdraw from a county library district before
7 or after the effective date of this Act and which
8 fails to maintain a free public library or contract
9 for library services with a free public library of
10 a city, shall be included in the county library
11 district from which it withdrew if the district exists.
12 The effective date of inclusion in the county library
13 district shall be July 1 following notification by
14 the board of supervisors that the city has failed
15 to provide the required library services if the
16 notification is given by certified mail to the city
17 council not later than December 1 preceding the
18 proposed effective date.

19 NEW UNNUMBERED PARAGRAPH. A county library district
20 may be terminated upon a majority vote of the electors
21 of the unincorporated area of the county and the
22 cities included in the county library district. The
23 election shall be held upon motion of the board of
24 supervisors and simultaneously with a general
25 election."

26 2. Page 2, by inserting after line 16 the
27 following:

28 "NEW UNNUMBERED PARAGRAPH. An election for
29 withdrawal from or termination of a county library
30 district shall not be held more than once each four
31 years."

CONNOLLY of Dubuque

H-5473

1 Amend House File 2415 as follows:

2 1. Page 1, by inserting after line 19 the
3 following:

4 "f. The lender is a state or federally-chartered
5 bank, savings and loan association, savings bank,
6 or credit union."

7 2. Page 1, by striking lines 20 and 21 and
8 inserting in lieu thereof the following:

9 "2. A home equity line of credit is subject to
10 chapter 537, except section 537.2307 does not apply."

11 3. Page 1, by striking lines 26 through 28 and
12 inserting in lieu thereof the following:"and a loan
13 processing fee in an amount not to exceed that amount

- 14 permitted in section 535.8, subsection 2, paragraph
 15 a. Fees".
 16 4. Page 1, by inserting after line 31 the
 17 following:
 18 "4. The rate of interest applied to a home equity
 19 line of credit shall not exceed the usury limit
 20 established pursuant to section 535.2, subsection
 21 3."
 22 5. Page 1, by striking lines 32 through 35.
 23 6. By renumbering as necessary.

HOLVECK of Polk

H-5478

- 1 Amend House File 2279 as follows:
 2 1. Page 2, line 8, by striking the words "five
 3 years" and inserting in lieu thereof the words "twelve
 4 months".

SPEAR of Lee

H-5481

- 1 Amend Senate File 2160 as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 22, by inserting after the period
 4 the words "Contractors who have done business with
 5 a municipality or have been certified by the department
 6 for a period of five years are exempt from the require-
 7 ments of this section."

TOFTE of Winneshiek

H-5486

- 1 Amend amendment H-5454 to House File 2230 as
 2 follows:
 3 1. Page 1, by striking line 16 and inserting in
 4 lieu thereof the following: "one hundred yards apart.
 5 Sec. 2. Section 327G.81, subsection 1, Code 1983,
 6 is amended to read as follows:
 7 1. Construction, maintenance and repair of the
 8 fence on each side of the property acquired after
 9 July 1, 1979, and as provided in chapter 113 on the
 10 property acquired after July 1, 1984, however, this
 11 requirement may be waived by a written agreement with
 12 the adjoining landowner." "

KOENIGS of Mitchell

H-5497

- 1 Amend House File 2394 as follows:
- 2 1. Page 4, line 34, by striking the words "the
- 3 board of dietetic examiners or".
- 4 2. Page 5, by inserting after line 2 the following
- 5 new subparagraph:
- 6 "d. The board of dietetic examiners may accept
- 7 the registration exam or require an additional exam."
- 8 3. Reletter as necessary.

HAMMOND of Story
CHAPMAN of Linn

H-5498

- 1 Amend House File 2455 as follows:
- 2 1. Page 1, line 18, by striking the word "twenty-
- 3 four" and inserting in lieu thereof the word "thirty-
- 4 six".

McKEAN of Jones
HALVORSON of Clayton
McINTEE of Black Hawk

H-5499

- 1 Amend House File 2455 as follows:
- 2 1. Page 1, line 19, by inserting after the word
- 3 "board" the words "or a three member panel of the
- 4 board".
- 5 2. Page 1, line 20, by inserting after the word
- 6 "board" the words "or a three member panel of the board".

SPEAR of Lee

H-5501

- 1 Amend House File 2462 as follows:
- 2 1. Page 1, line 34, by inserting after the word
- 3 "be" the words "brought up to date and".
- 4 2. Page 2, line 1, by inserting after the word
- 5 "owner." the following: "If the insurer does not
- 6 provide the owner of the land or a party designated
- 7 by the owner, an up-to-date abstract of title as
- 8 required by this paragraph within sixty days after
- 9 acquisition of the insurance, then the company is
- 10 liable to the owner for two times the cost of the
- 11 title insurance, unless the department of insurance
- 12 first grants the insurer an extension due to
- 13 extenuating circumstances which prevented compliance.

14 The incurring of liability under this paragraph does
 15 not relieve the insurer of the obligation to provide
 16 an up-to-date abstract of title to the owner of the
 17 land or the party designated by the owner."

SCHROEDER of Pottawattamie

H - 5502

1 Amend House File 2475 as follows:
 2 1. Page 1, by striking lines 12 through 15, and
 3 inserting in lieu thereof the following: "assessment
 4 should be changed. The owners of real property".

SKOW of Guthrie
 MUHLBAUER of Crawford
 COOPER of Lucas

H - 5504

1 Amend House File 2487 as follows:
 2 1. Page 1, by striking everything after the
 3 enacting clause and inserting in lieu thereof the
 4 following:
 5 "Section 1. Section 25A.2, subsection 5, paragraph
 6 b, Code Supplement 1983, is amended to read as follows:
 7 b. Any claim against an employee of the state
 8 for money only, on account of damage to or loss of
 9 property or on account of personal injury or death,
 10 caused by the negligent or wrongful act or omission,
 11 except an act of malfeasance in office or willful
 12 and wanton conduct, of any employee of the state while
 13 acting within the scope of his the employee's office
 14 or employment.
 15 Sec. 2. Section 25A.21, Code 1983, is amended
 16 by striking the section and inserting in lieu thereof
 17 the following:
 18 25A.21 EMPLOYEES DEFENDED AND INDEMNIFIED. The
 19 state shall defend any employee, and shall indemnify
 20 and hold harmless an employee against any claim as
 21 defined in section 25A.2, subsection 5, paragraph
 22 b, including claims arising under the constitution,
 23 statutes or rules of the United States or of any
 24 state. However, the duty to indemnify and hold
 25 harmless shall not apply to awards for punitive
 26 damages. The duty to indemnify and hold harmless
 27 shall not apply and the state shall be entitled to
 28 restitution from an employee if, in an action commenced
 29 by the state against the employee, it is determined
 30 that the conduct of the employee upon which a tort
 31 claim or demand was based constituted a willful and
 32 wanton act or omission or malfeasance in office.

33 Sec. 3. Section 25A.22, Code 1983, is amended
34 by striking the section and inserting in lieu thereof
35 the following:

36 25A.22 EMPLOYEES. Employees of the state are
37 not personally liable for any claim which is exempted
38 under section 25A.14, except those claims within
39 subsection 4, claims for punitive damages, and actions
40 permitted by section 85.20. An employee of the state
41 is not liable for punitive damages unless actual
42 malice is pleaded and proven.

43 Sec. 4. Section 80.9, Code 1983, is amended by
44 adding
45 the following new subsection:

46 NEW SUBSECTION. 5. If any member is charged with
47 a criminal offense which is related to the member's
48 official duties with the department, the department
49 shall provide the member with defense counsel
50 consistent with the member's legal rights as a

Page 2

1 defendant.

2 Sec. 5. Section 364.12, subsection 2, Code 1983,
3 as amended by House File 359, section 1, 1983 Session,
4 is amended by striking the subsection and inserting
5 in lieu thereof the following:

6 2. A city shall keep all public grounds, streets,
7 sidewalks, alleys, bridges, culverts, overpasses,
8 underpasses, grade crossing separations and approaches,
9 public ways, squares, and commons open, in repair,
10 and free from nuisance, with the following exceptions:

11 a. Public ways and grounds may be temporarily
12 closed by resolution. Following notice as provided
13 in section 362.3, public ways and grounds may be
14 vacated by ordinance.

15 b. The city's general duty under this subsection
16 does not include a duty to remove natural accumulations
17 of snow or ice from the sidewalks.

18 c. The abutting property owner may be required
19 by ordinance to remove the natural accumulation of
20 snow and ice from the sidewalks within a reasonable
21 amount of time and to maintain all property outside
22 the lot and property lines and inside the curb lines
23 upon the public streets, except that the property
24 owner shall not be required to remove diseased trees
25 or dead wood on the publicly-owned property or right
26 of way.

27 d. If the abutting property owner does not perform
28 an action required under this subsection within a
29 reasonable time, a city may perform the required
30 action and assess the costs against the abutting
31 property for collection in the same manner as a

32 property tax.

33 e. A city has no duty under this subsection with
34 respect to property that is required by law to be
35 maintained by a railway company.

36 Sec. 6. NEW SECTION. 668.1 FAULT DEFINED.

37 1. As used in this chapter, "fault" means one
38 or more acts or omissions that:

39 a. Are in any measure negligent, grossly negligent,
40 or constitute reckless, willful, or wanton misconduct
41 toward the person or property of the actor or others.

42 b. Subject a person to strict liability in tort
43 or breach of warranty.

44 2. The legal requirements of cause in fact and
45 proximate cause continue to apply under this chapter.

46 Sec. 7. NEW SECTION. 668.2 PARTY DEFINED. As

47 used in this chapter, unless otherwise required,

48 "party" means any of the following:

49 1. A claimant.

50 2. A person named as defendant.

Page 3

1 3. A person who has been released pursuant to
2 section 668.7.

3 4. A third-party defendant.

4 However, a third-party defendant is not a "party"
5 for purposes of this chapter if the claimant is barred
6 from making a claim against the third-party defendant
7 on a legal ground other than non-timeliness of the
8 claim.

9 Sec. 8. NEW SECTION. 668.3 COMPARATIVE FAULT--
10 EFFECT.

11 1. If a claim alleges fault as a basis for recovery
12 of damages for injury or death of a person or harm
13 to property, contributory fault that is chargeable
14 to the claimant diminishes proportionately the amount
15 to be awarded to the claimant as compensatory damages
16 for loss to which the claimant's fault contributed
17 except that:

18 a. In a claim against a single defendant, or two
19 or more defendants who are treated as a single party,
20 the claimant is barred from recovery if the percentage
21 of fault chargeable to the claimant is greater than
22 the percentage of fault chargeable to the defendant.

23 b. In a claim against two or more defendants,
24 including third-party defendants and persons who have
25 been released pursuant to section 668.7, recovery
26 by a claimant is barred if the percentage of fault
27 chargeable to the claimant is greater than the combined
28 percentage of fault chargeable to all the other parties
29 to the action.

30 This rule applies whether or not under prior law

31 a claimant's contributory fault constitutes a defense
32 or was disregarded under applicable legal doctrines.

33 2. In the trial of a claim involving the fault
34 of more than one party to the claim, the court, unless
35 otherwise agreed by all parties, shall instruct the
36 jury to answer special interrogatories or, if there
37 is no jury, shall make findings, indicating all of
38 the following:

39 a. The amount of damages each claimant would be
40 entitled to recover if contributory fault is
41 disregarded.

42 b. The percentage of the total fault of all of
43 the parties to each claim that is allocated to each
44 party, using one hundred percent as the total. For
45 this purpose the court may determine that two or more
46 persons are to be treated as a single party.

47 3. If the claim is tried to a jury the court shall
48 instruct the jury that a finding that more than fifty
49 percent of the fault is chargeable to the claimant
50 is a bar to recovery by the claimant, and interroga-

Page 4

1 tories and forms of verdict shall indicate that a
2 finding that more than fifty percent of the fault
3 is chargeable to the claimant means the balance of
4 interrogatories and verdict on percentages of fault
5 should not be completed and no further deliberations
6 are required.

7 4. In determining the percentage of fault, the
8 trier of fact shall consider both the nature of the
9 conduct of each party at fault and the extent of the
10 causal relation between the conduct and the damages
11 claimed.

12 5. The court shall determine the award of damages
13 to each claimant in accordance with the findings,
14 subject to any reduction under subsections 1 and 2
15 and section 668.7, and enter judgment against each
16 party liable on the basis of the rules of joint and
17 several liability under section 668.4. For purposes
18 of contribution under section 668.5, the court shall
19 also determine and state in the judgment each party's
20 equitable share of the obligation to each claimant
21 in accordance with the respective percentages of
22 fault, subject to section 668.8.

23 Sec. 9. NEW SECTION. 668.4 JOINT AND SEVERAL
24 LIABILITY. In a claim involving two or more defendants
25 the doctrine of joint and several liability does not
26 apply to a defendant unless the defendant is found
27 to bear twenty percent or more of the fault that is
28 assigned to all parties, and the doctrine of joint
29 and several liability does not apply to a defendant

30 if the percent of fault allocated to the claimant
31 is greater than that allocated to the defendant.

32 Sec. 10. NEW SECTION. 668.5 RIGHT OF
33 CONTRIBUTION.

34 1. A right of contribution exists between or among
35 two or more persons who are liable upon the same
36 indivisible claim for the same injury, death, or harm,
37 whether or not judgment has been recovered against
38 all or any of them. It may be enforced either in
39 the original action or by a separate action brought
40 for that purpose except as provided otherwise in
41 section 668.8. The basis for contribution is each
42 person's equitable share of the obligations, including
43 the share of fault of a claimant, as determined in
44 accordance with section 668.3.

45 2. Contribution is available to a person who
46 enters into a settlement with the claimant only if
47 the liability of the person against whom contribution
48 is sought has been extinguished and only to the extent
49 that the amount paid in settlement was reasonable.

50 Sec. 11. NEW SECTION. 668.6 ENFORCEMENT OF

Page 5

1 CONTRIBUTION.

2 1. If the percentages of fault of each of the
3 parties to a claim for contribution have been
4 established previously by the court as provided in
5 section 668.3, subsection 5, or section 668.8, a party
6 paying more than the party's percentage share of
7 damages may recover judgment for contribution upon
8 motion to the court or in a separate action.

9 2. If the percentages of fault of each of the
10 parties to a claim for contribution have not been
11 established by the court, contribution may be enforced
12 in a separate action, whether or not a judgment has
13 been rendered against either the person seeking
14 contribution or the person from whom contribution
15 is sought.

16 3. If a judgment has been rendered, an action
17 for contribution must be commenced within one year
18 after the judgment becomes final. If a judgment has
19 not been rendered, a claim for contribution is
20 enforceable only upon satisfaction of one of the fol-
21 lowing sets of conditions:

22 a. The person bringing the action for contribution
23 must have discharged the liability of the person from
24 whom contribution is sought by payment made within
25 the period of the statute of limitations applicable
26 to the claimant's right of action and must have
27 commenced the action for contribution within one year
28 after the date of that payment.

29 b. The person seeking contribution must have
30 agreed while the action of the claimant was pending
31 to discharge the liability of the person from whom
32 contribution is sought and within one year after the
33 date of the agreement must have discharged that
34 liability and commenced the action for contribution.

35 c. As to a claim against an employer pursuant
36 to section 668.8, the person bringing the action for
37 contribution must have complied with either of the
38 following:

39 1. Made payment within the period of the statute
40 of limitations applicable to the claimant's right
41 of action and commenced the action for contribution
42 within one year after the date of that payment.

43 2. Agreed while the action of the claimant was
44 pending to pay claimant and within one year after
45 the date of agreement made payment and commenced the
46 action for contribution.

47 **Sec. 12. NEW SECTION. 668.7 EFFECT OF RELEASE.**

48 A release, covenant not to sue, or similar agreement
49 entered into by a claimant and a person liable
50 discharges that person from all liability for

Page 6

1 contribution, but it does not discharge any other
2 person liable upon the same claim unless it so
3 provides. However, the claim of the releasing person
4 against other persons is reduced by the amount of
5 the released person's equitable share of the
6 obligation, as determined in section 668.3, subsection
7 5.

8 **Sec. 13. NEW SECTION. 668.8 JOINDER.**

9 1. In any suit for personal injuries, or claims
10 derived therefrom, the employer of a claimant or a
11 claimant's decedent may be joined as a party for the
12 limited purpose of allocating fault, if any, to the
13 employer to be liable for contribution in an amount
14 proportional to the employer's percent of fault but
15 not to exceed the total payments made as of the date
16 of final judgment to which the employer or its insurer
17 would have subrogation rights in a third-party action
18 as provided by law.

19 2. The employer shall not be included in the
20 allocation of fault under section 668.3. By separate
21 instructions the court shall instruct the jury to
22 answer special interrogatories or, if there is no
23 jury, shall make special findings, using one hundred
24 percent as the total, indicating the percentage of
25 the total fault of all defendants, third-party
26 defendants, persons who have been released from
27 liability under section 668.7, and the employer of

28 a claimant or claimant's decedent that is allocated
 29 to each. For this purpose the court may determine
 30 that two or more persons are to be treated as a single
 31 party. Subject to the limits provided in this chapter
 32 contribution may be obtained from and enforced against
 33 the employer as provided in sections 668.5 and 668.6.

34 Sec. 14. NEW SECTION. 668.9 VERDICT ERRORS.

35 In an action brought under this chapter and tried
 36 to a jury, the court shall not discharge the jury
 37 until the court has determined that the verdict or
 38 verdicts are consistent with the total damages and
 39 percentages of fault, and if inconsistencies exist
 40 the court shall do all of the following:

- 41 1. Inform the jury of the inconsistencies.
- 42 2. Order the jury to resume deliberations to
 43 correct the inconsistencies.
- 44 3. Instruct the jury that it is at liberty to
 45 change any portion or portions of the verdicts to
 46 correct the inconsistencies.

47 Sec. 15. Section 25A.14, subsection 9, Code
 48 Supplement 1983, is amended by striking the subsection.

49 Sec. 16. Section 613A.4, subsection 8, Code
 50 Supplement 1983, is amended by striking the subsection.

Page 7

1 Sec. 17. Section 619.17, Code 1983, is amended
 2 to read as follows:

3 619.17 CONTRIBUTORY NEGLIGENCE FAULT — BURDEN.

4 ~~In all actions brought in the courts of this state~~
 5 ~~to recover damages of a defendant in which contributory~~
 6 ~~negligence of the plaintiff, actual or imputed, was~~
 7 ~~heretofore a complete defense or bar to recovery,~~
 8 ~~the A plaintiff shall does not hereafter, have the~~
 9 ~~burden of pleading and proving his the plaintiff's~~
 10 ~~freedom from contributory negligence, and if the~~
 11 ~~If a defendant relies upon negligence of the plaintiff~~
 12 ~~as a complete defense or bar to plaintiff's recovery~~
 13 ~~contributory fault of a plaintiff to diminish the~~
 14 ~~amount to be awarded as compensatory damages, the~~
 15 ~~defendant shall have has the burden of pleading and~~
 16 ~~proving negligence fault of the plaintiff, if any,~~
 17 ~~and that it was a proximate cause of the injury or~~
 18 ~~damage. As used in this section, the term "plaintiff"~~
 19 ~~shall include includes a defendant filing a~~
 20 ~~counterclaim or cross-petition, and the term~~
 21 ~~"defendant" shall include includes a plaintiff against~~
 22 ~~whom a counterclaim or cross-petition has been filed.~~

23 Sec. 18. Rule of civil procedure 225, Iowa Court
 24 Rules, second edition, is amended by striking the
 25 rule and inserting in lieu thereof the following:

26 225. SETOFF OF CLAIMS AND COUNTERCLAIMS. A claim

27 and counterclaim shall not be set off against each
 28 other, except by agreement of both parties. However,
 29 if upon motion of either party the court finds that
 30 the obligation of either party is likely to be
 31 uncollectible, the court may order that both parties
 32 make payment to the court for distribution. The court
 33 shall distribute the funds received, and shall declare
 34 obligations discharged as if the payment to the court
 35 by either party had been a payment to the other party
 36 and as if the distribution of the funds back to the
 37 party making payment had been a payment to that party
 38 by the other party.

39 Sec. 19. The supreme court shall submit to the
 40 general assembly, in the manner provided in section
 41 602.4202, changes in the rules of procedure for courts
 42 which are necessitated by the enactment of this Act.

43 Sec. 20. Section 613.3, Code Supplement 1983,
 44 is repealed.

45 Sec. 21.-Sections 5 through 20 of this Act apply
 46 to all cases filed on or after its effective date."

PARKER of Jasper
 O'KANE of Woodbury
 CHAPMAN of Linn
 ARNOULD of Scott

JAY of Appanoose
 SULLIVAN of Van Buren
 ROSENBERG of Story
 McINTEE of Black Hawk
 VARN of Johnson

H-5534

- 1 Amend House File 2473 as follows:
 2 1. Page 2, by striking lines 23 and 24 and
 3 inserting in lieu thereof the words "that provides
 4 that an employee may participate in the program for
 5 not more than five years and provides for the
 6 following:"
 7 2. Page 3, line 15, by striking the word "first".
 8 3. Page 3, line 24, by inserting after the word
 9 "employee." the words "Once an employee reduces the
 10 employee's hours of participation, that employee shall
 11 not subsequently increase the hours of participation."
 12 4. Page 3, by inserting after line 24 the
 13 following:
 14 "Sec. NEW SECTION. 79.25 APPROPRIATION.
 15 Annually after June 30 of each fiscal year, the
 16 department of job service shall determine the cost
 17 during the preceding fiscal year to the Iowa public
 18 employees' retirement fund of participation of state
 19 employees in the phased retirement program. Annually,
 20 there is appropriated from the general fund of the
 21 state to the Iowa public employees' retirement fund
 22 an amount sufficient to reimburse the retirement fund
 23 for the costs of the phased retirement program."
 24 5. Renumber sections as necessary.

H-5539

- 1 Amend House File 2429 as follows:
- 2 1. Page 1, line 9, by striking the words "one month"
- 3 and inserting in lieu thereof the words "three months".

CONNORS of Polk

H-5544

- 1 Amend House amendment H-5516 to House File 2369
- 2 as follows:
- 3 1. Page 1, by striking lines 12 and 13 and
- 4 inserting in lieu thereof the following: "with section
- 5 331.302, a penalty of a one hundred dollar fine for
- 6 each day up to a total".

GRUHN of Dickinson

H-5546

- 1 Amend House amendment H-5516 to House File 2369
- 2 as follows:
- 3 1. Page 1, by inserting after line 22 the
- 4 following:
- 5 "2. Page 1, by inserting after line 24 the
- 6 following:
- 7 "Sec. . Section 317.6, Code 1983, is amended
- 8 by adding the following new unnumbered paragraph:
- 9 **NEW UNNUMBERED PARAGRAPH.** If the five day period
- 10 following serving of notice on the order has passed
- 11 and the board has imposed a fine and the fourteen
- 12 day period of the fine has passed, the county weed
- 13 commissioner or the commissioner's deputies may enter
- 14 upon the land in any manner for the purpose of
- 15 destroying the weeds without liability for negligent
- 16 damage to the property."

ROYER of Page

H-5549

- 1 Amend House File 2464 as follows:
- 2 1. Page 1, by striking lines 9 and 10 and inserting
- 3 in lieu thereof the words "to be less than twenty-
- 4 four inches from the top of the pipeline to the top
- 5 of the soil."

SCHNEKLOTH of Scott
STUELAND of Clinton

H-5551

- 1 Amend House File 2490 as follows:
- 2 1. Page 1, line 5, by striking the word
- 3 "benefits" and inserting in lieu thereof the words
- 4 "benefits categories of aid".
- 5 2. Page 1, by striking lines 8 through 25.
- 6 3. Amend the title, line 1, by striking the word
- 7 "benefits" and inserting in lieu thereof the words
- 8 "categories of aid".

CONNORS of Polk
 MENKE of O'Brien
 PONCY of Wapello

H-5552

- 1 Amend House File 2491 as follows:
- 2 1. Page 5, by inserting after line 11 the
- 3 following:
- 4 "This section does not apply to public utilities
- 5 defined under section 476.1, subsection 2 or 3,
- 6 municipally owned public utilities or rural electric
- 7 cooperatives."

CHIODO of Polk

H-5554

- 1 Amend House File 2458 as follows:
- 2 1. Page 7, by inserting after line 16 the
- 3 following:
- 4 "Sec. 101. Effective July 1, 1988, there are
- 5 established one hundred school districts offering
- 6 grades kindergarten through six. The school district
- 7 boundaries shall be coterminous with the boundaries
- 8 of the one hundred house of representatives districts
- 9 of the Iowa General Assembly.
- 10 Effective July 1, 1988, there are established fifty
- 11 high school districts offering grades seven through
- 12 twelve. The school district boundaries shall be
- 13 coterminous with the boundaries of the fifty senate
- 14 districts of the Iowa general assembly.
- 15 Sec. 102. INTERIM STUDY. Not later than May 1,
- 16 1986, the legislative council shall appoint a joint
- 17 subcommittee composed of members of both political
- 18 parties of the house of representatives and senate
- 19 committees on education to conduct a comprehensive
- 20 study of the education laws of this state and shall
- 21 make recommendations to the general assembly meeting
- 22 in 1987 concerning the changes in education laws

23 needed to implement the creation of school districts
 24 under section 101 of this Act.”
 25 2. By renumbering sections and correcting internal
 26 references as necessary.

KREWSON of Polk

H—5567

1 Amend House File 2491 as follows:
 2 1. Page 4, line 7, by striking the words “in
 3 extenuating circumstances”.

McINTEE of Black Hawk

H—5571

1 Amend House amendment H—5504 to House File 2487
 2 as follows:
 3 1. Page 2, by striking lines 2 through 35, and
 4 inserting in lieu thereof the following:
 5 “Sec. 5. Section 364.12, subsection 2, paragraph
 6 b, Code 1983, as amended by House File 359, section
 7 1, 1983 Session, is amended by striking the paragraph
 8 and inserting in lieu thereof the following:
 9 b. The abutting property owner is responsible
 10 for the removal of the natural accumulations of snow
 11 and ice from the sidewalks and may be liable for
 12 damages caused by the failure of the abutting property
 13 owner to use reasonable care in the removal of the
 14 snow or ice. A person traveling upon a sidewalk
 15 assumes the risk of injury due to the natural
 16 accumulations of snow and ice and may recover damages
 17 from an abutting property owner only if all of the
 18 following conditions are proven:
 19 (1) The dangerous condition of the sidewalk, due
 20 to the natural accumulation of snow and ice, was known
 21 to the abutting property owner.
 22 (2) The abutting property owner failed to take
 23 reasonable measures to remedy the dangerous condition
 24 within a reasonable time after the condition became
 25 known.
 26 (3) The failure of the abutting property owner
 27 to take action to remedy the condition made injury
 28 to the traveling public probable rather than merely
 29 possible.
 30 A person seeking relief under this paragraph has
 31 the burden of proving the existence of all required
 32 conditions of liability. All legal or equitable
 33 defenses are available to the abutting property owner
 34 in an action brought pursuant to this paragraph.
 35 If damages are to be awarded under this paragraph

36 against the abutting property owner, the claimant
37 has the burden of proving the amount of the damages.
38 To authorize recovery of more than a nominal amount,
39 facts must exist and be shown by the evidence which
40 afford a reasonable basis for measuring the amount
41 of the claimant's actual damages, and the amount of
42 actual damages shall not be determined by speculation,
43 conjecture or surmise.

44 The city's general duty under this subsection does
45 not include a duty to remove natural accumulations
46 of snow or ice on the sidewalks. However, when the
47 city is the abutting property owner, it has the
48 specific duty of the abutting property owner set forth
49 in this paragraph."

O'KANE of Woodbury

H-5573

1 Amend House File 2475 as follows:

2 1. Page 1, by striking everything after the
3 enacting clause and inserting in lieu thereof the
4 following:

5 "Section 1. NEW SECTION. 441A.1 DEFINITIONS.

6 As used in this chapter, unless the context otherwise
7 requires:

8 1. "Assessed valuation" means the determination
9 made by assessors of the valuation of real property,
10 including the valuation of exempt real property.

11 2. "Excessive assessment" means an entry on an
12 assessment roll of the assessed valuation of real
13 property which exceeds the full value of real property.

14 3. Real property is "misclassified" if there is:

15 a. An entry on an assessment roll of an incorrect
16 class designation.

17 b. An entry on an assessment roll which results
18 in an incorrect allocation of a parcel's assessed
19 valuation between two or more classes.

20 4. "Tax district" means a county, city, school
21 district, or special district by or on behalf of which
22 a tax or levy is imposed.

23 5. "Unequal assessment" means an entry on an
24 assessment roll of the assessed valuation of real
25 property which is made at a higher proportionate
26 valuation than the assessed valuation of other real
27 property of the same class on the same roll.

28 6. "Unlawful assessment" means:

29 a. An entry on the taxable portion of an assessment
30 roll of the assessed valuation of real property which
31 is wholly exempt from taxation.

32 b. An entry on an assessment roll of the assessed
33 valuation of real property which is entirely outside

34 the boundaries of the assessing tax district in which
 35 the real property is designated as being located.
 36 c. An entry on an assessment roll of the assessed
 37 valuation of real property which cannot be identified
 38 from the assessment roll description or tax-map land
 39 parcel number on the assessment roll.

40 d. An entry on an assessment roll of the assessed
 41 valuation of real property which has been made by
 42 a person without the authority to make the entry.

43 **Sec. 2. NEW SECTION. 441A.2 COMPLAINTS WITH**
 44 **RESPECT TO ASSESSMENTS.**

45 1. Complaints with respect to assessments may
 46 be filed with the assessor at any time prior to the
 47 hearing of the board of review or with the board of
 48 review at the hearing required under section 441.3
 49 or, where authorized by the board, at any adjourned
 50 hearing.

Page 2

1 2. The grounds for review of an assessment are
 2 that the assessment complained of is excessive,
 3 unequal, or unlawful, or that real property is
 4 misclassified.
 5 3. A complaint with respect to an assessment shall
 6 be on a form prescribed by the director of revenue
 7 and shall consist of a statement specifying the respect
 8 in which the assessment is excessive, unequal, or
 9 unlawful, or the respect in which real property is
 10 misclassified, and the reduction in assessed valuation
 11 or taxable assessed valuation or change in class
 12 designation or allocation of assessed valuation sought.

13 **Sec. 3. NEW SECTION. 441A.3 HEARING AND**
 14 **DETERMINATION OF COMPLAINTS.**

15 1. The board of review shall fix the time and
 16 place for a hearing to hear complaints with respect
 17 to assessments.

18 2. At such hearing, the board of review may
 19 administer oaths and take testimony in regard to a
 20 complaint and the assessment to which it relates.
 21 If not satisfied that the assessment is excessive,
 22 unequal, or unlawful, or that real property is
 23 misclassified, the board may require the person whose
 24 real property is assessed to appear before the board
 25 and be examined concerning the complaint, and may
 26 produce any papers relating to the assessment.

27 3. If, at the hearing, a person whose real property
 28 is assessed willfully neglects or refuses to attend
 29 and be examined, or to answer any questions relevant
 30 to the complaint or assessment, that person is not
 31 entitled to a reduction of the assessment subject
 32 to complaint.

33 4. The minutes of the examination of every person
 34 examined upon the hearing of a complaint shall be
 35 taken and filed in the office of the city clerk.
 36 The assessor may be heard on any complaint and upon
 37 the assessor's request, the assessor's remarks with
 38 respect to a complaint shall be recorded in the minutes
 39 of the board.

40 5. The board of review shall thereafter determine
 41 the final assessed valuation, or the actual assessment
 42 or transition assessment, or the proper class
 43 designation of the real property of each complaint.
 44 The final assessed valuation or taxable valuation
 45 of real property may be the same as or less than the
 46 original assessment or, if determined to be unlawful,
 47 the assessment shall be ordered stricken from the
 48 role or, where appropriate, entered on the exempt
 49 portion of the roll. If it is determined that real
 50 property is misclassified, the correct class

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1 designation or allocation of assessed valuation shall
 2 be ordered entered on the roll. The board of review
 3 shall prepare and verify a statement showing the
 4 changes determined to be made by them in the assess-
 5 ments. The verified statement shall be delivered
 6 to the assessor on or before the date required by
 7 law for the final completion of the assessment.

8 6. On or before the date the verified statement
 9 of changes made by the board of review is delivered
 10 to the assessor, the board of review shall mail to
 11 each complainant a notice of the board's determination
 12 of assessment. The notice shall contain the statement
 13 "If you are dissatisfied with the determination of
 14 the board of review, you may seek judicial review
 15 of your assessment pursuant to chapter 631A of the
 16 Code." The notice shall state the last date to file
 17 petitions for judicial review and the location where
 18 small claims assessment review petitions may be
 19 obtained. However, failure to mail the notice or
 20 failure of the complainant to receive the notice does
 21 not affect the validity of the assessment.

22 Sec. 4. NEW SECTION. 631A.1 DEFINITIONS. As
 23 used in this chapter, unless the context otherwise
 24 requires:

25 1. "Assessed valuation" means the determination
 26 made by assessors of the valuation of real property,
 27 including the valuation of exempt real property.

28 2. "Excessive assessment" means an entry on an
 29 assessment roll of the assessed valuation of real
 30 property which exceeds the full value of real property.

31 3. Real property is "misclassified" if there is:

- 32 a. An entry on an assessment roll of an incorrect
 33 class designation.
- 34 b. An entry on an assessment roll which results
 35 in an incorrect allocation of a parcel's assessed
 36 valuation between two or more classes.
- 37 4. "Tax district" means a county, city, school
 38 district, or special district by or on behalf of which
 39 a tax or levy is imposed.
- 40 5. "Unequal assessment" means an entry on an
 41 assessment roll of the assessed valuation of real
 42 property which is made at a higher proportionate
 43 valuation than the assessed valuation of other real
 44 property of the same class on the same roll.
- 45 6. "Unlawful assessment" means:
- 46 a. An entry on the taxable portion of an assessment
 47 roll of the assessed valuation of real property which
 48 is wholly exempt from taxation.
- 49 b. An entry on an assessment roll of the assessed
 50 valuation of real property which is entirely outside

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- 1 the boundaries of the assessing tax district in which
 2 the real property is designated as being located.
- 3 c. An entry on an assessment roll of the assessed
 4 valuation of real property which cannot be identified
 5 from the assessment roll description or tax-map, land
 6 parcel number on the assessment roll.
- 7 d. An entry on an assessment roll of the assessed
 8 valuation of real property which has been made by
 9 a person without the authority to make the entry.
- 10 **Sec. 5. NEW SECTION. 631A.2 PROCEDURE FOR REVIEW**
 11 **OF REAL PROPERTY TAX ASSESSMENTS IN SMALL CLAIMS.**
- 12 1. The court administrator of the judicial
 13 department shall establish a small claims assessment
 14 review program in the supreme court. An owner of
 15 real property claiming to be aggrieved by an as-
 16 sessment on real property on the ground that the
 17 assessment is excessive, unequal, or unlawful, or
 18 that real property has been misclassified, may file
 19 a petition for review pursuant to this chapter provided
 20 that:
- 21 a. The property owner has first filed a complaint
 22 pursuant to section 441A.2.
- 23 b. The total anticipated reduction in all taxes
 24 and levies does not exceed two thousand dollars.
- 25 c. The petition does not request an assessment
 26 lower than that requested in the complaint filed
 27 pursuant to section 441A.2.
- 28 2. The petition for review shall be filed within
 29 one hundred eighty days of the completion and filing
 30 of the assessment roll containing the questioned

31 assessment, and in accordance with the rules adopted
32 pursuant to section 631A.7. A docket fee of ten
33 dollars shall be paid upon the filing of each petition.
34 Four dollars of the fee shall remain with the county
35 treasury for use of the county and six dollars of
36 the fee shall be paid into the state treasury. Other
37 fees imposed in this action are same as required in
38 regular actions in district court.

39 3. The petition form for small claims assessment
40 review shall be prescribed by the court administrator.
41 Such form shall require the petitioner to set forth
42 name, address, and telephone number, a description
43 of the real property for which small claims assessment
44 review is sought, the name of the assessing unit
45 having made the assessment, and the name and location
46 of the board of assessment review hearing pursuant
47 to section 441A.2.

48 4. A petition for small claims assessment review
49 shall not relate to more than one parcel of real
50 property.

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1 Sec. 6. NEW SECTION. 631A.3 APPOINTMENT OF
2 HEARING OFFICERS. The court administrator shall
3 appoint a panel of small claims hearing officers
4 selected from persons requesting to serve who have
5 submitted resumes of qualifications. Hearing officers
6 to be appointed to the panel shall be qualified by
7 training, interest, experience, and knowledge of real
8 property assessment and valuation practices and
9 provisions of state and local law governing the making
10 of assessments, but need not be attorneys. The
11 assigned hearing officer shall conduct an informal
12 hearing on the petition for review with the applicants
13 for small claims assessment review and a representative
14 of the tax district, or the assessor which made the
15 assessment sought to be reviewed. Hearing officers
16 assigned shall be familiar with the assessing
17 jurisdiction in which the real property subject to
18 review is located, and shall not have a conflict of
19 interest with regard to the petitions being heard.
20 Hearing officers shall be compensated for their
21 services in accordance with a fee schedule to be
22 established by the court administrator.

23 Sec. 7. NEW SECTION. 631A.4 HEARING PROCEDURES.

24 1. Small claims assessment review hearings shall
25 be held within thirty days after the final day for
26 filing petitions. The hearing, where practicable,
27 shall be held at a location within the county in which
28 the real property subject to review is located. The
29 petitioner, the tax district, and the assessor which

30 made the assessment shall be advised by mail of the
31 time and place of the hearing.

32 2. The petitioner need not present expert witnesses
33 nor be represented by an attorney at the hearing.

34 The proceedings shall be conducted on an informal
35 basis in a manner to do substantial justice between
36 the parties according to the rules established by
37 the court administrator under section 631A.7. The
38 hearing officer shall consider the best evidence
39 presented in each particular case. The hearing officer
40 may, if the officer deems it appropriate, view or
41 inspect the real property subject to review. The
42 petitioner has the burden of proving entitlement to
43 the relief sought.

44 3. The hearing officer shall determine all
45 questions of fact and law de novo.

46 Sec. 8. NEW SECTION. 631A.5 DECISION ON PETITION.

47 1. The hearing officer shall make a decision in
48 writing with respect to the petition for small claims
49 assessment review within thirty days after conclusion
50 of the hearing. If it is determined that the

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1 assessment was excessive, the hearing officer's
2 decision may grant the petition in full or in part
3 or may deny the petition. However, the decision of
4 the hearing officer shall not reduce the assessment
5 lower than requested by the petitioner.

6 2. If the hearing officer determines from the
7 petition and upon the evidence presented at the hearing
8 that the assessment being reviewed is excessive,
9 unequal, or unlawful, or that the property assessed
10 was misclassified, the hearing officer shall order
11 a correction of the assessment upon the roll, in whole
12 or in part.

13 3. The decision of the hearing officer shall state
14 the findings of fact and the evidence upon which it
15 is based. The decision shall be attached to and made
16 part of the record for review and shall be dated and
17 signed.

18 4. The hearing officer shall promptly mail a copy
19 of the decision to the petitioner, the assessor, and
20 the clerk of each tax district named in the petition.

21 Sec. 9. NEW SECTION. 631A.6 REFUND OF TAXES
22 RESULTING FROM SMALL CLAIMS ASSESSMENT REVIEW. If

23 a final order determines that the assessment reviewed
24 was excessive, unequal, or unlawful, or that property
25 assessed was misclassified, any amount at any time
26 erroneously collected upon the assessment shall be
27 refunded within sixty days of the decision. Where
28 a refund is not made within sixty days, interest at

29 the rate of one percent per month shall be added to
30 the amount to be refunded for each month or part of
31 a month in excess of sixty days and paid to petitioner.

32 Sec. 10. NEW SECTION. 631A.7 RULES OF PRACTICE
33 AND PROCEDURE. The court administrator shall adopt
34 rules of practice and procedure, subject to review
35 by the supreme court, as necessary to implement the
36 small claims assessment review procedure established
37 in this chapter.

38 Sec. 11. NEW SECTION. 631A.8 COSTS. If a
39 petition for small claims assessment review is granted
40 in full or in part, the hearing officer may award
41 the petitioner costs against the respondent assessing
42 tax district in an amount not greater than the fee
43 paid by petitioner to file the petition in accordance
44 with section 631A.2.

45 Sec. 12. NEW SECTION. 631A.9 APPEAL. A
46 petitioner for small claims assessment review, if
47 dissatisfied with a decision, may appeal to the Iowa
48 supreme court for certiorari. All records, documents,
49 and evidence taken by the board of review and the
50 hearing officers shall be forwarded with the appeal

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1 to the Iowa supreme court.

2 Sec. 13. Section 441.21, subsection 3, unnumbered
3 paragraph 2, Code Supplement 1983, is amended to read
4 as follows:

5 The burden of proof ~~shall be~~ is upon ~~any~~ a
6 complainant attacking ~~such~~ the valuation as excessive,
7 inadequate, inequitable or capricious unequal, or
8 unlawful, or upon real property which has been
9 misclassified; however, in protest or appeal
10 proceedings when the complainant offers competent
11 evidence by at least two disinterested witnesses that
12 the market value of the property is less than the
13 market value determined by the assessor, the burden
14 of proof thereafter ~~shall be upon~~ is on the officials
15 or persons seeking to uphold ~~such~~ the valuation to
16 be assessed.

17 Sec. 14. Section 441.33, unnumbered paragraph
18 1, Code 1983, is amended to read as follows:

19 The board of review shall be in session from May
20 1 to May 31 each year and for an additional period
21 as required under section 441.37 and shall hold as
22 many meetings as are necessary to discharge its duties.
23 On May 31 in those years in which a session has not
24 been extended as required under section 441.37, the
25 board shall return all books, records and papers to
26 the assessor except undisposed of protests and records
27 pertaining to those protests. If it has not completed

28 its work prior to May 31, in those years in which
 29 the session has not been extended under section 441.37
 30 the director of revenue may authorize the board of
 31 review to continue in session for a period necessary
 32 to complete its work, but the director of revenue
 33 shall not approve a continuance extending beyond July
 34 15. On May 31 or on the final day of any extended
 35 session required under section 441.37 or authorized
 36 by the director of revenue the board of review shall
 37 be adjourned until May 1 of the following year. It
 38 shall adopt its own rules of procedure, elect its
 39 own chairperson from its membership, and keep minutes
 40 of its meetings. The board shall appoint a clerk
 41 who may be a member of the board or any other qualified
 42 person, except the assessor or any a member of the
 43 assessor's staff. It may be reconvened by the director
 44 of revenue to hear and decide any undisposed protest
 45 in its hands on July 15. All undisposed protests
 46 in its hands on July 15 shall be automatically
 47 overruled and returned to the assessor together with
 48 its other records.
 49 Sec. 15. Section 441.37, Code 1983, is repealed."

MAULSBY of Calhoun

H-5594

- 1 Amend House File 2491 as follows:
- 2 1. Page 4, lines 17 and 18, by striking the words
- 3 "and make improvements".
- 4 2. Page 4, by striking lines 22 through 26 and
- 5 inserting in lieu thereof the following: "supplies
- 6 exceeds twenty-five thousand dollars."
- 7 3. Page 5, line 1, by striking the words "and
- 8 improvements".

RUNNING of Linn

H-5598

- 1 Amend the McIntee amendment, H-5567, to House File
- 2 2491 as follows:
- 3 1. Page 1, by inserting after line 3 the following:
- 4 " Page 4, by striking lines 11 through 15
- 5 and inserting in lieu thereof the following: "a
- 6 public utility may petition for another variance." "

McINTEE of Black Hawk

H-5607

1 Amend House File 2462 as follows:

- 2 1. Page 1, line 34, by inserting after the word
3 "be" the words "brought up to date and".
4 2. Page 2, line 1, by inserting after the word
5 "owner." the following: "If the insurer does not
6 provide the owner of the land or a party designated
7 by the owner, an up-to-date abstract of title as
8 required by this paragraph within sixty days after
9 acquisition of the insurance, then the company is
10 liable to the owner for two times the cost of the
11 title insurance, unless the department of insurance
12 first grants the insurer an extension due to
13 extenuating circumstances which prevented compliance.
14 The incurring of liability under this paragraph does
15 not relieve the insurer of the obligation to provide
16 an up-to-date abstract of title to the owner of the
17 land or the party designated by the owner."
18 3. Page 5, by inserting after line 33 the
19 following:
20 "Sec. 6. Except for section 5, this Act takes
21 effect January 1, 1985."

SCHROEDER of Pottawattamie

H-5614

1 Amend House File 2471 as follows:

- 2 1. Page 8, line 16, by striking the word
3 "January" and inserting in lieu thereof the word
4 "February".

HERMANN of Scott

H-5617

1 Amend House File 2488 as follows:

- 2 1. Page 6, by striking lines 9 through 22.
3 2. By renumbering as necessary.

SPEAR of Lee

H-5628

1 Amend the Senate amendment H-5346 to House File
2 140 as amended, passed and reprinted by the House,
3 as follows:

- 4 1. Page 1, by striking line 4.
5 2. Page 1, line 28, by striking the word "The"
6 and inserting in lieu thereof the words "In the event

7 the rule to be rescinded has been in effect for longer
 8 than one year, the."

9 3. Page 1, by striking lines 35 through 39.

10 4. Page 1, by inserting after line 39 the
 11 following:

12 "11. Page 3, line 2, by striking the word "Five"
 13 and inserting in lieu thereof the word "Four".

14 12. Page 3, line 4, by striking the word "Five"
 15 and inserting in lieu thereof the word "Four"."

16 5. Page 1, by striking line 40.

SCHROEDER of Pottawattamie

H-5634

1 Amend House File 2419 as follows:

2 1. Page 1, by striking lines 1 through 24 and
 3 inserting in lieu thereof the following:

4 "Section 1. NEW SECTION. 56.31 RESTRICTED
 5 CAMPAIGNS.

6 1. A candidate for a seat in the general assembly
 7 who has been nominated by a political party as defined
 8 by section 43.2 may register with the commission for
 9 a restricted campaign. A restricted campaign exists
 10 when all candidates for that seat in the general
 11 assembly nominated by a political party have registered
 12 for a restricted campaign.

13 2. If a restricted campaign exists, a candidate's
 14 committee of a candidate nominated by a political
 15 party for a seat in the house of representatives shall
 16 be subject to the following limitations:

17 a. Total contributions and expenditures shall
 18 not exceed seven thousand dollars.

19 b. Total contributions from political committees,
 20 other than county or state statutory political
 21 committees, shall not exceed two thousand five hundred
 22 dollars, of which not more than five hundred dollars
 23 may be received from any one such political committee.

24 3. If a restricted campaign exists, a candidate's
 25 committee of a candidate nominated by a political
 26 party for a seat in the senate is subject to the
 27 limitations provided in subsection 2 with the dollar
 28 amounts doubled.

29 4. If a restricted campaign exists, the limitations
 30 of subsections 2 and 3 shall apply to contributions
 31 received and expenses incurred during the following
 32 periods:

33 a. For a candidate nominated by a convention,
 34 from the date of the convention until December 31
 35 following the general election.

36 b. For a candidate nominated by a primary election,

37 except as provided in paragraph c, from the date of
 38 filing nomination papers until December 31 following
 39 the general election.

40 c. For a candidate nominated at a primary election
 41 who had an opponent on the primary election ballot
 42 or an opponent who received write-in votes of five
 43 percent or more of the votes cast, from the day after
 44 the primary election until December 31 following the
 45 general election; however, the financial balance of
 46 the candidate's committee shall be credited against
 47 the contribution limit and the cost of campaign
 48 supplies still available to the candidate's committee
 49 shall be credited against the expenditure limit."

HALVORSON of Webster
 SWARTZ of Marshall

H-5639

1 Amend House File 2453 as follows:

2 1. Page 1, by inserting before line 1, the
 3 following:

4 "Section 1. NEW SECTION. 572.33 REQUIREMENT
 5 OF NOTIFICATION. Notwithstanding any provision to
 6 the contrary, a claim by a person furnishing only
 7 materials to a subcontractor who is furnishing only
 8 materials shall not be entitled to a lien under this
 9 chapter unless the lien claim is supported by a
 10 certified statement that the principal contractor
 11 had been notified within 30 days after the materials
 12 were furnished. This requirement is in addition to
 13 all other requirements of this chapter."

14 2. By renumbering to conform to this amendment.

TABOR of Jackson

H-5640

1 Amend House File 2415 as follows:

2 1. Page 1, by striking lines 20 and 21 and
 3 inserting in lieu thereof the following:

4 "2. A home equity line of credit is subject to
 5 chapter 537, except that sections 537.2307 and 537.2402
 6 do not apply."

HOLVECK of Polk
 KREWSON of Polk
 ROSENBERG of Story
 MULLINS of Kossuth

H-5642

- 1 Amend House File 2437 as follows:
 2 1. Page 7, line 9, by striking the words "when
 3 employed by a hospital" and inserting in lieu thereof
 4 the following "in those areas for which the advanced
 5 EMT or paramedic is certified".

MULLINS of Kossuth
 PELLETT of Cass
 VAN MAANEN of Mahaska
 LONERGAN of Boone
 GRUHN of Dickinson

H-5643

- 1 Amend House File 2415 as follows:
 2 1. Page 1, by striking lines 1 through 35 and
 3 inserting in lieu thereof the following:
 4 "Section 1. NEW SECTION. 535.10 HOME EQUITY
 5 LINE OF CREDIT.
 6 1. As used in this chapter, the term "home equity
 7 line of credit" means an arrangement pursuant to which
 8 all of the following are applicable:
 9 a. The amounts borrowed and the interest and other
 10 charges are debited to an account.
 11 b. The interest is computed on the account periodi-
 12 cally.
 13 c. The borrower has the right to pay in full at
 14 any time without penalty or to pay in the installments
 15 which are established by the loan agreement.
 16 d. The lender agrees to permit the borrower to
 17 borrow money from time to time with the maximum amount
 18 of each borrowing established by the loan agreement,
 19 provided that the minimum amount of each borrowing
 20 shall not be less than one thousand dollars.
 21 e. The account is secured by an interest in real
 22 estate. The priority of the secured interest in the
 23 real estate shall be determined by section 654.12A.
 24 2. Except as provided in this section, a home
 25 equity line of credit is subject to chapter 537.
 26 However, sections 537.2307 and 537.2402 do not apply.
 27 3. A lender may collect in connection with
 28 establishing or renewing a home equity line of credit
 29 the costs listed in section 535.8, subsection 2,
 30 paragraph "b", charges for insurance as described
 31 in section 537.2501, subsection 2, and a loan pro-
 32 cessing fee as agreed between the borrower and the
 33 lender. Fees collected under this subsection shall
 34 be disregarded for purposes of determining the maximum
 35 charge permitted by subsection 4.

- 36 4. The interest rate on a home equity line of
37 credit shall not exceed two percent per month.
38 5. A lender shall not provide a home equity line
39 of credit in an amount that exceeds seventy-five
40 percent of the appraised value of the real estate
41 to be used as security minus the total of all
42 outstanding liens and encumbrances on the real estate."
43 2. Renumber as necessary.

BLANSHAN of Greene
VARN of Johnson
McKEAN of Jones
KREWSON of Polk
LAGESCHULTE of Bremer
PELLETT of Cass
LLOYD-JONES of Johnson

H-5644

- 1 Amend House File 422 as follows:
2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:
4 "Section 1. Section 28E.5, Code 1983, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. If the agreement establishes an
7 entity whose purposes include issuing revenue bonds
8 under chapter 28F for financing electric power
9 facilities, the agreement shall specify that each
10 public agency subscribing to the agreement is entitled
11 to at least one full-voting member on the governing
12 body of the entity. Each full-voting member of the
13 public agency shall be an elector of the public agency
14 and elected by the voters of the public agency.
15 Sec. 2. Section 28F.1, unnumbered paragraph 2,
16 Code Supplement 1983, is amended to read as follows:
17 A city shall not join an entity created under this
18 chapter for the purpose of financing electric power
19 facilities unless that city ~~owned and operated had~~
20 established a municipal electric utility as of July
21 1, 1981 1984. Power supplied by a municipal power
22 agency ~~may~~ shall not be furnished to a municipal
23 utility not existing as of July 1, ~~1981 1984.~~
24 Sec. 3. Section 28F.11, Code 1983, is amended
25 by adding the following new unnumbered paragraph:
26 NEW UNNUMBERED PARAGRAPH. If the entity is
27 comprised solely of cities, counties, and sanitary
28 districts, or any combination thereof, the entity
29 has the power of eminent domain to acquire interests
30 in property under provisions of law then in effect
31 and applicable to those public agencies comprising
32 the entity.

33 Sec. 4. Chapter 28F, Code 1983, is amended by
34 adding the following new section:
35 NEW SECTION. In addition to other powers conferred
36 by this chapter, an entity created to carry out an
37 agreement authorizing the joint financing of electric
38 power facilities may purchase all or part of a power
39 plant constructed within the state and may purchase
40 all or part of the capacity, power, or energy
41 associated with a power plant, or contract to sell
42 all or part of the entity's power and energy, including
43 any surplus, to a public agency or private agency
44 within or without the state. Notwithstanding any
45 other provision of law, the entity and a city or other
46 public agency may enter into contracts for the purchase
47 or supply, from any source, of all or a portion of
48 the capacity, power, and energy requirements of that
49 city or other public agency on terms and conditions
50 the entity and city or other public agency deem fit.

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1 including terms and provisions providing for the
2 payment for capacity or output of a facility whether
3 or not the facility is completed or operating, and
4 establishing the rights and obligations of all parties
5 to the contract in the event of default, and payments
6 made by a city or other public agency under the
7 contracts constitute an operating expense of its
8 electric utility payable solely from the revenues
9 derived from the electric utility. This section is
10 limited to the acquisition of plants or of the
11 capacity, power, or energy associated with plants
12 that use as fuel renewable energy sources and with
13 a capacity of not more than fifty megawatts."
14 2. Title page, line 2, by inserting after the
15 word "facilities" the words "by providing that each
16 public agency have at least one full-voting member
17 on the governing body of an entity created to finance
18 electric power facilities, that a city cannot join
19 an entity created to finance electric power facilities
20 unless it had established a municipal electric utility
21 by July 1, 1984, that an entity comprised of cities,
22 counties, or sanitary districts or combination of
23 them has the same power of eminent domain as those
24 public agencies comprising the entity, and that an
25 entity created for the financing of electric power
26 facilities may purchase a power plant or the capacity,
27 power, or energy associated with a plant provided

28 the plant uses as fuel renewable energy sources and
 29 has a capacity of not more than fifty megawatts".

PARKER of Jasper
 CHAPMAN of Linn
 GRONSTAL of Pottawattamie
 TABOR of Jackson
 McINTEE of Black Hawk
 CHIODO of Polk

H-5647

1 Amend amendment H-5642 to House File 2437 as follows:
 2 1. Page 1, line 5, by striking the word "certified"
 3 and inserting in lieu thereof the word "trained".

MULLINS of Kossuth

H-5648

1 Amend the Woods amendment, H-5204, to House File
 2 417 as follows:
 3 1. Page 1, by inserting after line 34 the
 4 following:
 5 "d. The device is within the corporate limits
 6 of a city."

O'KANE of Woodbury

H-5649

1 Amend amendment H-5644 to House File 422 as follows:
 2 Page 2, by inserting after line 13 the following:
 3 "Sec. . Section 390.1, subsection 6, Code 1983,
 4 is amended to read as follows:
 5 6. "Participant" means a city, electric co-operative,
 6 or privately owned utility company, or an entity created
 7 pursuant to chapter 28E financing electric power facili-
 8 ties under chapter 28F which is a party to a joint
 9 agreement."
 10 2. By renumbering as necessary.

McINTEE of Black Hawk

H-5650

1 Amend amendment H-5644 to House File 422 as follows:
 2 1. Page 2, line 9, by inserting after the word
 3 "utility." the following: "Transactions of an entity
 4 authorized by this section are subject to sections
 5 476.22 through 476.26."

BENNETT of Ida

H-5651

- 1 Amend amendment H-5644 to House File 422 as follows:
- 2 1. Page 1, by striking lines 24 through 32.

KREWSON of Polk

H-5652

- 1 Amend House File 2365 as follows:
- 2 1. Page 1, by striking lines 1 through 12.

CHAPMAN of Linn

H-5657

- 1 Amend House amendment H-5640 to House File 2415
- 2 as follows:
- 3 1. Page 1, by striking lines 5 and 6 and inserting
- 4 in lieu thereof the following: "chapter 537, except
- 5 that section 537.2307 does not apply and that a home
- 6 equity line of credit shall be deemed to be a consumer
- 7 loan not pursuant to open end credit for purposes
- 8 of determining the applicable maximum interest rate."

HOLVECK of Polk

H-5658

- 1 Amend House amendment H-5480 to House File 2487
- 2 as follows:
- 3 1. Page 2, by striking lines 9 through 13.
- 4 2. Page 2, by striking lines 27 through 33, and
- 5 inserting in lieu thereof the following:
- 6 "Sec. 4. NEW SECTION. 668.4 JOINT AND SEVERAL
- 7 LIABILITY.
- 8 1. In a claim involving two or more defendants,
- 9 the doctrine of joint and several liability does not
- 10 apply to a defendant unless the defendant is found
- 11 to bear twenty percent or more of the negligence that
- 12 is assigned to all parties.
- 13 2. The doctrine of joint and several liability
- 14 shall not apply to a governmental unit under chapters
- 15 25A or 613A, when the governmental unit is a defendant
- 16 and is found to bear a lesser percentage of the
- 17 negligence than the claimant."
- 18 3. Page 2, by striking line 43, and inserting
- 19 in lieu thereof the following: "subsection 5."
- 20 4. Page 3, lines 28 and 29, by striking the words
- 21 and figures "subsections 5 and 6." and inserting in
- 22 lieu thereof the word and figure "subsection 5."
- 23 5. By renumbering to conform to this amendment.

O'KANE of Woodbury

H-5659

1 Amend Senate File 497 as passed by the Senate,
 2 as follows:
 3 1. Page 1, line 12, by inserting after the word
 4 "chapter," the words "The citizens' aide and members
 5 of the staff shall file a report with the legislative
 6 council of the source and amount of other employment
 7 if the compensation from one employer exceeds one
 8 hundred dollars in any one occurrence or if the
 9 compensation from all other employers exceeds four
 10 hundred dollars within a one month period."

LLOYD-JONES of Johnson

H-5671

1 Amend amendment H-5644 to House File 422 as follows:
 2 1. Page 1, by inserting after line 23 the
 3 following:
 4 "Sec. . Section 28F.2, Code 1983, is amended
 5 to read as follows:
 6 28F.2 DEFINITIONS. The terms "public agency",
 7 "state", and "private agency" shall have the meanings
 8 prescribed by section 28E.2. The term "project" or
 9 "projects" shall mean any works or facilities referred
 10 to in section 28F.1 and shall include all property
 11 real and personal, pertinent thereto or connected
 12 with such project or projects, and the existing works
 13 or facilities, if any, to which such project or
 14 projects are an extension, addition, betterment or
 15 improvement. "Electric power agency" means an entity
 16 financing or acquiring electric power facilities
 17 pursuant to this chapter or chapter 28E and shall
 18 be incorporated under chapter 504A.
 19 2. Page 2, line 24, by inserting after the word
 20 "entity," the words "that an electric power agency
 21 for purposes of financing or acquiring electric power
 22 facilities be incorporated as a nonprofit corporation,".
 23 3. By numbering and renumbering as necessary.

JAY of Appanoose

H-5672

1 Amend amendment H-5644 to House File 422 as follows:
 2 1. Page 1, by inserting after line 23 the
 3 following:
 4 "Sec. . Section 28F.3, Code 1983, is amended
 5 by adding the following new unnumbered paragraph:
 6 NEW UNNUMBERED PARAGRAPH. If the financing of

7. any part of the project is for construction of an
 8 electric generating plant the nameplate rating of
 9 which is in excess of fifty megawatts, the entity
 10 may issue revenue bonds only after a determination
 11 by the Iowa commerce commission in a contested case
 12 under chapter 17A that there is no excess capacity
 13 from any other source reasonably available for supply
 14 of the electric power for which financing is sought."
 15 2. Page 2, line 24, by inserting after the word
 16 "entity," the words "that an entity could not issue
 17 revenue bonds for the construction of an electric
 18 generating plant with a capacity in excess of fifty
 19 megawatts unless the Iowa commerce commission
 20 determines there is no other source reasonably
 21 available for supply of the electric power,".
 22 3. By numbering and renumbering as necessary.

WOODS of Polk

H-5673

- 1 Amend House amendment H-5480 to House File 2487
 2 as follows:
 3 1. Page 3, line 41, by striking the word "tried"
 4 and inserting in lieu thereof the word "filed".
 5 2. Page 3, line 42, by striking the words "or
 6 re-tried".

ROSENBERG of Story

H-5675

- 1 Amend House amendment H-5480 to House File 2487
 2 as follows:
 3 1. Page 2, by striking lines 9 through 13.
 4 2. Page 2, by striking lines 27 through 33, and
 5 inserting in lieu thereof the following:
 6 "Sec. 4. **NEW SECTION. 668.4 JOINT AND SEVERAL**
 7 **LIABILITY.** In a claim involving two or more defendants
 8 the doctrine of joint and several liability does not
 9 apply to a defendant unless the defendant is found
 10 to bear twenty-five percent or more of the fault that
 11 is assigned to all parties."
 12 3. Page 2, by striking line 43 and inserting in
 13 lieu thereof the following: "subsection 5."
 14 4. Page 3, lines 28 and 29 by striking the words
 15 and figures "subsections 5 and 6." and inserting in
 16 lieu thereof the following: "subsection 5".

VARN of Johnson

H-5676

1 Amend House File 2487 as follows:

2 1. Page 5, by inserting after line 15, the
3 following:

4 "Sec. 8. NEW SECTION. 668.7 COMMENCEMENT OF
5 ACTION. The filing of the petition commences the
6 action against all parties, whether or not initially
7 named, who may be assessed any percentage of fault
8 under this chapter."

9 2. By renumbering to conform to this amendment.

JAY of Appanoose

H-5678

1 Amend House File 2419 as follows:

2 1. Page 2, by striking lines 1 through 27 and
3 inserting in lieu thereof the following:

4 "Sec. 3. NEW SECTION. 56.33 POLITICAL PARTY
5 GRANTS.

6 1. It is a condition of receiving funds from the
7 Iowa election campaign fund that a political party
8 provide the grants for legislative candidates as
9 provided in this Act. If a political party declines
10 to accept money from the Iowa election campaign fund
11 subject to this condition, the money in that party's
12 account in the fund shall remain in that account until
13 it reverts under section 56.24 and be subject to the
14 remission of funds under subsection 3.

15 2. Each state statutory political committee shall
16 provide one thousand dollars in cash or services to
17 each nominated candidate of that political party who
18 registers for a restricted campaign. The state
19 statutory political committee shall determine what
20 amount of the one thousand dollars shall be contributed
21 in cash and what amount shall be contributed in
22 services.

23 3. If a candidate nominated by a political party
24 declines to register for a restricted campaign, that
25 candidate's political party shall remit fifteen hundred
26 dollars to the commission which shall transmit it
27 to the other political party which has a candidate
28 nominated for that seat who has registered for a
29 restricted campaign. If the political party has
30 declined to accept funds from the Iowa election
31 campaign fund, the money shall be remitted from that
32 party's account in the fund. The receiving political
33 party shall provide the fifteen hundred dollars to
34 its candidate for that seat. If there is more than
35 one other candidate nominated by a political party

36 for that seat the amount shall be divided equally
 37 among those political parties and provided to their
 38 candidates for that seat. If there is no such opposing
 39 candidate at the time that funds are remitted, the
 40 commission shall hold the funds until a candidate
 41 can no longer be placed on the ballot and if there
 42 is no opposing candidate who has registered for a
 43 restricted campaign at that time, the funds shall
 44 be deposited in the Iowa election campaign fund.
 45 4. If the payment of the grants in full and the
 46 amounts remitted would exceed the amount received
 47 by the political party accepting those funds from
 48 the Iowa election campaign fund between general
 49 elections, the political party is not required to
 50 remit funds under subsection 3.

Page 2

- 1 5. A candidate may register for a restricted
 2 campaign and decline to accept the money or services
 3 provided by the candidate's political party under
 4 this section."
 5 2. Page 3, by striking line 9 and inserting in
 6 lieu thereof the following: "less than the amount
 7 necessary to pay all the grants in full to all of
 8 the political party's legislative".
 9 3. Page 3, by striking lines 22 through 29.

HALVORSON of Webster
 SWARTZ of Marshall

H-5679

- 1 Amend House File 2075 as follows:
 2 1. By striking page 2, line 29 through page 3,
 3 line 12.
 4 2. Renumber as necessary.

HUGHES of Union

H-5681

- 1 Amend amendment, H-5644, to House File 422 as
 2 follows:
 3 1. By striking page 1, line 2 through page 2,
 4 line 29 and inserting in lieu thereof the following:
 5 "1. By striking everything after the enacting
 6 clause and inserting in lieu thereof the following:
 7 "Section 1. Section 28E.5, Code 1983, is amended
 8 by adding the following new subsection:
 9 NEW SUBSECTION. If the agreement establishes an.

10 entity whose purposes include issuing revenue bonds
 11 under chapter 28F for financing electric power
 12 facilities, the agreement shall specify that each
 13 public agency subscribing to the agreement is entitled
 14 to at least one full-voting member on the governing
 15 body of the entity. Each full-voting member of the
 16 public agency shall be an elector of the public agency
 17 and elected by the voters of the public agency.

18 Sec. 2. Section 28F.1, unnumbered paragraph 2,
 19 Code Supplement 1983, is amended to read as follows:

20 A city shall not join an entity created under this
 21 chapter for the purpose of financing electric power
 22 facilities unless that city owned and operated had
 23 established a municipal electric utility as of July
 24 1, 1981 1984. Power supplied by a municipal power
 25 agency may shall not be furnished to a municipal
 26 utility not existing as of July 1, 1981 1984.

27 Sec. 3. Section 28F.3, Code 1983, is amended by
 28 adding the following new unnumbered paragraph:

29 NEW UNNUMBERED PARAGRAPH. Beginning with the
 30 effective date of this Act, an entity may exercise
 31 the power to issue revenue bonds for a project
 32 involving electric power facilities only after
 33 obtaining authorization from each of the public
 34 agencies participating in the project being financed
 35 with the proceeds of the bonds. A public agency which
 36 is a county, city, or municipality of this state or
 37 another state shall only give this authorization after
 38 an election at which the question of the issuance
 39 of revenue bonds for electric power facilities has
 40 been submitted to the qualified electors of the public
 41 agency and a majority of those voting for or against
 42 the question favor the issuance of the revenue bonds.
 43 The election may be held at a special election or
 44 at the time of the regular or general election of
 45 the public agency.

46 Sec. 4. Section 28F.11, Code 1983, is amended
 47 by adding the following new unnumbered paragraph:

48 NEW UNNUMBERED PARAGRAPH. If the entity is
 49 comprised solely of cities, counties, and sanitary
 50 districts, or any combination thereof, the entity

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1 has the power of eminent domain to acquire interests
 2 in property under provisions of law then in effect
 3 and applicable to those public agencies comprising
 4 the entity.

5 Sec. 5. Chapter 28F, Code 1983, is amended by
 6 adding the following new section:

7 NEW SECTION. In addition to other powers conferred

8 by this chapter, an entity created to carry out an
9 agreement authorizing the joint financing of electric
10 power facilities may purchase all or part of a power
11 plant constructed within the state and may purchase
12 all or part of the capacity, power, or energy
13 associated with a power plant, or contract to sell
14 all or part of the entity's power and energy, including
15 any surplus, to a public agency or private agency
16 within or without the state. Notwithstanding any
17 other provision of law, the entity and a city or other
18 public agency may enter into contracts for the purchase
19 or supply, from any source, of all or a portion of
20 the capacity, power, and energy requirements of that
21 city or other public agency on terms and conditions
22 the entity and city or other public agency deem fit,
23 including terms and provisions providing for the
24 payment for capacity or output of a facility whether
25 or not the facility is completed or operating, and
26 establishing the rights and obligations of all parties
27 to the contract in the event of default, and payments
28 made by a city or other public agency under the
29 contracts constitute an operating expense of its
30 electric utility payable solely from the revenues
31 derived from the electric utility. This section is
32 limited to the acquisition of plants or of the
33 capacity, power, or energy associated with plants
34 that use as fuel renewable energy sources and with
35 a capacity of not more than fifty megawatts."

36 2. Title page, line 2, by inserting after the
37 word "facilities" the words "by providing that each
38 public agency have at least one full-voting member
39 on the governing body of an entity created to finance
40 electric power facilities, that a city cannot join
41 an entity created to finance electric power facilities
42 unless it had established a municipal electric utility
43 by July 1, 1984, that an entity comprised of cities,
44 counties, or sanitary districts or combination of
45 them has the same power of eminent domain as those
46 public agencies comprising the entity, that before
47 an entity may exercise the power to issue revenue
48 bonds to finance an electric power facility each
49 public agency comprising the entity which is a city,
50 county, or municipality must receive approval from

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1 its qualified electors through an election, and that
2 an entity created for the financing of electric power
3 facilities may purchase a power plant or the capacity,
4 power, or energy associated with a plant provided
5 the plant uses as fuel renewable energy sources and
6 has a capacity of not more than fifty megawatts".

H-5683

- 1 Amend House File 417 as follows:
- 2 1. Page 1, by inserting after line 32 the
- 3 following:
- 4 "d. The device is within the corporate limits
- 5 of a city."

O'KANE of Woodbury

H-5684

- 1 Amend amendment H-5644 to House File 422 as
- 2 follows:
- 3 1. Page 1, by inserting after line 23 the
- 4 following:
- 5 "Sec. . Section 28F.1, Code Supplement 1983,
- 6 is amended by adding the following new unnumbered
- 7 paragraph:
- 8 NEW UNNUMBERED PARAGRAPH. Siting of electric power
- 9 generating stations with capacity in excess of one
- 10 hundred megawatts financed under this chapter shall
- 11 be done pursuant to the requirements of chapter 476A."
- 12 2. Page 2, line 24, by inserting after the word
- 13 "entity," the words "that the siting of electric power
- 14 generating stations with capacity in excess of one
- 15 hundred megawatts financed under chapter 28F must
- 16 be done pursuant to requirements of chapter 476A,".
- 17 3. By numbering and renumbering as necessary.

SCHROEDER of Pottawattamie
McINTEE of Black Hawk

H-5686

- 1 Amend amendment H-5644 to House File 422 as
- 2 follows:
- 3 1. Page 1, by inserting after line 23 the
- 4 following:
- 5 "Sec. . Section 28F.3, Code 1983, is amended
- 6 by adding the following new unnumbered paragraph:
- 7 NEW UNNUMBERED PARAGRAPH. Beginning with the
- 8 effective date of this Act, an entity may exercise
- 9 the power to issue revenue bonds for a project
- 10 involving electric power facilities only after
- 11 obtaining authorization from each of the public
- 12 agencies participating in the project being financed
- 13 with the proceeds of the bonds. A public agency which
- 14 is a county, city, or municipality of this state or
- 15 another state shall only give this authorization after
- 16 an election at which the question of the issuance

17 of revenue bonds for electric power facilities has
 18 been submitted to the qualified electors of the public
 19 agency and a majority of those voting for or against
 20 the question favor the issuance of the revenue bonds.
 21 The election may be held at a special election or
 22 at the time of the regular or general election of
 23 the public agency."

24 2. Page 2, line 24, by inserting after the word
 25 "entity," the words "that before an entity may exercise
 26 the power to issue revenue bonds to finance an electric
 27 power facility each public agency comprising the
 28 entity which is a city or county must receive approval
 29 through an election from its qualified electors,".

30 3. By numbering and renumbering as necessary.

SCHROEDER of Pottawattamie

H-5687

1 Amend amendment H-5644 to House File 422 as
 2 follows:

3 1. Page 1, line 21, by striking the figures "1981
 4 1984" and inserting in lieu thereof the figure "1981".

5 2. Page 1, line 23, by striking the figures "1981
 6 1984" and inserting in lieu thereof the figure "1981".

7 3. Page 2, line 21, by striking the figure "1984"
 8 and inserting in lieu thereof the figure "1981".

SCHROEDER of Pottawattamie

H-5688

1 Amend amendment H-5644 to House File 422 as
 2 follows:

3 1. Page 1, line 12, by inserting after the word
 4 "entity," the words "This governing body shall be
 5 the only committee of this entity."

SCHROEDER of Pottawattamie

H-5689

1 Amend amendment H-5644 to House File 422 as
 2 follows:

3 1. Page 1, line 12, by inserting after the word
 4 "entity" the words "which members shall constitute
 5 the governing body of the entity".

SCHROEDER of Pottawattamie

H-5690

- 1 Amend amendment H-5644 to House File 422 as
2 follows:
3 1. Page 1, by inserting after line 23 the
4 following:
5 "Sec. Section 28F.1, Code Supplement 1983,
6 is amended by adding after unnumbered paragraph 2
7 the following new unnumbered paragraph:
8 **NEW UNNUMBERED PARAGRAPH.** Only cities may join
9 an entity created under this chapter for the purpose
10 of financing electric power facilities."
11 2. Page 2, line 24, by inserting after the word
12 "entity," the words and figure "that only cities may
13 join an entity created under chapter 28F for the
14 purpose of financing electric power facilities."
15 3. By numbering and renumbering as necessary.

SCHROEDER of Pottawattamie

H-5691

- 1 Amend House amendment H-5480 to House File 2487
2 as follows:
3 1. Page 1, by striking lines 29 and 30, and
4 inserting in lieu thereof the following: "pursuant
5 to section 668.7, the court, unless otherwise".
6 2. Page 1, by striking line 42, and inserting
7 in lieu thereof the following: "been negligent."

PARKER of Jasper

H-5692

- 1 Amend amendment H-5644 to House File 422 as
2 follows:
3 1. Page 1, by inserting after line 3 the following:
4 "Sec. Section 11.18, unnumbered paragraph
5 1, Code 1983, is amended to read as follows:
6 The financial condition and transactions of all
7 cities and city offices, merged areas, area education
8 agencies, and all school offices in school districts,
9 and separate administrative or legal entities created
10 pursuant to chapter 28E financing electric power
11 facilities pursuant to chapter 28F shall be examined
12 at least once each year, except that cities having
13 a population of seven hundred or more but less than
14 two thousand shall be examined at least once every
15 four years, and cities having a population of less
16 than seven hundred may be examined as otherwise
17 provided in this section. Such examination shall cover

18 the fiscal year next preceding the year in which the
 19 audit is conducted. The examination of school offices
 20 shall include an audit of activity funds. Examinations
 21 may be made by the auditor of state, or in lieu of
 22 the examination by state accountants the local
 23 governing body whose accounts are to be examined,
 24 in case it elects so to do, may contract with, or
 25 employ, certified or registered public accountants,
 26 certified and registered in the state of Iowa, and
 27 pay the same from the proper public funds. If a city,
 28 merged area, area education agency or school district
 29 elect to have the audit made by certified or registered
 30 public accountants, it must so notify the auditor
 31 of state within sixty days after the close of the
 32 fiscal year to be examined. A city must so notify
 33 the state auditor by filing a resolution of the
 34 council. Such notification and designation shall
 35 remain in effect until rescinded or modified by a
 36 subsequent resolution of the council filed with the
 37 state auditor. If any city, merged area, area
 38 education agency or school district does not file
 39 such notification with the auditor of state within
 40 the required period, the auditor of state is authorized
 41 to make the examination and cover any period which
 42 has not been previously examined."

43 2. Page 2, line 24, by inserting after the word
 44 "entity," the words and figures "the requirement that
 45 entities created under chapter 28E for financing
 46 electric power facilities pursuant to chapter 28F
 47 be examined by the auditor of state at least once
 48 each year,".

49 3. By numbering, renumbering and correcting
 50 internal references as necessary.

SCHROEDER of Pottawattamie

H-5693

1 Amend amendment H-5644 to House File 422 as
 2 follows:

3 1. Page 1, line 34, by striking the word "section"
 4 and inserting in lieu thereof the word "sections".

5 2. Page 2, by inserting after line 13 the
 6 following:

7 "NEW SECTION. An entity created to carry out an
 8 agreement authorizing the joint exercise of powers
 9 enumerated in section 28F.1 with regard to electric
 10 power facilities shall keep accurate books, records,
 11 and accounts of all its dealings which books, records,
 12 and accounts shall be open to inspection and audit
 13 by the representatives of any member of the entity

14 and shall be audited annually by the auditor of state."
 15 3. Page 2, line 24, by inserting after the word
 16 "entity," the words and figure "that an entity created
 17 to exercise the powers enumerated in section 28F.1
 18 in regard to electric power facilities must keep
 19 accurate books, records, and accounts which shall
 20 be open to inspection and audits by any member of
 21 the entity and auditor of state,".

SCHROEDER of Pottawattamie

H-5694

1 Amend amendment H-5644 to House File 422 as
 2 follows:
 3 1. Page 1, line 30, by inserting after the word
 4 "property" the words "solely for public use and
 5 pursuant to procedures established by section 478.6
 6 and".

McINTEE of Black Hawk
 COPENHAVER of Buchanan

H-5696

1 Amend House File 2487 as follows:
 2 1. Page 3, by striking lines 11 and 12 and
 3 inserting in lieu thereof the following: "each party
 4 liable. For purposes of contribution under sections
 5 668.4".
 6 2. Page 3, by striking lines 17 through 25.
 7 3. Page 3, by inserting after line 25 the
 8 following:
 9 "Sec. 4. NEW SECTION. 668.3 JOINT AND SEVERAL
 10 LIABILITY. The common law rule of joint and several
 11 liability of joint tort-feasors does not apply under
 12 this chapter. The liability of a party, if any, is
 13 limited to that percentage of the damage that is equal
 14 to the percentage of fault chargeable to that party."
 15 4. Page 4, line 4, by striking the words "who
 16 are jointly and severally".
 17 6. By renumbering to conform to this amendment.

HUMMEL of Benton
 COPENHAVER of Buchanan

H-5697

1 Amend House amendment H-5504 to House File 2487
 2 as follows:
 3 1. Page 3, line 16, by striking the word

4 "contributed" and inserting in lieu thereof the word
5 "contributed."

6 2. Page 3, by striking lines 17 through 29.

7 3. By striking page 3, line 47 through page 4,
8 line 6.

9 4. Page 4, by striking lines 16 and 17 and
10 inserting in lieu thereof the following: "party
11 liable. For purposes".

12 5. Page 4, by striking lines 23 through 31 and
13 inserting in lieu thereof the following:

14 "Sec. 9. NEW SECTION. 668.4 JOINT AND SEVERAL
15 LIABILITY. The common law rule of joint and several
16 liability of joint tort-feasors does not apply under
17 this chapter. The liability of a party, if any, is
18 limited to that percentage of the damage that is equal
19 to the percentage of fault chargeable to that party."

20 6. By renumbering to conform to this amendment.

HUMMEL of Benton
COPENHAVER of Buchanan

H-5698

1 Amend the amendment H-5368 to House File 426
2 as follows:

3 1. Page 4, line 40, by inserting after the
4 word "wages." the following: "However, the labor
5 commissioner shall not adopt prevailing wage rate
6 data established by the United States secretary of
7 labor pursuant to 40 U.S.C. secs. 276a through 276a-7
8 as prevailing wage rates for purposes of this section."

KREWSON of Polk

H-5702

1 Amend House File 2487 as follows:

2 1. Page 3, by striking lines 17 through 25.

CHAPMAN of Linn

H-5703

1 Amend House File 2487 as follows:

2 1. By striking page 1, line 1, through page 2,
3 line 3.

4 2. By renumbering to conform to this amendment.

CHAPMAN of Linn

H-5705

- 1 Amend the Senate amendment H-5346 to House File
2 140 as amended, passed and reprinted by the House,
3 as follows:
- 4 1. Page 1, by striking line 4.
 - 5 2. Page 1, by inserting after line 21 the following:
6 "7. Page 2, line 10, by striking the word "heard"
7 and inserting in lieu thereof the words "heard
8 commenced".
 - 9 3. Page 1, line 28, by striking the word "The" and
10 inserting in lieu thereof the words "In the event the
11 rule to be rescinded has been in effect for longer
12 than one year, the".
 - 13 4. Page 1, by striking lines 35 through 39.
 - 14 5. Page 1, by inserting after line 39 the
15 following:
16 "11. Page 3, line 2, by striking the word "Five".
17 and inserting in lieu thereof the word "Four".
 - 18 12. Page 3, line 4, by striking the word "Five"
19 and inserting in lieu thereof the word "Four"."
 - 20 6. Page 1, by striking line 40.

SCHROEDER of Pottawattamie

H-5706

- 1 Amend the committee amendment, H-5231, to House
2 File 422 as follows:
- 3 1. Page 3, by striking lines 46 through 50 and
4 inserting in lieu thereof the following: "applicable.
5 Said refunding bonds shall not be issued to refund
6 the principal of and interest on any bonds to be re-
7 funded unless such bonds mature or are redeemable under
8 their terms within ten years from the date of delivery
9 of the refunding bonds. The".

RENKEN of Grundy

H-5708

- 1 Amend Senate File 2163 as amended, passed, and
2 reprinted by the Senate as follows:
- 3 1. Page 1, line 5, by striking the word "contact"
4 and inserting in lieu thereof the words "parental
5 interaction and involvement".
 - 6 2. By striking page 1, line 10 through page 3,
7 line 2, and inserting in lieu thereof the following:
8 "Sec. 100. Section 598.41, Code 1983, is amended
9 by striking the section and inserting in lieu thereof
10 the following:

11 598.41 CUSTODY OF CHILDREN.

12 1. The court shall order an award of custody,
13 pursuant to the best interest of the child, which
14 will assure a minor child the maximum opportunity
15 to continue the relationship which existed with each
16 parent before the separation or dissolution of
17 marriage. Unless demonstrated by clear and convincing
18 evidence that such frequent and continuing contact
19 and involvement with both parents after the parents
20 have separated or dissolved the marriage is contrary
21 to the best interest of the child, the custody award
22 shall specify frequent and continuing care and contact
23 with both parents and preserve the rights and
24 responsibilities of each parent as legal custodian
25 of the child. The custody award shall encourage the
26 parents to share the rights and responsibilities of
27 raising and nurturing the child.

28 2. Unless otherwise ordered by the court in the
29 custody decree, both parents shall have legal access
30 to information concerning the child, including but
31 not limited to medical, educational, and law
32 enforcement records. If the custody decree restricts
33 the noncustodial parent's access to information
34 concerning the child, the custodial parent shall
35 deliver to each affected provider of information a
36 certified copy of the restriction. The provider of
37 information shall restrict access only if a certified
38 copy has been so delivered. If the court subsequently
39 orders modification or removal of the restriction,
40 the noncustodial parent shall deliver to each affected
41 provider of information a certified copy of the order
42 and the provider shall thereafter restrict access
43 only as required under the order.

44 3. On the application of either parent, the court
45 shall consider granting joint custody in cases where
46 the parents do not agree to joint custody. If the
47 court does not grant joint custody under this
48 subsection, the court shall cite clear and convincing
49 evidence that joint custody is contrary to the best
50 interest of the child. Before ruling upon the joint

Page 2

1 custody petition in these cases, the court may require
2 the parties to participate in a home study or mediation
3 counseling to determine whether joint custody is in
4 the best interest of the child. The court may require
5 the child's participation in the home study or
6 mediation counseling insofar as the court determines
7 that the child's participation is advisable.
8 The costs of the home study or mediation counseling

9 shall be paid in full or in part by the parties and
10 taxed as court costs.

11 4. When parents agree on a specific joint custody
12 arrangement, the court shall order an award of custody
13 which confirms that arrangement. The court shall
14 consider one parent's unreasonable and obdurate
15 resistance to joint custody to be a factor which shall
16 weigh in favor of awarding physical care or sole
17 custody to the other parent. The court shall consider
18 the denial by one parent of the child's maximum
19 opportunity for continuous interaction and involvement
20 with the other parent, without just cause, a
21 significant factor in determining the proper custody
22 arrangement.

23 5. Joint legal custody does not require joint
24 physical care. When the court determines such action
25 would be in the best interest of the child, physical
26 care may be given to one joint custodial parent and
27 not to the other. However, physical care given to
28 one parent does not affect the other parent's rights
29 and responsibilities as legal custodian of the child.
30 Rights and responsibilities of the legal custodian
31 include, but are not limited to, equal participation
32 in decisions affecting the child's legal status,
33 medical care, education, out-of-school activities,
34 and religious or moral instruction. If one joint
35 custodial parent is awarded physical care, the court
36 shall hold that parent responsible for allowing the
37 child continuing physical and emotional involvement
38 and interaction with the other parent. On the request
39 of the nonprimary care parent, unless determined to
40 be contrary to the best interest of the child, the
41 court shall award at least one annual period of
42 extended parental care to the nonprimary care parent.

43 6. When the parent awarded custody or physical
44 care of the child cannot act as custodian or caretaker
45 because the parent has died or has been judicially
46 adjudged incompetent, the court shall award custody
47 including physical care of the child to the surviving
48 parent unless the court finds that such an award is
49 not in the child's best interests."

50 3. Page 3, by striking lines 3 through 6 and

Page 3

1 inserting in lieu thereof the following:
2 "Sec. . The enactment of section 100 of this
3 Act constitutes a substantial change in circumstances
4 authorizing a court to modify a child custody order
5 pursuant to section 598.21 and chapter 598A when the
6 custodial parent is leaving the state with the child

7 or when the noncustodial parent requests a modification
8 of the court order for joint legal custody."

CLARK of Cerro Gordo

H-5713

1 Amend House amendment H-5504 to House File 2487
2 as follows:
3 1. Page 1, line 10, by striking the word "omission,"
4 and inserting in lieu thereof the word "omission";
5 2. Page 1, by striking line 11, and inserting in
6 lieu thereof the following: "~~except an act of malfeasance~~
7 ~~in office or willful~~";
8 3. Page 1, line 23, by inserting after the word
9 "States" the words ", section 1983, Title 42, United
10 States Code,".

JAY of Appanoose

H-5716

1 Amend amendment H-5504 to House File 2487 as follows:
2 1. Page 7, line 46, by striking the words "cases
3 filed" and inserting in lieu thereof the following:
4 "causes which accrue".

DODERER of Johnson
COPENHAVER of Buchanan
JAY of Appanoose
MULLINS of Kossuth

H-5719

1 Amend amendment H-5276 to Senate File 414 as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 9, by inserting after the words
5 "as a" the words "doctoral level".
6 2. Page 1, line 27, by inserting after the word
7 "board" the words "and a new applicant for licensure
8 as a master level psychologist shall possess a master's
9 degree in psychology or its equivalent from an
10 institution approved by the board and shall have
11 completed at least five years of professional
12 experience, at least two of which shall have been
13 under the supervision of a licensed psychologist".

HANSON of Delaware

H-5725

- 1 Amend the Chiodo amendment H-5624 to House File
- 2 2491 as follows:
- 3 1. Page 1, line 32, by inserting after the
- 4 word "section." the following: "For purposes of this
- 5 section, an "Iowa corporation" is a corporation
- 6 incorporated under the provisions of chapter 496A."

SCHROEDER of Pottawattamie

H-5727

- 1 Amend amendment H-5624 to House File 2491 as follows:
- 2 1. Page 1, line 38, by inserting after the word
- 3 "contract." the following: "For purposes of this
- 4 subsection, an "Iowa corporation" is a corporation
- 5 incorporated under the provisions of chapters 491 and 496A."

SCHROEDER of Pottawattamie

H-5735

- 1 Amend House File 2494 as follows:
- 2 1. Page 2, by inserting after line 22 the
- 3 following:
- 4 "Any proposed schedule shall be submitted to the
- 5 senate and the house natural resources committees
- 6 not later than seven days after the convening of
- 7 the next regular session of the general assembly
- 8 and may become effective after the seventieth
- 9 calendar day of the session unless disapproved or
- 10 amended by concurrent resolution of the general
- 11 assembly."

WELDEN of Hardin

H-5739

- 1 Amend House File 2477 as follows:
- 2 1. Page 1, line 26, by inserting after the word
- 3 "year" the words "or five thousand dollars, whichever
- 4 is greater",
- 5 2. Page 1, line 31, by inserting after the word
- 6 "committee." the following: "The written notifica-
- 7 tion shall include notification whether a district
- 8 has been granted an educational excellence incentive
- 9 award by the department."
- 10 3. Page 2, line 7, by inserting after the word
- 11 "project" the words "for which additional allowable
- 12 growth is required to fund the project".

13 4. Page 2, line 11, by inserting after the word
14 "award" the words "if an award has been granted to
15 that district".

16 5. Page 2, by inserting after line 19 the fol-
17 lowing:

18 "Sec. . NEW SECTION. 260A.5 REPORT REQUIRED.

19 Not later than August 15 of the school year fol-
20 lowing the school year in which an educational im-
21 provement project has been carried out, the board of
22 directors of the school district carrying out the
23 project shall file a report with the department of
24 public instruction describing the manner in which
25 the project was carried out, the results of the pro-
26 ject, and moneys expended for the project.

27 If a project was not carried out, or if the
28 cost of carrying out a project was less than the
29 amount approved for the project, the department
30 of public instruction shall notify the state com-
31 ptroller. The state comptroller shall determine for
32 a project the amount not expended that was addi-
33 tional allowable growth and the amount not expended
34 that was from the educational excellence incentive
35 award, and shall reduce the district's tax levy
36 computed under section 442.9 for the next following
37 budget year to reduce the anticipated receipts from
38 the tax levy by the amount of additional allowable
39 growth not expended and the district's total state
40 school aids available under chapter 442 for the next
41 following budget year by the amount of the award
42 not expended."

OLLIE of Clinton

H-5740

1 Amend House File 2422 as follows:

2 1. Page 1, by striking lines 15 through 29 and
3 inserting in lieu thereof the following:

4 "Sec. . Section 280B.3, Code Supplement 1983,
5 is amended by adding the following new subsection:

6 NEW SUBSECTION. Before an area school and an
7 industry enter into an agreement to establish a
8 project, the area school shall consult with the local
9 office of the department of job service to determine
10 if there already exists in the area, a skilled or
11 experienced group of unemployed workers, as a result
12 of a plant closing or reduction in force, sufficiently
13 large to supply the needs of the new or expanding
14 industry. If such a supply of workers exists, the
15 area school shall enter into the agreement only if
16 the industry agrees to give preference in training

- 17 and in employment to those workers over any other
18 workers who have no greater qualifications."
19 2. By numbering and renumbering as necessary.

OLLIE of Clinton

H-5741

- 1 Amend House File 2422 as follows:
2 1. Page 1, by inserting after line 14 the
3 following:
4 "Sec. Section 7B.4, Code Supplement 1983,
5 is amended by adding the following new subsection:
6 NEW SUBSECTION. When an on-the-job training
7 activity, as defined in the federal Act, is provided
8 for eligible program participants, the appropriate
9 program administrative entity shall allow participating
10 employers who are small businesses, as defined in
11 section 220.1, at least fifteen days after the hiring
12 of the eligible program participant to complete any
13 required agreements or other required forms by the
14 administrative entity."
15 2. By numbering and renumbering as necessary.

OLLIE of Clinton

H-5744

- 1 Amend House amendment H-5480 to House File 2487
2 as follows:
3 1. Page 3, by inserting after line 29, the
4 following:
5 "Sec. 8. NEW SECTION. 668.8 ATTORNEY FEES.
6 1. In any action under this chapter, an attorney
7 representing a party pursuant to a contingent fee
8 arrangement shall be entitled to a reasonable fee
9 as determined by the court. However, the fee shall
10 not exceed the following:
11 a. For a judgment of two thousand dollars or less,
12 thirty-five percent of the judgment.
13 b. For a judgment of more than two thousand dollars
14 but less than ten thousand dollars, ten percent of
15 the judgment.
16 c. For a judgment of more than ten thousand
17 dollars, five percent of the judgment.
18 2. Notwithstanding subsection 1, an attorney fee
19 may exceed an applicable maximum if the court
20 determines that extraordinary expenses or services
21 were provided by the attorney. Any fee allowed for
22 extraordinary expenses or services shall be a
23 reasonable fee as determined by the court."
24 2. By renumbering as necessary.

STROMER of Hancock

H-5745

1 Amend House File 2487 as follows:

2 1. Page 5, by inserting after line 15, the
3 following:

4 "Sec. 8. NEW SECTION. 668.7 ATTORNEY FEES.

5 1. In any action under this chapter, an attorney
6 representing a party pursuant to a contingent fee
7 arrangement shall be entitled to a reasonable fee
8 as determined by the court. However, the fee shall
9 not exceed the following:

10 a. For a judgment of two thousand dollars or less,
11 thirty-five percent of the judgment.

12 b. For a judgment of more than two thousand dollars
13 but less than ten thousand dollars, ten percent of
14 the judgment.

15 c. For a judgment of more than ten thousand
16 dollars, five percent of the judgment.

17 2. Notwithstanding subsection 1, an attorney fee
18 may exceed an applicable maximum if the court
19 determines that extraordinary expenses or services
20 were provided by the attorney. Any fee allowed for
21 extraordinary expenses or services shall be a
22 reasonable fee as determined by the court."

23 2. By renumbering as necessary.

STROMER of Hancock

H-5746

1 Amend House amendment H-5504 to House File 2487
2 as follows:

3 1. Page 6, by inserting after line 46, the
4 following:

5 "Sec. 15. NEW SECTION. 668.10 ATTORNEY FEES.

6 1. In any action under this chapter, an attorney
7 representing a party pursuant to a contingent fee
8 arrangement shall be entitled to a reasonable fee
9 as determined by the court. However, the fee shall
10 not exceed the following:

11 a. For a judgment of two thousand dollars or less,
12 thirty-five percent of the judgment.

13 b. For a judgment of more than two thousand dollars
14 but less than ten thousand dollars, ten percent of
15 the judgment.

16 c. For a judgment of more than ten thousand
17 dollars, five percent of the judgment.

18 2. Notwithstanding subsection 1, an attorney fee
19 may exceed an applicable maximum if the court
20 determines that extraordinary expenses or services
21 were provided by the attorney. Any fee allowed for

- 22 extraordinary expenses or services shall be a
 23 reasonable fee as determined by the court."
 24 2. By renumbering as necessary.

STROMER of Hancock

H-5747

- 1 Amend House File 576 as follows:
 2 1. Page 2, line 7, by inserting after the word
 3 "incompetent." the words "The agent may appoint an
 4 agent's medical witness."

SPEAR of Lee

H-5748

- 1 Amend House File 2256 as follows:
 2 1. Page 1, line 18, by inserting after the word
 3 "which" the words "a person is appointed to county
 4 employment or".

HAMMOND of Story

H-5749

- 1 Amend House File 2487 as follows:
 2 1. Page 1, by striking line 1 and inserting in
 3 lieu thereof the following:
 4 "Section 1. Chapter 25A, Code 1983, is amended
 5 by adding the following new sections:
 6 NEW SECTION. In an action for damages brought
 7 pursuant to this chapter in which liability is admitted
 8 or established, damages shall not be awarded for
 9 actual economic losses incurred or to be incurred
 10 if the losses are replaced or indemnified by insurance,
 11 governmental employment, service benefit programs
 12 or any other source except the assets of the claimant
 13 or members of the claimant's immediate family.
 14 "Damages", as used in this section, means damages
 15 for personal injury, death, or property damage, or
 16 for other damages derived from or based on the personal
 17 injury, death, or property damage including but not
 18 limited to the cost of reasonable medical care,
 19 rehabilitation services, and custodial care, and the
 20 loss of services and loss of earned income.
 21 NEW SECTION. In an action for personal injury,
 22 death, or property damage, or any other damages derived
 23 therefrom or based thereon, brought pursuant to this
 24 chapter, the court shall determine the reasonableness
 25 of any contingent fee arrangement between the plaintiff

26 and the plaintiff's attorney.

27 NEW SECTION. No right of action for contribution
28 or indemnity accrues to any person, or an insurer,
29 guarantor, or indemnitor of any person upon whose
30 behalf damages have been paid pursuant to this chapter.

31 NEW SECTION. A person who suffers injury, death,
32 or property damage, or any damage or injury derived
33 therefrom or based thereon, while operating a motor
34 vehicle with a blood alcohol level of ten hundredths
35 or more of one percent by weight of alcohol in the
36 person's blood, or while a passenger in a motor vehicle
37 driven by the person, does not have a claim or cause
38 of action for any damages or other grievance against
39 the state of Iowa under this chapter.

40 Sec. 2. Section 364.12, subsection 2, paragraph
41 b,".

42 2. Page 2, after line 3, by inserting the
43 following:

44 "Sec. . Chapter 613A, Code 1983, is amended
45 by adding the following new sections:

46 NEW SECTION. In an action for damages brought
47 pursuant to this chapter in which liability is admitted
48 or established, damages shall not be awarded for
49 actual economic losses incurred or to be incurred
50 if the losses are replaced or indemnified by insurance,

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1 governmental employment, service benefit programs
2 or any other source except the assets of the claimant
3 or members of the claimant's immediate family.
4 "Damages", as used in this section, means damages
5 for personal injury, death, or property damage, or
6 for other damages derived from or based on the personal
7 injury, death, or property damage including but not
8 limited to the cost of reasonable medical care,
9 rehabilitation services, and custodial care, and the
10 loss of services and loss of earned income.

11 NEW SECTION. In an action for personal injury,
12 death, or property damage, or any other damages derived
13 therefrom or based thereon, brought pursuant to this
14 chapter, the court shall determine the reasonableness
15 of any contingent fee arrangement between the plaintiff
16 and the plaintiff's attorney.

17 NEW SECTION. No right of action for contribution
18 or indemnity accrues to any person, or an insurer,
19 guarantor, or indemnitor of any person upon whose
20 behalf damages have been paid pursuant to this chapter.

21 NEW SECTION. A person who suffers injury, death,
22 or property damage, or any damage or injury derived
23 therefrom or based thereon, while operating a motor

24 vehicle with a blood alcohol level of ten hundredths
25 or more of one percent by weight of alcohol in the
26 person's blood, or while a passenger in a motor vehicle
27 driven by the person, does not have a claim or cause
28 of action for any damages or other grievance against
29 a municipal corporation under this chapter.

30 Sec. . . Section 613A.4, Code Supplement 1983,
31 is amended by adding the following new subsection:

32 9. A claim based upon or connected with the failure
33 to adopt, order or implement the posting or erection
34 of a stop sign, traffic control signal, or other
35 traffic regulatory sign, signal, or device."

36 3. By numbering and renumbering sections as
37 necessary.

SCHROEDER of Pottawattamie

H-5750

1 Amend the Jay amendment H-5504 to House File 2487
2 as follows:

3 1. Page 1, by inserting after line 42 the
4 following:

5 "Sec. 4. Chapter 25A, Code 1983, is amended by
6 adding the following new sections:

7 **NEW SECTION.** In an action for damages brought
8 pursuant to this chapter in which liability is admitted
9 or established, damages shall not be awarded for
10 actual economic losses incurred or to be incurred
11 if the losses are replaced or indemnified by insurance,
12 governmental employment, service benefit programs
13 or any other source except the assets of the claimant
14 or members of the claimant's immediate family.

15 "Damages", as used in this section, means damages
16 for personal injury, death, or property damage, or
17 for other damages derived from or based on the personal
18 injury, death, or property damage including but not
19 limited to the cost of reasonable medical care,
20 rehabilitation services, and custodial care, and the
21 loss of services and loss of earned income.

22 **NEW SECTION.** In an action for personal injury,
23 death, or property damage, or any other damages derived
24 therefrom or based thereon, brought pursuant to this
25 chapter, the court shall determine the reasonableness
26 of any contingent fee arrangement between the plaintiff
27 and the plaintiff's attorney.

28 **NEW SECTION.** No right of action for contribution
29 or indemnity accrues to any person, or an insurer,
30 guarantor, or indemnitor of any person upon whose
31 behalf damages have been paid pursuant to this chapter.

32 **NEW SECTION.** A person who suffers injury, death,

33 or property damage, or any damage or injury derived
 34 therefrom or based thereon, while operating a motor
 35 vehicle with a blood alcohol level of ten hundredths
 36 or more of one percent by weight of alcohol in the
 37 person's blood, or while a passenger in a motor vehicle
 38 driven by the person, does not have a claim or cause
 39 of action for any damages or other grievance against
 40 the state of Iowa under this chapter."

41 2. Page 2, by inserting after line 35 the
 42 following:

43 "Sec. . Chapter 613A, Code 1983, is amended
 44 by adding the following new sections:

45 **NEW SECTION.** In an action for damages brought
 46 pursuant to this chapter in which liability is admitted
 47 or established, damages shall not be awarded for
 48 actual economic losses incurred or to be incurred
 49 if the losses are replaced or indemnified by insurance,
 50 governmental employment, service benefit programs

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1 or any other source except the assets of the claimant
 2 or members of the claimant's immediate family.

3 "Damages", as used in this section, means damages
 4 for personal injury, death, or property damage, or
 5 for other damages derived from or based on the personal
 6 injury, death, or property damage including but not
 7 limited to the cost of reasonable medical care,
 8 rehabilitation services, and custodial care, and the
 9 loss of services and loss of earned income.

10 **NEW SECTION.** In an action for personal injury,
 11 death, or property damage, or any other damages derived
 12 therefrom or based thereon, brought pursuant to this
 13 chapter, the court shall determine the reasonableness
 14 of any contingent fee arrangement between the plaintiff
 15 and the plaintiff's attorney.

16 **NEW SECTION.** No right of action for contribution
 17 or indemnity accrues to any person, or an insurer,
 18 guarantor, or indemnitor of any person upon whose
 19 behalf damages have been paid pursuant to this chapter.

20 **NEW SECTION.** A person who suffers injury, death,
 21 or property damage, or any damage or injury derived
 22 therefrom or based thereon, while operating a motor
 23 vehicle with a blood alcohol level of ten hundredths
 24 or more of one percent by weight of alcohol in the
 25 person's blood, or while a passenger in a motor vehicle
 26 driven by the person, does not have a claim or cause
 27 of action for any damages or other grievance against
 28 a municipal corporation under this chapter.

29 Sec. . Section 613A.4, Code Supplement 1983,
 30 is amended by adding the following new subsection:

31 9. A claim based upon or connected with the failure
 32 to adopt, order or implement the posting or erection
 33 of a stop sign, traffic control signal, or other
 34 traffic regulatory sign, signal, or device."
 35 3. By numbering and renumbering sections as
 36 necessary.

SCHROEDER of Pottawattamie

H-5752

1 Amend amendment H-5631 to House File 2433 as
 2 follows:
 3 1. Page 1, by inserting after line 35 the
 4 following:
 5 " . By striking page 6, line 21 through page
 6 7, line 21."
 7 2. By renumbering as necessary.

STURGEON of Woodbury

H-5753

1 Amend House amendment H-5480 to House File 2487
 2 as follows:
 3 1. Page 1, by striking line 5, and inserting in
 4 lieu thereof the following:
 5 "Section 1. NEW SECTION. DEFINITIONS. As used
 6 in sections 1 through 6 of this Act, unless the context
 7 otherwise requires:
 8 1. "Building standards" means the structural,
 9 mechanical, electrical, and quality standards of the
 10 home building industry for the geographic area in
 11 which the dwelling is situated.
 12 2. "Dwelling" means a new building, not previously
 13 occupied, constructed for the purpose of habitation;
 14 but does not include appurtenant recreational
 15 facilities, detached garages, driveways, walkways,
 16 patios, boundary walls, retaining walls not necessary
 17 for the structural stability of the dwelling,
 18 landscaping, fences, nonpermanent construction
 19 materials, off-site improvements, and all other similar
 20 items.
 21 3. "Initial vendee" means a person who first
 22 contracts to purchase a dwelling from a vendor for
 23 the purpose of habitation and not for resale in the
 24 ordinary course of trade.
 25 4. "Major construction defect" means actual damage
 26 to the load-bearing portion of the dwelling, including
 27 damage due to subsidence, expansion or lateral movement
 28 of the soil, which affects its load-bearing function

29 and which vitally affects or is imminently likely
30 to vitally affect use of the dwelling for residential
31 purposes. "Major construction defect" does not include
32 damage due to movement of the soil caused by flood,
33 earthquake or other natural disaster.

34 5. "Vendee" means any purchaser of a dwelling
35 and includes the initial vendee and any subsequent
36 purchasers.

37 6. "Vendor" means any person, firm, or corporation
38 which constructs dwellings for the purpose of sale,
39 including the construction of dwellings on land owned
40 by vendees.

41 7. "Warranty date" means the date from and after
42 which the statutory warranties provided in section
43 2 of this Act shall be effective, and which is the
44 earliest of the following:

45 a. The date of the initial vendee's first occupancy
46 of the dwelling.

47 b. The date on which the initial vendee takes
48 legal or equitable title in the dwelling.

49 Sec. 2. NEW SECTION. STATUTORY WARRANTIES.

50 1. In every sale of a completed dwelling, and

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1 in every contract for the sale of a dwelling to be
2 completed, the vendor shall warrant to the vendee
3 all of the following:

4 a. That during the one-year period from and after
5 the warranty date the dwelling shall be free from
6 defects caused by faulty workmanship and defective
7 materials due to noncompliance with building standards.

8 b. That during the two-year period from and after
9 the warranty date, the dwelling shall be free from
10 defects caused by faulty installation of plumbing,
11 electrical, heating, and cooling systems.

12 c. That during the ten-year period from and after
13 the warranty date, the dwelling shall be free from
14 major construction defects.

15 2. The statutory warranties provided in this
16 section shall survive the passing of legal or equitable
17 title in the dwelling to the vendee.

18 Sec. 3. NEW SECTION. EXCLUSIONS. The liability
19 of the vendor under sections 1 to 6 of this Act is
20 limited to the specific items set forth in sections
21 1 to 6 of this Act and does not extend to any of the
22 following:

23 1. Loss or damage not reported by the vendee to
24 the vendor in writing within six months after the
25 vendee discovers or should have discovered the loss
26 or damage.

- 27 2. Loss or damage caused by defects in design,
28 installation, or materials which the vendee supplied,
29 installed, or had installed under the vendee's
30 direction.
- 31 3. Secondary loss or damage such as personal
32 injury or property damage.
- 33 4. Loss or damage from normal wear and tear.
- 34 5. Loss or damage from normal shrinkage caused
35 by drying of the dwelling within tolerances of building
36 standards.
- 37 6. Loss or damage from dampness and condensation
38 due to insufficient ventilation after occupancy.
- 39 7. Loss or damage from negligence, improper
40 maintenance or alteration of the dwelling by parties
41 other than the vendor.
- 42 8. Loss or damage from changes in grading of the
43 ground around the dwelling by parties other than the
44 vendor.
- 45 9. Landscaping or insect loss or damage.
- 46 10. Loss or damage from failure to maintain the
47 dwelling in good repair.
- 48 11. Loss or damage which the vendee, whenever
49 feasible, has not taken timely action to minimize.
- 50 12. Loss or damage which occurs after the dwelling

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- 1 is no longer used primarily as a residence.
- 2 13. Accidental loss or damage usually described
3 as acts of God, including, but not limited to, fire,
4 explosion, smoke, water escape, windstorm, hail or
5 lightening, falling trees, aircraft and vehicles,
6 flood, and earthquake, except when the loss or damage
7 is caused by failure to comply with building standards.
- 8 14. Loss or damage from soil movement which is
9 compensated by legislation or covered by insurance.
- 10 15. Loss or damage due to soil conditions where
11 construction is done upon lands owned by the vendee
12 and obtained by the vendee from a source independent
13 of the vendor.
- 14 **Sec. 4. NEW SECTION. WAIVER AND MODIFICATION**
15 **LIMITED.**
- 16 1. Except as provided in subsections 2 and 3,
17 sections 1 to 6 of this Act cannot be waived or
18 modified by contract or otherwise. An agreement which
19 purports to waive or modify sections 1 to 6 of this
20 Act, except as provided in subsections 2 and 3, shall
21 be void.
- 22 2. At any time after a contract for the sale of
23 a dwelling is entered into by and between a vendor
24 and a vendee, any of the statutory warranties provided

25 for in section 2 of this Act may be excluded or
 26 modified only by a written instrument, printed in
 27 bold face type of a minimum size of ten points, which
 28 is signed by the vendee and which sets forth in detail
 29 the warranty involved, the consent of the vendee,
 30 and the terms of the new agreement contained in the
 31 writing. An exclusion or modification shall not be
 32 effective unless the vendor provides substitute express
 33 warranties offering substantially the same protections
 34 to the vendee as the statutory warranties set forth
 35 in section 2 of this Act.

36 3. If a major construction defect is discovered
 37 prior to the sale of a dwelling, the statutory warranty
 38 set forth in section 2, subsection 1, paragraph "c",
 39 of this Act may be waived for the defect identified
 40 in the waiver instrument, after full oral disclosure
 41 of the specific defect, by an instrument which sets
 42 forth in detail the specific defect; the difference
 43 between the value of the dwelling without the de-
 44 fect, and the value of the dwelling with the defect,
 45 as determined and attested to by an independent
 46 appraiser, contractor, insurance adjuster, engineer
 47 or any other similarly knowledgeable person selected
 48 by the vendee; the price reduction; the date the
 49 construction was completed; the legal description
 50 of the dwelling; the consent of the vendee to the

Page 4

1 waiver; and the signatures of the vendee, the vendor,
 2 and two witnesses.

3 A single waiver agreed to pursuant to this
 4 subsection may not apply to more than one major
 5 construction defect in a dwelling.

6 The waiver shall not be effective unless filed
 7 for recording with the county recorder or registrar
 8 of titles who shall file the waiver for record.

9 4. If the vendor agrees to exclude, modify, or
 10 waive any of the statutory warranties provided in
 11 section 2 of this Act, the statute of limitations
 12 provided in section 614.1, subsection 11, shall not
 13 apply to an action arising from any defect in the
 14 dwelling for which a statutory warranty was excluded,
 15 modified, or waived.

16 **Sec. 5. NEW SECTION. REMEDIES.** Upon breach of
 17 a warranty imposed by section 2 of this Act, the
 18 vendee shall have a cause of action against the vendor
 19 for damages arising out of the breach, or for specific
 20 performance. Damages shall be limited to either of
 21 the following:

22 1. The amount necessary to remedy the defect or

23 breach.

24 2. The difference between the value of the dwelling
25 without the defect and the value of the dwelling with
26 the defect.

27 Sec. 6. NEW SECTION. OTHER WARRANTIES. The
28 statutory warranties provided for in section 2 of
29 this Act shall be in addition to all other warranties
30 imposed by law or agreement. The remedies provided
31 in section 5 of this Act shall not be construed as
32 limiting the remedies in any action not predicated
33 upon breach of the statutory warranties imposed by
34 section 2 of this Act.

35 Sec. 7. Section 614.1, Code Supplement 1983, is
36 amended by adding the following new subsection:

37 NEW SUBSECTION. 11. IMPROVEMENTS TO REAL PROPERTY.

38 In addition to limitations contained elsewhere in
39 this section, an action arising out of the unsafe
40 or defective condition of an improvement to real
41 property based on tort and implied warranty and for
42 contribution and indemnity, and founded on injury
43 to property, real or personal, or injury to the person
44 or wrongful death, shall not be brought more than
45 eleven years after the date on which occurred the
46 act or omission of the defendant alleged in the action
47 to have been the cause of the injury or death.
48 However, this subsection shall not be construed to
49 bar an action against a person solely in the person's
50 capacity as an owner, occupant, or operator of an

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1 improvement to real property.

2 Sec. 8. NEW SECTION. 668.1 NEGLIGENCE.

3 2. By renumbering as necessary.

SCHROEDER of Pottawattamie

H-5754

1 Amend House amendment H-5504 to House File 2487
2 as follows:

3 1. Page 2, by inserting after line 35, the
4 following:

5 "Sec. 6. NEW SECTION. DEFINITIONS. As used in
6 sections 6 through 11 of this Act, unless the context
7 otherwise requires:

8 1. "Building standards" means the structural,
9 mechanical, electrical, and quality standards of the
10 home building industry for the geographic area in
11 which the dwelling is situated.

12 2. "Dwelling" means a new building, not previously

13 occupied, constructed for the purpose of habitation;
 14 but does not include appurtenant recreational
 15 facilities, detached garages, driveways, walkways,
 16 patios, boundary walls, retaining walls not necessary
 17 for the structural stability of the dwelling,
 18 landscaping, fences, nonpermanent construction
 19 materials, off-site improvements, and all other similar
 20 items.

21 3. "Initial vendee" means a person who first
 22 contracts to purchase a dwelling from a vendor for
 23 the purpose of habitation and not for resale in the
 24 ordinary course of trade.

25 4. "Major construction defect" means actual damage
 26 to the load-bearing portion of the dwelling, including
 27 damage due to subsidence, expansion or lateral movement
 28 of the soil, which affects its load-bearing function
 29 and which vitally affects or is imminently likely
 30 to vitally affect use of the dwelling for residential
 31 purposes. "Major construction defect" does not include
 32 damage due to movement of the soil caused by flood,
 33 earthquake or other natural disaster.

34 5. "Vendee" means any purchaser of a dwelling
 35 and includes the initial vendee and any subsequent
 36 purchasers.

37 6. "Vendor" means any person, firm, or corporation
 38 which constructs dwellings for the purpose of sale,
 39 including the construction of dwellings on land owned
 40 by vendees.

41 7. "Warranty date" means the date from and after
 42 which the statutory warranties provided in section
 43 7 of this Act shall be effective, and which is the
 44 earliest of the following:

45 a. The date of the initial vendee's first occupancy
 46 of the dwelling.

47 b. The date on which the initial vendee takes
 48 legal or equitable title in the dwelling.

49 Sec. 7. NEW SECTION. STATUTORY WARRANTIES.

50 1. In every sale of a completed dwelling, and

Page 2

1 in every contract for the sale of a dwelling to be
 2 completed, the vendor shall warrant to the vendee
 3 all of the following:

4 a. That during the one-year period from and after
 5 the warranty date the dwelling shall be free from
 6 defects caused by faulty workmanship and defective
 7 materials due to noncompliance with building standards.

8 b. That during the two-year period from and after
 9 the warranty date, the dwelling shall be free from
 10 defects cause by faulty installation of plumbing,

11 electrical, heating, and cooling systems.

12 c. That during the ten-year period from and after
13 the warranty date, the dwelling shall be free from
14 major construction defects.

15 2. The statutory warranties provided in this
16 section shall survive the passing of legal or equitable
17 title in the dwelling to the vendee.

18 Sec. 8. NEW SECTION. EXCLUSIONS. The liability
19 of the vendor under sections 6 to 11 of this Act is
20 limited to the specific items set forth in sections
21 6 to 11 of this Act and does not extend to any of
22 the following:

23 1. Loss or damage not reported by the vendee to
24 the vendor in writing within six months after the
25 vendee discovers or should have discovered the loss
26 or damage.

27 2. Loss or damage caused by defects in design,
28 installation, or materials which the vendee supplied,
29 installed, or had installed under the vendee's
30 direction.

31 3. Secondary loss or damage such as personal
32 injury or property damage.

33 4. Loss or damage from normal wear and tear.

34 5. Loss or damage from normal shrinkage caused
35 by drying of the dwelling within tolerances of building
36 standards.

37 6. Loss or damage from dampness and condensation
38 due to insufficient ventilation after occupancy.

39 7. Loss or damage from negligence, improper
40 maintenance or alteration of the dwelling by parties
41 other than the vendor.

42 8. Loss or damage from changes in grading of the
43 ground around the dwelling by parties other than the
44 vendor.

45 9. Landscaping or insect loss or damage.

46 10. Loss or damage from failure to maintain the
47 dwelling in good repair.

48 11. Loss or damage which the vendee, whenever
49 feasible, has not taken timely action to minimize.

50 12. Loss or damage which occurs after the dwelling

Page 3

1 is no longer used primarily as a residence.

2 13. Accidental loss or damage usually described
3 as acts of God, including, but not limited to, fire,
4 explosion, smoke, water escape, windstorm, hail or
5 lightening, falling trees, aircraft and vehicles,
6 flood, and earthquake, except when the loss or damage
7 is caused by failure to comply with building standards.

8 14. Loss or damage from soil movement which is

9 compensated by legislation or covered by insurance.
 10 15. Loss or damage due to soil conditions where
 11 construction is done upon lands owned by the vendee
 12 and obtained by the vendee from a source independent
 13 of the vendor.

14 Sec. 9. NEW SECTION. WAIVER AND MODIFICATION
 15 LIMITED.

16 1. Except as provided in subsections 2 and 3,
 17 sections 6 to 11 of this Act cannot be waived or
 18 modified by contract or otherwise. An agreement which
 19 purports to waive or modify sections 6 to 11 of this
 20 Act, except as provided in subsections 2 and 3, shall
 21 be void.

22 2. At any time after a contract for the sale of
 23 a dwelling is entered into by and between a vendor
 24 and a vendee, any of the statutory warranties provided
 25 for in section 7 of this Act may be excluded or
 26 modified only by a written instrument, printed in
 27 bold face type of a minimum size of ten points, which
 28 is signed by the vendee and which sets forth in detail
 29 the warranty involved, the consent of the vendee,
 30 and the terms of the new agreement contained in the
 31 writing. An exclusion or modification shall not be
 32 effective unless the vendor provides substitute express
 33 warranties offering substantially the same protections
 34 to the vendee as the statutory warranties set forth
 35 in section 7 of this Act.

36 3. If a major construction defect is discovered
 37 prior to the sale of a dwelling, the statutory warranty
 38 set forth in section 7, subsection 1, paragraph "c",
 39 of this Act may be waived for the defect identified
 40 in the waiver instrument, after full oral disclosure
 41 of the specific defect, by an instrument which sets
 42 forth in detail the specific defect; the difference
 43 between the value of the dwelling without the de-
 44 fect, and the value of the dwelling with the defect,
 45 as determined and attested to by an independent
 46 appraiser, contractor, insurance adjuster, engineer
 47 or any other similarly knowledgeable person selected
 48 by the vendee; the price reduction; the date the
 49 construction was completed; the legal description
 50 of the dwelling; the consent of the vendee to the

Page 4

1 waiver; and the signatures of the vendee, the vendor,
 2 and two witnesses.

3 A single waiver agreed to pursuant to this
 4 subsection may not apply to more than one major
 5 construction defect in a dwelling.

6 The waiver shall not be effective unless filed

7 for recording with the county recorder or registrar
8 of titles who shall file the waiver for record.

9 4. If the vendor agrees to exclude, modify, or
10 waive any of the statutory warranties provided in
11 section 7 of this Act, the statute of limitations
12 provided in section 614.1, subsection 11, shall not
13 apply to an action arising from any defect in the
14 dwelling for which a statutory warranty was excluded,
15 modified, or waived.

16 Sec. 10. NEW SECTION. REMEDIES. Upon breach
17 of a warranty imposed by section 7 of this Act, the
18 vendee shall have a cause of action against the vendor
19 for damages arising out of the breach, or for specific
20 performance. Damages shall be limited to either of
21 the following:

22 1. The amount necessary to remedy the defect or
23 breach.

24 2. The difference between the value of the dwelling
25 without the defect and the value of the dwelling with
26 the defect.

27 Sec. 11. NEW SECTION. OTHER WARRANTIES. The
28 statutory warranties provided for in section 7 of
29 this Act shall be in addition to all other warranties
30 imposed by law or agreement. The remedies provided
31 in section 10 of this Act shall not be construed as
32 limiting the remedies in any action not predicated
33 upon breach of the statutory warranties imposed by
34 section 7 of this Act.

35 Sec. 12. Section 614.1, Code Supplement 1983,
36 is amended by adding the following new subsection:

37 NEW SUBSECTION. 11. IMPROVEMENTS TO REAL PROPERTY.

38 In addition to limitations contained elsewhere in
39 this section, an action arising out of the unsafe
40 or defective condition of an improvement to real
41 property based on tort and implied warranty and for
42 contribution and indemnity, and founded on injury
43 to property, real or personal, or injury to the person
44 or wrongful death, shall not be brought more than
45 eleven years after the date on which occurred the
46 act or omission of the defendant alleged in the action
47 to have been the cause of the injury or death.

48 However, this subsection shall not be construed to
49 bar an action against a person solely in the person's
50 capacity as an owner, occupant, or operator of an

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1 improvement to real property."

2 2. By renumbering as necessary.

H-5757

1 Amend House Resolution 105 as follows:

2 1. By striking page 1, line 1 through page 2,
3 line 1 and inserting in lieu thereof the following:

4 "A Resolution relating to rules by the state racing
5 commission.

6 *Whereas*, the Iowa state racing commission was
7 created on July 1, 1983 pursuant to chapter 99D; and

8 *Whereas*, the commission is empowered to adopt
9 rules relating to the licensing and location of tracks
10 and establishing racing dates; and

11 *Whereas*, only seven months after its creation, the
12 commission has been informed by several communities of
13 the communities' interest in obtaining licenses to
14 race either dogs or horses. The communities include,
15 but are not limited to: Des Moines, Cedar Rapids,
16 Waterloo, Dubuque, Council Bluffs, Fort Dodge, West
17 Branch and Davenport; and

18 *Whereas*, the Iowa association of county fairs has
19 expressed an interest in harness racing, possibly as
20 early as the summer of 1984; and

21 *Whereas*, the racing commission promptly put licensing
22 rules into effect by using the emergency rule-making
23 process and simultaneously filed a notice of intended
24 action to allow public comment and participation, *Now*
25 *Therefore*,

26 *Be It Resolved by the House of Representatives*, That
27 the house commends the communities and the fair
28 association which have had the vision to see the economic
29 benefits of pari-mutuel betting on races and have pursued
30 the economic benefits; and

31 *Be It Further Resolved*, That the house commends the
32 Iowa state racing commission for responding promptly to
33 the needs of the communities pursuing pari-mutuel
34 betting licensing; and

35 *Be It Further Resolved*, That the house commends the
36 Iowa state racing commission for its sensitivity to
37 public input into the rule-making process by filing a
38 notice of intended action to provide for public input;
39 and

40 *Be It Further Resolved*, That the house urges the
41 commission to continue such cooperation to facilitate
42 pari-mutuel betting on races in Iowa while insuring the
43 integrity of the sport through public input and other
44 safeguards."

WOODS of Polk
PAVICH of Pottawattamie
PEICK of Linn
SCHROEDER of Pottawattamie

H-5758

1 Amend House File 2487 as follows:

2 1. By striking page 3, line 26 through page 4,
3 line 1, and inserting in lieu thereof the following:

4 "Sec. 4. NEW SECTION. 668.3 SETOFF OF CLAIMS
5 AND COUNTERCLAIMS. A claim and counterclaim shall
6 not be set off against each other, except by agreement
7 of both parties. However, if upon motion of either
8 party the court finds that the obligation of either
9 party is likely to be uncollectible, the court may
10 order that both parties make payment to the court
11 for distribution. The court shall distribute the
12 funds received, and shall declare obligations
13 discharged as if the payment to the court by either
14 party had been a payment to the other party and as
15 if the distribution of the funds back to the party
16 making payment had been a payment to that party by
17 the other party."

JAY of Appanoose
CHAPMAN of Linn

H-5759

1 Amend House Amendment H-5504 to House File 2487
2 as follows:

3 1. Page 1, line 10, by striking the word
4 "omission," and inserting in lieu thereof the word
5 "omission,".

6 2. Page 1, by striking line 11, and inserting
7 in lieu thereof the following: "~~except an act of~~
8 ~~malfeasance in office or willful~~".

9 3. Page 1, by striking lines 33 through 36 and
10 inserting in lieu thereof the following:

11 "Sec. 3. Section 25A.22, Code 1983, is amended
12 to read as follows:

13 25A.22 ACTIONS IN FEDERAL COURT. The state shall
14 defend any employee, and shall indemnify and hold
15 harmless an employee of the state in any action
16 commenced in federal court under section 1983, Title
17 42, United States Code, against the employee for acts
18 of the employee while acting in the scope of
19 employment. If the acts or omissions of the employee,
20 upon which the action is based, are within the
21 exceptions to claim as defined in section 25A.2,
22 subsection 5, paragraph "b", the state shall not
23 indemnify or hold harmless the employee. However,
24 the duty to indemnify and hold harmless shall not
25 apply to awards of punitive damages. The duty to
26 indemnify and hold harmless shall not apply and the

27 state shall be entitled to restitution from an employee
 28 if, in an action commenced by the state against the
 29 employee, it is determined that the conduct of the
 30 employee upon which the claim or demand was based
 31 constituted a willful and wanton act or omission or
 32 malfeasance in office.

33 Sec. 4. NEW SECTION. EMPLOYEES. Employees of
 34 the state are".

35 4. By renumbering as necessary.

JAY of Appanoose

H-5760

1 Amend House File 2445 as follows:

2 Page 1, by inserting before line 1 the following:

3 "Section 1. Section 135.81, subsection 19, Code

4 1983, is amended by adding the following new lettered
 5 paragraph:

6 NEW LETTERED PARAGRAPH. Any expenditure by or on
 7 behalf of a hospital of seven hundred fifty or fewer
 8 beds which is financed under sections 220.91 through
 9 220.94, which is made for the purchase or acquisition of
 10 a single piece of new equipment which is to be installed
 11 and used in the hospital and which is, under generally
 12 accepted accounting principles consistently applied,
 13 a capital expenditure. However if the hospital consists
 14 of ninety-nine or fewer beds, the expenditure financed
 15 must be in excess of two hundred thousand dollars."

16 2. By striking page 2, line 34 through page 3,
 17 line 1 and inserting in lieu thereof the words "all
 18 costs related to acquiring, financing, refinancing, and
 19 installing the equipment."

20 3. Page 3, by striking lines 2 through 9 and inserting
 21 in lieu thereof the following:

22 "2. "Health facility" means a hospital of seven
 23 hundred fifty or fewer beds which is licensed or
 24 regulated by the state and provides medical care."

25 4. Page 3, lines 11 and 12, by striking the words
 26 ", research, training, or teaching".

27 5. Page 3, line 16, by striking the word "acquisition"
 28 and inserting in lieu thereof the word "financing".

29 6. Page 3, line 21, by striking the word "acquisition"
 30 and inserting in lieu thereof the word "financing".

31 7. Page 3, by striking lines 23 through 25.

32 8. Page 3, line 26, by striking the word "acquiring"
 33 and inserting in lieu thereof the word "financing".

34 9. Page 3, by striking lines 29 and 30.

35 10. Page 4, line 1, by striking the word "acquisition"
 36 and inserting in lieu thereof the word "costs".

37 11. Page 4, by striking lines 12 through 25 and

38 inserting in lieu thereof the words "to finance health
39 care equipment to be located in the state for health
40 care providers."

41 12. Page 4, line 28, by striking the word "providing"
42 and inserting in lieu thereof the word "financing".

43 13. Page 4, line 32, by inserting after the word
44 "authority" the words "that may be".

45 14. By striking page 4, line 33, through page 5,
46 line 1 and inserting in lieu thereof the words and figures
47 "to this program and the principal amount of the bonds
48 and notes issued shall be counted as a portion of the total
49 principal amount of bonds and notes of the authority which
50 may be outstanding at any time as provided in section 220.26,

Page 2

1 subsection 1. In operating this".

2 15. Page 5, by striking lines 5 through 27 and
3 inserting in lieu thereof the following:

4 "2. Loan money, finance or refinance the cost
5 of equipment, take a secured or unsecured promissory
6 note evidencing the loan, and take a mortgage or
7 security interest in the equipment financed or re-
8 financed with the loan and impose such other conditions
9 on the borrower, including additional security, as
10 the authority considers reasonable.

11 3. Take all action with respect to the program as
12 the authority is authorized to do by section 220.65.

13 The powers granted to the authority under this
14 division are in addition to other powers contained
15 in this chapter. All other provisions of this
16 chapter, except section 220.28, subsection 4, apply
17 to bonds or notes issued pursuant to and powers
18 granted to the authority under this division except
19 to the extent that they are inconsistent with this
20 division.

21 Sec. . Section 524.901, subsection 2, lettered
22 paragraph g. Code Supplement 1983, is amended to read
23 as follows:

24 g. The total amount of bonds or notes issued by
25 the Iowa housing finance authority pursuant to
26 chapter 220 which have been issued on behalf of any
27 one small business as defined in section 220.1, sub-
28 section 28, or any one group home referred to in
29 section 220.1, subsection 11, paragraph a, or any
30 one health care provider as defined in section 220.91,
31 subsection 4, and the proceeds of which have been
32 loaned to that small business, or group home, or
33 health care provider shall not exceed twenty percent
34 of the capital and surplus of the bank."

35 16. Title page, line 8, by inserting after the

36 word "authority" the words "and relating to certificate
 37 of need for acquiring of health care equipment financed
 38 by the authority and limiting the amount of bonds or
 39 notes issued by the authority that may be invested
 40 in by a state bank".

41 17. By numbering, renumbering and correcting
 42 internal references as necessary.

ARNOULD of Scott

H-5773

1 Amend amendment H-5760 to House File 2445 as
 2 follows:

3 1. Page 1, line 7 by striking the words "seven
 4 hundred fifty" and inserting in lieu thereof the
 5 words "two hundred".

6 2. Page 1, lines 22 and 23 by striking the words
 7 "seven hundred and fifty" and inserting in lieu thereof
 8 the words "two hundred".

HANDORF of Marshall

H-5776

1 Amend Senate File 2248 as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. By striking page 4, line 35 through page 5,
 4 line 3, and inserting in lieu thereof the following:
 5 "Sec. . NEW SECTION. 455D.11 APPLICABILITY.

6 This chapter does not apply to a person engaged in
 7 farming as defined in section 172C.1, subsection 6, a
 8 commercial applicator as defined in section 206.2, sub-
 9 section 12, a certified applicator as defined in sec-
 10 tion 206.2, subsection 17, a certified private applica-
 11 tor as defined in section 206.2, subsection 18, a cert-
 12 ified commercial applicator as defined in section
 13 206.2, subsection 19, a pesticide dealer as defined in
 14 section 206.2, subsection 24, or to activities which
 15 are covered under the Federal Insecticide, Fungicide,
 16 and Rodenticide Act, 7 U.S.C. sec. 135 et seq.; provid-
 17 ed, however, that such persons shall comply with the
 18 requirements of the Federal Insecticide, Fungicide, and
 19 Rodenticide Act and chapter 206 where applicable to
 20 such persons."

ANDERSON of Audubon
 COCHRAN of Webster
 PELLETT of Cass
 MUHLBAUER of Crawford

H-5789

- 1 Amend Senate File 2153 as passed by the Senate
 2 as follows:
 3 1. Page 1, line 29, by striking the word "five"
 4 and inserting in lieu thereof the word "ten".

Committee on Agriculture

H-5792

- 1 Amend House File 2422 as follows:
 2 1. Page 1, by inserting after line 14 the
 3 following:
 4 "Sec. Chapter 7B, Code Supplement 1983, is
 5 amended by adding the following new section:
 6 **NEW SECTION. STATE JOB TRAINING COORDINATING**
 7 **COUNCIL.**
 8 1. Pursuant to the federal Act the governor shall
 9 appoint a state job training coordinating council
 10 designating one nongovernmental member to be
 11 chairperson. In making appointments to the state
 12 council, the governor shall ensure that the membership
 13 of the state council reasonably represents the
 14 population of the state.
 15 2. The state council shall be composed as follows:
 16 a. One-third of the membership shall be
 17 representatives of business and industry and
 18 agriculture in the state, which may include individuals
 19 who are representatives of business and industry on
 20 private industry councils in the state.
 21 b. Not less than twenty percent of the membership
 22 shall be representatives of the general assembly and
 23 state agencies. State agency representation may come
 24 from: the state vocational education board, the state
 25 advisory council on vocational education, the state
 26 board of education if the state board of education
 27 is not otherwise represented, state public assistance
 28 agencies, the state employment security agency, the
 29 state rehabilitation agency, the state occupational
 30 information coordinating committee, state postsecondary
 31 institutions, the state economic development agency,
 32 state veterans affairs agencies or their equivalent,
 33 and other agencies that the governor determines have
 34 a direct interest in employment and training and human
 35 resource utilization within the state.
 36 c. Not less than twenty percent of the membership
 37 shall be representatives of the units or associations
 38 of units of general local government in the state,
 39 including those which are administrative entities
 40 or grantees under this chapter, which shall be

41 nominated by the chief executive officers of the units
 42 or associations of units of general local govern-
 43 ment.
 44 d. Not less than twenty percent of the membership
 45 shall be representatives of the eligible population
 46 and of the general public, of organized labor, of
 47 community-based organizations, and of local educational
 48 agencies. The representatives of local educational
 49 agencies are to be nominated by the local educational
 50 agencies.

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1 3. The state council shall meet at times and in
 2 places as it deems necessary.
 3 4. In order to assure objective management and
 4 oversight, the state council shall not operate programs
 5 or provide services directly to eligible participants,
 6 but shall exist solely to plan, coordinate, and monitor
 7 the provision of the programs and services.
 8 5. The plans and decisions of the state council
 9 are subject to approval by the governor."
 10 2. Title page, line 2, by inserting after the
 11 word "state" the words ", establishing a state job
 12 training coordinating council,".
 13 3. By numbering and renumbering as necessary.

OLLIE of Clinton

H-5794

1 Amend Senate File 2252, as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 1 through 16.
 4 2. By striking page 1, line 24 through page 2,
 5 line 27.

Committee on Human Resources

H-5798

1 Amend Senate File 244 as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. By striking everything after the enacting
 4 clause and inserting in lieu thereof the following:
 5 "Section 1. Section 85.27, unnumbered paragraph
 6 4, Code 1983, is amended by striking the unnumbered
 7 paragraph and inserting in lieu thereof the following:
 8 For purposes of this section, the employer shall
 9 select and maintain a panel of physicians who are
 10 not employees of the employer and who are reasonably

11 accessible to the employees of the employer. The
12 panel selected and maintained by an employer with
13 three hundred or fewer employees per site shall contain
14 at least three physicians and the panel selected and
15 maintained by an employer with more than three hundred
16 employees per site shall contain at least seven
17 physicians. The employer shall post the list of the
18 physicians on the panel in a place accessible to the
19 employees.

20 An employee may accept the services of a physician
21 selected by the employer or may select a physician
22 from the employer's panel of physicians. The employee
23 may choose an alternative physician from the panel
24 if the employee is not satisfied with the physician
25 first selected. In an emergency, the employee may
26 choose a physician at the employer's expense, provided
27 the employer or the employer's agent cannot be reached
28 immediately. The physician selected may arrange for
29 a consultation, referral, extraordinary or other
30 specialized medical services as the nature of the
31 injury requires. The employer is not responsible
32 for the charges for medical services furnished or
33 ordered by a physician or other person selected by
34 the employee in disregard of the provisions of this
35 paragraph and is not responsible for compensation
36 for an aggravation of the employee's injury
37 attributable to improper medical services by the
38 physician or other person.

39 The industrial commissioner may order necessary
40 changes in an employer's panel of physicians if the
41 commissioner finds that the panel fails to contain
42 a sufficient number of physicians who are conveniently
43 available to or in the community in which medical
44 services are required and who are qualified to perform
45 the medical services necessary to meet the particular
46 needs of the employer's employees. The commissioner
47 may suspend or remove a physician from a panel of
48 physicians under rules adopted by the commissioner
49 pursuant to chapter 17A.

50 An employer required under this section to select

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1 and maintain a panel of three or seven physicians
2 may apply to the industrial commissioner for a total
3 or partial waiver of the panel requirement. The
4 application for waiver shall state the reasons for
5 the submission of the application and that the employer
6 has attempted to select and maintain the required
7 panel. A copy of the application for waiver shall
8 be posted in a place accessible to the employer's

9 employees. The industrial commissioner may deny the
 10 waiver or grant the employer a partial or total waiver
 11 of the panel requirement. A total or partial waiver
 12 shall only be granted if the employer can demonstrate
 13 that the community lacks a sufficient number of
 14 physicians to fulfill the panel requirement, who are
 15 located in or reasonably near the community in which
 16 the medical services are required and qualified to
 17 perform the medical services necessary to meet the
 18 needs of the employer's employees.

19 If an employer has knowledge of an injury to an
 20 employee and the necessity for medical services, and
 21 fails to maintain a panel of physicians and a waiver
 22 has not been granted, or fails to permit the injured
 23 employee to choose a physician from the panel, the
 24 employee may select a physician to provide medical
 25 services at the expense of the employer. A claim
 26 for the medical services shall not be valid or
 27 enforceable against the employer unless the physician
 28 providing the services furnishes a report of the
 29 injury and services to the employer within ten days
 30 following the first services provided by the physician.
 31 However, the commissioner, in the interests of justice,
 32 may excuse the failure to furnish the report within
 33 the ten days and may, upon application of a party
 34 in interest, award the reasonable value of the medical
 35 services provided to the employee.

36 Sec. 2. Section 86.38, Code 1983, is amended to
 37 read as follows:

38 86.38 EXAMINATION BY PHYSICIAN—FEE. The
 39 industrial commissioner may appoint a duly qualified,
 40 impartial physician to examine the injured employee
 41 and make a report. The fee for this service shall
 42 be five dollars, to be paid by the industrial
 43 commissioner, together with traveling expenses, but
 44 the commissioner may allow additional reasonable
 45 amounts in extraordinary cases. Any A physician so
 46 examining any an injured employee shall not be
 47 prohibited from testifying before the industrial
 48 commissioner, or any other another person, commission,
 49 or court, as to the results of his the physician's
 50 examination or the condition of the injured employee.

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1 The fee for services under this section shall be taxed
 2 as costs pursuant to section 86.40.

3 Sec. 3. This Act applies to injuries incurred
 4 on or after July 1, 1984."

BRANSTAD of Winnebago
 COREY of Louisa
 HERMANN of Scott

HALVORSON of Clayton
 GRANDIA of Marion
 HANDORF of Marshall
 HUMMEL of Benton
 SCHNEKLOTH of Scott

H-5808

- 1 Amend Senate File 2215, as amended, passed, and
 2 reprinted by the Senate as follows:
- 3 1. Page 2, by inserting after line 10 the
 4 following:
 5 "The board of directors may offer an extracurricular
 6 contract to sponsor cheerleading activities to an
 7 individual who does not possess a certificate issued
 8 under chapter 260."
 - 9 2. Page 2, line 34, by inserting after the word
 10 "volleyball," the words "gymnastics, hockey,".
 - 11 3. Page 3, line 3, by striking the words "for
 12 sponsor of cheerleading,".
 - 13 4. Page 3, line 4, by striking the word
 14 "activities," and inserting in lieu thereof the word
 15 "activities".
 - 16 5. Page 3, line 11, by striking the words "three
 17 semester credit hours" and inserting in lieu thereof
 18 the words "one semester credit hour".
 - 19 6. Page 3, line 12, by striking the word "thirty"
 20 and inserting in lieu thereof the word "ten".
 - 21 7. Page 3, line 15, by striking the words "two
 22 semester credit hours" and inserting in lieu thereof
 23 the words "one semester credit hour".
 - 24 8. Page 3, line 16, by striking the word "twenty"
 25 and inserting in lieu thereof the word "ten".
 - 26 9. Page 3, line 24, by striking the words "three
 27 semester credit hours" and inserting in lieu thereof
 28 the words "one semester credit hour".
 - 29 10. Page 3, line 25, by striking the word "thirty"
 30 and inserting in lieu thereof the word "ten".
 - 31 11. Page 3, by inserting after line 30 the
 32 following:
 33 " . The board shall adopt rules under chapter
 34 17A for approval of courses offered for a coaching
 35 authorization. The board shall work with institutions
 36 of higher education, private colleges and universities,
 37 merged area schools, and area education agencies to
 38 insure that the courses required under subsection
 39 1 are offered throughout the state at convenient times
 40 and at a reasonable cost."
 - 41 12. Page 4, by striking lines 1 and 2 and inserting
 42 in lieu thereof the following: "contract for the
 43 year beginning July 1, 1985 to coach an activity that
 44 the teacher has coached".

Committee on Education

H-5814

- 1 Amend Senate File 7 as passed by the Senate as

2 follows:

3 1. Page 1, line 4, by striking the word
4 "residence,".

Committee on State Government

H-5816

1 Amend House File 235 as follows:

2 1. Page 1, by striking lines 1 through 16 and
3 inserting in lieu thereof the following:

4 "Section 1. Section 144.36, subsections 1 and
5 2, Code Supplement 1983, are amended to read as
6 follows:

7 1. A certificate recording each marriage performed
8 solemnized in this state shall be filed with the state
9 registrar. The clerk of the district court shall
10 prepare the certificate on the form furnished by the
11 state registrar upon the basis of information obtained
12 from the parties to be married, who shall attest to
13 the information by their signatures. The clerk of
14 the district court in each county shall keep a record
15 book for marriages. The form of marriage record books
16 shall be uniform throughout the state and shall be
17 prescribed by the state department. A properly indexed
18 permanent record of marriage certificates upon
19 microfilm, electronic computer, or data processing
20 equipment may be kept in lieu of marriage record
21 books."

22 2. Page 2, lines 9 and 10, by striking the words
23 "license book" and inserting in lieu thereof the words
24 "license book records".

25 3. Page 2, by striking lines 11 through 20.

26 4. Page 2, by striking lines 21 through 32 and
27 inserting in lieu thereof the following:

28 "Sec. 6. Section 595.11, Code Supplement 1983,
29 is amended to read as follows:

30 **595.11 NONSTATUTORY SOLEMNIZATION - FORFEITURE RETURN**

31 **REQUIRED. Marriages** A marriage solemnized, with the
32 consent of the parties, in any manner other than that
33 prescribed in this chapter, are without the services
34 of a person designated under section 595.10 is valid,
35 but the parties, and all persons aiding or abetting
36 them, shall pay to the treasurer of state for deposit
37 in the general fund of the state the sum of fifty
38 dollars each; but this shall not apply to the person
39 conducting the marriage ceremony, if within fifteen
40 days thereafter the person makes after the
41 solemnization the required return is made to the clerk
42 of the district court."

43 5. By striking page 2, line 33 through page 3,

44 line 3.

45 6. Page 4, line 29, by striking the words "Each
46 party" and inserting in lieu thereof the words "All
47 persons required to participate in the solemnization".

48 7. By renumbering as necessary.

SPEAR of Lee

H—5820

1 Amend Senate File 2063 as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 4, by inserting after line 14 the
4 following:

5 "Sec. . Section 175.7, subsections 1 and 2,
6 Code 1983, are amended to read as follows:

7 1. ~~The executive director and staff of the Iowa~~
8 ~~housing finance authority shall also serve as executive~~
9 ~~director and staff of the authority, respectively~~
10 ~~governor, subject to confirmation by the senate, shall~~
11 ~~appoint an executive director of the authority, who~~
12 ~~shall serve at the pleasure of the governor. The~~
13 ~~executive director shall be selected primarily for~~
14 ~~administrative ability and knowledge in the field,~~
15 ~~without regard to political affiliation.~~ The executive
16 director shall not, directly or indirectly, exert
17 influence to induce any other officers or employees
18 of the state to adopt a political view, or to favor
19 a political candidate for office.

20 2. The executive director shall advise the
21 authority on matters relating to agricultural land
22 and property and agricultural finance, and carry out
23 all directives from the authority, and ~~may~~ shall hire
24 and supervise ~~additional the authority's~~ staff pursuant
25 to its directions and under the provisions of chapter
26 19A, except that principal administrative assistants
27 with responsibilities in beginning farm loan programs,
28 accounting, mortgage loan processing, and investment
29 portfolio management are exempt from that chapter.

30 Sec. . Section 220.10, subsection 1, Code
31 Supplement 1983, is amended to read as follows:

32 1. All moneys declared by the authority to be
33 surplus moneys which are not required to service bonds
34 and notes issued by the authority, to pay
35 administrative expenses of the authority, or to
36 accumulate necessary operating or loss reserves, shall
37 be used by the authority to ~~pay administrative expenses~~
38 ~~of or~~ provide loans to the Iowa family farm development
39 authority in connection with the programs authorized
40 in the Iowa family farm development Act, to provide
41 grants, subsidies, and services to lower income

42 families and very low income families through any
 43 of the programs authorized in this chapter, or to
 44 provide funds for the residential mortgage interest
 45 reduction program established pursuant to section
 46 220.81."

47 2. Title page, line 2, by inserting after the
 48 word "Act" the words "and to the executive director,
 49 staff, and administrative expenses of the Iowa family
 50 farm development authority".

Page 2

1 3. Renumber as necessary.

SCHROEDER of Pottawattamie

H—5845

1 Amend House amendment H—5822 to Senate File 2237
 2 as passed by the Senate as follows:
 3 1. Page 1, by striking lines 3 through 8 and
 4 inserting in lieu thereof the following:
 5 "1. By striking everything after the enacting
 6 clause and inserting in lieu thereof the following:
 7 "Section 1. NEW SECTION. 602.6406 APPEAL FOR
 8 FAILURE TO BE REAPPOINTED. If a magistrate appointed
 9 pursuant to section 602.6403 seeks but fails to be
 10 reappointed, and the magistrate feels that the failure
 11 to be reappointed was due to factors other than
 12 performance or qualification, the magistrate may
 13 appeal to an appointment panel for reappointment.
 14 An appointment panel shall consist of the court
 15 administrator, the chief judge of the judicial district
 16 in which the magistrate serves and a district judge
 17 of the judicial district in which the magistrate
 18 serves. If the panel determines that the magistrate
 19 was refused reappointment for reasons other than
 20 performance or qualification, the panel may reappoint
 21 the magistrate to serve pursuant to section 602.6403." "

McKEAN of Jones

H—5849

1 Amend amendment H—5829 to Senate File 2291 as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking lines 5 through 20 and
 5 inserting in lieu thereof the following:
 6 "Sec. . Section 537.2202, subsection 3, Code
 7 1983, is amended by striking the subsection and

8 inserting in lieu thereof the following:
9 3. Notwithstanding any other provision of this
10 chapter or chapter 535, a creditor may contract for
11 and receive a finance charge without limitation as
12 to amount or rate with respect to sales pursuant to
13 open end credit."

HALVORSON of Clayton

H-5853

1 Amend House File 2509 as follows:
2 1. Page 4, by inserting after line 20 the
3 following:
4 "Sec. 101. NEW SECTION. 332A.1 TITLE. This
5 chapter may be cited as the "Local Option Lottery
6 Act".
7 Sec. 102. NEW SECTION. 332A.2 DEFINITIONS.
8 As used in this chapter, unless the context otherwise
9 requires:
10 1. "Lottery commissioner" means the person hired
11 to direct the operation of a lottery.
12 2. "Lotteries director" means the state director
13 of lotteries.
14 3. "Lottery" means a county lottery created and
15 operated in accordance with this chapter.
16 4. "Lottery employee" means an employee whose
17 primary employment responsibilities are connected
18 with the operation of a lottery.
19 Sec. 103. NEW SECTION. 332A.3 AUTHORIZATION -
20 IMPLEMENTATION.
21 1. A county board of supervisors may authorize
22 by ordinance a local option lottery subject to the
23 restrictions of this chapter.
24 2. A lottery shall be conducted only after an
25 election at which a majority of those voting on the
26 question favors implementation. If a lottery is
27 implemented, it shall be limited to the boundaries
28 of that county and lottery tickets shall not be offered
29 for sale outside the boundaries of the county.
30 3. Upon its own motion or upon receipt of a
31 petition signed by eligible electors of the county
32 equal in number to five percent of the persons of
33 the county who voted in the last preceding state
34 general election requesting implementation of a
35 lottery, the board of supervisors, within sixty days
36 of its motion or receipt of the petition, shall direct
37 the county commissioner of elections to submit the
38 question of implementation of a lottery to the
39 qualified electors of the county.
40 4. The county commissioner of elections shall

41 submit the question of implementation of a lottery
 42 at a state general election or at a special election
 43 as requested by the board of supervisors, neither
 44 of which may be held sooner than sixty days after
 45 publication of notice of the ballot proposition.
 46 The ballot proposition shall ask the question "Should
 47 _____ (name of county) conduct a
 48 lottery?"
 49 5. If a majority of those voting on the question
 50 of implementation of a lottery favor implementation.

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1 the board of supervisors shall conduct a lottery
 2 subject to this chapter. The authority to conduct
 3 a lottery shall extend for two years and may be
 4 continued for additional two-year periods by a majority
 5 vote of the board of supervisors.
 6 Sec. 104. NEW SECTION. 332A.4 PLAN OF IMPLEMENTA-
 7 TION.
 8 1. The director of the department of revenue shall
 9 hire a lotteries director to oversee the operation
 10 of lotteries by counties in this state, and other
 11 employees, pursuant to chapter 19A, as necessary to
 12 carry out this chapter.
 13 2. A county which has been authorized by the
 14 electors to conduct a lottery shall submit a plan
 15 of implementation to the director of the department
 16 of revenue, the lotteries director, and the auditor
 17 of state, all of whom shall approve the plan, recommend
 18 changes in the plan, or reject the plan within thirty
 19 days of the plan's submission to them.
 20 3. The plan submitted shall include the follow-
 21 ing:
 22 a. A detailed description of the security measures
 23 to be employed by the county to ensure the integrity
 24 of the lottery.
 25 b. The proposed auditing procedures to be
 26 implemented to guarantee the fiscal integrity of the
 27 lottery.
 28 c. The proposed types and frequency of games to
 29 be held under the lottery.
 30 d. The proposed method of prize determination
 31 and the proposed percentage of gross revenues to be
 32 distributed as prizes.
 33 4. A lottery shall not be conducted without prior
 34 approval of the implementation plan by the director
 35 of the department of revenue, the lotteries director,
 36 and the auditor of state.
 37 5. A change in the plan must be approved by the
 38 director of the department of revenue, the lotteries

39 director, and the auditor of state prior to the
40 implementation of the change.

41 Sec. 105. NEW SECTION. 332A.5 COMMISSIONER OF
42 LOTTERY.

43 1. A county which implements a lottery shall hire
44 a lottery commissioner.

45 2. The commissioner shall be qualified by training
46 and experience to direct the lottery. The commissioner
47 shall receive a salary determined by the board of
48 supervisors and may be a full-time employee of the
49 county. The cost of the salary shall come from the
50 general funds of the county.

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1 3. Before taking office the commissioner shall
2 take oath to faithfully execute the duties of the
3 office according to the laws of the state and county,
4 and shall give bond with sufficient surety to be
5 approved by the board of supervisors in the sum of
6 five thousand dollars, conditioned upon the faithful
7 execution and performance of the duties of the office.
8 Each bond, when fully executed and approved, shall
9 be filed in the office of the county clerk. When
10 in the opinion of the board of supervisors the bond
11 has become or is likely to become invalid or
12 insufficient, the board shall require the commissioner
13 to renew the bond in an amount approved by the board
14 but not less than five thousand dollars. The cost
15 of a bond given shall come from the general fund of
16 the county.

17 4. The board of supervisors and the lottery
18 commissioner shall employ personnel necessary to
19 conduct a lottery. All personnel shall be
20 fingerprinted.

21 5. The board of supervisors may require lottery
22 employees to give bond in amounts the county
23 determines. Each bond when executed and approved
24 shall be filed in the office of county clerk and the
25 cost shall come from the general fund of the county.

26 Sec. 106. NEW SECTION. 332A.6 RULES FOR CONDUCT
27 OF THE LOTTERY.

28 1. The board of supervisors and the lottery
29 commissioner shall administer the lottery in order
30 to produce the maximum amount of net revenues for
31 the county consistent with the general welfare of
32 the people.

33 2. The board of supervisors may enter into
34 contracts for the operation and promotion of the
35 lottery, including contracts with business
36 organizations or individuals experienced in the design

37 and operation of lotteries in other states or counties.

38 3. The board of supervisors shall enact an
39 ordinance specifying the rules for the conduct of
40 the lottery. The ordinance rules shall include but
41 not be limited to the following:

42 a. The types of lottery games to be conducted.
43 However, in a game utilizing tickets or other tangible
44 evidence of participation each ticket in the game
45 shall bear a consecutive serial number distinguishing
46 it from each other ticket in the game, and each lottery
47 number or symbol shall be accompanied by a confirming
48 caption consisting of a representation of a symbol
49 or a description of the symbol in words.

50 b. The price of the tickets or shares in the

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1 lottery, including but not limited to authorization
2 of sales of tickets or shares at a discount for
3 promotional purposes.

4 c. The number and size of the prizes on the winning
5 tickets or shares, including but not limited to prizes
6 of free tickets in lottery games conducted and
7 merchandise prizes. However, the lottery commissioner
8 shall maintain and make available for public inspection
9 at city hall during regular business hours a detailed
10 listing of the estimated number of prizes of each
11 particular denomination that are expected to be awarded
12 in any game that is on sale, and after the end of
13 the claim period, shall maintain and make available
14 a listing of the total number of tickets or shares
15 sold in a game and the number of prizes of each
16 denomination which were awarded.

17 d. The method of selecting the winning tickets
18 and the manner of payment of prizes to the holders
19 of winning tickets. The rules may provide for payment
20 by the purchase of annuities in the case of prizes
21 payable in installments. Persons working in connection
22 with the lottery shall examine claims and shall not
23 pay a prize for altered, stolen, or counterfeit tickets
24 nor tickets which fail to meet validation rules
25 established for a lottery game. A prize shall not
26 be paid more than once. If it is determined that
27 more than one person is entitled to a prize, the sole
28 remedy of the claimants is to receive an equal share
29 in the single prize. The rules may provide for payment
30 of prizes up to twenty-five dollars directly by
31 licensed agents.

32 e. The frequency of selection of winning tickets.
33 However, the drawings shall be held in public, and
34 the actual selection of winning tickets shall not

35 be performed by an individual who is a lottery
36 employee. Drawings shall be witnessed by an
37 independent certified public accountant. Equipment
38 used to select winning prizes or participants for
39 prizes shall be examined prior to and after each
40 drawing by lottery employees and independent certified
41 public accountants.

42 f. Requirements for eligibility for participation
43 in runoff drawings, including but not limited to
44 requirements for submission of evidence of eligibility.

45 g. The locations at which tickets may be sold.
46 However, tickets shall not be sold outside the
47 boundaries of the county.

48 h. The method used for printing and selling
49 tickets. An elected official's name shall not be
50 printed on the tickets. The overall estimated odds

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1 of winning a prize in a given game shall be printed
2 on each ticket.

3 i. The licensing of agents to sell tickets or
4 shares. A person under the age of eighteen shall
5 not be licensed as an agent.

6 j. The compensation paid to licensed sales agents
7 including but not limited to a provision for variable
8 compensation based on sales volume or incentive
9 considerations.

10 k. Subject to section 332A.7, the apportionment
11 of the annual revenues accruing from the sale of
12 lottery tickets and from other sources for the payment
13 of prizes to the holders of winning tickets and for
14 the following:

15 (1) The payment of costs incurred in the operation
16 and administration of the lottery, including the
17 expenses of the lottery and the cost resulting from
18 contracts entered into for the consulting or
19 operational services, or for promotional and
20 advertising services.

21 (2) Independent audits which shall be performed
22 annually, in addition to the audits required by section
23 114, subsection 3.

24 (3) Incentive programs for lottery sales agents
25 and lottery employees.

26 (4) Payment of compensation to agents necessary
27 to provide adequate availability of tickets or services
28 to prospective buyers and for the convenience of the
29 public.

30 (5) The purchase or lease of lottery equipment,
31 tickets, and materials.

32 (6) The repayment of money budgeted to the lottery.

33 (7) Transfers to the general fund of the county.
34 Sec. 107. NEW SECTION. 332A.7 ALLOCATION OF
35 FUNDS GENERATED.

36 1. As nearly as is practicable, not less than
37 forty-five percent of the annual revenue, computed
38 on a year-round average basis for each type of lottery
39 game, accruing from the sale of lottery tickets shall
40 be apportioned for payment of prizes to the holders
41 of winning tickets. However, the prizes shall not
42 be paid out in a particular lottery game in excess
43 of the total revenue from sales of that game. After
44 payment of prizes, the reasonable expenses of
45 conducting the lottery shall be paid. Revenue
46 remaining after expenses are paid shall be divided
47 between the county and the incorporated cities located
48 within the county on a prorated basis. Revenue divided
49 shall not be less than thirty percent of the total
50 revenues accruing from the sale of lottery tickets.

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1 2. Moneys received by the county or a city from
2 a lottery shall be expended for the purposes of
3 property tax relief.

4 Sec. 108. NEW SECTION. 332A.8 REPORTS.

5 1. The lottery commissioner in each county shall
6 report quarterly to the lotteries director. The
7 quarterly report shall include the total lottery
8 revenue, prize disbursements, and other expenses for
9 the preceding quarter.

10 2. The lottery commissioner shall also submit
11 an annual report to the lotteries director. The
12 annual report shall include a complete statement of
13 lottery revenues, prize disbursements, and other
14 expenses. The annual report shall be submitted within
15 thirty days after the close of the lottery year.

16 3. The lotteries director shall submit an annual
17 report to the governor, the general assembly, the
18 auditor of state, and the director of the department
19 of revenue. The report shall include total lottery
20 revenues, prize disbursements, and other expenses,
21 and recommendations for changes in the law which the
22 lotteries director finds necessary or desirable.
23 The annual report from the lotteries director shall
24 be submitted within thirty days from the convening
25 of each regular session of the general assembly.

26 Sec. 109. NEW SECTION. 332A.9 POWER TO ADMINISTER
27 OATHS AND TAKE TESTIMONY - SUBPOENA. The lotteries
28 director or the director's designee is authorized
29 to conduct an inquiry, investigation, or hearing under
30 this chapter. The lotteries director or the director's

31 designee may administer oaths and take testimony under
32 oath relative to the matter of inquiry or
33 investigation. At a hearing ordered by the lotteries
34 director, the director or the designee may subpoena
35 witnesses and require the production of records,
36 papers, and documents pertinent to the inquiry. A
37 witness under subpoena authorized by this section
38 shall not be excused from testifying or from producing
39 records, papers, or documents on the ground that the
40 testimony or the production of evidence would tend
41 to incriminate the witness, but the evidence produced
42 shall not be used in a criminal proceeding against
43 the witness. If a person disobeys process or, having
44 appeared, refuses to answer a pertinent question put
45 to the person by the lotteries director or an
46 authorized designee or to produce a subpoenaed
47 document, the lotteries director or the authorized
48 designee may apply to the district court setting forth
49 the disobedience to process or refusal to answer,
50 and the court shall cite the person to appear before

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1 the court to answer the question or to produce the
2 documents and, upon the person's refusal, shall commit
3 the person to jail until the person testifies, but
4 not for a longer period than sixty days.
5 Notwithstanding the serving of a term of commitment
6 by a witness, the lotteries director may proceed with
7 the inquiry and examination as if the witness had
8 not previously been called upon to testify.

9 **Sec. 110. NEW SECTION. 332A.10 LICENSING - BONDS.**

10 1. The board of supervisors shall license persons
11 to sell lottery tickets to best serve public
12 convenience. A licensee shall not engage in business
13 exclusively to sell lottery tickets. Before issuing
14 a license the board shall consider the financial
15 responsibility and security of the applicant, the
16 applicant's business or activity, the accessibility
17 of the applicant's place of business or activity to
18 the public, the sufficiency of existing licensees
19 to serve the public convenience, and the volume of
20 expected sales.

21 2. The board of supervisors may require a bond
22 from a licensee in an amount as provided by ordinance,
23 and may purchase a blanket bond covering the activities
24 of all licensees.

25 3. The board of supervisors may authorize
26 compensation to licensees if the board finds that
27 compensation is necessary to assure adequate
28 availability of lottery tickets.

29 4. A licensee shall not sell a lottery ticket
30 outside the boundaries of the county which granted
31 the license.

32 Sec. 111. NEW SECTION. 332A.11 LICENSE REVOCA-
33 TION.

34 1. The lotteries director or the board of
35 supervisors which issued the license may suspend or
36 revoke the license of a licensee who violates this
37 chapter. If the license is suspended or revoked by
38 the lotteries director the aggrieved party is entitled
39 to a hearing by filing a written request with the
40 lotteries director. Upon receipt of the request for
41 hearing, the lotteries director shall set a hearing
42 date within thirty days of receipt of the request,
43 and shall notify the aggrieved party, in writing,
44 at least seven days in advance of the hearing date.
45 The lotteries director may stay the revocation or
46 suspension of a license pending the outcome of the
47 hearing, when a stay is requested with the request
48 for hearing.

49 2. A three-member hearing board for the purpose
50 of conducting hearings relating to controversies

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1 concerning the issuance, suspension, or revocation
2 of licenses is created. A hearing before the hearing
3 board may be requested as provided in subsection 1
4 or may be requested as an appeal to a suspension
5 or revocation made by a board of supervisors. The
6 hearing board shall consist of the following:

- 7 a. The director of the department of revenue.
- 8 b. The lotteries director.
- 9 c. The attorney general or a designee of the
10 attorney general.

11 The hearing board shall adopt rules and procedures
12 for conducting hearings under this chapter.

13 Sec. 112. NEW SECTION. 332A.12 PROHIBITED SALES
14 OF TICKETS - PENALTY.

15 1. A ticket shall not be sold at a price greater
16 than that fixed by the board of supervisors and a
17 sale shall only be made by a licensee. A person who
18 violates this subsection is guilty of a simple
19 misdemeanor.

20 2. A ticket shall not be sold to a person under
21 the age of eighteen. A ticket may be purchased for
22 the purpose of making a gift by a person eighteen
23 years of age or older to a person less than eighteen.
24 A licensee who knowingly sells or offers to sell a
25 lottery ticket or share to a person under the age
26 of eighteen is guilty of a simple misdemeanor. A

27 prize won by a person under age eighteen who purchased
28 a ticket in violation of this subsection shall be
29 forfeited.

30 3. A ticket shall not be purchased by/and a prize
31 shall not be paid to a lottery employee or to a spouse,
32 child, stepchild, brother-in-law, sister-in-law,
33 stepbrother, stepsister, parent, parent-in-law,
34 stepparent, brother, or sister of a lottery employee
35 residing in the principal residence of the employee.

36 4. A person who, with intent to defraud, falsely
37 makes, alters, forges, utters, passes, or counterfeits
38 a lottery ticket or share is guilty of a class D
39 felony.

40 5. A person shall not sell or attempt to sell
41 a lottery ticket outside the boundaries of a county
42 which issued the person a license to sell lottery
43 tickets. Violation of this subsection is a class
44 D felony.

45 Sec. 113. NEW SECTION. 332A.13 DISTRIBUTION
46 OF PRIZES—UNCLAIMED PRIZES—PRIZES OF MINORS—
47 NONASSIGNABILITY OF PRIZE RIGHTS.

48 1. The lottery commissioner shall award the
49 designated prize to the ticket holder upon presentation
50 of the winning ticket. Unclaimed prize money for

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1 the prize on a winning ticket or share shall be
2 retained by the city for ninety days after the drawing
3 in which the prize was won in the case of a drawing
4 prize and for ninety days after the announced end
5 of the game in the case of a prize determined in a
6 manner other than by drawing. If a claim is not made
7 for the money within the applicable period, the prize
8 money shall be added to future prize pools and given
9 to holders of winning tickets in addition to amounts
10 already allocated.

11 2. If the person entitled to a prize is under
12 the age of eighteen, and the prize is more than one
13 thousand dollars, the lottery commissioner shall
14 direct payment of the prize by transfer to the guardian
15 of the minor of a check payable to the order of the
16 guardian. If less than one thousand dollars, the
17 lottery commissioner may direct payment of the prize
18 to the adult member of the minor's family who is
19 legally responsible for the care and custody of the
20 minor. The lottery commissioner is discharged of
21 all further liability upon payment of a prize to a
22 minor pursuant to this subsection.

23 3. The right of a person to a prize drawn is not
24 assignable, except that payment of a prize may be

25 made to the estate of a deceased prize winner or to
 26 another person pursuant to an appropriate judicial
 27 order. The lottery commissioner is discharged of
 28 all further liability upon payment of a prize pursuant
 29 to this subsection.

30 Sec. 114. NEW SECTION. 332A.14 DEPOSIT OF
 31 RECEIPTS FROM TICKET SALES - LOTTERY FUND - QUARTERLY
 32 AUDITS.

33 1. The lottery commissioner may require agents
 34 to deposit, to the credit of the lottery in
 35 institutions designated by the city council, money
 36 received by agents from sale of tickets, less the
 37 amount of compensation, if any, authorized under
 38 section 332A.10, subsection 3, and to file with the
 39 lottery commissioner reports of receipts and
 40 transactions in the sale of tickets in the form and
 41 containing the information the lottery commissioner
 42 requires.

43 2. A lottery fund shall be created by a county
 44 which conducts a lottery. The fund shall consist
 45 of all revenues received from the sale of lottery
 46 tickets and all other moneys lawfully credited or
 47 transferred to the fund. Interest earnings of the
 48 fund shall be considered additional profits of a
 49 lottery. The lottery commissioner shall certify
 50 quarterly that portion of the fund that is distributed

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1 pursuant to section 332A.7.

2 3. The auditor of state or a certified public
 3 accountant firm appointed by the auditor shall conduct
 4 quarterly audits of all accounts and transactions
 5 of a lottery and other special audits as a board of
 6 supervisors may require. The auditor or a designee
 7 conducting an audit under this chapter shall have
 8 access and authority to examine any and all records
 9 of agents and licensees."

10 2. Page 5, by inserting after line 3 the following:

11 "Sec. 115. Section 537A.4, unnumbered paragraph
 12 2, Code Supplement 1983, is amended to read as follows:

13 This section does not apply to a contract for the
 14 operation of or for the sale or rental of equipment
 15 for games of skill or games of chance, if both the
 16 contract and the games are in compliance with chapter
 17 99B. This section does not apply to wagering under
 18 the pari-mutuel method of wagering authorized by
 19 chapter 99D. This chapter does not apply to the
 20 purchase or redemption of a ticket in a county lottery
 21 held in compliance with chapter 332A."

22 3. Title page, by striking lines 1 and 2 and

23 inserting in lieu thereof the following: "An Act
 24 relating to the raising of local option revenues by
 25 referendum by the imposition of a local wheel tax
 26 and the creation of a county lottery."

PAVICH of Pottawattamie
 WOODS of Polk
 GRONINGA of Cerro Gordo
 RENAUD of Polk
 SHERZAN of Polk

H-5855

1 Amend the amendment H-5829 to Senate File 2291
 2 as amended, passed, and reprinted as follows:
 3 1. Page 1, by striking lines 24 through 37.
 4 2. Renumber as necessary.

HALVORSON of Clayton
 BAXTER of Des Moines

H-5862

1 Amend House amendment H-5738 to Senate File 2248
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking line 14 and inserting in
 5 lieu thereof the following: "Act, 40 C.F.R. sec.
 6 170 and chapter 206. The department of agriculture
 7 shall cooperate with the bureau in an investigation
 8 of an agricultural employee's complaint filed pursuant
 9 to section 455D.8."

ROSENBERG of Story

H-5868

1 Amend amendment H-5708 to Senate File 2163 as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, line 22, by inserting after the word
 5 "arrangement." the following: "The court shall also
 6 consider the court's determination that one parent
 7 has sacrificed, and cooperated significantly more
 8 than the other parent to provide an adequate and
 9 stable environment or is significantly more responsible
 10 for causing disintegration of the proper environment
 11 for the child for reasons unrelated to the child's
 12 welfare in determining the proper custody arrangement."

WOODS of Polk

H-5871

- 1 Amend Senate File 7 as passed by the Senate as
 2 follows:
 3 1. Page 1, by striking lines 5 through 7 and
 4 inserting in lieu thereof the following: "official
 5 title, salary and traveling and subsistence expense
 6 received during the previous fiscal year and the
 7 base salary as computed on July 1 of the current
 8 fiscal year, of the".

SPEAR of Lee

H-5872

- 1 Amend Senate File 2215, as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, lines 30 and 31, by striking the words
 4 "ENDORSEMENT AND AUTHORIZATION" and inserting in lieu
 5 thereof the word "REQUIREMENTS".
 6 2. Page 2, by striking lines 6 through 30 and
 7 inserting in lieu thereof the following: "to an
 8 individual who does not possess a certificate issued
 9 under chapter 260."
 10 3. By renumbering sections as necessary.

CARL of Poweshiek

H-5873

- 1 Amend Senate File 7 as passed by the Senate as
 2 follows:
 3 1. Page 1, line 14, by striking the words "or
 4 subdivision" and inserting in lieu thereof the words
 5 ", board or commission".
 6 2. Page 1, line 15, by striking the word
 7 "departmental" and inserting in lieu thereof the word
 8 "agency".

SPEAR of Lee

H-5883

- 1 Amend amendment H-5823 to Senate File 420 as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 5, by striking the figure
 5 "537.2301" and inserting in lieu thereof the figure
 6 "537.2501".
 7 2. Page 1, line 7, by striking the figure "5"
 8 and inserting in lieu thereof the figure "3".

GRONINGA of Cerro Gordo

H-5884

1 Amend Senate File 2228, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 12, by striking the word
4 "structure," and inserting in lieu thereof the words
5 "factory-built structure".

6 2. Page 1, by striking lines 13 through 16 and
7 inserting in lieu thereof the following: "which is
8 manufactured or constructed to be used as a place
9 for human habitation, but which is not constructed
10 or equipped with a permanent hitch or other device
11 allowing it to be attached or towed behind a motor
12 vehicle and which does not have wheels or axles per-
13 manently attached to its body or frame. A mobile
14 home as defined in section".

15 3. Page 1, line 31, by striking the word
16 "structure," and inserting in lieu thereof the words
17 "factory-built structure".

18 4. Page 1, by striking lines 32 through 35 and
19 inserting in lieu thereof the following: "which is
20 manufactured or constructed to be used as a place
21 for human habitation, but which is not constructed
22 or equipped with a permanent hitch or other device
23 allowing it to be attached or towed behind a motor
24 vehicle and which does not have wheels or axles
25 permanently attached to its body or frame. A mobile
26 home as defined in section".

McKEAN of Jones

H-5888

1 Amend Senate File 2259 as follows:

2 1. Page 1, by striking lines 5 and 6 and inserting
3 in lieu thereof the following: "school shall begin no
4 sooner than one week preceding the first Monday in
5 September and shall continue for at least".

LAGESCHULTE of Bremer

H-5889

1 Amend amendment H-5738 to Senate File 2248 as
2 amended, passed and reprinted by the Senate as follows:

3 1. Page 1, by striking lines 6 through 14 and
4 inserting in lieu thereof the following: "AGRICULTURAL
5 ACTIVITIES. This chapter does not apply to a person
6 engaged in farming, a commercial applicator as defined
7 in section 206.2, subsection 12, a certified applicator
8 as defined in section 206.2, subsection 17, a certified

9 private applicator as defined in section 206.2,
 10 subsection 18, a certified commercial applicator as
 11 defined in section 206.2, subsection 19, a pesticide
 12 dealer as defined in section 206.2, subsection 24,
 13 or to activities which are covered under the Federal
 14 Insecticide, Fungicide, and Rodenticide Act., 7 U.S.C.
 15 sec. 135 et seq.; provided, however, that such persons
 16 shall comply with the requirements of the Federal
 17 Insecticide, Fungicide, and Rodenticide Act and chapter
 18 206 where applicable to such persons. As used in
 19 this section, "farming" means the cultivation of land
 20 for the production of agricultural crops, the raising
 21 of poultry, the production of eggs, production of
 22 milk, the production of fruit or other horticultural
 23 crops, grazing or the production of livestock,
 24 spraying, or harvesting."

ANDERSON of Audubon
 COCHRAN of Webster
 PELLETT of Cass
 MUHLBAUER of Crawford

H-5890

1 Amend Senate File 2235 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by striking lines 26 through 28.

SPEAR of Lee

H-5894

1 Amend Senate File 2259 as passed by the Senate
 2 as follows:
 3 1. Page 1, lines 9 and 10, by striking the word
 4 "Supplemen" and inserting in lieu thereof the word
 5 "Supplement".
 6 2. Page 1, line 11, by striking the words
 7 "ATTENDANCE REQUIREMENT."

GROTH of Buena Vista

H-5896

1 Amend Senate File 2099, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, lines 10 through 13, by striking the
 4 words "However, this paragraph shall not be construed
 5 to require competitive bids regarding the contracting
 6 for labor costs to the extent the project calls for
 7 the use of state employees to provide that labor."

8 and inserting in lieu thereof the words "In determining
9 the estimated cost of a project, labor costs
10 attributable to state employees working on the project
11 shall not be included in the estimated cost."

SPEAR of Lee

H-5901

1 Amend amendment H-5853 to House File 2509 as
2 follows:
3 1. Page 4, line 9, by striking the words "city hall"
4 and inserting in lieu thereof the words "the county
5 courthouse".
6 2. Page 5, by striking line 23, and inserting in
7 lieu thereof the following: "332A.14, subsection 3."
8 3. Page 9, line 35, by striking the words "city
9 council" and inserting in lieu thereof the words "board
10 of supervisors".

PAVICH of Pottawattamie

H-5914

1 Amend House File 489 as passed by the House, as
2 follows:
3 1. Page 1, line 6, by striking the word "state"
4 and inserting in lieu thereof the word "state";
5 2. Page 1, line 6, by inserting after the word
6 "agencies" the words "and institutions".
7 3. Page 1, by inserting after line 21 the
8 following:
9 "12. Palmer College of Chiropractic."

Senate Amendment

H-5921

1 Amend amendment H-5762 to Senate File 2165 as
2 amended, passed, and reprinted by the Senate as
3 follows:
4 1. Page 1, line 16, by inserting after the word
5 "seven" the words "or of reducing supervisory positions
6 by ten percent, whichever is greater".
7 2. Page 1, line 22, by inserting after the word
8 "seven" the words "or recommended reductions of
9 supervisory positions by less than ten percent,
10 whichever is greater".
11 3. Page 1, line 23, by inserting after the word
12 "seven" the words "or reductions of supervisory
13 positions by ten percent, whichever is greater".

SWARTZ of Marshall

H-5924

1 Amend Senate File 32 as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 30 the
4 following:

5 "Sec. . . NEW SECTION. 321.270 ACCIDENTS EXEMPT
6 FROM RECORDS. A motor vehicle accident involving
7 a motor vehicle operated by a peace officer as defined
8 under section 801.4, or by a member of a fire
9 department as defined under section 321.423, or a
10 volunteer fireman shall not be included as part of
11 the operating record of the peace officer or fire
12 department member if the accident occurred on or after
13 the effective date of this Act, and if all of the
14 following criteria are met:

15 1. The peace officer, the fire department member,
16 or volunteer fireman was involved in the performance
17 of official duties at the time the accident occurred.

18 2. The peace officer, the fire department member,
19 or volunteer fireman was responding to what the officer
20 or member reasonably believed to be a bona fide
21 emergency situation when the accident occurred.

22 3. The peace officer, the fire department member,
23 or volunteer fireman exercised all due care under
24 the circumstances involved in the accident.

25 The peace officer, the fire department member,
26 or volunteer fireman desiring that an accident be
27 excluded from the person's operating record under
28 this section, shall request the exclusion in writing
29 and the request shall be attached to the written
30 report of the accident forwarded to the department
31 under section 321.266.

32 Sec. . . Section 321.200, Code 1983, is amended
33 to read as follows:

34 321.200 CONVICTION AND ACCIDENT FILE. The
35 department shall also file all accident reports and
36 abstracts of court records of convictions received
37 by it under the laws of this state and in connection
38 therewith maintain convenient records or make suitable
39 notations in order that an individual record of each
40 licensee showing the convictions of such the licensee
41 and the traffic accidents in which he the licensee
42 has been involved shall be are readily ascertainable
43 and available for the consideration of the department
44 upon any an application for renewal of license and
45 at other suitable times. However, the abstract shall
46 not include accidents excluded from the record under
47 section 321.270.

48 Sec. . . Section 321.210, Code 1983, is amended
49 by adding the following new unnumbered paragraph:

50 NEW UNNUMBERED PARAGRAPH. The department shall

Page 2

1 not consider or assess any points for accidents
2 excluded from a person's operating record under section
3 321.270 in determining a license suspension under
4 this section.

5 Sec. . Section 321A.3, subsection 1, Code
6 Supplement 1983, is amended to read as follows:

7 1. The director shall upon request furnish any
8 person a certified abstract of the operating record
9 of a person subject to chapter 321 or this chapter.
10 The abstract shall also fully designate the motor
11 vehicles, if any, registered in the name of the person.
12 The abstract shall not include reports of accidents
13 excluded from the person's operating record under
14 section 321.270. If there is no record of a conviction
15 of the person having violated any law relating to
16 the operation of a motor vehicle or of any injury
17 or damage caused by the person, the director shall
18 so certify. A fee of four dollars shall be paid for
19 each abstract except by state, county, city or court
20 officials."

21 2. Title page, by striking lines 1 through 3 and
22 inserting in lieu thereof the following: "An Act
23 to prohibit the recording of certain speeding and
24 accident records, subject to a penalty provided by
25 law."

26 3. Renumber sections and correct internal
27 references as necessary in accordance with this
28 amendment.

MILLER of Woodbury

H-5925

1 Amend House File 2477 as follows:

2 1. Page 1, line 22, by inserting after the word
3 "necessary," the following: "The board also shall
4 include in its application the process used in the
5 school district to involve parents, teachers,
6 administrators, and students in the planning and
7 development of the project."

OLLIE of Clinton

H-5926

1 Amend amendment H-5837 to Senate File 2259 as
2 passed by the Senate as follows:

3 1. Page 1, line 15, by striking the word "may"
4 and inserting in lieu thereof the word "shall".

McKEAN of Jones

H-5933

- 1 Amend Senate File 2306 as passed by the Senate
- 2 as follows:
- 3 1. Page 1, by inserting after line 21 the
- 4 following:
- 5 "Sec. 3. The report of the personnel of the board
- 6 of regents evaluating the legislative computer system
- 7 shall be provided to the members of the general
- 8 assembly. The general assembly shall not take any
- 9 adverse action in regard to the appropriations to
- 10 the board of regents on the basis of the report."

SCHROEDER of Pottawattamie

H-5940

- 1 Amend amendment H-5811 to Senate File 2232 as
- 2 amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 5, line 2, by striking the word "fifteen"
- 5 and inserting in lieu thereof the word "twenty".

ROSENBERG of Story

H-5941

- 1 Amend Senate File 2259 as passed by the Senate
- 2 as follows:
- 3 1. Page 1, line 20, by striking the figure "1985"
- 4 and inserting in lieu thereof the figure "1986".

GRONINGA of Cerro Gordo

H-5942

- 1 Amend Senate File 420 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 2, by striking the word
- 4 "subsection" and inserting in lieu thereof the word
- 5 "subsections".
- 6 2. Page 1, by striking lines 4 through 6 and
- 7 inserting in lieu thereof the following: "instrument
- 8 has mailed to the maker by certified mail return
- 9 receipt requested, at the maker's last known address,
- 10 a notice of dishonor and a demand for payment and
- 11 the maker has not paid the amount due within ten days
- 12 of the mailing of the notice, then".
- 13 3. Page 1, line 7, by inserting after the word
- 14 "of" the words "not more than".
- 15 4. Page 1, by striking lines 8 and 9 and inserting

16 in lieu thereof the words "dollars for each dishonored
17 instrument."

18 5. Page 1, by inserting after line 9 the following:
19 "NEW SUBSECTION. Subsection 5 does not apply if
20 the reason for the dishonor of the instrument is that
21 the maker has stopped payment pursuant to section
22 554.4403 because of a bona fide dispute between the
23 maker and the holder relating to the consideration
24 for which the instrument was given."

25 6. Page 1, by striking lines 21 through 23 and
26 inserting in lieu thereof the following: "plaintiff
27 has mailed to the maker by certified mail return
28 receipt requested, at the maker's last known address,
29 a notice of dishonor and a demand for payment and
30 the maker has not paid the amount due within ten days
31 of the mailing of the notice."

32 7. Page 1, line 24, by striking the word "due."

33 8. Page 1, by striking lines 26 through 29, and
34 inserting in lieu thereof the words "the maker all
35 court costs incurred."

HOLVECK of Polk
MILLER of Woodbury

H-5949

1 Amend amendment H-5936 to Senate File 2014 as
2 follows:

3 1. Page 1, line 19, by striking the word "seven" and
4 inserting in lieu thereof the word "five".

5 2. Page 1, line 22, by striking the word "two" and
6 inserting in lieu thereof the word "one".

7 3. Page 1, line 23, by striking the word "five" and
8 inserting in lieu thereof the word "two".

LAGESCHULTE of Bremer

H-5950

1 Amend amendment H-5823 to Senate File 420 as
2 amended, passed and reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 5 through 10.

4 2. By renumbering as necessary.

PARKER of Jasper
VARN of Johnson

H-5953

1 Amend amendment H-5936 to Senate File 2014 as
2 amended, passed and reprinted by the Senate as fol-

3 lows:

4 1. Page 2, lines 30 and 31 by striking the words
5 "state statutory political" and inserting the word
6 "candidate's".

7 2. Page 3, by striking lines 31 through 41 and
8 inserting in lieu thereof the following:

9 "By August 1 of each even-numbered year, the
10 candidates' committees shall determine whether they
11 will request cash or services from the state statu-
12 tory political committee and file that request with
13 the state statutory political committee. If the
14 funds received and expected from the Iowa election
15 campaign fund appear to be less than the amount
16 necessary to pay all requested grants in full to
17 all of the political party's legislative candidates,
18 the state statutory political committee may by
19 resolution adopt a uniform and prorated reduction
20 in the amount of the grant and shall file a copy
21 of the resolution with the commission."

CARPENTER of Polk
BENNETT of Ida

H—5955

1 Amend amendment H—5823 to Senate File 420 as
2 amended, passed and reprinted by the Senate as follows:

3 1. Page 1, by striking lines 3 through 29 and
4 inserting in lieu thereof the following:

5 "Section 1. Section 554.3507, Code 1983, is amended
6 by adding the following new subsection:

7 **NEW SUBSECTION. 5.** If the holder of a dishonored
8 instrument has mailed to the maker, by certified mail
9 return receipt requested at the maker's last known
10 address, a notice of dishonor and a demand for payment
11 and the maker has not paid the amount due within ten
12 days of the mailing of the notice, then the holder
13 may assess against the maker a surcharge not to exceed
14 fifteen dollars for each dishonored instrument.
15 However, such a surcharge shall not be assessed against
16 the maker if the reason for the dishonor of the
17 instrument is that the maker has stopped payment
18 pursuant to section 554.4403.

19 Sec. 2. Section 625.22, unnumbered paragraph 2,
20 Code 1983, is amended by striking the paragraph and
21 inserting in lieu thereof the following:

22 In an action against the maker to recover payment
23 on a check or draft as defined in section 554.3104,
24 the plaintiff, if successful, may recover all court
25 costs if prior to commencing the action the plaintiff
26 has mailed to the maker, by certified mail return

27 receipt requested at the maker's last known address,
 28 a notice of dishonor and a demand for payment and
 29 the maker has not paid the amount within ten days
 30 of the mailing of the notice."

HOLVECK of Polk
 MILLER of Woodbury

H-5965

1 Amend amendment H-5936 to Senate File 2014 as
 2 amended, passed and reprinted by the Senate as follows:
 3 1. Page 1, by striking line 19 and inserting in
 4 lieu thereof the words "not exceed seven thousand
 5 dollars unless the candidate holds a seat in the
 6 chamber to which election is sought. If the candidate
 7 holds a seat in the chamber to which election is
 8 sought, total contributions and expenditures shall
 9 not exceed six thousand dollars."

VAN GERPEN of Black Hawk

H-5972

1 Amend Senate File 2289 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 2, by striking lines 11 through 13.

WELDEN of Hardin

H-5976

1 Amend Senate File 2203 as passed by the Senate
 2 as follows:
 3 1. Page 1, line 27, by inserting after the figure
 4 "11." the following: "An examiner who is a member
 5 of the board of cosmetology examiners and is a
 6 proprietor or instructor at a licensed school of
 7 cosmetology shall not have knowledge of specific
 8 question content or possess a copy of an examination
 9 given by the examining board or be allowed to test
 10 or grade one of that examiner's own students who is
 11 participating in or has taken an examining board
 12 examination."

RENAUD of Polk
 RUNNING of Linn

H-5977

1 Amend Senate File 2203 as passed by the Senate
 2 as follows:

3 1. Page 1, line 27, by inserting after the figure
 4 "11." the following: "An examiner who is a member
 5 of the board of cosmetology examiners and is a
 6 proprietor or instructor at a licensed school of
 7 cosmetology shall not have knowledge or possess a
 8 copy of an examination given by the examining board
 9 or be allowed to test or grade one of that examiner's
 10 own students who is participating in or has taken
 11 an examining board examination."

RUNNING of Linn
 VARN of Johnson
 HERMANN of Scott
 ANDERSON of Audubon

RENAUD of Polk
 RENKEN of Grundy
 HANSON of Delaware
 COREY of Louisa
 PARKER of Jasper
 GRONSTAL of Pottawattamie

H-5978

1 Amend Senate File 2203 as passed by the Senate
 2 as follows:

3 1. Page 1, line 16, by striking the word "and".
 4 2. Page 1, line 18, by inserting after the word
 5 "public" the following: ", and one member who is
 6 a proprietor or an instructor at a licensed school
 7 of cosmetology with the power to provide input and
 8 suggestion to the board but shall not be allowed to
 9 vote on matters before the board or be involved in
 10 any part of the examination process".

RENKEN of Grundy
 VARN of Johnson
 HERMANN of Scott
 ANDERSON of Audubon

RENAUD of Polk
 RUNNING of Linn
 HANSON of Delaware
 COREY of Louisa
 PARKER of Jasper
 GRONSTAL of Pottawattamie

H-5979

1 Amend Senate File 2238 as amended, passed and
 2 reprinted by the Senate as follows:

3 1. Page 12, by inserting after line 10 the
 4 following:
 5 "Sec. . Section 331.756, subsection 4, Code
 6 Supplement 1983, is amended to read as follows:
 7 4. Prosecute misdemeanors when not otherwise
 8 engaged in the performance of other official duties."

SCHROEDER of Pottawattamie

H-5980

1 Amend amendment H-5823 to Senate File 420 as
2 amended, passed and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking line 9 and inserting in
5 lieu thereof the following: "instrument a surcharge
6 of an amount not greater than the amount the holder's
7 financial institution would charge the holder if the
8 holder had written an insufficient fund check, however,
9 in no event shall the surcharge be more than twenty
10 dollars".

11 2. Page 1, line 10, by inserting after the word
12 "instrument." the following: "The surcharge authorized
13 by this section shall not be assessed unless the
14 holder clearly and conspicuously posts a notice at
15 the usual place of payment stating that a surcharge
16 will be assessed and the amount of the surcharge that
17 will be assessed."

18 3. Page 1, by striking line 15 and inserting in
19 lieu thereof the following: "instrument a surcharge
20 of an amount not greater than the amount the holder's
21 financial institution would charge the holder if the
22 holder had written an insufficient fund check, however,
23 in no event shall the surcharge be more than twenty
24 dollars".

25 4. Page 1, line 16, by inserting after the word
26 "instrument." the following: "The surcharge authorized
27 by this section shall not be assessed unless the
28 holder clearly and conspicuously posts a notice at
29 the usual place of payment stating that a surcharge
30 will be assessed and the amount of the surcharge."

VARN of Johnson

H-5986

1 Amend amendment H-5803 to Senate File 2259 as follows:

- 2 1. Page 1, line 6, by striking the numeral "1985"
- 3 and inserting in lieu thereof the numeral "1986".
- 4 2. Page 1, line 6, by striking the numeral "1990"
- 5 and inserting in lieu thereof the numeral "1991".

GRONINGA of Cerro Gordo
BLANSHAN of Greene

H-5987

1 Amend H-5846 to Senate File 2259 as passed by
2 the Senate as follows:

- 3 1. Page 1, by inserting after line 8 the fol-

4 lowing:

5 "Sec. . Section 279.10, Code Supplement

6 1983, is amended by adding the following new sub-
7 section:

8 **NEW SUBSECTION. 4.** The state board of public
9 instruction shall grant a request made by a school
10 corporation board stating its desire to commence
11 classes for regularly established elementary and
12 secondary schools on a date before the first
13 Tuesday after the first Monday in September."

McKEAN of Jones

H—5989

1 Amend Senate File 244, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:

5 "Section 1. Section 85.27, unnumbered paragraph

6 4, Code 1983, is amended by striking the unnumbered
7 paragraph.

8 Sec. 2. Section 85.27, Code 1983, is amended by
9 numbering the unnumbered paragraphs and by adding
10 the following new subsections:

11 **NEW SUBSECTION.** The employer shall select and
12 maintain a panel of physicians who are not employees
13 of the employer and who are reasonably accessible
14 to the employees of the employer. The panel selected
15 and maintained by an employer with three hundred or
16 fewer employees per site shall contain at least three
17 physicians and the panel selected and maintained by
18 an employer with more than three hundred employees
19 per site shall contain at least seven physicians.

20 The employer shall post the list of the physicians
21 on the panel in a place accessible to the employees.

22 a. An employer required to select and maintain
23 a panel of physicians may apply to the industrial
24 commissioner for a total or partial waiver of the
25 panel requirement. The application for waiver shall
26 state the reasons for the submission of the application
27 and that the employer has attempted to select and
28 maintain the required panel. A copy of the application
29 for waiver shall be posted in a place accessible to
30 the employer's employees. The industrial commissioner
31 may deny the waiver or grant the employer a partial
32 or total waiver of the panel requirement. However,
33 a total or partial waiver to the panel requirement
34 shall only be granted if the employer can demonstrate
35 that the community lacks a sufficient number of
36 physicians who are located in or reasonably near the

37 community in which the medical services are required
38 and who are qualified to perform the medical services
39 necessary to meet the needs of the employer's
40 employees.

41 b. The industrial commissioner may order necessary
42 changes in an employer's panel of physicians if the
43 commissioner finds that the panel fails to contain
44 a sufficient number of physicians who are conveniently
45 available to or in the community in which medical
46 services are required and who are qualified to perform
47 the medical services necessary to meet the particular
48 needs of the employer's employees. The commissioner
49 may suspend or remove a physician from a panel of
50 physicians under rules adopted by the commissioner

Page 2

1 pursuant to chapter 17A.

2 NEW SUBSECTION. An employee may accept the medical
3 services of a physician selected by the employer or
4 may select a physician from the employer's panel of
5 physicians. The employee may select an alternative
6 physician from the panel if the employee is not
7 satisfied with the physician first selected.

8 a. In an emergency, the employee may choose a
9 physician at the employer's expense, provided the
10 employer or the employer's agent cannot be reached
11 immediately.

12 b. The physician selected may arrange for a
13 consultation, referral, extraordinary or other
14 specialized medical services as the nature of the
15 injury requires.

16 c. The employer is not responsible for the charges
17 for medical services furnished or ordered by a
18 physician or other person selected by the employee
19 in disregard of the provisions of this subsection
20 and the employer is not responsible for compensation
21 for an aggravation of the employee's injury
22 attributable to improper medical services by the
23 physician or other person.

24 NEW SUBSECTION. If an employer required to select
25 and maintain a panel of physicians has knowledge of
26 an injury to an employee and the necessity for medical
27 services, and fails to maintain a panel of physicians
28 and a waiver has not been granted, or fails to permit
29 the injured employee to select a physician from the
30 panel, the employee may select a physician to provide
31 medical services at the expense of the employer.
32 A claim for the medical services shall not be valid
33 or enforceable against the employer unless the
34 physician providing the services furnishes a report

35 of the injury and services to the employer within
 36 ten days following the first services provided by
 37 the physician. However, the commissioner, in the
 38 interests of justice, may excuse the failure to furnish
 39 the report within the ten days and may, upon
 40 application of a party in interest, award the
 41 reasonable value of the medical services provided
 42 to the employee."

43 Sec. 3. Section 86.38, Code 1983, is amended to
 44 read as follows:

45 **86.38 EXAMINATION BY PHYSICIAN - FEE.** The
 46 industrial commissioner may appoint a duly qualified,
 47 impartial physician to examine the injured employee
 48 and make a report. The fee for this service shall
 49 be five dollars, to be paid by the industrial
 50 commissioner, together with traveling expenses, but

Page 3

1 the commissioner may allow additional reasonable
 2 amounts in extraordinary cases. Any A physician so
 3 examining any an injured employee shall not be
 4 prohibited from testifying before the industrial
 5 commissioner, or any other another person, commission,
 6 or court, as to the results of his the physician's
 7 examination or the condition of the injured employee.
 8 The fee for services under this section shall be taxed
 9 as costs pursuant to section 86.40.

10 Sec. 4. This Act applies to injuries incurred
 11 on or after July 1, 1984."

BRANSTAD of Winnebago
 COREY of Louisa
 HERMANN of Scott

HALVORSON of Clayton
 GRANDIA of Marion
 HANDORF of Marshall
 HUMMEL of Benton
 SCHNEKLOTH of Scott

H-5991

1 Amend Senate File 2203 as passed by the Senate
 2 as follows:

3 1. Page 1, by inserting after line 27 the
 4 following:

5 "Sec. 4. Section 157.11, Code Supplement 1983,
 6 is amended by adding the following new unnumbered
 7 paragraphs:

8 **NEW UNNUMBERED PARAGRAPHS.** An owner or operator
 9 for profit of a school of cosmetology licensed by
 10 the state to train students in the profession of
 11 cosmetology shall not own or operate a business or
 12 other enterprise engaging in the profession for which

13 the students are trained. This section does not
 14 prohibit a school from serving the general public
 15 on the premises of the school as an incident to the
 16 supervised practical instruction of its students.
 17 An owner or operator for profit of a school of
 18 cosmetology licensed by the state to provide training
 19 for the profession of cosmetology who, immediately
 20 prior to the effective date of this Act, owned or
 21 operated a business or other enterprise engaging in
 22 the profession for which the students are trained
 23 in violation of the Act shall, within one year from
 24 the effective date of this Act, discontinue the
 25 ownership or operation of the business or other
 26 enterprise engaging in the profession of cosmetology.
 27 Violation of this section is a simple misdemeanor
 28 and is a ground for suspension of the school's license
 29 to operate."

RUNNING of Linn
 RENAUD of Polk
 VARN of Johnson

H-5996

1 Amend amendment H-5803 to Senate File 2259 as
 2 passed by the Senate as follows:
 3 1. Page 1, by inserting before line 3 the
 4 following:
 5 "1. Page 1, by inserting before line 1 the
 6 following:
 7 Section 1. Section 257.25, Code 1983, is amended
 8 by adding the following new subsection:
 9 NEW SUBSECTION. As a basis for inclusion on the
 10 list of approved schools, the board of directors of
 11 a school district or the authorities in charge of
 12 a nonpublic school shall meet the requirements of
 13 section 279.10, relating to the day regularly
 14 established schools shall begin."
 15 2. By numbering and renumbering sections as
 16 necessary.

HUMMEL of Benton
 DODERER of Johnson

H-5998

1 Amend Senate File 2268 as follows:
 2 1. Page 1, line 9, by striking the words "one month"
 3 and inserting in lieu thereof the words "one and one-
 4 half months".
 5 2. Page 1, line 29, by striking the words "one

6 month" and inserting in lieu thereof the words "one and
7 one-half months".

CONNORS of Polk
KREWSON of Polk
CHAPMAN of Linn

H-6000

1 Amend House File 2456 as follows:

2 1. Page 10, by inserting after line 8 the
3 following:

4 "Sec. . During the period commencing July 1,
5 1984 and ending June 30, 1985, a person serving as
6 a judicial magistrate under chapter 602, Code
7 Supplement 1983, who elected by March 1, 1978, under
8 1977 Iowa Acts, chapter 56, section 6, not to continue
9 membership under the Iowa public employees' retirement
10 system, may notify the Iowa department of job service
11 in writing that the magistrate rescinds the action
12 taken under 1977 Iowa Acts, chapter 56, section 6,
13 and elects to be covered under the Iowa public
14 employees' retirement system. Coverage under the
15 system for the magistrate shall commence at the
16 beginning of the next pay period following receipt
17 of the notification by the department. If the
18 magistrate also submits verification of service and
19 wages earned during the period of service as a judicial
20 magistrate from March 1, 1978 to the date coverage
21 under the system commences, the magistrate may pay
22 the employer and employee contributions that would
23 have been made based upon the covered wages of the
24 member and covered wages and contribution rates in
25 effect for the period of service since March 1, 1978,
26 and receive credit for that period of service. In
27 addition, the magistrate may submit verification of
28 service and wages earned as a magistrate prior to
29 March 1, 1978, for which a lump sum payment of the
30 member's accumulated contributions was received under
31 1977 Iowa Acts, chapter 56, section 6, and may repay
32 the accumulated contributions of the employee for
33 this period of service.

34 The employee contributions paid or repaid by the
35 judicial magistrate shall be equal to the accumulated
36 contributions as defined in section 97B.41, subsection
37 13, by the member for that period of service. The
38 employer contributions paid by the judicial magistrate
39 shall be equal to the employer contributions that
40 would have been paid for the period of service from
41 March 1, 1978, plus interest on the contributions
42 that would have accrued for that period to the date

43 of repayment of the contributions by the member equal
 44 to two percent plus the interest dividend rate
 45 applicable for each year."
 46 2. By numbering and renumbering sections as
 47 necessary.

CARTER of Henry

H-6002

1 Amend amendment H-5787 to Senate File 32 as amended,
 2 passed and reprinted by the Senate as follows:
 3 1. Page 1, line 4, by striking the word "thirty" and
 4 inserting in lieu thereof the word "fifty-five".
 5 2. Page 1, line 5, by striking the words "or greater".
 6 3. Page 1, line 7, by striking the word "thirty" and
 7 inserting in lieu thereof the word "fifty-five".
 8 4. Page 1, line 8, by striking the words "or greater".

CARTER of Henry

H-6010

1 Amend amendment H-5976 to Senate File 2203 as
 2 passed by the Senate as follows:
 3 1. Page 1, by striking lines 3 through 12 and
 4 inserting in lieu thereof the following:
 5 "1. Page 1, by striking lines 1 through 19.
 6 2. Page 1, by striking lines 24 through 27 and
 7 inserting in lieu thereof the following: "dealing
 8 in supplies or have a financial interest in or be
 9 an instructor at a proprietary school. An examiner
 10 who is a proprietor or instructor at a proprietary
 11 school shall not have knowledge of specific question
 12 content or possess a copy of an examination given
 13 by the examining board of which the examiner is a
 14 member or be allowed to test or grade one of that
 15 examiner's own students who is participating in or
 16 has taken an examining board examination."

RENAUD of Polk
 RUNNING of Linn

H-6015

1 Amend House File 422 as amended, passed and
 2 reprinted by the House, as follows:
 3 1. Page 1, by striking lines 20 through 34.
 4 2. Page 2, by striking lines 10 and 11 and
 5 inserting in lieu thereof the following: "to secure
 6 the necessary voluntary easements."

Senate Amendment

H-6017

- 1 Amend Senate File 32 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, lines 27 and 28, by striking the words
 4 "points shall not be accumulated" and inserting in
 5 lieu thereof the words "in determining a license
 6 suspension the department shall not consider or assess
 7 points".

WOODS of Polk

H-6036

- 1 Amend House File 405 as amended, passed and re-
 2 printed by the House as follows:
 3 1. Page 1, line 10, by inserting after the word
 4 "administration" the words "or is a graduate of an
 5 accredited junior college, community college, or two-
 6 year specialized college with a concentration in ac-
 7 counting and has had three years' continuous experience
 8 under the direct supervision of a certified public
 9 accountant holding a current permit to practice, which
 10 experience shall include a significant amount of ac-
 11 counting work involving third party reliance on fin-
 12 ancial statements".

Senate Amendment

H-6037

- 1 Amend Senate File 2215, as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, line 4, by striking the words and
 4 figures "prior to July 1, 1988,".

HUGHES of Union

H-6039

- 1 Amend Senate File 32, as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by inserting after line 30 the
 4 following:
 5 "Sec. . NEW SECTION. 321.270 ACCIDENTS EXEMPT
 6 FROM RECORDS. Notwithstanding sections 321.200 and
 7 321A.3, a motor vehicle accident involving a motor
 8 vehicle operated by a peace officer as defined under
 9 section 801.4, or by a member of a fire department
 10 as defined under section 321.423, shall not be included
 11 as part of the operating record of the peace officer

12 or fire department member if the accident occurred
 13 on or after the effective date of this Act, and if
 14 all of the following criteria are met:
 15 1. The peace officer or the fire department member
 16 was involved in the performance of official duties
 17 at the time the accident occurred.
 18 2. The peace officer or the fire department member
 19 was responding to what the officer or member reasonably
 20 believed to be a bona fide emergency situation when
 21 the accident occurred.
 22 3. The peace officer or the fire department member
 23 exercised all due care under the circumstances involved
 24 in the accident.
 25 However, this section does not apply if the officer
 26 or member is found guilty of a public offense in
 27 connection with the accident.
 28 The peace officer or the fire department member
 29 desiring that an accident be excluded from the person's
 30 operating record under this section, shall request
 31 the exclusion in writing and the request shall be
 32 attached to the written report of the accident
 33 forwarded to the department under section 321.266."

SCHROEDER of Pottawattamie

H-6042

1 Amend House File 2509 as follows:
 2 1. Page 2, line 31, by inserting after the word
 3 "proposition." the words "The governing body shall
 4 also provide for the exemption of vehicles registered
 5 by a resident who establishes that the resident will
 6 use public transit, if available, for at least two
 7 hundred days during the registration year. A resident
 8 may establish the resident's future use, in addition
 9 to other ways set by the governing body, by purchase
 10 of public transit passes allowing use for at least
 11 seven months in the registration year."

SCHNEKLOTH of Scott

H-6044

1 Amend amendment H-5811 to Senate File 2232 as
 2 amended, passed and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, by striking lines 48 and 49 and
 5 inserting in lieu thereof the following:
 6 "11. Loss or damage caused by the vendee's failure
 7 to take timely action to minimize."

JAY of Appanoose
 CHAPMAN of Linn

H-6045

- 1 Amend amendment H-5811 to Senate File 2232 as
- 2 amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, by striking lines 31 and 32.
- 5 2. Renumber as necessary.

JAY of Appanoose

H-6054

- 1 Amend House File 2394 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, by inserting after line 18 the
- 4 following:
- 5 "Sec. . Section 147.2, Code 1983, is amended
- 6 to read as follows:
- 7 147.2 LICENSE REQUIRED. ~~No~~ A person shall not
- 8 engage in the practice of medicine and surgery,
- 9 podiatry, osteopathy, osteopathic medicine and surgery,
- 10 psychology, chiropractic, physical therapy, nursing,
- 11 dentistry, dental hygiene, optometry, speech pathology,
- 12 audiology, occupational therapy, pharmacy, cosmetology,
- 13 barbering, ~~or~~ mortuary science, dietetics or nutrition
- 14 as defined in the following chapters of this title,
- 15 unless the person has obtained from the state
- 16 department of health a license for that purpose.
- 17 This chapter shall not prohibit a person from providing
- 18 nutritional advice concerning proper nutrition. For
- 19 purposes of this section, the terms "providing
- 20 nutritional advice" or "giving advice concerning
- 21 proper nutrition" means providing information as to
- 22 the use and sale of food and food materials including
- 23 dietary supplements."
- 24 2. Page 2, by striking lines 7 and 8 and inserting
- 25 in lieu thereof the words "in hospitals, one licensed
- 26 registered di-".
- 27 3. Page 2, line 10, by striking the word "three"
- 28 and inserting in lieu thereof the word "two".
- 29 4. Page 2, line 10, by inserting after the word
- 30 "not" the words "registered dietitians,".
- 31 5. Page 3, by striking lines 14 and 15 and
- 32 inserting in lieu thereof the words "The provisions
- 33 of this chapter do not apply to: licensed physicians
- 34 and surgeons, nurses,".
- 35 6. Page 3, by striking lines 18 through 23 and
- 36 inserting in lieu thereof the words "respective
- 37 professions."
- 38 7. Page 4, by striking lines 13 and 14 and
- 39 inserting in lieu thereof the words "nutritional

40 assessment and advice as otherwise authorized by law."
 41 8. Page 4, by striking lines 15 through 21 and
 42 inserting in lieu thereof the following:
 43 "5. Individuals who do not hold themselves out
 44 to be dietitians or nutritionists and who market or
 45 distribute medically approved weight loss programs
 46 and who may engage in explanation and education of
 47 customers regarding the use of such products or
 48 programs for normal nutritional needs."
 49 9. Renumber as necessary.

Senate Amendment

H-6056

1 Amend the Senate amendment H-6015 to House File
 2 422 as amended, passed and reprinted by the House,
 3 as follows:
 4 1. Page 1, by striking line 3.

CHAPMAN of Linn

H-6057

1 Amend the Senate amendment H-6015 to House File
 2 422 as amended, passed and reprinted as follows:
 3 1. Page 1, by striking lines 4, 5 and 6.

KREWSON of Polk

H-6059

1 Amend Senate File 2203 as passed by the Senate
 2 as follows:
 3 1. Page 1, line 27, by inserting after the figure
 4 "11." the following: "Should an instructor at a
 5 licensed school of cosmetology become a member of
 6 the board of cosmetology examiners, then any licensure
 7 examinations given by the board shall be formulated
 8 by and obtained from an independent source outside
 9 of the board's realm of influence and persuasion."

RUNNING of Linn
 RENAUD of Polk

H-6060

1 Amend Senate File 2203 as passed by the Senate
 2 as follows:
 3 1. Page 1, line 27, by inserting after the figure
 4 "11." the following: "An examiner who is an instructor

5' at a licensed school of cosmetology shall not be
 6 allowed to compose, make suggestions for, or have
 7 knowledge of content of specific licensing examination
 8 questions which are to appear on an examination given
 9 to any person seeking licensure who is a student of
 10 that instructor. An examiner who is an instructor
 11 at a licensed school of cosmetology shall not be
 12 allowed to give, monitor, observe, or grade the
 13 practical examination given to any person seeking
 14 licensure who is a student of the instructor."

RUNNING of Linn
 RENAUD of Polk

H-6077

1 Amend amendment H-5811 to Senate File 2232 as
 2 amended, passed and reprinted by the Senate, as
 3 follows:
 4 1. Page 4, by striking lines 47 and 48 and
 5 inserting in lieu thereof the following: "or defective
 6 condition of a dwelling based on tort and implied
 7 warranty and for".

JAY of Appanoose

H-6085

1 Amend amendment H-6049, the Senate amendment to
 2 House File 2340, as passed by the House as follows:
 3 1. Page 1, by inserting after line 1, the following:
 4 "1. Page 1, by striking lines 7 through 9, and
 5 inserting in lieu thereof the following: "interview any
 6 resident, employee, party responsible for a resident,
 7 resident's minister, or any health care professional who
 8 might have knowledge of the health care facility. An
 9 inspector of the department of human services"."
 10 2. Page 1, line 7, by inserting after the word "order."
 11 the following: "Anonymous complaints shall not be
 12 investigated unless they are of a life-threatening
 13 situation or three or more anonymous complaints are
 14 filed against an individual facility within the calendar
 15 year."

CLARK of Cerro Gordo

H-6087

1 Amend Senate File 2215 as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting after line 19 the
 4 following:

5 " . School districts employing individuals to
6 sponsor extracurricular activities, other than
7 interscholastic athletic activities and cheerleading
8 activities, may issue a separate extracurricular
9 contract for each of these activities to an individual
10 who does not possess a certificate issued under chapter
11 260. The requirements of subsection 1 apply to
12 extracurricular contracts issued under this subsection.

13 An individual who is offered an extracurricular
14 contract under this subsection shall meet all of the
15 following:

16 a. The individual meets the necessary
17 qualifications to competently sponsor the activity.

18 b. The individual will function under the
19 supervision of an employee of the school district
20 who possesses a certificate issued under chapter 260."

HAVERLAND of Polk

H-6088

1 Amend Senate File 2215 as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 3, line 7, by inserting after the word
4 "instruction" the words and figure "or to an individual
5 who possesses a certificate issued under chapter 260".

HAVERLAND of Polk

H-6101

1 Amend Senate amendment H-6026 to House File 2491
2 as amended, passed and reprinted by the House as
3 follows:

4 1. Page 1, by inserting after line 2 the following:

5 " . Page 1, by inserting after line 33 the

6 following:

7 "Sec. . Section 476.1, Code Supplement 1983,
8 is amended by adding the following new unnumbered
9 paragraph:

10 **NEW UNNUMBERED PARAGRAPH.** A person, partnership,
11 business association, or corporation, domestic or
12 foreign, furnishing communication services to the
13 public for compensation by reselling the services
14 of a public utility, is itself a public utility and
15 shall be fully subject to the rate regulation provided
16 for in this chapter." "

17 2. Page 1, by inserting after line 4 the following:

18 " . Page 2, by inserting after line 7 the

19 following:

20 "Sec. . **NEW SECTION. 476.4A EXEMPTION FROM**

21 **TARIFF FILINGS FOR TELEPHONE UTILITIES.**

22 Notwithstanding contrary provisions of this chapter,
 23 a telephone utility may offer any regulated service
 24 except local exchange service for residential
 25 customers, message telecommunications service, wide
 26 area telecommunications service, interexchange private
 27 line service and foreign exchange service, without
 28 filing a tariff. The telephone utility shall offer
 29 each such service at a rate which exceeds the cost
 30 of the service. A telephone utility offering its
 31 services without filing a tariff shall not discriminate
 32 in an unreasonable manner for or against any customer.

33 The commission shall consider the revenues, expenses
 34 and investment related to telephone utility services
 35 offered without a filed tariff in proceedings under
 36 sections 476.3, 476.6 and 476.7." "

37 3. Page 1, by striking lines 12 and 13 and
 38 inserting in lieu thereof the following:

39 " . Page 3, line 16, by striking the word
 40 "fifteen" and inserting in lieu thereof the word
 41 "twenty".

42 . Page 3, by inserting after line 27 the
 43 following:

44 "Sec. . Section 476.53, Code Supplement 1983,
 45 is amended by adding the following new unnumbered
 46 paragraph:

47 **NEW UNNUMBERED PARAGRAPH.** This section applies
 48 only to purchases of capacity and generating plants
 49 constructed on or after January 1, 1985." "

50 4. Page 1, line 15, by inserting after the figure

Page 2

1 "12" the following: "and inserting in lieu thereof
 2 the following:

3 "Sec. . **NEW SECTION. 476.60 COMPETITIVE**
 4 **PROCEDURES.**

5 1. **BIDDING PROCEDURES REQUIRED.** A public utility
 6 shall purchase equipment and supplies and make
 7 improvements through use of competitive bidding
 8 procedures as provided in this section. The public
 9 utility shall use competitive bidding procedures for
 10 purchases of equipment, supplies and improvements
 11 where the estimated total cost of the equipment,
 12 supplies and improvements exceeds twenty-five thousand
 13 dollars. The public utility shall use competitive
 14 bidding procedures specified by rules adopted by the
 15 Iowa state commerce commission. However, this section
 16 shall not be construed as requiring the public utility
 17 to accept the lowest bid submitted.

18 2. **RECORDS.** The public utility shall maintain

- 19 records of the bids which have been received as
 20 specified by rules adopted by the commission.
 21 3. EXEMPTIONS.
 22 a. A public utility is not required to use
 23 competitive bidding procedures if the equipment or
 24 supplies which are the subject of the expenditure
 25 are only available from a single source, when they
 26 are unique in concept, or in an emergency when
 27 failure to make the purchase can reasonably be expected
 28 to disrupt utility service to the public or otherwise
 29 jeopardize the utility's requirement to furnish service
 30 under section 476.8. However, exemptions under this
 31 paragraph are subject to review by the commerce
 32 commission. The commission may request information
 33 as necessary to determine the legitimacy of the
 34 exemption.
 35 b. This section does not apply to public utilities
 36 defined under section 476.1, subsection 2 or 3,
 37 municipally owned public utilities or rural electric
 38 cooperatives. This section also does not apply to
 39 improvements of the public utility which are made
 40 by employees of the public utility." "
 41 5. Page 1, line 16, by inserting after the figure
 42 "17" the following: "and inserting in lieu thereof
 43 the following:
 44 . "Sec. . Section 476.53 as amended by this Act
 45 takes effect January 1, 1985. Prior to January 1,
 46 1985, the Iowa state commerce commission shall use
 47 the average investment in generating capacity in
 48 determining the amount of common equity investment
 49 associated with excess electric generating capacity." "
 50 6. Page 1, by striking lines 17 through 19.

Page 3

- 1 7. Page 1, by striking lines 20 through 22.
 2 8. Renumber as necessary.

SCHROEDER of Pottawattamie

H-6105

- 1 Amend amendment H-6027, the Senate amendment to
 2 House File 2436, as amended, passed and reprinted by
 3 the House as follows:
 4 1. Page 1, line 4, by inserting after the word
 5 "pharmacist" the following: "when Schedule I and II
 6 drugs have been prescribed".

HAMMOND of Story
 ZIMMERMAN of Dallas

H-6108

- 1 Amend Senate amendment H-6026 to House File 2491
 2 as amended, passed and reprinted by the House as
 3 follows:
 4 1. Page 1, by inserting after line 2 the following:
 5 " . Page 1, by inserting after line 33 the
 6 following:
 7 "Sec. . Section 476.1, Code Supplement 1983,
 8 is amended by adding the following new unnumbered
 9 paragraph:
 10 **NEW UNNUMBERED PARAGRAPH.** A person, partnership,
 11 business association, or corporation, domestic or
 12 foreign, furnishing communication services to the
 13 public for compensation by reselling the services
 14 of a public utility, is itself a public utility and
 15 shall be fully subject to the rate regulation provided
 16 for in this chapter." "
 17 2. Page 1, by inserting after line 4 the following:
 18 " . Page 2, by inserting after line 7 the
 19 following:
 20 "Sec. . **NEW SECTION. 476.4A EXEMPTION FROM**
 21 **TARIFF FILINGS FOR TELEPHONE UTILITIES.**
 22 Notwithstanding contrary provisions of this chapter,
 23 a telephone utility may offer any regulated service
 24 except local exchange service for residential
 25 customers, message telecommunications service, wide
 26 area telecommunications service, interexchange private
 27 line service and foreign exchange service, without
 28 filing a tariff. The telephone utility shall offer
 29 each such service at a rate which exceeds the cost
 30 of the service. A telephone utility offering its
 31 services without filing a tariff shall not discriminate
 32 in an unreasonable manner for or against any customer.
 33 The commission shall consider the revenues, expenses
 34 and investment related to telephone utility services
 35 offered without a filed tariff in proceedings under
 36 sections 476.3, 476.6 and 476.7." "
 37 3. Page 1, by striking lines 5 through 26 and
 38 inserting in lieu thereof the following:
 39 " . Title page, line 4, by inserting after the
 40 word "proceeding," the following: "clarification
 41 of the definition of public utility, telephone
 42 utilities to offer certain services without filing
 43 a tariff."
 44 4. Renumber as necessary.

SCHROEDER of Pottawattamie

H-6113

- 1 Amend Senate File 2330 as amended, passed and
 2 reprinted by the Senate, as follows:

- 3 1. By striking page 14, line 21 through page
4 15, line 21.
5 2. Page 15, line 35, by striking the words and
6 numerals "43 and 44 are" and inserting in lieu thereof
7 the word and numeral "44 is".

STROMER of Hancock

H-6136

- 1 Amend Senate File 2215, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, by striking lines 14 through 16 and
4 inserting in lieu thereof the following: "as provided
5 in subsection 2. If a collective bargaining agreement
6 has been".
7 2. Page 1, by striking lines 27 through 32 and
8 inserting in lieu thereof the following: "279.13.
9 The extracurricular contract of a teacher possessing
10 a coaching endorsement shall be terminated pursuant
11 to sections 279.15 through 279.19. If the school".
12 3. Page 2, by striking lines 14 through 20 and
13 inserting in lieu thereof the following:
14 "4. A termination proceeding of an extracurricular
15 contract either by the board pursuant to subsection
16 2 or pursuant to section 279.27 does not affect a
17 contract issued pursuant to section 279.13."
18 4. Page 2, by striking lines 21 through 24 and
19 inserting in lieu thereof the following:
20 "5. A termination of a contract".
21 5. Page 2, line 35, by inserting after the words
22 "possessing a" the word "teaching".
23 6. Page 3, line 7, by inserting after the word
24 "instruction." the following: "An individual who
25 has been issued a coaching authorization and is
26 employed by the board of directors of a school district
27 is not subject to sections 279.13 through 279.19A."

CARTER of Henry
HAVERLAND of Polk
OLLIE of Clinton
ZIMMERMAN of Dallas
MULLINS of Kossuth
KREWSON of Polk

H-6137

- 1 Amend House File 2518 as follows:
2 1. Page 10, by striking lines 25 through 29 and
3 inserting in lieu thereof the following:
4 "2. LEGISLATIVE FISCAL BUREAU

5 For salaries, support, main-
6 tenance and miscellaneous purposes \$ 598,545
7 It is a condition of the funds ap-
8 propriated by this subsection that
9 if subsection 3, appropriating
10 funds to the legislative oversight
11 bureau, becomes law one hundred
12 fifty thousand dollars of the funds
13 appropriated by this subsection
14 shall be transferred to the legis-
15 lative oversight bureau.

16 3. LEGISLATIVE OVERSIGHT BUREAU

17 For salaries, support, mainte-
18 nance and miscellaneous purposes \$ 50,000
19 It is a condition of the funds
20 appropriated by this subsection
21 that the legislative fiscal bureau
22 director serve as the legislative
23 oversight bureau director until
24 one is appointed pursuant to
25 section 2.77 and that the employees
26 of the program evaluation
27 division of the legislative
28 fiscal bureau be trans-
29 ferred to the legislative
30 oversight bureau."

31 2. Page 14, by inserting after line 15 the
32 following:

33 "Sec. 12. Section 2.77, unnumbered paragraphs
34 1 and 2, Code 1983, are amended to read as follows:
35 There is established a legislative oversight bureau.
36 The director of the legislative oversight bureau shall
37 be a person qualified by education, training and
38 experience. The director shall be appointed upon
39 the nomination of the legislative council and the
40 confirmation of that nomination by two-thirds of the
41 members of each house of the general assembly. The
42 initial director shall not be an employee of the state
43 of Iowa.

44 When a vacancy in the office of the director occurs
45 during the legislative interim, the nomination shall
46 be submitted to the general assembly within thirty
47 days of its convening and must be acted upon by each
48 house within sixty days of its submission. When a
49 vacancy occurs during the legislative session, the
50 nomination shall be submitted within sixty days of

Page 2

1 the occurrence of the vacancy and must be acted upon
2 by each house within sixty days of its submission

3 unless the general assembly adjourns prior to the
4 expiration of this schedule. If the general assembly
5 adjourns prior to the expiration of this schedule,
6 the nomination may be resubmitted as though the vacancy
7 occurred during the legislative interim. The director
8 may be removed from office for cause by a vote of
9 two-thirds of the members of each house of the general
10 assembly.

11 Sec. 13. Section 2.78, subsection 4, Code 1983,
12 is amended to read as follows:

13 4. Determine the priority of performance audit
14 and program evaluation requests and allocate the
15 workload of the legislative oversight bureau under
16 policies adopted by the legislative council. The
17 director shall submit the priority ranking of the
18 requests for approval to a committee composed of two
19 members of the majority party and two members of the
20 minority party of each house of the general assembly.
21 The presiding officer of each house of the general
22 assembly shall appoint the members from that house
23 for a term of four years and shall consider, in making
24 the appointments, the membership of the appropriate
25 standing committees. The votes of five members of
26 the committee shall be required to disapprove of the
27 priority ranking.

28 Sec. 14. Section 2.78, subsections 5, 7 and 8
29 and unnumbered paragraphs 3 and 4, Code 1983, are
30 amended by striking those subsections and paragraphs.

31 Sec. 15. Section 2.81, Code 1983, is amended to
32 read as follows:

33 2.81 REPORTS. At the conclusion of an audit or
34 evaluation, the director of the legislative oversight
35 bureau shall provide copies to the governor and to
36 the official whose office is the subject of the audit
37 or evaluation. The official shall be given thirty
38 days reasonable time by the director to respond to
39 the findings and recommendations of the audit or
40 evaluation, and the response shall be included in
41 the report. A summary of the findings and
42 recommendations shall accompany each report. A report
43 of an audit or evaluation initiated by the director
44 shall be released upon its completion. A report of
45 a requested audit or evaluation shall be submitted
46 to the requesting party and released fifteen days
47 after submission if the requesting party is a standing
48 committee or budget subcommittee or ten days if the
49 requesting party is other than a standing committee
50 or budget subcommittee unless the requesting party

Page 3

1 directs an earlier release. The report shall be
2 regarded as confidential by all persons properly

3 having custody of it until the report is released
 4 as provided by this section. Upon the release of
 5 a report, the director shall provide copies to the
 6 presiding officer of each house of the general assembly
 7 for referral to the appropriate standing committee
 8 and budget subcommittee. At the conclusion of an
 9 audit or evaluation, the director shall report the
 10 total costs of conducting each audit including the
 11 total costs to the agency or program being audited
 12 as a part of the audit report.

13 Sec. 16. Acts of the Sixty-seventh General
 14 Assembly, chapter 1026, section 10, is repealed.

15 Sec. 17. Sections 12 through 16 of this Act shall
 16 take effect only if section 10, subsection 3 of this
 17 Act, appropriating funds to the legislative oversight-
 18 bureau, becomes law."

19 3. Renumbering to conform with this amendment.

VARN of Johnson
 BLANSHAN of Greene

H-6139

1 Amend House File 2518 as follows:

2 1. Page 11, by inserting after line 2 the
 3 following:

4 "4. LEGISLATIVE EXTENDED AS-
 5 SISTANCE GROUP

6 For the conduct of studies as
 7 authorized by the legislative coun-

8 cil \$ 35,000"

OSTERBERG of Linn

H-6144

1 Amend House File 2520 as follows:

2 1. Page 9, line 9, by striking the figure
 3 "2,794,078" and inserting in lieu thereof the figure
 4 "2,716,495".

5 2. Page 9, by striking lines 10 through 14 and
 6 inserting in lieu thereof the following:

7 "2. For the operations of an
 8 international office in Europe and
 9 an international office in Asia in-
 10 cluding salary and support for not
 11 more than four full-time equivalent

12 positions annually \$343,631"

13 3. Page 9, line 18, by striking the word "office"
 14 and inserting in lieu thereof the word "offices".

BLANSHAN of Greene

H-6153

- 1 Amend House File 2519 as follows:
- 2 1. Page 8, line 12, by striking the figure "433,343"
- 3 and inserting in lieu thereof the figure "430,343".

WOODS of Polk
SHERZAN of Polk

H-6166

- 1 Amend House File 2519 as follows:
- 2 1. By striking page 12, lines 23 through 33.
- 3 2. By renumbering as necessary.

HANSON of Delaware

H-6172

- 1 Amend Senate File 2214 as passed by the Senate
- 2 as follows:
- 3 1. Page 1, line 11, by inserting after the word
- 4 "notified" the words "prior to entry".

MAULSBY of Calhoun

H-6173

- 1 Amend House File 2519 as follows:
- 2 1. Page 15, by inserting after line 15 the
- 3 following:
- 4 "Sec. 190. Section 442.39, subsection 4, Code
- 5 Supplement 1983, is amended to read as follows:
- 6 4. For the school year beginning July 1, 1983
- 7 1985 and succeeding school years, a school district
- 8 receiving additional funds under subsection 2 for
- 9 its pupils at the ninth grade level and above that
- 10 are enrolled in sequential mathematics courses at
- 11 the advanced algebra level and above; chemistry,
- 12 advanced chemistry, physics or advanced physics
- 13 courses; or foreign language courses at the second
- 14 year level and above shall have an additional weighting
- 15 of one pupil added to its total."
- 16 2. Page 15, by inserting after line 33 the
- 17 following:
- 18 "Sec. . Section 190 of this Act takes effect
- 19 July 1, 1984 for computations required for payment
- 20 of state aid and levying of property taxes under the
- 21 state school foundation program for the school year
- 22 beginning July 1, 1985."
- 23 3. By numbering and renumbering sections as
- 24 necessary.

McKEAN of Jones

H-6184

1 Amend House File 2519 as follows:

2 1. Page 9, by inserting after line 12 the
3 following:

4 "However, funds appropriated in this paragraph
5 shall not be expended for salaries for full-time
6 nonadministrative instructional personnel who teach
7 less than six academic hours each term."

8 2. Page 11, by inserting after line 14 the
9 following:

10 "However, funds appropriated in this paragraph
11 shall not be expended for salaries for full-time
12 nonadministrative instructional personnel who teach
13 less than six academic hours each term."

14 3. Page 11, by inserting after line 30 the
15 following:

16 "However, funds appropriated in this subsection
17 shall not be expended for salaries for full-time
18 nonadministrative instructional personnel who teach
19 less than six academic hours each term."

WOODS of Polk

H-6200

1 Amend amendment H-6144 to House File 2520 as
2 follows:

3 1. By striking page 1, line 4 and inserting
4 in lieu thereof the figure "2,749,405".

BLANSHAN of Greene

H-6205

1 Amend amendment H-6147 to House File 2487 as
2 amended, passed and reprinted by the House as follows:

3 1. Page 3, by striking lines 29 through 35 and
4 inserting in lieu thereof the following: "on the
5 following issues:

6 1. Insurance practices developed in response to
7 the adoption of comparative fault in the state of
8 Iowa and the commissioner's explanation of the steps
9 taken by the department of insurance to alleviate
10 these problems.

11 2. The feasibility of the establishment of a tort
12 loss reparation fund to be created in the office of
13 the treasurer of the state for the purpose of providing
14 remedial assistance to persons injured but unable
15 to recover due to the abolition of the doctrine of
16 joint and several liability, such program to be funded
17 by a surcharge on liability insurance premiums in

18 an actuarially sound manner and administered by the
 19 commissioner of insurance according to such rules
 20 as the commissioner may deem necessary.
 21 These reports shall include proposals for legislative
 22 action, funding, and fiscal impacts required by the
 23 suggestions contained in the reports."

COPENHAVER of Buchanan
 HUMMEL of Benton
 JAY of Appanoose
 ROSENBERG of Story
 McINTEE of Black Hawk

H-6206

1 Amend House File 2521 as follows:
 2 1. Page 4, by striking lines 25 through 27.

KREWSON of Polk

H-6208

1 Amend Senate File 2328 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 3, by striking lines 13 through 16 and
 4 inserting in lieu thereof the following: "licensee.
 5 The commission shall not approve a license application
 6 if any part of the racetrack is to be constructed
 7 on prime farmland outside the city limits of an
 8 incorporated city. As used in this subsection, "prime
 9 farmland" means as defined by the United States
 10 department of agriculture in 7 C.F.R. sec. 657.5(a).
 11 A license is not transferable or assignable. The".

HUGHES of Union

H-6209

1 Amend Senate File 2328 as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. By striking page 8, line 35 through page 9,
 4 line 33.
 5 2. Page 9, line 34, by striking the figure
 6 "99D.28,".

HUGHES of Union

H-6213

1 Amend House amendment S-5760 to Senate File 2272
 2 as passed by the Senate as follows:
 3 1. Page 1, by striking lines 7 and 8.

Senate Amendment

H-6221

1 Amend amendment H-6147 to House File 2487 as
2 amended, passed and reprinted by the House as follows:

3 1. Page 3, by striking lines 28 through 35 and
4 inserting in lieu thereof the following: "on judiciary
5 and law enforcement by January 15, 1985, on the
6 following issues:

7 1. Insurance practices, including any changes
8 in premiums and rates, developed in response to the
9 adoption of comparative fault in the state of Iowa
10 and the commissioner's explanation of the steps taken
11 by the department of insurance to alleviate existing
12 or potential problems.

13 2. The feasibility of the establishment of a tort
14 loss reparation fund to be created in the office of
15 the treasurer of the state for the purpose of providing
16 remedial assistance to persons injured but unable
17 to recover due to the abolition of the doctrine of
18 joint and several liability, such program to be funded
19 by a surcharge on liability insurance premiums in
20 an actuarially sound manner and administered by the
21 commissioner of insurance according to such rules
22 as the commissioner may deem necessary.
23 These reports shall include proposals for legislative
24 action, funding, and fiscal impacts required by the
25 suggestions contained in the reports."

COPENHAVER of Buchanan
HUMMEL of Benton
JAY of Appanoose
ROSENBERG of Story
McINTEE of Black Hawk
BLANSHAN of Greene

H-6240

1 Amend Senate File 2333 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 11, by striking lines 10 through 19 and
4 inserting in lieu thereof the following: "respective
5 daily charges to patients. Notwithstanding the
6 requirement in section 230.20 to separately compute
7 daily patient program costs for each state mental
8 health institute, the commissioner of human services
9 and the superintendents of the state mental health
10 institutes shall compute the amounts which are due
11 the state from each county under section 230.20 by
12 averaging the daily patient program costs at all state
13 mental health institutes which offer the program.
14 The department of human services shall report to
15 the proper appropriations subcommittee of the general

16 assembly by January 15, 1985, the impact of averaging
 17 the state mental health institutes' daily patient
 18 program costs on the provision of services of each
 19 institute to patients from outside the institute's
 20 catchment area."

HUMMEL of Benton
 SHERZAN of Polk

H-6243

- 1 Amend Senate amendment H-6054 to House File 2394
- 2 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 1, by striking lines 3 through 23.
- 5 2. Page 1, by striking lines 41 through 48.

HANSON of Delaware
 JAY of Appanoose
 SWEARINGEN of Keokuk
 McKEAN of Jones

H-6249

- 1 Amend Senate File 2333 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 4, by striking lines 25 through 31.

MAULSBY of Calhoun

H-6252

- 1 Amend amendment H-6215 to House File 224 as amended,
- 2 passed and reprinted by the House as follows:
- 3 1. Page 1, by inserting after line 7 the following:
- 4 "Sec. 2. Section 351A.1, subsection 2, Code 1983,
- 5 is amended to read as follows:
- 6 2. "Pound" shall mean any means a public or private
- 7 agency, person, society, or corporation having custody
- 8 of dogs seized or held under the authority of the
- 9 state or any municipality or any political subdivision
- 10 of the state. However, "pound" does not include an
- 11 animal shelter as defined in section 162.2, subsection
- 12 3."
- 13 2. Page 1, line 11, by inserting after the word
- 14 "Act" the words "relating to the treatment of animals
- 15 by".
- 16 3. Page 1, line 11, by inserting after the word
- 17 "fund" the words "and by exempting animal shelters
- 18 from complying with requests by authorized institutions
- 19 for dogs for use in scientific research".

20 4. By renumbering sections as required by this
21 amendment.

DAVITT of Warren
KREWSON of Polk

H—6255

1 Amend Senate amendment H—6215 to House File 224
2 as amended, passed and reprinted by the House as
3 follows:
4 1. Page 1, by striking line 8 and inserting in
5 lieu thereof the following:
6 "Sec. 2. NEW SECTION. 352.4 OPTIONAL APPLICATION.
7 This chapter applies in a county only after the board
8 of supervisors, by resolution or ordinance, authorizes
9 the filing and payment of claims." "
10 2. Page 1, by striking line 11 and inserting in
11 lieu thereof the following: "Act relating to the
12 payment of damages for injury to domestic animals
13 and bounties." "

RENKEN of Grundy

H—6256

1 Amend Senate amendment H—5914 to House File 489
2 as passed by the House as follows:
3 1. Page 1, line 6, by striking the words "and
4 institutions" and inserting in lieu thereof the words
5 "associations, and institutions".
6 2. Page 1, by inserting after line 9 the following:
7 "13. Iowa Medical Society.
8 14. Iowa Nursing Home Association.
9 15. Iowa Hospital Association
10 16. College of Osteopathic Medicine and Surgery.
11 4. Page 1, by striking lines 23 through 25."

SCHROEDER of Pottawattamie

H—6260

1 Amend amendment H—6259 to Senate File 2215 as
2 follows:
3 1. By striking page 3, line 40 through page 4,
4 line 8 and inserting in lieu thereof the following:
5 "a. Successful completion of three semester credit
6 hours or thirty contact hours in a course relating
7 to knowledge and understanding of the structure and
8 function of the human body in relation to physical
9 activity.
10 b. Successful completion of two semester credit

11 hours or twenty contact hours in a course relating
 12 to knowledge and understanding of human growth and
 13 development of children and youth in relation to
 14 physical activity.

15 c. Successful completion of two semester credit
 16 hours or twenty contact hours in a course relating
 17 to knowledge and understanding of the prevention and
 18 care of athletic injuries and medical and safety
 19 problems relating to physical activity.

20 d. Successful completion of three semester credit
 21 hours or thirty contact hours relating to knowledge
 22 and understanding of the techniques and theory of
 23 coaching interscholastic athletics."

HUGHES of Union

H-6266

- 1 Amend H-6259 to Senate File 2215, as amended,
- 2 passed, and reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 31 and 32 and
- 4 inserting in lieu thereof the following: "sections
- 5 279.15 through 279.19. If the school district offers".
- 6 2. Page 2, by striking lines 47, 48, and 49 and
- 7 inserting in lieu thereof the following:
- 8 "7. An extracurricular contract may be terminated".

HAVERLAND of Polk
 SPEAR of Lee

H-6269

- 1 Amend the Senate amendment H-6015 to House File
- 2 422 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by striking line 3.
- 5 2. Page 1, by inserting after line 6 the following:
- 6 " Page 2, by inserting after line 17 the
- 7 following:
- 8 "Sec. 6. The requirements of this Act shall apply
- 9 only to an entity that is formed or whose membership
- 10 is increased after the effective date of this Act.
- 11 Sec. 7. This Act takes effect January 1, 1985." "
- 12 3. Renumber as necessary.

SCHROEDER of Pottawattamie

H-6270

- 1 Amend Senate File 244, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking everything after the enacting

4 clause and inserting in lieu thereof the following:
5 "Section 1. Section 85.27, unnumbered paragraph
6 4, Code 1983, is amended by striking the unnumbered
7 paragraph.

8 Sec. 2. Section 85.27, Code 1983, is amended by
9 numbering the unnumbered paragraphs and by adding
10 the following new subsections:

11 NEW SUBSECTION. Unless an employer allows employees
12 to select their own physicians to provide medical
13 services covered under this section, the employer
14 shall select and maintain a panel of physicians who
15 are not employees of the employer and who are
16 reasonably accessible to the employees of the employer.
17 The panel selected and maintained by an employer with
18 three hundred or fewer employees per site shall contain
19 at least three physicians and the panel selected and
20 maintained by an employer with more than three hundred
21 employees per site shall contain at least seven
22 physicians. The employer shall post the list of the
23 physicians on the panel in a place accessible to the
24 employees.

25 a. An employer required to select and maintain
26 a panel of physicians may apply to the industrial
27 commissioner for a total or partial waiver of the
28 panel requirement. The application for waiver shall
29 state the reasons for the submission of the application
30 and that the employer has attempted to select and
31 maintain the required panel. A copy of the application
32 for waiver shall be posted in a place accessible to
33 the employer's employees. The industrial commissioner
34 may deny the waiver or grant the employer a partial
35 or total waiver of the panel requirement. However,
36 a total or partial waiver to the panel requirement
37 shall only be granted if the employer can demonstrate
38 that the community lacks a sufficient number of
39 physicians who are located in or reasonably near the
40 community in which the medical services are required
41 and who are qualified to perform the medical services
42 necessary to meet the needs of the employer's
43 employees.

44 b. The industrial commissioner may order necessary
45 changes in an employer's panel of physicians if the
46 commissioner finds that the panel fails to contain
47 a sufficient number of physicians who are conveniently
48 available to or in the community in which medical
49 services are required and who are qualified to perform
50 the medical services necessary to meet the particular

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1 needs of the employer's employees. The commissioner
2 may suspend or remove a physician from a panel of

3 physicians under rules adopted by the commissioner
4 pursuant to chapter 17A.

5 **NEW SUBSECTION.** An employee may accept the medical
6 services of a physician selected by the employer or
7 may select a physician from the employer's panel of
8 physicians. If the employee, after the expiration
9 of ten calendar days from the first receipt of medical
10 services, is dissatisfied with the physician selected
11 by the employer or from the employer's panel, the
12 employee may select the employee's own physician.
13 If the employer is dissatisfied with the employee's
14 selection of the employee's own physician, the employer
15 may file a proceeding with the industrial commissioner
16 contesting the employee's selection. The commissioner,
17 within ten days of the filing of the proceeding, shall
18 order the provision of medical services by an
19 appropriate physician.

20 a. In an emergency, the employee may select a
21 physician at the employer's expense, provided the
22 employer or the employer's agent cannot be reached
23 immediately.

24 b. The physician selected may arrange for a
25 consultation, referral, extraordinary or other
26 specialized medical services as the nature of the
27 injury requires.

28 c. The employer is not responsible for the charges
29 for medical services furnished or ordered by a
30 physician or other person selected by the employee
31 in disregard of the provisions of this subsection
32 and the employer is not responsible for compensation
33 for an aggravation of the employee's injury
34 attributable to improper medical services by the
35 physician or other person.

36 **NEW SUBSECTION.** If an employer required to select
37 and maintain a panel of physicians has knowledge of
38 an injury to an employee and the necessity for medical
39 services, and fails to maintain a panel of physicians
40 and a waiver has not been granted, or fails to permit
41 the injured employee to select a physician from the
42 panel, the employee may immediately select a physician
43 to provide medical services at the expense of the
44 employer.

45 Sec. 3. Section 86.38, Code 1983, is amended to
46 read as follows:

47 **86.38 EXAMINATION BY PHYSICIAN - FEE.** The
48 industrial commissioner may appoint a duly qualified,
49 impartial physician to examine the injured employee
50 and make a report. The fee for this service shall

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1 be five dollars, to be paid by the industrial

2 commissioner, together with traveling expenses, but
 3 the commissioner may allow additional reasonable
 4 amounts in extraordinary cases. Any A physician so
 5 examining any an injured employee shall not be
 6 prohibited from testifying before the industrial
 7 commissioner, or any other another person, commission,
 8 or court, as to the results of his the physician's
 9 examination or the condition of the injured employee.
 10 The fee for services under this section shall be taxed
 11 as costs pursuant to section 86.40.
 12 Sec. 4. This Act applies to injuries incurred
 13 on or after July 1, 1984."

STURGEON of Woodbury

H-6274

1 Amend Senate amendment H-6054 to House File 2394
 2 as amended, passed and reprinted by the House as
 3 follows:
 4 1. Page 1, by striking lines 3 through 23.
 5 2. Page 1, by striking lines 35 through 37 and
 6 inserting in lieu thereof the following:
 7 "6. Page 3, by striking lines 18 through 23 and
 8 inserting in lieu thereof the following: "respective
 9 professions. This chapter does not prohibit a person
 10 from providing nutritional advice concerning proper
 11 nutrition. For the purpose of this section, the term
 12 "providing nutritional advice concerning proper
 13 nutrition" means providing information as to the use
 14 and sale of food and food materials including dietary
 15 supplements." "
 16 3. Page 1, by striking lines 41 through 48.

HANSON of Delaware
 JAY of Appanoose
 SWEARINGEN of Keokuk
 McKEAN of Jones

H-6277

1 Amend amendment H-6270 to Senate File 244 as
 2 amended, passed and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, by striking lines 8 through 19 and
 5 inserting in lieu thereof the following: "physicians.
 6 If the employee, after the expiration of ten calendar
 7 days from the first receipt of medical services, is
 8 dissatisfied with the physician selected by the
 9 employer or from the employer's panel, the employee
 10 may select another physician from the employer's
 11 panel. If the employee has reason to be dissatisfied

12 with the care offered by the second physician, he or
13 she shall communicate the basis of such dissatisfaction
14 to the employer, in writing if requested, following
15 which the employer and the employee may agree to
16 alternate care reasonably suited to treat the injury.
17 If the employer and the employee cannot agree on
18 such alternate care, the commissioner may, upon
19 application and reasonable proofs of the necessity
20 therefor, allow and order other care."

HALVORSON of Clayton

H-6278

1 Amend amendment H-6270 to Senate File 244, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 1, line 3 through page 3,
5 line 13 and inserting in lieu thereof the following:

6 "1. By striking everything after the enacting
7 clause and inserting in lieu thereof the following:

8 "Section 1. Section 85.27, unnumbered paragraph
9 4, Code 1983, is amended by striking the unnumbered
10 paragraph.

11 Sec. 2. Section 85.27, Code 1983, is amended by
12 numbering the unnumbered paragraphs and by adding
13 the following new subsections:

14 **NEW SUBSECTION.** Unless an employer allows employees
15 to select their own physicians to provide medical
16 services covered under this section, the employer
17 shall select and maintain a panel of physicians who
18 are not employees of the employer and who are
19 reasonably accessible to the employees of the employer.
20 The panel selected and maintained by an employer with
21 three hundred or fewer employees per site shall contain
22 at least three physicians and the panel selected and
23 maintained by an employer with more than three hundred
24 employees per site shall contain at least seven
25 physicians. The employer shall post the list of the
26 physicians on the panel in a place accessible to the
27 employees.

28 a. An employer required to select and maintain
29 a panel of physicians may apply to the industrial
30 commissioner for a total or partial waiver of the
31 panel requirement. The application for waiver shall
32 state the reasons for the submission of the application
33 and that the employer has attempted to select and
34 maintain the required panel. A copy of the application
35 for waiver shall be posted in a place accessible to
36 the employer's employees. The industrial commissioner
37 may deny the waiver or grant the employer a partial
38 or total waiver of the panel requirement. However,

39 a total or partial waiver to the panel requirement
40 shall only be granted if the employer can demonstrate
41 that the community lacks a sufficient number of
42 physicians who are located in or reasonably near the
43 community in which the medical services are required
44 and who are qualified to perform the medical services
45 necessary to meet the needs of the employer's
46 employees.
47 b. The industrial commissioner may order necessary
48 changes in an employer's panel of physicians if the
49 commissioner finds that the panel fails to contain
50 a sufficient number of physicians who are conveniently

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1 available to or in the community in which medical
2 services are required and who are qualified to perform
3 the medical services necessary to meet the particular
4 needs of the employer's employees. The commissioner
5 may suspend or remove a physician from a panel of
6 physicians under rules adopted by the commissioner
7 pursuant to chapter 17A.
8 **NEW SUBSECTION.** An employee may accept the medical
9 services of a physician selected by the employer or
10 may select a physician from the employer's panel of
11 physicians. If the employee, after the expiration
12 of ten calendar days from the first receipt of medical
13 services, is dissatisfied with the physician selected
14 by the employer or from the employer's panel, the
15 employee may select another physician from the
16 employer's panel. If the employee has reason to be
17 dissatisfied with the care offered by the second
18 physician, the employee shall communicate the basis
19 of the dissatisfaction to the employer, in writing
20 if requested, following which the employer and the
21 employee may agree to alternate care reasonably suited
22 to treat the injury. If the employer and the employee
23 cannot agree on such alternate care, the industrial
24 commissioner may, upon application and reasonable
25 proof of the necessity for other care, allow and order
26 other care.
27 a. In an emergency, the employee may select a
28 physician at the employer's expense, provided the
29 employer or the employer's agent cannot be reached
30 immediately.
31 b. The physician selected may arrange for a
32 consultation, referral, extraordinary or other
33 specialized medical services as the nature of the
34 injury requires.
35 c. The employer is not responsible for the charges
36 for medical services furnished or ordered by a
37 physician or other person selected by the employee

38 in disregard of the provisions of this subsection
 39 and the employer is not responsible for compensation
 40 for an aggravation of the employee's injury
 41 attributable to improper medical services by the
 42 physician or other person.

43 NEW SUBSECTION. If an employer required to select
 44 and maintain a panel of physicians has knowledge of
 45 an injury to an employee and the necessity for medical
 46 services, and fails to maintain a panel of physicians
 47 and a waiver has not been granted, or fails to permit
 48 the injured employee to select a physician from the
 49 panel, the employee may immediately select a physician
 50 to provide medical services at the expense of the

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1 employer.
 2 Sec. 3. Section 86.38, Code 1983, is amended to
 3 read as follows:
 4 **86.38 EXAMINATION BY PHYSICIAN – FEE.** The
 5 industrial commissioner may appoint a duly qualified,
 6 impartial physician to examine the injured employee
 7 and make a report. The fee for this service shall
 8 be five dollars, to be paid by the industrial
 9 commissioner, together with traveling expenses, but
 10 the commissioner may allow additional reasonable
 11 amounts in extraordinary cases. Any A physician so
 12 examining any an injured employee shall not be
 13 prohibited from testifying before the industrial
 14 commissioner, or any other another person, commission,
 15 or court, as to the results of his the physician's
 16 examination or the condition of the injured employee.
 17 The fee for services under this section shall be taxed
 18 as costs pursuant to section 86.40.
 19 Sec. 4. This Act applies to injuries incurred
 20 on or after July 1, 1984." "

HALVORSON of Clayton

H-6279

1 Amend amendment H-6270 to Senate File 244 as
 2 amended, passed and reprinted by the Senate as follows:
 3 1. Page 2, by inserting after line 11 the words
 4 "employee may obtain an opinion on the suitability
 5 of the physician selection, at the employer's expense,
 6 from another physician mutually agreed upon by the
 7 employer and the employee. If the employee remains
 8 dissatisfied with the physician selected by the
 9 employer or from the employer's panel after obtaining
 10 the opinion, the".

SCHROEDER of Pottawattamie

H-6284

- 1 Amend Senate File 2337, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 4, line 15, by striking the words "of
 4 transportation".

SCHROEDER of Pottawattamie

H-6286

- 1 Amend amendment H-5823 to Senate File 420 as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking lines 1 through 29 and
 5 inserting in lieu thereof the following:
 6 "Amend Senate File 420 as amended, passed, and
 7 reprinted by the Senate, as follows:
 8 1. By striking everything after the enacting
 9 clause and inserting in lieu thereof the following:
 10 "Sec. . Section 554.3507, Code 1983, is amended.
 11 by adding the following new subsection:
 12 NEW SUBSECTION. 5. The holder of a dishonored
 13 instrument may assess against the maker of that
 14 instrument a surcharge of not more than ten dollars
 15 for each dishonored instrument. The surcharge
 16 authorized by this section shall not be assessed
 17 unless the holder clearly and conspicuously posts
 18 a notice at the usual place of payment, or in the
 19 billing statement of the holder, stating that a
 20 surcharge will be assessed and the amount of the
 21 surcharge.
 22 Sec. . Section 625.22, unnumbered paragraph
 23 2, Code 1983, is amended to read as follows:
 24 In an action against the maker to recover payment
 25 on a dishonored check, or draft, or written instrument
 26 written in violation of chapter 714 as defined in
 27 section 554.3104, the plaintiff, if successful, may
 28 recover, in addition to all other costs or surcharges
 29 provided by law, all court costs incurred, including
 30 a reasonable attorney's fee, or an individual's cost
 31 of processing a small claims recovery such as lost
 32 time and transportation costs from the maker of the
 33 check, or draft, or written instrument. Any such
 34 additional charges shall be determined by the court.
 35 If the defendant is successful in the action and the
 36 court determines the action was frivolous, the court
 37 may award the defendant reasonable attorney's fees."
 38 2. By renumbering as necessary."

SWARTZ of Marshall
 MAULSBY of Calhoun
 ROSENBERG of Story

GRONINGA of Cerro Gordo
 VARN of Johnson
 SCHROEDER of Pottawattamie
 JAY of Appanoose

H-6287

- 1 Amend the amendment H-6259 to Senate File 2215,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, lines 17 and 18, by striking the words
- 5 "ENDORSEMENT AND AUTHORIZATION" and inserting in lieu
- 6 thereof the word "REQUIREMENTS".
- 7 2. By striking page 3, line 30, through page 4,
- 8 line 20, and inserting in lieu thereof the following:
- 9 "does not possess a certificate issued under chapter
- 10 260."

CARL of Poweshiek

H-6288

- 1 Amend Senate amendment H-5964 to House File 2183
- 2 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 1, by adding the following after line 8:
- 5 "2. Page 2, line 27 by striking the word "and"
- 6 and inserting in lieu thereof the word "or"."

VAN CAMP of Scott

H-6289

- 1 Amend Senate File 2337, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 7, line 29 through page 8,
- 4 line 14.
- 5 2. Renumbering sections and correct internal
- 6 references as necessary in accordance with this
- 7 amendment.

MAULSBY of Calhoun

H-6291

- 1 Amend House File 2527 as follows:
- 2 1. Page 5, lines 10 and 11, by striking the
- 3 words "existing center for industrial research and
- 4 service and the".
- 5 2. Page 5, by striking lines 14 through 16 and
- 6 inserting in lieu thereof the following: "continue
- 7 to be known as and called the small business develop-
- 8 ment center."

MAULSBY of Calhoun

H-6297

- 1 Amend Senate File 2337, as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, line 9, by striking the words "of
- 4 transportation".
- 5 2. Page 4, line 15, by striking the words "of
- 6 transportation".

SCHROEDER of Pottawattamie

H-6298

- 1 Amend amendment H-6285 to House File 2486 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 1, by inserting after line 4 the following:
- 4 "Section 1. Section 123.3, subsection 33, Code
- 5 1983, is amended to read as follows:
- 6 33. "Legal age" means nineteen twenty-one years
- 7 of age or more.
- 8 Sec. 2. Section 1 of this Act does not apply
- 9 to persons born on or before June 30, 1965."
- 10 2. Page 2, line 3, by striking the word "nineteen"
- 11 and inserting in lieu thereof the word "twenty-one".
- 12 3. Page 2, line 8, by striking the word "nineteen"
- 13 and inserting in lieu thereof the word "twenty-one".

HAVERLAND of Polk
 GRANDIA of Marion
 HALVORSON of Clayton
 COREY of Louisa
 ROYER of Page
 HERMANN of Scott
 MENKE of O'Brien
 SCHNEKLOTH of Scott

VAN CAMP of Scott
 BRANSTAD of Winnebago
 BENNETT of Ida
 DAGGETT of Taylor
 VAN GERPEN of Black Hawk
 MAULSBY of Calhoun
 RENKEN of Grundy
 ANDERSON of Audubon
 WELDEN of Hardin

H-6300

- 1 Amend Senate File 32 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking line 28 and inserting in
- 4 lieu thereof the following: "be accumulated for the
- 5 first three violations in a twelve-month period of
- 6 the posted speed limits by".

PAULIN of Plymouth

H-6317

- 1 Amend Senate File 2337 as amended, passed and
- 2 reprinted by the Senate as follows:

3 1. Page 8, by inserting after line 14 the
 4 following:
 5 "Sec. . 1983 Iowa Acts, chapter 198, section
 6 32, is amended to read as follows:
 7 Sec. 32. Notwithstanding the provisions of section
 8 423.24, there is transferred from revenues collected
 9 under chapter 423 during each year of the fiscal
 10 period year beginning July 1, 1983 and ending June
 11 30, ~~1985~~ 1984 from the use tax imposed on motor
 12 vehicles, trailers and motor vehicle accessories and
 13 equipment under section 423.7 the sum of seven million
 14 five hundred thousand (7,500,000) dollars which shall
 15 be transferred to the special railroad facility fund
 16 to be used exclusively for the purposes provided in
 17 this section. The Iowa railway finance authority
 18 may enter into a partnership agreement as allowed
 19 under section 307B.7, subsection 7, for the purpose
 20 of acquiring the right-of-way of the Chicago, Rock
 21 Island and Pacific railroad. The funds shall be
 22 expended to supplement private investment capital
 23 obtained for that purpose by matching any private
 24 investment capital on an equal basis. The funds
 25 transferred to the special railroad facility fund
 26 under this section shall be considered an interest-
 27 free loan to be repaid in ten equal installments
 28 beginning July 1, 1985 to the road use tax fund from
 29 receipts credited to the special railroad facility
 30 fund under section 307B.23.
 31 The Iowa railway finance authority shall obtain
 32 a lien against the railroad right-of-way and related
 33 materials to secure the loan and secure repayment.
 34 If the purchase of the railroad right-of-way is not
 35 completed by January 1, 1986, the entire amount of
 36 the loan shall become due and payable."

KOENIGS of Mitchell
 COOPER of Lucas
 VAN CAMP of Scott
 COREY of Louisa

H-6320

1 Amend House File 2527 as follows:
 2 1. Page 11, line 19, by striking the word "where"
 3 and inserting in lieu thereof the word "when".

SPEAR of Lee

H-6331

1 Amend House File 2527 as follows:

- 2 1. Page 14, line 24, by striking the word "five"
3 and inserting in lieu thereof the word "two".

BLANSHAN of Greene

H-6337

- 1 Amend Senate File 2337 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, by striking lines 2 and 3 and inserting
4 in lieu thereof the following: "of the state to the
5 following named agencies for each of the fiscal years
6 beginning July 1, 1984 and July 1, 1985, the".
7 2. Page 1, by striking lines 6 and 7.
8 3. Page 1, line 22, by striking the words "the
9 fiscal year" and inserting in lieu thereof the words
10 "each of the fiscal years".
11 4. Page 1, line 23, by striking the words and
12 figures "ending June 30, 1985" and inserting in lieu
13 thereof the word and figures "July 1, 1985".
14 5. Page 1, by striking lines 32 and 33 and
15 inserting in lieu thereof the words "the state to
16 the department of public safety for each of the fiscal
17 years beginning July 1, 1984 and July 1, 1985, the".
18 6. Page 2, by striking lines 2 and 3.
19 7. Page 4, by striking lines 10 and 11 and
20 inserting in lieu thereof the following: "facilities.
21 For each of the fiscal years beginning July 1, 1984
22 and July 1, 1985, the general assembly assumes that
23 there".
24 8. Page 4, line 26, by striking the words "the
25 fiscal year" and inserting in lieu thereof the words
26 "each of the fiscal years".
27 9. Page 4, by striking lines 33 and 34 and
28 inserting in lieu thereof the following: "the state
29 to the state department of transportation for each
30 of the fiscal years beginning July 1, 1984 and July
31 1, 1985,".
32 10. Page 5, by striking lines 2 and 3.
33 11. Page 5, by striking lines 26 and 27 and
34 inserting in lieu thereof the following: "to the
35 state department of transportation for each of the
36 fiscal years beginning July 1, 1984 and July 1, 1985,
37 the following".
38 12. Page 5, by striking lines 30 and 31.
39 13. Page 6, by striking lines 15 and 16 and
40 inserting in lieu thereof the following: "to the
41 state comptroller for each of the fiscal years
42 beginning July 1, 1984 and July 1, 1985, the sum of
43 twenty-three".
44 14. Page 6, by striking lines 22 and 23 and
45 inserting in lieu thereof the words "to the state

- 46 department of transportation for each of the fiscal
 47 years beginning on July 1, 1984 and July 1, 1985,
 48 the following".
 49 15. Page 6, by striking lines 26 and 27.
 50 16. Page 7, by striking lines 13 and 14 and

Page 2

- 1 inserting in lieu thereof the words "to the state
 2 comptroller for each of the fiscal years beginning
 3 July 1, 1984 and July 1, 1985, the sum of four
 4 hundred".
 5 17. Page 7, by striking lines 20 and 21 and
 6 inserting in lieu thereof the words "fund to the state
 7 department of transportation for each of the fiscal
 8 years beginning July 1, 1984 and July 1, 1985, the".
 9 18. Page 7, by striking lines 24 and 25.

SCHROEDER of Pottawattamie

H-6339

- 1 Amend the amendment H-6285 to House File 2486 as
 2 amended, passed, and reprinted by the House as follows:
 3 1. Page 4, line 7, by inserting after the word
 4 "longer." the words "A person whose license to operate
 5 a motor vehicle is revoked pursuant to this subsection
 6 may be issued a temporary restricted drivers permit
 7 by the department allowing the person to drive to
 8 and from the person's home and place of employment
 9 and in the course of the person's employment and to
 10 attend evaluation, treatment or educational services
 11 for alcohol or drug dependency."
 12 2. Page 8, by striking lines 4 through 10 and
 13 inserting in lieu thereof the words "breath, saliva
 14 or urine is admissable."

ROSENBERG of Story

H-6340

- 1 Amend amendment H-6282, the Senate amendment to
 2 House File 2217, as amended, passed and reprinted
 3 by the House as follows:
 4 1. Page 1, line 7, by inserting after the word
 5 "~~educational~~" the words "supervisory and support
 6 personnel".
 7 2. Page 1, lines 9 and 10, by striking the words
 8 "chief administrators of school corporations" and
 9 inserting in lieu thereof the words "school supervisory
 10 employees".
 11 3. Page 1, line 26, by striking the words "chief

12 administrators" and inserting in lieu thereof the
13 words "school supervisory employees".

14 4. Page 1, by inserting after line 41 the
15 following:

16 " "School supervisory employees" includes
17 superintendents, assistant superintendents, principals,
18 and assistant principals, who are defined as
19 supervisory employees in section 20.4, subsection
20 2."

21 5. Page 2, line 8, by inserting after the word
22 "examiners," the words "and "school supervisory
23 employees" means supervisory employees as defined
24 in section 20.4, subsection 2,".

25 6. Page 2, by striking lines 16 and 17.

26 7. Page 2, line 18, by striking the figure "3"
27 and inserting in lieu thereof the figure "2".

28 8. Page 2, line 22, by striking the figure and
29 word "4. Three" and inserting in lieu thereof of
30 following: "3. Four".

31 9. Page 2, by striking lines 29 and 30 and
32 inserting in lieu thereof the following:

33 "Each teacher on the board shall be employed as
34 a teacher and shall have".

35 10. Page 2, by inserting after line 33 the
36 following:

37 "When making appointments under subsections 1 and
38 2, the governor shall consider both public school
39 and nonpublic school enrollments in the educational
40 system in this state."

41 11. Page 3, by striking lines 22 through 25 and
42 inserting in lieu thereof the following: "all includes
43 administrative and supervisory positions in the public
44 schools, except school supervisory employees as defined
45 in section 260.1."

46 12. Page 3, by striking lines 46 and 47 and
47 inserting in lieu thereof the following: "renewal
48 of administrators and supervisors (except school
49 supervisory employees) and teachers".

50 13. Page 3, by inserting after line 50 the

Page 2

1 following:

2 "The board shall conduct a study of the need for
3 the establishment of evaluation procedures for
4 certification purposes. Not later than January 20,
5 1986, the board shall submit a written report to the
6 general assembly containing the results of its study
7 and its recommendations."

8 14. Page 4, by striking lines 24 and 25 and
9 inserting in lieu thereof the following: "as an
10 administrator, or supervisor but not a school

- 11 supervisory employee, as a school service".
12 15. Page 4, line 27, by inserting after the word
13 "or" the words "as a".
14 16. Page 7, by striking lines 10 through 12 and
15 inserting in lieu thereof the following: "for first-
16 year teachers."
17 17. Page 10, by striking lines 42 through 48 and
18 inserting in lieu thereof the following: "general
19 public shall end each of the four years following
20 their appointments. The term of the faculty member
21 shall end three years after appointment."

GROTH of Buena Vista

H-6343

- 1 Amend House File 2527 as follows:
2 1. Page 14, lines 2 and 3, by striking the words
3 "from time to time".

SPEAR of Lee

H-6344

- 1 Amend House File 2527 as follows:
2 1. Page 14, by striking lines 7 through 13.

SPEAR of Lee

H-6348

- 1 Amend House File 2528 as follows:
2 1. Page 8, by inserting after line 3 the following:
3 "Sec. . During the period commencing July 1,
4 1984 and ending June 30, 1985, a person serving as
5 a judicial magistrate under chapter 602, Code
6 Supplement 1983, who either elected by March 1, 1978,
7 under 1977 Iowa Acts, chapter 56, section 6, not to
8 continue membership under the Iowa public employees'
9 retirement system, or who since March 1, 1978 has
10 not elected to be covered under chapter 97B, may
11 notify the Iowa department of job service in writing
12 that the magistrate either rescinds the action taken
13 under 1977 Iowa Acts, chapter 56, section 6, and
14 elects to be covered under the Iowa public employees'
15 retirement system or elects by filing an application
16 with the department of job service to be covered under
17 the Iowa public employees' retirement system. Coverage
18 under the system for the magistrate shall commence
19 at the beginning of the next pay period following
20 receipt of the notification by the department. If
21 the magistrate also submits verification of service

22 and wages earned during the period of service as a
 23 judicial magistrate from March 1, 1978 or the date
 24 service as a judicial magistrate commenced to the
 25 date coverage under the system commences, the
 26 magistrate may pay the employer and employee con-
 27 tributions that would have been made based upon the
 28 covered wages of the member and covered wages and
 29 contribution rates in effect for the period of service
 30 as a judicial magistrate since March 1, 1978 or for
 31 the period since service as a judicial magistrate
 32 commenced, and receive credit for that period of
 33 service. In addition, the magistrate may submit
 34 verification of service and wages earned as a
 35 magistrate prior to March 1, 1978, for which a lump
 36 sum payment of the member's accumulated contributions
 37 was received under 1977 Iowa Acts, chapter 56, section
 38 6, and may repay the accumulated contributions of
 39 the employee for this period of service.

40 The employee contributions paid or repaid by the
 41 judicial magistrate shall be equal to the accumulated
 42 contributions as defined in section 97B.41, subsection
 43 13, by the member for that period of service. The
 44 employer contributions paid by the judicial magistrate
 45 shall be equal to the employer contributions that
 46 would have been paid for the period of service, plus
 47 interest on the contributions that would have accrued
 48 for that period to the date of repayment of the
 49 contributions by the member equal to two percent plus
 50 the interest dividend rate applicable for each year."

Page 2

- 1 2. By numbering as required.

CARTER of Henry

H-6353

- 1 Amend House File 2527 as follows:
 2 1. Page 1, line 28, by inserting after the figure
 3 "1984," the words "twenty-five percent of the".
 4 2. Page 1, by striking lines 30 and 31 and
 5 inserting in lieu thereof the words "development block
 6 grant shall be earmarked for community economic
 7 development projects. Applications for community
 8 development block grants shall be reviewed on a
 9 quarterly basis."

PARKER of Jasper

H-6364

- 1 Amend House File 2527 as follows:

2 1. Page 1, by striking lines 30 and 31 and
3 inserting in lieu thereof the following: "development
4 block grant shall be earmarked for community economic
5 development projects. For the two fiscal years
6 beginning July 1, 1984 and July 1, 1985, up to twenty-
7 five percent shall be so earmarked. For the fiscal
8 years beginning on or after July 1, 1986, twenty-five
9 percent shall be so earmarked. Applications for
10 community development block grants shall be reviewed
11 upon demand."

PARKER of Jasper

H-6365

1 Amend House File 2527 as follows:
2 1. Page 15, line 19, by inserting after the word
3 "liability." the words "In investing funds in venture
4 capital firms, the same degree of care shall be
5 exercised as is required to be or is exercised in
6 making other investments under this subsection."
7 2. Page 22, by inserting after line 13 the
8 following:
9 "Sec. . Section 411.7, subsection 2, Code 1983,
10 is amended to read as follows:
11 2. The city treasurer may invest at the direction
12 of the respective boards of trustees a portion of
13 the funds established in section 411.8 which in the
14 judgment of the respective boards are not needed for
15 current payment of benefits under this chapter in
16 investments authorized in section 97B.7, subsection
17 2, paragraph "b", for moneys in the Iowa public
18 employees' retirement fund.
19 In investing funds in venture capital firms, the same
20 degree of care shall be exercised as is required to
21 be or is exercised in making other investments
22 authorized in section 97B.7, subsection 2, paragraph
23 "b"."

PONCY of Wapello

H-6368

1 Amend Senate amendment H-5914 to House File 489
2 as passed by the House as follows:
3 1. By striking lines 7 through 9.

SCHROEDER of Pottawattamie

H-6373

1 Amend House File 2527 as follows:

2 1. Page 26, by inserting after line 6 the
 3 following:
 4 "Sec. . As soon as practicable, after July
 5 1, 1984, the code editor shall transfer any rules
 6 promulgated by the office for planning and programming,
 7 which relate to the community development block grant
 8 program, to that portion of the Iowa administrative
 9 code reserved to the Iowa development commission."

SCHROEDER of Pottawattamie

H-6379

1 Amend amendment H-6285 to House File 2486 as
 2 amended, passed, and reprinted by the House as follows:
 3 1. Page 2, by striking line 29 and inserting in
 4 lieu thereof the following: "paragraphs:
 5 NEW UNNUMBERED PARAGRAPH. On conviction for a
 6 first or second offense in violation of this section,
 7 the court may order the defendant to perform unpaid
 8 community service work as a condition of probation
 9 on the defendant's sentence."

VAN CAMP of Scott

H-6381

1 Amend amendment H-6285 to House File 2486 as
 2 amended, passed and reprinted by the House as follows:
 3 1. Page 2, line 25, by striking the word "thirteen"
 4 and inserting in lieu thereof the words "thirteen
 5 ten".

VAN CAMP of Scott

H-6391

1 Amend Senate File 2203 as passed by the Senate
 2 as follows:
 3 1. Page 1, by inserting after line 27 the follow-
 4 ing:
 5 "Sec. 4. Section 157.5, Code 1983, is amended
 6 by adding the following new unnumbered paragraph:
 7 NEW UNNUMBERED PARAGRAPH. A person who obtains
 8 a license to practice electrolysis from any school
 9 in another state which is recognized by the board
 10 does not have to become licensed as a cosmetologist
 11 in this state in order to practice electrolysis."

JAY of Appanoose

H-6403

1 Amend House Concurrent Resolution 125 as follows:

2 1. Page 1, by inserting after line 24 the
 3 following:
 4 "*Be It Further Resolved*, That the study committee
 5 shall investigate the feasibility of permitting foreign
 6 purchase of Iowa agricultural land for the period
 7 of one year with all sales to be reported to the
 8 secretary of state; and".

HOFFMANN-BRIGHT of Muscatine
 SCHNEKLOTH of Scott

H-6414

1 Amend House Concurrent Resolution 125 as follows:
 2 1. By inserting after line 8, the following:
 3 "*Whereas*, these hardships have been harder to en-
 4 dure as a result of the 1980 grain embargo against the
 5 Soviet Union which resulted in loss of exports for Iowa
 6 grown corn and soybeans and stimulated production in
 7 other areas of the world to capture the portion of the
 8 Soviet import market formerly held by the United
 9 States and this has had a negative impact on the econo-
 10 mies of the nation and Iowa which resulted in the loss
 11 of billions of dollars to our national economy and in-
 12 creased our balance of payments deficit; and
 13 2. By inserting after line 13, the following:
 14 "*Whereas*, interest rates have such a critical im-
 15 pact on the agricultural economy, and the Federal Re-
 16 serve Act of 1913 delegates to a federally chartered
 17 banking system the powers to deal with interest rates;
 18 and
 19 *Whereas*, there has never been an independent
 20 audit of the Federal Reserve; and"
 21 3. By inserting after line 29, the following:
 22 "*Be It Still Further Resolved*, that it is hereby
 23 declared the intent of the State of Iowa to cause to
 24 be filed in the United States Supreme Court:
 25 1. An action to require an independent audit of
 26 the Federal Reserve."

ANDERSON of Audubon

H-6418

1 Amend Senate File 2351 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 4, line 6, by striking the figure
 4 "134,476,000" and inserting in lieu thereof the figure
 5 "135,043,100".

VAN MAANEN of Mahaska

H-6421

- 1 Amend Senate Joint Resolution 2001 as amended,
- 2 passed and reprinted by the Senate as follows:
- 3 1. Page 2, by striking line 28 through page 4:
- 4 line 2.
- 5 2. Page 4, line 3, by striking the word
- 6 "amendments" and inserting in lieu thereof the word
- 7 "amendment".
- 8 3. Page 4, line 4, by striking the word "are"
- 9 and inserting in lieu thereof the word "is".
- 10 4. Page 4, line 7, by striking the word "them"
- 11 and inserting in lieu thereof the word "it".
- 12 5. Title page, line 1, by striking the word
- 13 "amendments" and inserting in lieu thereof the word
- 14 "an amendment".

HALVORSON of Webster

H-6427

- 1 Amend the amendment H-6406 to Senate File 2351
- 2 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, line 11, by striking the figure
- 5 "134,350,000" and inserting in lieu thereof the figure
- 6 "134,950,000".

VAN MAANEN of Mahaska

H-6432

- 1 Amend House File 2441 as follows:
- 2 1. Page 5, line 12, by striking the word "or"
- 3 and inserting in lieu thereof the word "and".

ROSENBERG of Story

H-6433

- 1 Amend House File 2441 as follows:
- 2 1. Page 1, by striking lines 11 through 14 and
- 3 inserting in lieu thereof the words "has been more
- 4 than eighty percent completed as of the most recent
- 5 date of assessment. This subsection permits the
- 6 elimination only of those taxes which are levied
- 7 against assessments made during the construction of
- 8 the development or redevelopment."

ROSENBERG of Story

H-6434

1 Amend Senate Joint Resolution 2001 as amended,
2 passed, and reprinted by the Senate as follows:

3 1. Page 1, by striking line 3 through page 4,
4 line 8 and inserting in lieu thereof the following:
5 "1. Section 3 of Article IV of the Constitution
6 of the State of Iowa as amended by amendment number
7 1 of the amendments of 1972, is repealed and the
8 following adopted in lieu thereof:

9 SEC. 3. In voting for Governor, the electors shall
10 designate for whom they vote as Governor. The returns
11 of every election for Governor shall be sealed up
12 and transmitted to the seat of government of the
13 State, directed to the Speaker of the House of
14 Representatives, who shall open and publish them in
15 the presence of both Houses of the General Assembly.

16 2. Section 4 of Article IV of the Constitution
17 of the State of Iowa as amended by amendment number
18 1 of the amendments of 1952, is repealed and the
19 following adopted in lieu thereof:

20 SEC. 4. The person having the highest number of
21 votes for Governor shall be declared duly elected;
22 but in case two or more persons shall have an equal
23 and the highest number of votes for either office,
24 the General Assembly shall, by joint vote, forthwith
25 proceed to elect one of said persons Governor.

26 If, upon the completion of the canvass of votes
27 for Governor by the General Assembly, it shall appear
28 that the person who received the highest number of
29 votes for Governor has since died, resigned, is unable
30 to qualify, fails to qualify, or for any other reason
31 is unable to assume the duties of the office of
32 Governor for the ensuing term, the powers and duties
33 of the office shall devolve upon the President of
34 the Senate until the disability is removed and, upon
35 inauguration, the President of the Senate shall assume
36 the powers and duties of Governor.

37 3. Section 5 of Article IV of the Constitution
38 of the State of Iowa is repealed and the following
39 adopted in lieu thereof:

40 SEC. 5. Contested elections for Governor shall
41 be determined by the General Assembly in such manner
42 as may be prescribed by law.

43 4. Section 6 of Article IV of the Constitution
44 of the State of Iowa is repealed and the following
45 adopted in lieu thereof:

46 SEC. 6. No person shall be eligible to the office
47 of Governor, who shall not have been a citizen of
48 the United States, and a resident of the State, two
49 years next preceding the election, and attained the
50 age of thirty years at the time of said election.

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1 5. Section 14 of Article IV of the Constitution
2 of the State of Iowa is repealed and the following
3 adopted in lieu thereof:

4 SEC. 14. No person shall, while holding any office
5 under the authority of the United States, or this
6 State, execute the office of Governor except as
7 hereinafter expressly provided.

8 6. Section 15 of Article IV of the Constitution
9 of the State of Iowa, as amended by amendment number
10 1 of the amendments of 1972, is repealed and the
11 following adopted in lieu thereof:

12 SEC. 15. The official term of the Governor shall
13 commence on the second Monday of January next after
14 the election, and continue until a successor is elected
15 and qualifies.

16 7. Section 18 of Article IV of the Constitution
17 of the State of Iowa is repealed.

18 8. Section 19 of Article IV of the Constitution
19 of the State of Iowa as amended by amendment number
20 2 of the amendments of 1952 is repealed and the
21 following adopted in lieu thereof:

22 SEC. 19. If there be a vacancy in the office of
23 Governor by reason of death, impeachment, resignation,
24 removal from office, or other disability, the President
25 of the Senate shall act as Governor until the vacancy
26 is filled or the disability removed; and if the
27 President of the Senate, for any of the above causes,
28 shall be incapable of performing the duties pertaining
29 to the office of Governor the same shall devolve upon
30 the Speaker of the House of Representatives; and if
31 the Speaker of the House of Representatives, for any
32 of the above causes, shall be incapable of performing
33 the duties of the office of Governor, the Justices
34 of the Supreme Court shall convene the General Assembly
35 by proclamation and the General Assembly shall organize
36 by the election of a President by the Senate and a
37 Speaker by the House of Representatives. The General
38 Assembly shall thereupon immediately proceed to the
39 election of a Governor in joint convention.

40 9. This amendment shall take effect on the second
41 Monday in January, 1991.

42 Sec. 2. The foregoing proposed amendment to the
43 Constitution of the State of Iowa is referred to the
44 General Assembly to be chosen at the next general
45 election for members of the General Assembly and the
46 Secretary of State is directed to cause it to be
47 published for three consecutive months before the
48 date of that election as provided by law."

49 2. Title page, by striking lines 2 and 3 and
50 inserting in lieu thereof the words "of the State

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1 of Iowa to eliminate the office of lieutenant
2 governor."

HALVORSON of Webster

H-6436

1 Amend amendment H-6285 to House File 2486 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 8, by inserting after line 28 the
4 following:
5 " . The Iowa department of justice shall select
6 an employee of that department as a member.
7 . The Iowa insurance institute shall select
8 a member of that organization as a member."

MILLER of Woodbury

H-6440

1 Amend House amendment H-6338 to House File 2527
2 as follows:
3 1. Page 9, by inserting after line 4 the following:
4 "Sec. 1001. NEW SECTION. DEFINITIONS. As used
5 in sections 1001 through 1006 of this Act, unless
6 the context otherwise requires:
7 1. "Building standards" means the structural,
8 mechanical, electrical, and quality standards of the
9 home building industry for the geographic area in
10 which the dwelling is situated.
11 2. "Dwelling" means a new building, not previously
12 occupied, constructed for the purpose of habitation;
13 but does not include appurtenant recreational
14 facilities, detached garages, driveways, walkways,
15 patios, boundary walls, retaining walls not necessary
16 for the structural stability of the dwelling,
17 landscaping, fences, nonpermanent construction
18 materials, off-site improvements, and all other similar
19 items.
20 3. "Initial vendee" means a person who first
21 contracts to purchase a dwelling from a vendor for
22 the purpose of habitation and not for resale in the
23 ordinary course of trade.
24 4. "Major construction defect" means actual damage
25 to the load-bearing portion of the dwelling, including
26 damage due to subsidence, expansion or lateral movement
27 of the soil, which affects its load-bearing function
28 and which vitally affects or is imminently likely
29 to vitally affect use of the dwelling for residential
30 purposes. "Major construction defect" does not include

31 damage due to movement of the soil caused by flood,
32 earthquake or other natural disaster.

33 5. "Vendee" means any purchaser of a dwelling
34 and includes the initial vendee and any subsequent
35 purchasers.

36 6. "Vendor" means any person, firm, or corporation
37 which constructs dwellings for the purpose of sale,
38 including the construction of dwellings on land owned
39 by vendees.

40 7. "Warranty date" means the date from and after
41 which the statutory warranties provided in section
42 1002 of this Act shall be effective, and which is
43 the earliest of the following:

44 a. The date of the initial vendee's first occupancy
45 of the dwelling.

46 b. The date on which the initial vendee takes
47 legal or equitable title in the dwelling.

48 Sec. 1002. NEW SECTION. STATUTORY WARRANTIES.

49 1. In every sale of a completed dwelling, and
50 in every contract for the sale of a dwelling to be

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1 completed, the vendor shall warrant to the vendee
2 all of the following:

3 a. That during the one-year period from and after
4 the warranty date the dwelling shall be free from
5 defects caused by faulty workmanship and defective
6 materials due to noncompliance with building standards.

7 b. That during the two-year period from and after
8 the warranty date, the dwelling shall be free from
9 defects caused by faulty installation of plumbing,
10 electrical, heating, and cooling systems.

11 c. That during the ten-year period from and after
12 the warranty date, the dwelling shall be free from
13 major construction defects.

14 2. The statutory warranties provided in this
15 section shall survive the passing of legal or equitable
16 title in the dwelling to the vendee.

17 Sec. 1003. NEW SECTION. EXCLUSIONS. The liability
18 of the vendor under sections 1001 to 1006 of this
19 Act is limited to the specific items set forth in
20 sections 1001 to 1006 of this Act and does not extend
21 to any of the following:

22 1. Loss or damage not reported by the vendee to
23 the vendor in writing within six months after the
24 vendee discovers or should have discovered the loss
25 or damage.

26 2. Loss or damage caused by defects in design,
27 installation, or materials which the vendee supplied,
28 installed, or had installed under the vendee's
29 direction.

- 30 3. Secondary loss or damage such as personal
 31 injury or property damage.
 32 4. Loss or damage from normal wear and tear.
 33 5. Loss or damage from normal shrinkage caused
 34 by drying of the dwelling within tolerances of building
 35 standards.
 36 6. Loss or damage from dampness and condensation
 37 due to insufficient ventilation after occupancy.
 38 7. Loss or damage from negligence, improper
 39 maintenance or alteration of the dwelling by parties
 40 other than the vendor.
 41 8. Loss or damage from changes in grading of the
 42 ground around the dwelling by parties other than the
 43 vendor.
 44 9. Landscaping or insect loss or damage.
 45 10. Loss or damage from failure to maintain the
 46 dwelling in good repair.
 47 11. Loss or damage which the vendee, whenever
 48 feasible, has not taken timely action to minimize.
 49 12. Loss or damage which occurs after the dwelling
 50 is no longer used primarily as a residence.

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- 1 13. Accidental loss or damage usually described
 2 as acts of God, including, but not limited to, fire,
 3 explosion, smoke, water escape, windstorm, hail or
 4 lightening, falling trees, aircraft and vehicles,
 5 flood, and earthquake, except when the loss or damage
 6 is caused by failure to comply with building standards.
 7 14. Loss or damage from soil movement which is
 8 compensated by legislation or covered by insurance.
 9 15. Loss or damage due to soil conditions where
 10 construction is done upon lands owned by the vendee
 11 and obtained by the vendee from a source independent
 12 of the vendor.
 13 **Sec. 1004. NEW SECTION. WAIVER AND MODIFICATION**
 14 **LIMITED.**
 15 1. Except as provided in subsections 2 and 3,
 16 sections 1001 to 1006 of this Act cannot be waived
 17 or modified by contract or otherwise. An agreement
 18 which purports to waive or modify sections 1001 to
 19 1006 of this Act, except as provided in subsections
 20 2 and 3, shall be void.
 21 2. At any time after a contract for the sale of
 22 a dwelling is entered into by and between a vendor
 23 and a vendee, any of the statutory warranties provided
 24 for in section 1002 of this Act may be excluded or
 25 modified only by a written instrument, printed in
 26 bold face type of a minimum size of ten points, which
 27 is signed by the vendee and which sets forth in detail
 28 the warranty involved, the consent of the vendee,
 29 and the terms of the new agreement contained in the
 30 writing. An exclusion or modification shall not be

31 effective unless the vendor provides substitute express
 32 warranties offering substantially the same protections
 33 to the vendee as the statutory warranties set forth
 34 in section 1002 of this Act.

35 3. If a major construction defect is discovered
 36 prior to the sale of a dwelling, the statutory warranty
 37 set forth in section 1002, subsection 1, paragraph
 38 "c", of this Act may be waived for the defect
 39 identified in the waiver instrument, after full oral
 40 disclosure of the specific defect, by an instrument
 41 which sets forth in detail the specific defect; the
 42 difference between the value of the dwelling without
 43 the defect, and the value of the dwelling with the
 44 defect, as determined and attested to by an independent
 45 appraiser, contractor, insurance adjuster, engineer
 46 or any other similarly knowledgeable person selected
 47 by the vendee; the price reduction; the date the
 48 construction was completed; the legal description
 49 of the dwelling; the consent of the vendee to the
 50 waiver; and the signatures of the vendee, the vendor,

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1 and two witnesses.

2 A single waiver agreed to pursuant to this
 3 subsection may not apply to more than one major
 4 construction defect in a dwelling.

5 The waiver shall not be effective unless filed
 6 for recording with the county recorder or registrar
 7 of titles who shall file the waiver for record.

8 4. If the vendor excludes, modifies, or waives
 9 any of the statutory warranties provided in section
 10 1002 of this Act, or if the vendor fails to provide
 11 substitute express warranties offering substantially
 12 the same protections to the vendee as the statutory
 13 warranties set forth in section 1002 of this Act the
 14 statute of limitations provided in section 614.1,
 15 subsection 11, shall not apply to an action arising
 16 from any defect in the dwelling for which a statutory
 17 warranty or a substitute express warranty was excluded,
 18 modified, or waived.

19 **Sec. 1005. NEW SECTION. REMEDIES.** Upon breach
 20 of a warranty imposed by section 1002 of this Act,
 21 the vendee shall have a cause of action against the
 22 vendor for damages arising out of the breach, or for
 23 specific performance. Damages shall be limited to
 24 either of the following:

25 1. The amount necessary to remedy the defect or
 26 breach.

27 2. The difference between the value of the dwelling
 28 without the defect and the value of the dwelling with
 29 the defect.

30 **Sec. 1006. NEW SECTION. OTHER WARRANTIES.** The
 31 statutory warranties provided for in section 1002

32 of this Act shall be in addition to all other
 33 warranties imposed by law or agreement. The remedies
 34 provided in section 1005 of this Act shall not be
 35 construed as limiting the remedies in any action not
 36 predicated upon breach of the statutory warranties
 37 imposed by section 1002 of this Act.

38 Sec. 1007. Section 614.1, Code Supplement 1983,
 39 is amended by adding the following new subsection:

40 NEW SUBSECTION. 11. IMPROVEMENTS TO REAL PROPERTY.

41 In addition to limitations contained elsewhere in
 42 this section, an action arising out of the unsafe
 43 or defective condition of an improvement to real
 44 property based on tort and implied warranty and for
 45 contribution and indemnity, and founded on injury
 46 to property, real or personal, or injury to the person
 47 or wrongful death, shall not be brought more than
 48 fifteen years after the date on which occurred the
 49 act or omission of the defendant alleged in the action
 50 to have been the cause of the injury or death.

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1 However, this subsection shall not be construed to
 2 bar an action against a person solely in the person's
 3 capacity as an owner, occupant, or operator of an
 4 improvement to real property."

McINTEE of Black Hawk
 CHIODO of Polk

H-6443

1 Amend House File 2441 as follows:
 2 1. Page 5, by striking lines 20 and 21 and
 3 inserting in lieu thereof the words and figure "market
 4 value does not apply if the developer enters into
 5 a written assessment agreement with the municipality
 6 pursuant to section 1 of this Act and the minimum
 7 actual value contained in the assessment agreement
 8 would indicate that there will be".

ROSENBERG of Story

H-6450

1 Amend House File 2513 as passed by the House as
 2 follows:
 3 1. Page 1, lines 7 and 8, by striking the words
 4 "and the corporation is not taxable in another state"
 5 and inserting in lieu thereof the word "state".
 6 2. Page 1, lines 12 and 13, by striking the words
 7 "and the corporation is taxable in another state"
 8 and inserting in lieu thereof the word "state".
 9 3. Title page, by striking lines 1 through 5 and

10 inserting in lieu thereof the words "An Act relating
11 to the apportionment of the net income of a".

Senate Amendment

H-6459

1 Amend the Senate amendment H-6351, filed to
2 House File 2274 as follows:

3 1. Page 1, by inserting before line 5 the
4 following new sections:

5 "Section 1. NEW SECTION. 18.175 CAPITAL
6 RESTORATION CHECKOFF. A person who files an
7 individual or joint tax return with the department
8 of revenue may designate any additional amount to
9 be paid to the state capitol restoration fund.

10 The action taken by a person for the checkoff is
11 irrevocable.

12 Sec. 2. NEW SECTION. 18.176 FUND CREATED.
13 The state capitol restoration fund is created within
14 the office of the treasurer of state to be admin-
15 istered by the director of general services.

16 The department of revenue on or before January
17 31 of the year following the preceding calendar year
18 shall certify the total amount designated for the
19 state capitol restoration fund on the tax returns
20 due in the preceding calendar year and shall report
21 the amount to the treasurer of state and to the
22 department of general services. The treasurer of
23 state shall credit the amount to the state capitol
24 restoration fund.

25 The amount credited to the fund from the
26 checkoff is appropriated to the department of general
27 services which with the prior approval of the execu-
28 tive council may be used for capitol improvements
29 relating to the restoration of the capitol building.

30 Sec. 3. NEW SECTION. 18.177 HISTORICAL
31 BUILDING CHECKOFF. A person who files an individual
32 or joint tax return with the department of revenue
33 may designate any additional amount to be paid to the
34 state historical building fund. The action taken by
35 a person for the checkoff is irrevocable.

36 Sec. 4. NEW SECTION. 18.178 FUND CREATED.
37 The state historical building fund is created within
38 the office of the treasurer of state to be admin-
39 istered by the director of general services.

40 The department of revenue on or before January
41 31 of the year following the preceding calendar year
42 shall certify the total amount designated for the
43 state historical building fund on the tax returns
44 due in the preceding calendar year and shall report
45 the amount to the treasurer of state and the depart-
46 ment of general services. The treasurer of state
47 shall credit the amount to the state historical
48 building fund.

49 The amount credited to the fund from the check-
50 off is appropriated to the department of general ser-

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1 vices which with the prior approval of the execu-
2 tive council may be used for capital improvements
3 relating to the historical building."

KREWSON of Polk

H-6481

1 Amend Senate File 2360 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, by inserting after line 11 the
4 following:
5 "Sec. . Section 331.655, subsection 1, paragraph
6 a, Code Supplement 1983, is amended to read as follows:
7 a. For serving a notice and returning it, for
8 the first person served, ~~six~~ twelve dollars, and each
9 additional person, ~~six~~ twelve dollars except the fee
10 for serving additional persons in the same household
11 shall be ~~three~~ six dollars for each additional service,
12 or if the service of notice cannot be made or several
13 attempts are necessary, the repayment of all necessary
14 expenses actually incurred by the sheriff while
15 attempting in good faith to serve the notice."
16 2. By renumbering as necessary.

WOODS of Polk

H-6488

1 Amend House File 2441 as follows:
2 1. Page 3, line 18, by striking the following:
3 "except as provided in section 3 of this Act".
4 2. Page 5, by striking lines 11 through 28 and
5 inserting in lieu thereof the following: "as an
6 industrial building or facility, or a home office
7 or regional office facility for a multistate business."

OSTERBERG of Linn

H-6496

1 Amend Senate File 2259 as passed by the Senate
2 as follows:
3 1. Page 1, by striking lines 5 and 6 and inserting
4 in lieu thereof the following: "school shall begin
5 no sooner than September 1 and shall continue for
6 at least".

GROTH of Buena Vista

RESOLUTIONS ADOPTED

Resolutions adopted during the Seventieth General Assembly, 1984 Session, not otherwise printed in the House Journal.

HOUSE CONCURRENT RESOLUTION 107

By Committee on Natural Resources

1 A Concurrent Resolution urging the state executive council
2 and historical department to accept an offered gift
3 of historic property.

4 *Whereas*, Matthew Edel opened a blacksmith shop
5 in Haverhill, Iowa in 1883 and operated it until his
6 death in 1940; and

7 *Whereas*, Matthew Edel was not only a blacksmith,
8 but also an inventor receiving a patent for a wedge
9 cutter and making and marketing several types of
10 dehorning clippers, a nut pliers and a special weeding
11 hoe; and

12 *Whereas*, Matthew Edel also constructed much of
13 the machinery in the blacksmith shop; and

14 *Whereas*, the blacksmith shop contains many tools,
15 machinery and artifacts of the period; and

16 *Whereas*, the property was placed on the national
17 register of historic places in March, 1983; and

18 *Whereas*, the known heirs of Matthew Edel have
19 offered to donate their interest in the property to
20 the state of Iowa for use as a historic property;

21 *Now Therefore*,

22 *Be It Resolved by the House of Representatives*,
23 *the Senate Concurring*, That the general assembly
24 expresses its appreciation to the known heirs of
25 Matthew Edel for their stewardship in maintaining
26 the blacksmith shop and associated buildings and their
27 generosity in offering them to the state as a historic
28 property; and

29 *Be It Further Resolved*, That the general assembly
30 requests the state executive council and the state

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1 historical department to accept the gifts of the
2 interests in lots thirteen through eighteen, block
3 four, Haverhill, Iowa from the heirs of Matthew Edel
4 for use as a historic property and to take other steps
5 necessary to secure quiet title to the property; and

6 *Be It Further Resolved*, That copies of this
7 resolution be provided to heirs of Matthew Edel.

HCR 107 filed on February 22, 1984; House adopted March 21, 1984; Senate adopted March 30, 1984.

HOUSE CONCURRENT RESOLUTION 108

By Committee on Agriculture

1 A Concurrent Resolution requesting an interim study
2 of the cattle industry.

3 *Whereas*, the peak in Iowa beef production was
4 reached in 1968 with 4.7 million cattle marketed,
5 but has continually eroded since then; and

6 *Whereas*, the 1968 total of cattle marketed amounted
7 to 20% of the nation's total beef output and the 1982
8 total was only 10% of the nation's total beef output;
9 and

10 *Whereas*, in 1977 there were 33,000 feedlots in
11 the state and as of January 1983 there were only
12 24,000 feedlots with the decline expected to continue;
13 and

14 *Whereas*, the number of cattle being fed in Iowa
15 feedlots continues to steadily decline from 970,000
16 in October 1982, to 740,000 in October 1983, a drop
17 of 24% and the lowest total since the mid-1950's;
18 and

19 *Whereas*, the depletion of the Iowa cattle industry
20 has coincided with the spread of large commercial
21 feedlots in western and southwestern states,
22 consequently causing the closing of older meat packing
23 plants in Iowa and the Midwest; and

24 *Whereas*, the double digit interest rate has caused
25 a cutback in the size of Iowa's cattle industry; and

26 *Whereas*, almost one-third of our farmland which
27 is unsuited for row-cropping and is in pasture or
28 forage crops, could support at least three times the
29 present number of beef cows; and

30 *Whereas*, a further long-term decline in Iowa cattle

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1 feeding will lead to an additional loss of Iowa beef
2 slaughtering, processing and other support industries
3 which will make it more difficult for the Iowa cattle
4 feeder and cow-calf producer to compete; and

5 *Whereas*, Iowa is in danger of losing its cattle
6 industry; *Now Therefore*,

7 *Be It Resolved by the House of Representatives*,
8 *the Senate Concurring*, That the Legislative Council
9 is requested to appoint an interim subcommittee
10 composed of members of the house and senate standing
11 committees on agriculture to work with Iowa State
12 University and the Iowa Cattlemen's Association on
13 an in-depth analysis of the total cattle industry

14 from the cow-calf operation to the finished retail
15 product.

HCR 108 filed on February 23, 1984; House adopted April 17, 1984.

HOUSE CONCURRENT RESOLUTION 110

By Hammond, Ollie, Lloyd-Jones, Mullins, Arnould, Blanshan, Clark, Krewson,
Sherzan, Holveck, Rosenberg and Haverland

1 A Concurrent Resolution in support of a United States
2 academy of peace and conflict resolution.

3 *Whereas*, people throughout Iowa are concerned about
4 the rise in social and cultural hostilities, the
5 increasing incidence of violent conflicts among nations
6 and peoples, and the ever-present threat of nuclear
7 war; and

8 *Whereas*, there is a need to promote nonviolent
9 methods of resolving human conflict; and

10 *Whereas*, conflict resolution techniques have
11 repeatedly been demonstrated to provide a constructive,
12 cost-effective means of resolving potentially violent
13 human conflicts; and

14 *Whereas*, legislation is now pending in congress
15 which would establish the United States academy of
16 peace and conflict resolution, which would serve to
17 advance international peace through the development
18 and implementation of programs to promote the use
19 of conflict resolution techniques in international
20 conflicts; *Now Therefore*,

21 *Be It Resolved by the House of Representatives,*
22 *the Senate Concurring*, That the general assembly of
23 the state of Iowa supports the passage of the United
24 States academy of peace and conflict resolution Act,
25 house resolution 5088; and

26 *Be It Further Resolved*, That the general assembly
27 of the state of Iowa respectfully memorializes the
28 Iowa delegation to the congress of the United States
29 to work to secure that bill's passage; and

30 *Be It Further Resolved*, That the chief clerk of

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1 the house transmit copies of this resolution to the
2 president and vice president of the United States,
3 to the speaker of the house of representatives, and
4 to each senator and representative from Iowa in the
5 congress of the United States.

HCR 110 filed on March 1, 1984; House adopted April 11, 1984.

HOUSE CONCURRENT RESOLUTION 113

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

1 A Concurrent Resolution relating to adoption.
 2 *Whereas*, through the process of adoption a child's
 3 legal relationship with the birth parents is terminated
 4 and the child is assimilated into a new family; and
 5 *Whereas*, in 1945 Iowa enacted legislation sealing
 6 the original birth certificate after an adoption as
 7 well as adoption records to protect the parties to
 8 the adoption; and
 9 *Whereas*, some states have recently reevaluated
 10 the need for strict confidentiality when all parties
 11 are adults and have changed their statutes to permit
 12 varying degrees of access to identifying information;
 13 and
 14 *Whereas*, certain obstacles prevent the expeditious
 15 hearing of termination petitions and thus delay pending
 16 adoptions which are in the best interests of some
 17 children; and
 18 *Whereas*, a need also exists to examine Iowa's
 19 adoption and termination statutes to determine whether
 20 certain clarifications and changes are necessary to
 21 reflect changing attitudes toward adoption, to expedite
 22 certain adoptions, and to better meet the needs of
 23 the principal parties; *Now Therefore*,
 24 *Be It Resolved by the House of Representatives*,
 25 *the Senate Concurring*. That the legislative council
 26 authorize the creation of a joint subcommittee of
 27 the house standing committee on human resources and
 28 the senate standing committee on human resources to
 29 study adoption and termination statutes and procedures.
 30 The joint subcommittee shall examine the following:

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- 1 1. Proposals that permit various degrees of access
- 2 to identifying information regarding the parties to
- 3 an adoption.
- 4 2. The need to require agencies to provide updated
- 5 nonidentifying information to the parties on request.
- 6 3. The need for additional adoption services,
- 7 including an adoption exchange, open adoptions, and
- 8 requirements for providing information on the
- 9 alternatives to and effects of surrender of a child
- 10 to persons contemplating surrender.
- 11 4. The need for protection against separation
- 12 of siblings and for facilitating the reunion of adult
- 13 siblings who were separated as children.

- 14 5. Clarification of procedures relating to the
15 release of custody.
16 6. Proposals that permit the expeditious handling
17 of certain adoptions.
18 7. Other changes in adoption and termination
19 statutes as necessary and appropriate.
20 The subcommittee shall submit a report of its
21 recommendations and accompanying legislation to the
22 legislative council and members of the general assembly
23 meeting in 1985.

HCR 118 filed on March 8, 1984; House adopted March 30, 1984.

HOUSE CONCURRENT RESOLUTION 117
By Committee on Appropriations

- 1 A Concurrent Resolution relating to the bonding authority
2 of the state board of regents.
3 *Whereas*, pursuant to chapter 262A, the Seventieth
4 General Assembly of the State of Iowa passed Senate
5 Concurrent Resolution 13 authorizing the state board
6 of regents to undertake and carry out certain projects
7 and to pay all or any part of the cost of carrying
8 out such projects by borrowing money and issuing
9 negotiable revenue bonds under chapter 262A in a total
10 amount not to exceed sixty-three million seven hundred
11 eighty thousand (\$63,780,000) dollars during the
12 biennium commencing July 1, 1983 and ending June 30,
13 1985; and
14 *Whereas*, it is desired to amend Senate Concurrent
15 Resolution 13 to authorize the state board of regents
16 to undertake and carry out additional projects and
17 to pay all or any part of the cost of carrying out
18 the additional projects by borrowing money and issuing
19 negotiable revenue bonds under chapter 262A but without
20 increasing the authority to issue revenue bonds during
21 the biennium beginning July 1, 1983 and ending June
22 30, 1985; *Now Therefore*,
23 *Be It Resolved by the House of Representatives*,
24 *the Senate Concurring*, That the state board of regents
25 is authorized to undertake and carry out the following
26 projects, in addition to the projects set out in
27 Senate Concurrent Resolution 13 of the Seventieth
28 General Assembly, and to pay all or any part of the
29 cost of carrying out the projects by borrowing money
30 and issuing negotiable revenue bonds under chapter

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- 1 262A, in the amount authorized in Senate Concurrent
2 Resolution 13 of not to exceed sixty-three million

3 seven hundred eighty thousand (\$83,780,000) dollars,
 4 during the biennium commencing July 1, 1983 and ending
 5 June 30, 1985:

6 State University of Iowa
 7 University theater addition equipment
 8 Fire safety deficiency corrections
 9 Iowa State University of Science and Technology
 10 Agronomy building renovation
 11 Mechanical engineering equipment.

12 It is the intent of the legislature that any amount
 13 expended for fire safety deficiency corrections or
 14 mechanical engineering equipment shall be in addition
 15 to, not in place of, the amounts included in the
 16 regents' operating budget.

17 *Be It Further Resolved*, That, as amended by this
 18 concurrent resolution, Senate Concurrent Resolution
 19 13 of the Seventieth General Assembly is ratified
 20 and confirmed in all respects.

HCR 117 filed on March 26, 1984; House adopted as amended
 March 30, 1984; Senate adopted April 12, 1984.

HOUSE CONCURRENT RESOLUTION 120

By Poncy, Renken, Sherzan, Running, Sullivan and Van Camp

1 A Concurrent Resolution relating to American
 2 POW's and MIA's.

3 *Whereas*, there are currently 2,494 Americans still
 4 missing and otherwise unaccounted for in Southeast
 5 Asia; and

6 *Whereas*, the United States Government has collected
 7 and analyzed information which clearly established
 8 that the governments of Indochina possess information
 9 regarding American POW's and MIA's; and

10 *Whereas*, the Defense Intelligence Agency is
 11 currently investigating nearly 500 firsthand, live
 12 sighting reports of Americans in Southeast Asia, based
 13 on the assumption that at least some may still be
 14 held captive; and

15 *Whereas*, the United States Government obtained
 16 and substantiated information that the Socialist
 17 Republic of Vietnam has in its possession the remains
 18 of at least 400 United States personnel who were
 19 killed as a result of hostilities in Southeast Asia;
 20 and

21 *Whereas*, the families of those United States
 22 servicemen and civilians missing in Southeast Asia
 23 have suffered untold grief and uncertainty because
 24 the governments of Indochina have failed to provide
 25 an adequate accounting for those missing; and
 26 *Whereas*, the Iowa State Legislature has an enduring
 27 interest in the welfare of Americans listed as missing
 28 or otherwise unaccounted for in Southeast Asia and
 29 their families; *Now Therefore*,

30 *Be It Resolved by the House of Representatives*,

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1 *the Senate Concurring*, That the people and the State
 2 of Iowa support the United States Government's current
 3 efforts to resolve the POW/MIA issue and urge that
 4 resolution of this tragedy continue to receive the
 5 highest national priority until such time as the
 6 United States Government has obtained the return of
 7 all United States personnel who may still be held
 8 captive, the fullest possible accounting for those
 9 still missing, and the repatriation of the remains
 10 of those who died serving our nation; and
 11 *Be It Further Resolved*, That this resolution be
 12 forwarded to the United States Congress and President
 13 of the United States for action at the national level.

HCR 120 filed on April 9, 1984; House adopted April 11, 1984.

HOUSE CONCURRENT RESOLUTION 121

By Krewson, Mullins, Lonergan, Halvorson of Clayton, Harbor, Diemer, Royer, Chiodo, McIntee, O'Kane, Sturgeon, Renken, Anderson, Brammer, Toft, Swearingen, Schroeder, Hoffmann-Bright, McKean, Rosenberg, Jay, Carl, Zimmerman, Resink, De Groot, Hammond, Haverland, Copenhaver, Van Gerpen, Corey, Carpenter, Lloyd-Jones, Poncy, Van Maanan, Peick, Paulin, Renaud, Holveck, Maulsby, Hanson, Hermann, Daggett, Sherzan, Running, Gronstal, Shoultz, Tabor, Muhlbauer, Gruhn, Grandia, Spear, Van Camp, Osterberg, Buhr, Carter, Koenigs, Hughes, Knapp, Cochran, Oxley, Stromer, Welden, Swartz, Groth, Branstad, Fogarty, Handorf, Blanshan, Stueland, Pellett, Skow, Black, Lageschulte, Clark, Varn, Ollie, Halvorson of Webster, Parker, Connors, Arnould, Doderer and Fey

1 A Concurrent Resolution regarding the development
 2 of business and industry in the state of Iowa.
 3 *Whereas*, it is the policy of this state to encourage
 4 the development and growth of the industrial base
 5 of Iowa for the good of all Iowans; and
 6 *Whereas*, it should be the policy of this state,
 7 and other states, to compete for industry in such
 8 a manner as to enhance the economic well-being of
 9 the state and its citizens; and
 10 *Whereas*, it is the policy of this state not to
 11 encourage unchecked "bidding" between states through
 12 tax or other public incentives; and
 13 *Whereas*, recent events evidence an alarming amount
 14 of such "competition" between the several states;
 15 *Now Therefore*,
 16 *Be It Resolved by the House of Representatives*,
 17 *the Senate Concurring*, That the state of Iowa shall
 18 encourage, through its governor and other elected
 19 officials, the development of standards and guidelines
 20 by the National Conference of State Legislatures,
 21 or other appropriate body, concerning the acceptable

22 methods of recruiting business and industry into any
23 state; and that the state of Iowa shall adopt such
24 guidelines, and encourage their adoption by all other
25 states.

HCR 121 filed on April 12, 1984; House adopted April 18, 1984.

HOUSE RESOLUTION 102
By Committee on Agriculture

1 A Resolution requesting congressional
2 action relating to the operations of the Iowa
3 Family Farm Development Authority.
4 *Whereas*, Iowa's Family Farm Development Authority
5 has made it possible for 312 beginning farmers to
6 develop loans for a total of over \$22 million; and
7 *Whereas*, these loans were to assist beginning
8 farmers in purchasing agricultural property,
9 depreciable agricultural property, and to make
10 agricultural improvements; and
11 *Whereas*, Iowa's Family Farm Development Authority
12 has made it possible for more than \$243,000 to be
13 loaned to 16 farmers for conservation farm equipment
14 and permanent soil and water conservation practices;
15 and
16 *Whereas*, over 76 Iowa lenders have participated
17 in these innovative programs; and
18 *Whereas*, the barriers to enter into farming
19 continues because of constant consolidation of
20 agriculture, from a total of 158,000 farms in 1965
21 to 117,000 farms in 1982; and
22 *Whereas*, there is a shortage of private funds,
23 as well as double digit interest rates, creating a
24 hostile environment for the beginning farmer; and
25 *Whereas*, there continues to be a serious problem
26 for the nonestablished farmers to buy agricultural
27 land, depreciable agricultural property, and make
28 agricultural improvements; and
29 *Whereas*, this poses a threat to the traditional
30 family farm which embodies within it the pioneer

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1 spirit our forefathers brought to this land over one-
2 hundred years ago; and
3 *Whereas*, all of the advantages brought about by
4 the Iowa Family Farm Development bond program have
5 been curtailed by an Act of Congress sunsetting the
6 program as of January 1, 1984; and
7 *Whereas*, the lack of congressional action has
8 caused bonding companies to withdraw from the market

9 and has effectively terminated the bonding program;
 10 *Now Therefore,*
 11 *Be It Resolved by the House of Representatives,*
 12 That Congress, and in particular Iowa's Congressional
 13 delegation, is urged to pass H.R. 4170 amended in
 14 such a manner which will allow the Iowa Family Farm
 15 Development Authority to continue with their program
 16 as they have operated in the past, including the
 17 ability to accept loan proposals which would include
 18 depreciable agricultural property, breeding livestock,
 19 and beginning farmers who have less than a \$100,000
 20 net worth even though they may own some agricultural
 21 land and to make retroactive to January 1, 1984, the
 22 Authority's power to approve proposed bonds for the
 23 programs they have so successfully sponsored; and
 24 *Be It Further Resolved,* That copies of this
 25 resolution shall be forwarded to members of the Iowa
 26 Congressional Delegation.

HR 102 filed on February 23, 1984; House adopted March 8, 1984.

HOUSE RESOLUTION 107

By Peick

1 A House Resolution relating to the recognition of female veterans.
 2 *Whereas,* 12,100 female veterans residing in Iowa
 3 served their country honorably in World War I, World
 4 War II, the Korean War, the era between the Korean
 5 and Vietnam Wars, the Vietnam War, and during the
 6 Post-Vietnam era; and
 7 *Whereas,* September 14, 1983, was the day that the
 8 veterans administration's committee on the problems
 9 of female veterans first met in Washington, D.C.;
 10 and
 11 *Whereas,* that day, September 14, has been proposed
 12 in the Congress of the United States as an annual
 13 day of recognition for women veterans; *Now Therefore,*
 14 *Be It Resolved by the House of Representatives,*
 15 That the Iowa house of representatives urges the
 16 Congress of the United States to pass the resolution
 17 establishing September 14 as an annual day of
 18 recognition for female veterans; and
 19 *Be It Further Resolved,* That copies of this
 20 resolution be sent to members of the Iowa congressional
 21 delegation, the president of the United States, and
 22 the speaker of the United States house of
 23 representatives.

HR 107 filed on April 18, 1984; House adopted April 20, 1984.

HOUSE RESOLUTION 109

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

1 A House Resolution commemorating the one hundredth
2 anniversary of the birth of Harry S. Truman.

3 *Whereas*, Harry S. Truman was the thirty-third
4 President of the United States of America; and

5 *Whereas*, Harry S. Truman served as Vice-President
6 of the United States of America for the fourth term
7 of President Franklin D. Roosevelt; and

8 *Whereas*, Harry S. Truman served as Senator from
9 the state of Missouri, during which time he chaired
10 the Senate Armed Services Committee; and

11 *Whereas*, Harry S. Truman was a captain in World
12 War I and provided instrumental political leadership
13 during and after World War II, including the
14 reestablishment of civilian control of the military
15 and development of the Marshall Plan which brought
16 the NATO alliance together to rebuild Europe; *Now*
17 *Therefore*,

18 *Be It Resolved by the House of Representatives*,
19 That it commemorates the one hundredth anniversary
20 of the birth of Harry S. Truman on May 8, 1984, and
21 recognizes him as a statesman who made invaluable
22 contributions to the strength, prosperity, and future
23 of his state, his country, and the world; and

24 *Be It Further Resolved*, That copies of this
25 resolution be sent to the Harry S. Truman Library
26 in Independence, Missouri.

HR 109 filed on April 19, 1984; House adopted April 20, 1984.

SUPPLEMENT TO THE HOUSE JOURNAL**BILLS AND RESOLUTION APPROVED, VETOED OR
ITEM VETOED SUBSEQUENT TO ADJOURNMENT**

The following is a record of the action of the Governor on bills and a resolution passed by the 1984 Regular Session of the Seventieth General Assembly and which action was had subsequent to the date of final adjournment:

- H.F. 4— Relating to fees charged by county auditors for transfers made in the transfer books. Approved May 4, 1984.
- H.F. 123— Relating to peace officers and fire fighters by expanding the scope of the crime of interference with official acts, establishing authority of the Iowa Law Enforcement Academy Director and the Law Enforcement Academy Council to enforce standards and requirements upon request, and providing penalties. Approved May 10, 1984.
- H.F. 189— Requiring state banks, private banks and state savings and loan associations to acquire and maintain account insurance on their deposits. Approved May 4, 1984.
- H.F. 205— Relating to the eligibility of property owners to protest changes in zoning districts. Approved May 2, 1984.
- H.F. 224— Repealing the domestic animal fund. Approved May 4, 1984.
- H.F. 406— Relating to the issuing of licenses and permits for the purpose of taking wild mammals, fish, birds, amphibians, and reptiles. Approved May 11, 1984.
- H.F. 434— Authorizing cities or counties to enter agreements to jointly invest public funds. Approved May 4, 1984.
- H.F. 446— Providing for the creation, management, and administration of a protected water area system in this state. Approved May 11, 1984.
- H.F. 508— To eliminate annual registration plates for motor fuel transporters and providing that persons without motor fuel tax permits have certain duties and responsibilities. Approved May 2, 1984.
- H.F. 523— To provide for reciprocity among the states on the license fee for fur buyers. Approved May 4, 1984.
- H.F. 531— To revise the procedures for the assessment of penalties under the laws regulating coal mining. Approved April 30, 1984.
- H.F. 540— Relating to Chapter 91A. Approved May 14, 1984.
- H.F. 558— Revising Iowa's aid to dependent children law to conform to federal law and the practices of the Department of Human Services. Approved May 14, 1984.

- H.F. 573 — Providing for the disposition of personal property in the possession of the Department of Public Safety. Approved April 30, 1984.
- H.F. 582 — Relating to the postconviction procedure act. Approved May 4, 1984.
- H.F. 595 — Relating to the deferring of judgment or deferring of sentence of a person previously convicted of a felony. Disapproved May 18, 1984. See Governor's veto message.
- H.F. 2015 — Relating to the holding of games of skill, chance, and raffles including bingo and providing penalties. Approved May 8, 1984.
- H.F. 2043 — Relating to the reporting of property owned by a city utility. Approved May 2, 1984.
- H.F. 2062 — Providing for a moratorium on certain disconnections of gas and electricity by regulated public utilities from November 1 to April 1 for certain residents and making civil penalties applicable. Approved May 14, 1984.
- H.F. 2065 — Limiting gas or electric service deposits. Approved April 23, 1984.
- H.F. 2068 — Requiring certain public utilities to include in each of their ads a listing of the percentage of the ad's expenses which are to be charged to customers and the percentages which are to be charged to the stockholders. Approved May 8, 1984.
- H.F. 2100 — Relating to the location and operation of anhydrous ammonia plants and defining nuisance as the term relates to the plants. Approved May 14, 1984.
- H.F. 2110 — Relating to the regulation of radiation machines and radioactive materials and providing a civil penalty for violations. Approved May 16, 1984.
- H.F. 2164 — Relating to the duties and responsibilities of a peace officer to a victim of domestic abuse, providing a penalty and requiring the Department of Public Safety to submit a proposal to the General Assembly by January 15, 1985, for the collection of domestic violence data and statistics to be disseminated to the Department of Human Services. Approved May 11, 1984.
- H.F. 2167 — Relating to the cost of permanent soil and water conservation practices constructed under administrative order with public cost-sharing funds. Approved May 4, 1984.
- H.F. 2172 — Relating to the surety bond required for an employment agency license. Approved May 7, 1984.
- H.F. 2180 — Relating to vehicle requirements by allowing a county treasurer to transfer title by operation of law in the county of the new owner's residence, and making odometer statement requirements affect model years after the eleventh year prior to the current registration year. Approved May 9, 1984.

- H.F. 2183 — Relating to the regulation of business entities and workers engaging in the removal or encapsulation of asbestos and providing penalties. Approved May 17, 1984.
- H.F. 2211 — Making changes in the practice act relating to physical therapy. Approved May 14, 1984.
- H.F. 2217 — To establish a board of educational examiners to issue certificates and provide for their renewal, and to prescribe their duties. Disapproved May 18, 1984. See Governor's veto message.
- H.F. 2219 — To provide that an eligible elector residing in a precinct may register to vote at the polling place on election day, and subjecting violators to a penalty as provided by law. Disapproved May 8, 1984. See Governor's veto message.
- H.F. 2234 — Requiring repair or replacement of a new motor vehicle which does not conform to express warranties. Approved May 15, 1984.
- H.F. 2247 — Relating to the reimbursement of law enforcement officer training costs incurred by cities or counties. Approved May 14, 1984.
- H.F. 2272 — To authorize certain motor trucks and motor homes to tow a four-wheeled trailer with a steering axle and more than one trailer or semitrailer or both, subject to penalties provided by law. Approved May 8, 1984.
- H.F. 2274 — Relating to the designation of moneys to be paid to the state fish and game protection fund by a taxpayer on an income tax return. Approved May 11, 1984.
- H.F. 2302 — Relating to the definition of child abuse, investigations of child abuse and the admissibility of certain tape recordings as evidence in child in need of assistance cases. Approved May 4, 1984.
- H.F. 2306 — Permitting the conservation commission to alter or restrict the taking of wildlife. Approved May 7, 1984.
- H.F. 2326 — To eliminate the county auditor's annual property valuation and tax report to the Department of Revenue. Approved May 4, 1984.
- H.F. 2331 — Relating to the filing of refund claims resulting from the carryback of net operating losses or net capital losses for tax years ending on or before December 31, 1978, for personal and corporate and franchise tax purposes. Approved April 30, 1984.
- H.F. 2334 — Relating to the definition of burglary and attempted burglary. Approved May 10, 1984.
- H.F. 2340 — Relating to the investigations and findings of a complaint filed against a health care facility. Approved May 8, 1984.

- H.F. 2348 — Relating to correctional procedures by expanding the circumstances under which home work release may be granted, providing for the duty of counties to comply with state requests for temporary confinement of alleged parole or work release violators, allowing a designee of the warden or superintendent to hear appeals of hearing officers, extending the time for the board of directors of a judicial district department of correctional services to file its annual report, and providing for the penalty of contempt for violations of parole. Approved May 9, 1984.
- H.F. 2354 — Relating to the purchase of equipment and supplies by the Board of Trustees of a county public hospital. Approved May 4, 1984.
- H.F. 2373 — Relating to attorney fees in proceedings to modify orders or decrees relating to dissolution of marriage. Approved May 7, 1984.
- H.F. 2378 — Relating to the Board of Parole. Approved April 30, 1984.
- H.F. 2385 — Relating to the frequency of inspection of grain dealers. Approved May 8, 1984.
- H.F. 2386 — Relating to transportation programs by defining a public transit system, requiring coordinated funding and services, establishing criteria to determine compliance, and providing penalties for violations. Approved May 8, 1984.
- H.F. 2389 — Relating to the interest of a city officer or employee in contracts for the purchase of goods and services by a city. Approved May 4, 1984.
- H.F. 2390 — Relating to county finance by deleting or amending incorrect references to county funds and making amendments to resolve conflicts in county finance laws. Approved May 2, 1984.
- H.F. 2392 — Relating to the psychological testing of law enforcement and correctional officers. Approved May 9, 1984.
- H.F. 2393 — Relating to the authority of the Department of Water, Air and Waste Management over used oil. Approved April 30, 1984.
- H.F. 2396 — Relating to the exemption of law enforcement officials from the licensing requirements for private detectives. Approved April 24, 1984.
- H.F. 2398 — Allowing a maximum set-aside of ten percent of the total dollar amount of federal aid contracts let by the State Department of Transportation for bidding by prequalified disadvantaged business enterprises. Approved May 8, 1984.
- H.F. 2401 — Relating to the creation of a public outdoor recreation and resources program, an advisory council, and a county conservation board fund. Approved May 11, 1984.
- H.F. 2414 — Relating to a credit union's par value of shares, deposits, investments, powers, membership, and reserves. Approved May 4, 1984.

- H.F. 2415 — Providing for the creation of a home equity line of credit and priority of advances under mortgages securing the home equity line of credit. Approved May 14, 1984.
- H.F. 2423 — Establishing court jurisdiction over certain nonresidents in paternity and child support cases. Approved May 9, 1984.
- H.F. 2424 — Relating to expenses incurred by health care facilities in receivership and the liability of the receiver for the expenses and for suits filed against the receiver. Approved April 25, 1984.
- H.F. 2425 — Relating to the commitment of children and certain adults either to the state training school or the appropriate adult correctional facility. Approved May 7, 1984.
- H.F. 2426 — Relating to the study of the feasibility of a state-owned hazardous waste treatment and resource recovery facility. Approved April 27, 1984.
- H.F. 2427 — Relating to the disclosure of the court's decision on whether to reconsider a felon's sentence of confinement. Approved April 27, 1984.
- H.F. 2430 — Relating to the selection and operation of foster care review committees under the Department of Human Services. Approved May 4, 1984.
- H.F. 2431 — Relating to the issuance of arrest warrants for work release violators or escapees. Approved April 27, 1984.
- H.F. 2432 — To establish a public transit assistance fund. Approved April 27, 1984.
- H.F. 2433 — Amending Iowa's unemployment compensation law by limiting the waiver of certain requirements in job bumping situations, by treating educational employees similarly for purposes of denying benefits during certain regular academic recesses, by switching the burden of producing evidence back to the employee in certain cases, by modifying certain special contribution rate requirements both prospectively and retroactively, by authorizing recomputation of employer rates in certain overpayment cases, by crediting certain earned interest to the temporary emergency surcharge fund, and by providing for contribution refunds in overpayment cases. Approved May 10, 1984.
- H.F. 2436 — Relating to the licensure and operation of a hospice program. Approved May 15, 1984.
- H.F. 2437 — Relating to the regulation of advanced emergency medical technicians and paramedics and providing a penalty. Approved May 16, 1984.

- H.F. 2439 — Relating to pari-mutuel betting by requiring certain information from an applicant for a racing license or an occupational license, requiring the fingerprinting of an applicant, permitting warrantless searches of an applicant or an applicant's property, authorizing the State Racing Commission to require employees to provide certain information and to authorize employees to expel certain people from racetrack facilities, prohibiting the use or possession of certain devices or techniques to stimulate or depress a horse or dog, permitting the disclosure of confidential information to the State Racing Commission, setting fees for applications, and providing for penalties. Approved May 11, 1984.
- H.F. 2440 — Relating to the Iowa veterans home and its administration. Approved May 14, 1984.
- H.F. 2444 — To provide that the taxable value of a building shall not be increased where the dollar amount of normal and necessary repairs to the building does not exceed two thousand five hundred dollars. Approved May 8, 1984.
- H.F. 2447 — Relating to the providing of interpreters for hearing impaired persons. Approved May 11, 1984.
- H.F. 2452 — Relating to the requirement of bail during and after a period of deferred judgment and to the discharge of surety bail upon the occurrence of specified conditions. Approved April 27, 1984.
- H.F. 2457 — Relating to guardianships and conservatorships by redefining what persons are subject to guardianships and conservatorships, providing that certain proposed wards are entitled to representation, revising provisions governing the powers and duties of guardians and conservators, including requirements for reporting, and eliminating special provisions for guardians of mentally retarded persons. Approved May 17, 1984.
- H.F. 2459 — Allowing a vendor to charge for reasonable attorneys fees in the forfeiture of a real estate contract. Approved May 4, 1984.
- H.F. 2463 — Relating to the priority of construction mortgage liens. Approved May 7, 1984.
- H.F. 2465 — Relating to the discharge of seriously mentally impaired persons who have been involuntarily hospitalized in connection with a criminal conviction or unresolved criminal charge or pursuant to an acquittal due to insanity or diminished responsibility. Approved May 11, 1984.
- H.F. 2467 — Relating to administrative procedures for the establishment, determination, and collection of certain child support debts. Approved May 14, 1984.

- H.F. 2468 — Relating to the election laws by providing a method for challenging nomination petitions, eliminating the requirement for notarization of absentee ballots, allowing the mailing of certain absentee ballots, regulating the office hours of the county commissioner of elections, revising delivery of registration forms and changes in registration, requiring identification of political advertisers, providing for assistance to certain voters and making certain technical corrections to the voting laws and providing penalties and effective dates. Approved May 8, 1984.
- H.F. 2470 — Relating to real property by modifying the platting requirements upon the subdivision of a parcel of land and the vacating of certain public streets, alleys, and other public lands. Approved May 14, 1984.
- H.F. 2472 — Relating to the transportation of open containers of alcoholic beverages and beer, the hours of sale of alcoholic beverages and beer, the notification of parents or legal guardians of a child that appears before the court for a violation of section 123.47, the motor vehicle license or non-operator's identification card issued to a person under nineteen years of age, and providing penalties. Approved May 14, 1984.
- H.F. 2473 — To implement certain recommendations of the Governor's Task Force by providing limitations on leaves of absence for certain military purposes, providing a phased retirement incentive program for full-time state employees, providing for the use of investment income as management expenses for certain retirement programs, providing that persons who are not full-time employees of the state who do not accrue sick leave or vacation and who work on a state holiday shall receive pay only for hours worked, and providing that all state departments and agencies shall have appropriations for the 1984-1985 fiscal year reduced by the amount of out-of-state travel incurred in the 1984-1985 fiscal year. Approved May 2, 1984.
- H.F. 2478 — Relating to the administration of special assessments and other property tax laws. Approved May 8, 1984.
- H.F. 2481 — Relating to the taxation, valuation, and qualification of a fruit-tree or forest reservation for property tax purposes. Approved May 8, 1984.
- H.F. 2486 — Relating to the offense of operating a motor vehicle while intoxicated by providing civil penalties to be assessed against licensees or permittees, by requiring the dismissal of vendors for selling alcohol to a minor, by providing a definition of alcohol concentration, by providing a special license for persons age nineteen and under, by providing a fine or community service in addition to imprisonment for a first offense and requiring a substance abuse evaluation for a second or subsequent offense of operating a motor vehicle while intoxicated, by providing additional periods of revocation for drivers convicted of operating a motor vehicle while intoxicated who caused an accident in which there was a serious injury or death, by providing for restitution by offending drivers for any damage caused, by providing a special revocation

period for persons age nineteen or under, by providing a civil penalty to be assessed against persons convicted of operating a motor vehicle while intoxicated to be used to finance the victim reparation fund, by providing access to the record of previous deferred judgments by county attorneys, and by establishing a study committee to conduct a study on present laws and penalties relating to the offense of operating a motor vehicle while intoxicated and make any recommendations for changes in the law in a report to the general assembly. Approved May 14, 1984 with the exception of Section 1, New Subsection 4, and Section 23. See Governor's item veto message.

- H.F. 2487 — Relating to liability in tort by 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 and modifying the liability of governmental entities. Approved May 17, 1984.
- H.F. 2501 — Relating to the supervision, rehabilitation, and liquidation of insurance companies and providing penalties. Approved May 2, 1984.
- H.F. 2503 — Relating to the taxation of engraving, photography, retouching, printing, and binding under the state sales, services, and use tax. Approved May 10, 1984.
- H.F. 2507 — Relating to the penalties for certain taxes including cigarette and tobacco taxes, state motor vehicle fuel taxes, freight line and equipment car mileage taxes, income taxes, withholding taxes, franchise taxes, inheritance and estate taxes, sales and use taxes, and generation skipping transfer taxes. Approved May 2, 1984.
- H.F. 2510 — Relating to the definition and taxation of real property within a self-supported municipal improvement district. Approved May 2, 1984.
- H.F. 2516 — To provide funding for the removal or encapsulation of asbestos by school districts. Approved May 17, 1984.
- H.F. 2517 — To legalize proceedings by the city council of the City of Ryan, Iowa, relating to the sale of certain property. Approved May 4, 1984.
- H.F. 2518 — Relating to and making appropriations to various executive, legislative and judicial departments and agencies. Approved May 18, 1984.
- H.F. 2519 — Relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs for this state. Approved May 18, 1984 with the exception of Sections 12, 13 and 22. See Governor's item veto message.
- H.F. 2520 — 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 May 18, 1984.

- H.F. 2521 — Relating to and making appropriations to various state regulatory, administrative and finance departments, boards and commissions. Approved May 19, 1984 with the exception of Section 7, unnumbered paragraph 3; Section 9, Section 10, subsections 2, 3, 4 and 5; Sections 11 and 12. See Governor's item veto message.
- H.F. 2522 — Relating to the disposition of unclaimed property. Approved May 7, 1984.
- H.F. 2524 — Increasing the limit on the tax rate that may be certified by the board of directors of a school corporation to be levied on taxable property in a school district for the use of a free public library by residents of the school district. Approved May 16, 1984.
- H.F. 2525 — To increase the authorized property tax levy for a benefited law enforcement district. Approved May 7, 1984.
- H.F. 2528 — Relating to the administration and benefits of certain public retirement and benefit systems and to make an appropriation. Approved May 15, 1984.
- H.F. 2531 — Relating to urban renewal. Approved May 7, 1984.
- H.F. 2532 — Allowing telephone utilities to offer certain services without filing a tariff with the Iowa State Commerce Commission and providing an effective date. Approved April 30, 1984.
- HCR 117 — Relating to the bonding authority of the State Board of Regents. Approved May 15, 1984.
- S.F. 24 — Relating to procedures in small claims actions. Approved May 3, 1984.
- S.F. 163 — Creating a possessory lien on personal property in a self-service storage facility and establishing a method for enforcing the lien. Approved April 23, 1984.
- S.F. 176 — Relating to the allocation of funds to regional libraries. Approved April 30, 1984.
- S.F. 190 — Relating to leaves of absence for persons who are elected to municipal, county, state, or federal offices and providing penalties. Approved May 8, 1984.
- S.F. 244 — Allowing employees to choose the care given under workers' compensation medical benefits. Disapproved May 19, 1984. See Governor's veto message.
- S.F. 253 — Relating to qualifications for and exemptions from juror service. Approved May 3, 1984.
- S.F. 292 — Relating to qualification and compensation of court interpreters. Approved April 25, 1984.

- S.F. 347— Providing for the issuance of special registration plates to former prisoners of war which contain the letters "POW" followed by three numerals at the regular registration fee. Approved May 10, 1984.
- S.F. 400— Relating to the appointment of the Director of the Office of Planning and Programming. Approved April 25, 1984.
- S.F. 407— Relating to the eligibility for and annuities of the senior judge program. Approved May 8, 1984.
- S.F. 420— Relating to the collection of dishonored checks, drafts, or other negotiable instruments. Approved May 7, 1984.
- S.F. 449— Relating to licensing private investigative agencies and private security agencies, and providing a penalty. Approved May 8, 1984.
- S.F. 451— Relating to enforcement of license discipline by the Board of Medical Examiners. Approved April 30, 1984.
- S.F. 465— Relating to construction, repair, and improvement projects at institutions under the control of the Department of Human Services. Approved May 11, 1984.
- S.F. 480— Relating to jurisdiction of the district court in the possible reconsideration of a felon's or misdemeanor's sentence. Approved April 25, 1984.
- S.F. 505— Relating to the value of property for purposes of certain crimes and certain penalties. Approved April 30, 1984.
- S.F. 511— Relating to construction near a buried electric transmission line. Approved April 24, 1984.
- S.F. 513— Relating to state banks by providing for the name and the location of the principal place of business and offices of a state bank. Approved May 4, 1984.
- S.F. 2005— Relating to actions to enforce the terms of a dissolution, annulment, or separate maintenance decree and providing a penalty. Approved April 24, 1984.
- S.F. 2014— To provide for an independent study of campaign financing of candidates for state offices and the independent expenditures of political committees. Approved May 7, 1984.
- S.F. 2035— Relating to the requirement that the court personally address a defendant when a plea of guilty to a serious misdemeanor is entered by, or on behalf of, a defendant. Approved April 25, 1984.

- S.F. 2040— Amending Iowa's unemployment compensation law by crediting earned interest on the special employment security contingency fund to the temporary emergency surcharge fund, by limiting expenditures from the special employment security contingency fund, by annually transferring certain amounts from the special employment security contingency fund to the temporary emergency surcharge fund or to the unemployment trust fund, and by requiring an annual departmental report detailing planned expenditures from the special employment security contingency fund. Approved May 4, 1984.
- S.F. 2043— To provide a partial property tax exemption for warehouses and distribution centers on which improvements have been made and allow cities and counties to contract with persons whose real property is exempt or partially exempt from property taxation to provide certain services. Approved May 8, 1984.
- S.F. 2059— Relating to the authority of a standing committee of the General Assembly to call upon a state agency or political subdivision for assistance and information. Approved May 2, 1984.
- S.F. 2063— Relating to the Iowa Product Development Corporation Act. Approved May 2, 1984.
- S.F. 2069— Relating to the exemption certificate furnished by the state, its agencies, and political subdivisions of the state for the delivery of tax-exempt motor fuel. Approved April 25, 1984.
- S.F. 2084— Relating to transition legislation for the Iowa Department of Corrections. Approved May 4, 1984.
- S.F. 2091— Relating to the acquisition of legal settlement by persons hospitalized in or receiving treatment at a state mental health institute or state hospital-school and by institutionalized, emancipated, and other minors. Approved May 2, 1984.
- S.F. 2098— Relating to unpaid community service by specifying that the state assumes liability for injuries to offenders performing unpaid community service and for the torts committed by offenders performing unpaid community service. Approved May 14, 1984.
- S.F. 2101— Relating to the commitment of children beyond their eighteenth birthday to the state training school. Approved May 2, 1984.
- S.F. 2102— Relating to the Executive Director, staff and administrative expenses of the Iowa Family Farm Development Authority. Approved May 8, 1984.
- S.F. 2104— Relating to the collections of fines and penalties by the county attorney. Approved April 30, 1984.
- S.F. 2122— Relating to county libraries. Approved May 2, 1984.

- S.F. 2132 — Relating to intestate succession with respect to the share of the surviving spouse and limitations on inheritance by remote heirs of others than the surviving spouse. Disapproved May 18, 1984. See Governor's veto message.
- S.F. 2153 — Relating to drainage district expenses and assessments. Approved May 4, 1984.
- S.F. 2156 — Relating to the administration of the extraordinary property tax credit or reimbursement. Approved May 4, 1984.
- S.F. 2169 — Including vehicles used to transport agricultural products being pulled by a tractor as implements of husbandry. Approved May 11, 1984.
- S.F. 2170 — To provide temporary funding for the brucellosis and tuberculosis eradication fund. Approved May 4, 1984.
- S.F. 2182 — Relating to the membership of the Iowa Development Commission. Approved May 4, 1984.
- S.F. 2183 — Relating to sexual abuse committed by engaging in a sex act against the will of the other participant. Approved May 4, 1984.
- S.F. 2188 — Relating to the period of time in which a motor vehicle dealer must apply for a title certificate for a foreign registered vehicle acquired for resale and allowing a county treasurer to issue, under certain circumstances, a restricted certificate of title to a person who was issued a junking certificate. Approved May 2, 1984.
- S.F. 2212 — Relating to pay scale standards for members of the Iowa National Guard. Approved May 2, 1984.
- S.F. 2214 — Relating to the regulation of hazardous waste and subjecting violators to a civil penalty. Approved April 30, 1984.
- S.F. 2215 — To provide for the issuance of an extracurricular contract by school boards, to set criteria for receipt of the contract including the establishment of a coaching authorization, and to provide for termination of the extracurricular contract. Approved May 18, 1984.
- S.F. 2217 — Establishing uniform enforcement remedies for the Department of Water, Air and Waste Management, and imposing civil penalties. Approved April 30, 1984.
- S.F. 2220 — Relating to financial institutions by allowing savings and loan associations, savings banks and credit unions to accept public funds, providing for the investment of idle public funds, requiring a commitment to community reinvestment to receive state public funds, providing for the giving of notice on minimum interest rates for public funds, providing for the pledging of assets, providing for the dissolution of the state sinking fund, expanding the deposit limits for bank holding companies, and providing reciprocity for credit unions. Approved May 8, 1984.

- S.F. 2223 — Relating to the maximum fine assessable upon the conviction of a class "C" or class "D" felony. Approved April 24, 1984.
- S.F. 2228 — Prohibiting zoning regulations or other ordinances which disallow plans and specifications of a proposed residential dwelling solely because the proposed dwelling is a manufactured home. Approved May 9, 1984.
- S.F. 2232 — Relating to charges by industrial loan licensees by authorizing industrial loan licensees to collect an appraisal fee on loans secured by a mortgage and requiring industrial loan licensees to pay interest on funds held in escrow in connection with a single-family or two-family home loan. Approved May 4, 1984.
- S.F. 2233 — Providing for the transfer of fiduciary accounts among affiliates and between independent banks. Approved May 2, 1984.
- S.F. 2235 — Relating to the penalties for operating a motor vehicle when the operator's license has been suspended or revoked. Approved April 26, 1984.
- S.F. 2237 — Relating to the appointment, terms, retention and qualifications of magistrates. Disapproved May 18, 1984. See Governor's veto message.
- S.F. 2238 — Making code corrections which strike or replace incorrect references, strike expired provisions, and make statutes consistent, including statutes relating to penalties. Approved May 7, 1984.
- S.F. 2247 — Relating to the crimes of unauthorized access, computer damage, and computer theft and providing penalties. Approved May 10, 1984.
- S.F. 2253 — Relating to the penalty for violation of the Iowa Competition Law and providing for a prohibition from bidding on governmental contracts by persons convicted of violations of the Iowa Competition Law. Approved April 26, 1984.
- S.F. 2254 — Relating to the state employee suggestion system. Approved May 4, 1984.
- S.F. 2257 — Relating to the ownership of joint transmission facilities. Approved May 10, 1984.
- S.F. 2262 — Relating to health insurance by requiring that coverage for educational programs for diabetes be offered. Approved May 16, 1984.
- S.F. 2268 — Relating to collection of court ordered payments by providing for the mandatory assignment of a person's income when the person is delinquent in paying court-ordered support and providing a penalty, and providing for the collection of unpaid alimony, and providing for limits to garnishment, and providing for the validity of garnishment notices. Approved May 9, 1984.

- S.F. 2269 — Limiting the amount charged employed county prisoners for meals. Approved April 26, 1984.
- S.F. 2271 — Relating to the criminal and civil liability of state employees by modifying the definition of "claim" under the state tort claims act, modifying the requirements of representation of, indemnification for, and restitution from state employees, providing for representation of department of public safety members and reimbursement of defense costs for peace officers in criminal actions and providing for the designation of department members as department administrative hearing officers. Approved May 17, 1984.
- S.F. 2273 — To ratify and enter into an interstate compact between Iowa, Kansas, Missouri, and Nebraska for the development of the Missouri River for barge traffic. Approved May 11, 1984.
- S.F. 2277 — Relating to the selection process of subscriber and provider directors of a board of a hospital service corporation, medical service corporation, dental service corporation, or pharmaceutical or optometric corporation by requiring the commissioner of insurance to adopt rules to establish criteria for the selection of nominees and to permit the nomination process by a petition, requiring the subscriber members of the board of such corporations to establish procedures to permit nomination by petition, and exempting the independent subscriber nominating committee from chapter 17A and prohibiting the members of such committee from receiving per diem and expenses and providing an effective date. Approved May 15, 1984.
- S.F. 2293 — Relating to child protection by creating foster care review boards for a four-year period, creating a foster care registry, providing for rehabilitation for a child receiving foster care and the child's family unit, amending provisions relating to a court's dispositional order, amending Iowa's child abuse, delinquency, and child-in-need-of-assistance laws, by requiring registered family or group day care providers to report child abuse, requiring foster parent training, permitting a peace officer to remove a child from a child day care facility under certain circumstances, permitting child care financial assistance funds to go to licensed and registered child day care facilities and organizations and agencies which serve day care facilities, and establishing penalties. Approved May 14, 1984.
- S.F. 2294 — Relating to the examination of government records by providing for the procedures for their examination, for enforcement of those procedures, for the availability of certain records, and for the duties of the lawful custodians and providing for civil damages. Approved May 4, 1984.
- S.F. 2298 — To require the State Department of Transportation and other state departments to include all estimated federal funds in its annual or biennial budget which funds are subject to appropriation to the department. Approved May 8, 1984.

- S.F. 2301 — Relating to the protection of lienholders' and certificate holders' advancements. Approved May 10, 1984.
- S.F. 2306 — Authorizing the use of computer data storage systems for the collection, storage, and retrieval of intelligence data, providing for restrictions on access to these computer data storage systems, and requiring the adoption of rules for authorization to access a computer data storage system containing intelligence data. Approved April 26, 1984.
- S.F. 2310 — Relating to payments to state employees for accrued sick leave and disability. Approved April 26, 1984.
- S.F. 2311 — Relating to access to records by the Legislative Fiscal Bureau. Approved May 2, 1984.
- S.F. 2317 — Relating to the purchase of Iowa coal by state and local government institutions. Approved April 26, 1984.
- S.F. 2318 — Relating to the computation of interest on overpayments arising from the carryback of a net operating loss or net capital loss for individual and corporate income and franchise tax purposes. Approved May 4, 1984.
- S.F. 2323 — Relating to the state inheritance tax by changing the due date of the tax, providing for monthly interest, providing for a period of limitations for assessments and refunds, requiring recording to give a lien preference after a release of the lien is issued, taxing gifts made within three years of death, providing that property transferred to the state or political subdivision as payment of the tax shall have been included in the decedent's gross estate, and making technical corrections. Approved May 9, 1984.
- S.F. 2327 — Relating to what constitutes discounts on transactions occurring between June 1, 1982, and July 1, 1984, involving farm tractors and farm equipment for purposes of the state sales, services, and use tax, relating to refund, and providing retroactive effect. Approved May 9, 1984.
- S.F. 2328 — To amend the Iowa Pari-mutuel Wagering Act and providing that part-time and seasonal employees of the Racing Commission are not under the Merit Employment System. Approved May 11, 1984.
- S.F. 2330 — Relating to the financing of state government by providing for a reduction in general fund appropriations through reallocation of general fund financial aid to merged area schools, by reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983 and appropriating funds for capital projects for the fiscal year beginning July 1, 1984, by updating references to the internal revenue code for individual and corporate income tax, franchise tax, and inheritance tax purposes with coordinating amendments, by restructuring the fee for operator's and chauffeur's licenses, increasing certificate of title fees.

duplicate title fees, trailer and motorized bicycle fees, including allocation of those fees to the road use tax fund and county treasurers, providing for spot inspections and odometer law enforcement, funding from the road use tax fund the driver's license program of the state department of transportation and the division of the highway safety and uniformed force of the department of public safety, by providing for the creation of an Iowa economic emergency fund including its funding, by providing for the payment of one-half of the additional personal property tax credit in the fiscal year beginning July 1, 1984, by imposing the sales, service and use tax on licensed executive search agencies, beverages, electronic repair and installation and the rental of tangible personal property, and making certain provisions of the act retroactive. Approved May 19, 1984 with the exception of Section 42; Division V, Section 75; Section 78 and Section 80. See Governor's item veto message.

- S.F. 2332— Relating to the Iowa Finance Authority. Approved May 14, 1984.
- S.F. 2333— Relating to the administration and financing of correctional, mental health, mental retardation and veterans programs and capital projects under the jurisdiction of the department of corrections, the Department of Human Services, or the Board of Parole. Approved May 18, 1984.
- S.F. 2334— Relating to the funding of state agencies for designated service programs including health programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1984 and ending June 30, 1985 and making a supplemental appropriation to the department of health for reallocation to the state board of regents for certain programs under the Iowa specialized child health care services for the fiscal year beginning July 1, 1983 and ending June 30, 1984, and providing an effective date. Approved May 18, 1984 with the exception of Section 8. See Governor's item veto message.
- S.F. 2335— Relating to appropriations to the department of human services for the fiscal year beginning July 1, 1983, and ending June 30, 1984, by appropriating funds for payments to certain recipients of aid to dependent children under the unemployed parent program due to denial of a portion of benefits to them in the 1982-1983 fiscal year and for reimbursement to the United States department of health and human services for audit exceptions relating to federal funds received pursuant to Title XIX of the federal Social Security Act, by removing the prohibition on the expenditure of certain funds for job training, and by requiring that excess social services block grant funds replace state funds previously appropriated for the purchase of local services. Approved May 17, 1984.
- S.F. 2337— Relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety and public defense. Approved May 18, 1984 with the exception of Section 2, subsection 1 and Section 4, subsection 2. See Governor's item veto message.

- S.F. 2342 — Relating to regional transit systems by defining the systems to include systems which receive state or federal funds, by providing motor fuel and special fuel tax exemptions for these systems, and by providing free registration plates and validation stickers for these systems. Approved May 11, 1984.
- S.F. 2346 — To suspend the Iowa Dairy Industry Commission during the effective period of a national promotional order established pursuant to the 1983 Dairy Act. Approved April 30, 1984.
- S.F. 2351 — Relating to the administration and financing of current programs other than mental health programs under the jurisdiction of the department of human services and to the foster care review board for the fiscal year beginning July 1, 1984, and ending June 30, 1985. Approved May 18, 1984 with the exception of Section 3, subsection 11, unnumbered paragraph. See Governor's item veto message.
- S.F. 2352 — 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 14, 1984.
- S.F. 2353 — Relating to the funding of and to substance abuse treatment and prevention programs by making appropriations to the department of substance abuse for the fiscal year beginning July 1, 1984 and ending June 30, 1985 for administration, program grants, treatment programs not licensed by the department, and prevention programs, requiring the treasurer of state to deposit certain amounts of the sales made by the liquor stores in a special fund, requiring the beer and liquor control council to adjust the sales margin on liquor August 1, 1984 to raise certain revenue, requiring the state to incur one hundred percent of the cost of substance abuse treatment at certain programs for the fiscal year beginning July 1, 1984 and ending June 30, 1985, crediting certain fees to the beer and liquor control fund, requiring the department of substance abuse to distribute program grant funding by a certain formula, requiring an assessment of a patient before admittance to a state mental health institute for substance abuse treatment, prohibiting counties from certifying a supplemental levy for certain substance abuse treatment facilities, requiring the county auditor to recompute the levy rates to reduce the amount budgeted for certain substance abuse treatment programs in the fiscal year beginning July 1, 1984 and ending June 30, 1985, and providing an effective date. Approved May 15, 1984 with the exception of a portion of Section 1, Section 5, and Section 9. See Governor's item veto message.
- S.F. 2354 — To treat the sale of vulcanizing, recapping, and retreading services under the state sales, services, and use tax as a sale of tangible personal property, and providing retroactive effect. Approved May 8, 1984.
- S.F. 2356 — To allow the use of special railroad facility fund moneys for purchase or upgrading railroad right of way and trackage facilities for development of railroad passenger tourism. Approved May 16, 1984.

- S.F. 2357 — Creating a petroleum overcharge fund in the state treasury and appropriating money from the fund. Approved May 10, 1984.
- S.F. 2359 — Establishing comparable worth salary adjustments for state employees based on a comparable worth pay grade system, establishing a comparable worth review committee, and making supplemental appropriations for salary adjustments and implementation. Approved May 20, 1984 with the exception of Sections 2 and 6 and Section 7, subsections 7 and 9. See Governor's item veto message.
- S.F. 2361 — Relating to and making appropriations for various government projects and programs and providing effective dates. Approved May 19, 1984 with the exception of Division I, Section 8; Division III, Section 10; Division VIII, Sections 29 and 30 and Division 10, Section 38. See Governor's item veto message.
- S.F. 2363 — Relating to codified provisions affecting appropriations to the department of human services for the medical assistance and state supplementary assistance programs. Approved May 18, 1984.
- S.F. 2365 — Relating to the payment of funds from the additional personal property tax credit fund. Approved May 19, 1984.
- S.F. 2366 — Relating to the finance charges permitted in open-end credit accounts including credit cards and retail credit sales. Approved May 8, 1984.

GOVERNOR'S VETO MESSAGES

May 18, 1984

The Honorable Mary Jane Odell
 Secretary of State
 State Capitol Building
 L O C A L

Dear Madam Secretary:

House File 595, an act relating to the deferring of judgment or deferring of sentence of a person previously convicted of a felony, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

This bill allows the court to defer judgment or sentence of a criminal defendant convicted of a prior felony if the present offense is a felony or an aggravated misdemeanor or less than three years has elapsed since the date of the previous felony conviction.

Chapter 907 gives Iowa courts authority to grant deferred judgment or sentence to and to suspend sentences of convicted defendants.

Present law, Section 907.3, subsection 1, paragraph b, Code of 1983, provides an exception where the defendant has been previously convicted for a felony. In that situation, the court can neither defer judgment or sentence.

The effect of this legislation is to allow the court to grant a deferred judgment or sentence to a convicted defendant who has had a prior felony conviction unless the present charge is a felony or an aggravated misdemeanor or the prior felony conviction occurred within the last three years.

This legislation is a small, but definite, move in the wrong direction. By deferring judgment in a particular case, the court can delay the question of guilt or innocence for a period of time. During that time, a defendant is usually placed on probation. Upon satisfactorily completing the probationary period, the defendant is discharged without a judgment or record of conviction.

By deferring sentence, the court can delay the question of what sentence should be imposed. The defendant is usually placed on probation with the judicial district's department of correctional services. If the person does not respond to this program or is not cooperative, the court can withdraw the person from the program and impose any sentence authorized by law.

The power to defer judgment or sentence should be used sparingly by the court in those circumstances where the defendant is deserving of the court's leniency and mercy, because of age, nature of the offense, or where there is no prior criminal record. A person who has had a prior felony conviction should not qualify for deferred treatment as provided in this bill.

For the reasons mentioned above, I hereby respectfully disapprove of House File 595.

Very truly yours,
Terry E. Branstad
Governor

May 18, 1984

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

House File 2217, an act to establish a board of educational examiners to issue certificates and provide for their renewal, and to prescribe their duties, is hereby disapproved and transmitted to you in accordance with Article III, Section 16 of the Constitution of the State of Iowa.

I disapprove of this legislation for the following reasons:

The Legislature's Education Task Force and a special task force set up by the State Board of Public Instruction are both reviewing Iowa's current teacher preparation and certification procedures. Both of the studies are expected to report their findings later this year. However, this legislation makes major changes in the preparation and certification procedures, without the benefit of the results of these comprehensive studies. In addition, the Teaching Quality Subcommittee of the Legislature's Education Task Force has adopted a preliminary recommendation to retain the State Board of Public Instruction as the Board of Educational Examiners. Thus, it appears that this legislation will be contrary to the findings of at least one of the task forces currently in operation. It would not seem prudent to adopt such major changes without a full analysis of the rationale behind these task force recommendations.

The bill proposes to address certain concerns about the teacher certification process by creating a new state board, which would cost much more to administer than the current system. This is a solution which frequently results in nothing more than a further increase in the size of state government.

House File 2217 would create a dual system of certification for education professionals in Iowa. The new board would establish standards for teachers, while the State Board of Public Instruction would continue to establish standards for school administrators and other certified school supervisors. As a result, standards for each could vary significantly in spite of the inter-relationships between teachers and administrators. The end result could well be a weakening of our education standards, not the improvement we all would hope for.

Iowa has a tradition of citizen control of education. This is evidenced by the fact that the State Board of Public Instruction consists of nine individuals representing the public at large. This legislation would vest teacher certification responsibilities in a new board, comprised of four teachers, one representative of colleges of teacher education, and four public members. While a case can be made for greater teacher input into the establishment of teacher certification standards, creating a new board upon which public representation would be in a minority is not the answer.

From a practical administrative standpoint, the legislation imposes an unrealistic transition date. The bill calls for teacher certification responsibilities to be transferred from the State Board of Public Instruction to the new Board of Educational Examiners on July 1, 1984. This transfer will be a major undertaking, and this time frame for the transition will surely be inadequate.

In summary, House File 2217 creates an expensive, duplicative bureaucracy and a divided system of preparation and certification standards without considering the results of the comprehensive studies currently underway. For these reasons I hereby disapprove House File 2217.

Very truly yours,
Terry E. Branstad
Governor

May 8, 1964

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

House File 2219, "An Act to provide that an eligible elector residing in a precinct may register to vote at the polling place on election day," is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

In the weeks since this bill was passed by the General Assembly, it has been reviewed by Iowa's 99 County Auditors, who are also Commissioners of Elections. These locally elected officials have not been silent with regard to their concerns about this bill. I have been contacted by nearly two-thirds of our County Auditors asking that I veto House File 2219. One after another of these officials has expressed a deep commitment to facilitating the participation of all eligible voters in Iowa elections. However, these same officials are deeply concerned with the contents of House File 2219.

Several auditors expressed frustration and displeasure at not having been contacted or consulted by the legislature on this bill. Indeed, House File 2219 contains serious flaws that could well have been avoided with a proper concern for the input and involvement of local election officials. Some of these errors and omissions have been corrected by other legislation, but many oversights remain. For example, it seems rather unnecessary and inconsistent to impose the 10 and 11 day registration time limits contained in Section 48.11 of the Code of Iowa if we are to allow election day registration.

I am particularly disappointed that the General Assembly would show such disregard for the "fair play" legislation passed just one year ago. This is a new state mandate, yet all of the additional costs would fall on already overburdened local property taxpayers.

There are other problems with election day registration. These problems include jeopardizing the integrity of our elections through the increased opportunity for fraud and error. Confusion and delay at the polls on election day due to the added burden of dealing with unregistered people would undoubtedly discourage some properly registered voters. This bill would also render essentially useless our voter identification system that has been instituted in every county at great expense in order to ensure honest and fair elections.

It should be noted that I am today approving another bill, House File 2468, which would appropriately provide for greater participation in Iowa's electoral process. This bill permits the hand delivery of post card registration and absentee voting without notarization. That measure is a positive step which expands on Iowa's already open election system, without imposing additional property tax burdens and opening our elections to potential fraud and abuse.

It is also noteworthy that the State Voter Registration Commission and the International Association of Election Commissioners have consistently voiced objection to election day registration, and only four states have such a system.

In conclusion, I want to share a rather important observation made by the Deputy Commissioner of Elections for Dubuque County. In her letter she wrote, "Finally, we all should realize election day registration will not be a panacea for high voter turnout. The main problem, according to political scientists, lies not with the system of registration and election, but with the voter's perception of their role in the political life of the state and nation." It is this problem and challenge that we must all direct our attention toward.

For the reasons mentioned above, I hereby respectfully disapprove of House File 2219.

Sincerely,
Terry E. Branstad
Governor

May 19, 1984

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

Senate File 244, an act allowing employees to choose the care given under workers' compensation medical benefits, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 244 amends Section 85.27, unnumbered paragraph 4 of the Code to provide that an employee, rather than employer, may choose a physician under our state's workers' compensation statutes. This legislation reverses a policy that has stood for over 70 years, since the time the General Assembly originally enacted the Workers' Compensation Act in 1913.

Code of Iowa, Section 85.27 currently states that the employer has the duty to provide prompt medical care reasonably suited to treat an employee's injury without undue inconvenience to the employee. This statute also provides a safeguard so that an employee dissatisfied with his or her care may bring that concern to the attention of the employer so that alternate care may be discussed. This same section further prescribes that an employee who remains dissatisfied may apply to the state's Industrial Commissioner for the ordering of alternate care.

It should be noted that another paragraph of Section 85.27, a paragraph unaffected by this bill, directs that employers must furnish reasonable surgical, medical, dental, osteopathic, chiropractic, podiatric, physical rehabilitation, nursing, ambulance, hospital services and supplies, and shall allow reasonably necessary transportation expenses.

While Senate File 244 amends only the fourth unnumbered paragraph of Section 85.27, it is a change with dramatic repercussions on other sections of our workers' compensation system. For example, the employer now has the responsibility for care and the right to make the selection. There have been few disputes regarding the cost of care. Senate File 244 would clearly increase the likelihood of such disputes since the party paying the costs of care would no longer be choosing the provider.

At a time when we are asking business and industry to accept greater responsibility for an employee's health and the costs associated with it, it would only seem fair that the employer have the primary responsibility for selecting the physician. This argument has special merit when one considers that, under our state's O.S.H.A. regulations, some employers are required to provide pre-employment physicals, provide regular health monitoring, annual physical reviews, and many other important health services prescribed by state and federal law.

All of these requirements, and indeed the many unrequired health services that many businesses and industries supply, carry with them a great exposure to legal liability. If government is going to mandate and encourage medical care and concern in the workplace — then government should provide mechanisms to contain health care costs and reduce liability exposure.

Over 250 Iowa companies have contacted me personally to request that I veto Senate File 244. Also, numerous chambers of commerce, business associations, and local units of government have expressed disapproval of this bill.

Iowa must maintain a positive business climate if our state is going to successfully compete for jobs. A recent study by Alexander Grant and Company gives our state's workers' compensation system a mixed review. While a weighted average of actual compensation levels ranks Iowa 5th in the nation, our maximum weekly disability payments are the highest of the 48 contiguous states, thereby giving Iowa a bad rating. "Medical control" is a very important factor in the evaluation of state worker compensation laws. I am extremely concerned that the enactment of this legislation would lead to markedly increased employer costs and a damaging appraisal of our state's workers' compensation system by companies considering adding jobs here.

It should come as little surprise that this legislation does not meet with my approval. I have made jobs for Iowans my Number One priority. It is the assessment of many who have joined in the effort to promote economic development that this bill would be a serious setback to these efforts, and I concur with their judgment.

In short, Senate File 244 would not improve the quality of medical care provided to most injured Iowa workers, but would increase the cost of doing business in Iowa. This change would adversely affect our job creation efforts.

For the reasons mentioned above, I hereby respectfully disapprove Senate File 244.

Very truly yours,
Terry E. Branstad
Governor

May 18, 1984

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

Senate File 2132, "An Act relating to intestate succession with respect to the share of the surviving spouse and limitations on inheritance by remote heirs of others than the surviving spouse," is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 2132 amends Section 633.211 by raising the amount that a surviving spouse with children can inherit from a deceased spouse who had no will from one-third of the estate after debts to one-half of the estate after debts. This bill also amends Section 633.212 by increasing the share a surviving spouse with no children inherits from a deceased spouse with no will from one-half of the net estate to the entire estate.

In passing this bill, the legislature recognized the modern trend that a marriage is an equal partnership and that a primary responsibility of married persons is to assure that adequate provisions are made for their surviving spouses. I have supported and continue to support increasing the amounts that surviving spouses inherit as provided in this bill. Unfortunately, an amendment was made to this bill which will jeopardize estate planning and risk an increase in the amount of federal estate tax that members of the family of a deceased spouse will pay. Because of the severe flaws in this amendment, I am reluctantly disapproving this bill in its entirety.

The problematic amendment to the bill, which was added to Sections 633.211(1) and 633.211(3) reads as follows:

However, the spouse may petition the court to receive less than one-half, but not less than one-third of the value of the estates identified in this subsection.

Specifically, there are two problems with this amendment. The first problem is that this amendment may prohibit surviving spouses from minimizing federal estate tax by restricting the use of the disclaimer law. Both the federal and Iowa law permit any person to disclaim or refuse to take all or part of an inheritance. This has proven to be an effective tool for families to use in minimizing federal estate and Iowa inheritance tax. For example, in certain circumstances a family could save federal estate tax if the surviving spouse was permitted to disclaim property and pass it to the children, thereby reducing the value of the surviving spouse's estate. Disclaiming reduces the size of the estate of the surviving spouse because under federal and state disclaimer laws, if property is disclaimed, it is never part of the surviving spouse's estate.

The bill as amended states that the surviving spouse who falls within Section 633.211 could not disclaim one-third of the estate. Such a concept of not allowing an individual to disclaim the entire estate inherited has never appeared in the Iowa law and, to the best of the knowledge of the chair of the Probate, Property and Trust Law Committee of the Iowa State Bar Association, is not present in the law of any state.

Under present law, a surviving spouse pays no federal estate tax on the amount inherited from the deceased spouse. However, the one-third passing to the surviving spouse and which the surviving spouse could not disclaim according to this bill, would become part of the surviving spouse's estate thereby making the surviving spouse's estate larger. The result would be that the tax rate would be greater when the surviving spouse eventually dies and passes this second estate on to children. Therefore, in many situations, it would be advisable for the surviving spouse to pass on the one-third of the estate directly to children which is a measure this bill precludes.

The second problem presented by this amendment could actually be of even graver financial consequence to a family from paying federal estate tax. The amendment in the bill allows a spouse to petition to receive less than one-half but no less than one-third of the estate. There is no time limit specified in which a spouse must petition the court to reduce the estate. To be eligible for the federal marital deduction, the share the surviving spouse receives must be determined within six months after the deceased spouse's death (Section 2056 (b)(3) of the Internal Revenue Code).

If the marital deduction of the surviving spouse cannot be determined within six months of the death of the deceased spouse, the IRS may rule that the marital deduction will be limited to one-third of the estate rather than one-half of the estate. Therefore, families who had hoped to reduce federal estate tax by this bill based upon fifty percent of the estate passing to the surviving spouse rather than one-third of the estate passing to the surviving spouse would not receive the anticipated benefit. In addition, it may also be possible that due to the uncertainty of the amount that the surviving spouse takes, the Internal Revenue Service could disallow the entire marital deduction thereby greatly increasing the amount of federal estate tax the family would have to pay. Only property which passes to the surviving spouse is exempt from estate tax. Therefore, if a marital deduction is disallowed, the amount subject to tax is greatly increased.

The Internal Revenue Service will not release a position on a tax question unless their answer is needed to address a particular case. Therefore, there is no way of knowing the position of the Internal Revenue Service regarding these questions.

The potential loss for a particular estate if the entire marital deduction were not allowed could be a serious financial blow. In weighing the potential loss of an entire marital deduction against the seventeen and two-thirds percent gain in marital deduction (the difference between one-third and one-half of an estate) which would be achieved by this bill, the prudent course is to eliminate the greater loss by disapproving this bill. If this bill were signed, it would be one year before a corrective bill by the next legislative session could become law. It would be callous to impose a year of uncertainty, tax problems and fear of even greater financial losses upon some Iowans who lose their spouses during the 1985 fiscal year. I cannot in good conscience sign such a defective bill, even though I strongly favor increasing surviving spouses' intestate shares.

I am requesting that the Iowa State Bar Association and the Iowa Department of Revenue assist my office in drafting legislation which will increase the surviving spouses' estates from one-third to one-half under Section 633.211 and from one-half to all of the estate under Section 633.212 in such a manner that will eliminate the tax problems of the present bill.

Both the Iowa State Bar Association and the Iowa Department of Revenue have assured me that they will support such a bill and will assist me in strongly urging its passage next year.

For the reasons mentioned above, I hereby respectfully disapprove of Senate File 2132.

Sincerely,
Terry E. Branstad
Governor

May 18, 1984

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

Senate File 2237, an act relating to the appointment, terms, retention and qualifications of magistrates, is hereby disapproved and transmitted to you in accordance with Article III, Section 18, of the Constitution of the State of Iowa.

Section 1 of this bill modifies a section of the Code pertaining to appointment of magistrates and provides a change in the commencement and expiration of magistrate terms.

Section 2 replaces existing law on the qualification of magistrates with a section which provides for terms, qualifications, and retention of magistrates. The new section eliminates the existing biannual selection process and causes magistrates once selected to stand for retention every two years.

With regard to the matter of having magistrates stand for retention, the bill may be technically flawed in that it does not include in the definition of a vacancy the failure of a magistrate to be retained in office at the judicial election. For example, section 602.6201, subparagraph 4, in defining a vacancy in the district court, includes "the failure of a district judge to be retained in office at the judicial election."

With regard to the qualification matter, present law provides that to be eligible for appointment, a person must be a resident of the county and of an age that would allow completion of the initial term of office plus a two-year term prior to reaching age seventy-two. A lawyer is not required, however a lawyer is preferred over a non-lawyer in the selection process.

My principal concern with this bill is that it eliminates a provision of present law which provides that a lawyer is preferred in the process of selecting a magistrate. This preference for a legally trained magistrate was implemented following the elimination of the old Justice of the Peace system, with other changes designed to assure a more unified and fairer court system.

Most people are introduced to our judicial system by appearing in magistrate court, for some minor infraction of the law, arraignment, or in the process of collecting or defending against a small claim. If we are to maintain respect for our court system, we must do all that we can to assure that a person appearing there is treated wisely and fairly. We need to select as magistrates those persons who are best qualified. A person with a legal education is more likely to be better prepared for making important legal decisions on the magistrates bench than someone without formal legal training.

Under our present system many magistrates are not lawyers and yet they are very dedicated and perform their responsibilities well. However, when legislative adjustments are made to our legal system, we should carefully consider the direction in which it takes us. By eliminating the preference for legally trained magistrates we would actually be taking a step backwards in our efforts to provide the best possible legal system for the people of this state.

For the reasons mentioned above, I hereby respectfully disapprove of Senate File 2237.

Very truly yours,
Terry E. Branstad
Governor

GOVERNOR'S ITEM VETO MESSAGES

May 14, 1984

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit House File 2486, an act relating to the offense of operating a motor vehicle while intoxicated by providing civil penalties to be assessed against licensees or permittees, by requiring the dismissal of vendors for selling alcohol to a minor, by providing a definition of alcohol concentration, by providing a special license for persons age nineteen and under, by providing a fine or community service in addition to imprisonment for a first offense and requiring a substance abuse evaluation for a second or subsequent offense of operating a motor vehicle while intoxicated, by providing additional periods of revocation for drivers convicted of operating a motor vehicle while intoxicated who caused an accident in which there was a serious injury or death, by providing for restitution by offending drivers for any damage caused, by providing a special revocation period for persons age nineteen or under, by providing a civil penalty to be assessed against persons convicted of operating a motor vehicle while intoxicated to be used to finance the victim reparation fund, by providing access to the record of previous deferred judgments by county attorneys, and by establishing a study committee to conduct a study on present laws and penalties relating to the offense of operating a motor vehicle while intoxicated and make any recommendations for changes in the law in a report to the General Assembly.

House File 2486 is approved May 14, 1984, with the following exceptions which I hereby disapprove.

I am unable to approve the items designated in the Act as Section 1, New Subsection 4, and Section 23 which read as follows:

Section 1. Section 123.50, Code 1983, is amended by adding the following new subsections:

NEW SUBSECTION. 4. The department shall adopt rules to establish civil penalties in the amount of one hundred dollars for a first offense, two hundred fifty dollars for a second offense, and five hundred dollars for a third offense which the department shall, subject to the discretion of the director, assess against licensees or permittees for violations of section 123.49 as an alternative to other penalties fixed for such violations by this section. Money collected from penalties assessed under this subsection shall be deposited with the Iowa department of substance abuse for use in substance abuse treatment programs.

Sec. 23. Chapter 912, Code 1983, is amended by adding the following new section:

NEW SECTION. VICTIM REPARATION FUND. The money collected and deposited under section 321B.30 and remaining in the fund at the end of any annual or biennial period shall not revert to the state general fund but shall remain available for the payment of claims under this chapter. This fund is in addition to and may be supplemented by appropriations from the general assembly for the payment of claims or operational expenses of the program.

These earmarking provisions make a direct, ongoing appropriation to the Department of Substance Abuse and the Victim Reparation Fund. They result in the loss of oversight on the appropriations by the executive and legislative branches of State Government. The funds not paid out in claims should be allowed to revert to the General Fund like other appropriations.

I am disappointed that, despite my earlier veto on the Victim Reparation Fund because of a similar earmarking provision, the majority in the General Assembly rejected several attempts to continue the Victim Reparation Program without earmarking.

The earmarking of funds directly from a source of revenue to an expenditure with a provision preventing any reversion to the state General Fund is an ongoing appropriation. Earmarking is a bad policy that has been consistently opposed by recent Iowa Governors. As I stated in my veto message of Senate File 2270 on April 13, 1984, "earmarking funds would set a troublesome precedent for the future."

For these reasons, I respectfully disapprove of the language designated above in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 2486 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

May 18, 1984

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit House File 2519, an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education programs for the state.

House File 2519 is approved May 18, 1984, with the following exceptions which I hereby disapprove.

I am unable to approve the item designated in the act as Section 12, which reads as follows:

Sec. 12. The state board of regents is directed to expend not less than one hundred thousand (100,000) dollars of funds received from the sale of negotiable revenue bonds under Senate Concurrent Resolution 13, by the Seventieth General Assembly, 1983 Session, and allocated by the state board of regents to the university of northern Iowa for communication arts center construction and equipment, for renovation of the old administration building at the university of northern Iowa. Other funds available to the state board of regents for construction and renovation purposes may be expended for renovation of the old administration building.

Section 12 requires that the board of regents use \$100,000 of funds received from the sale of bonds authorized last year for the renovation of the Old Administration building at the University of Northern Iowa. Renovation of the Old Administration building was not included in the list of projects originally authorized by the bonding resolution, Senate Concurrent Resolution 13. All bonds for the Communication Arts Center have been issued. A diversion of revenue to the Old Administration remodeling project would violate the terms of the bond issuance agreement. Such violation could be construed as impairing the obligation of the contract, which action is denied in Article I, Section 10 of the Constitution of the United States.

I am unable to approve the item designated in the act as Section 13, which reads as follows:

Sec. 13. 1983 Iowa Acts, chapter 195, section 17, is amended to read as follows:

SEC. 17. There is appropriated from the general fund of the state to the state comptroller for the fiscal year beginning July 1, 1983 and ending June 30, 1984, the sum of two hundred fifty thousand (250,000) dollars, or so much thereof as is necessary to pay costs for the purchase of fuel and electricity which exceed the amounts appropriated to the

various state agencies, or allocated by the state board of regents to institutions under its control, from the general fund for the purchase of fuel and electricity. The funds or any portion of the funds shall not be allocated to a state agency, or institution under the control of the state board of regents, unless the state comptroller determines the agency's costs for the purchase of fuel and electricity exceed the amounts appropriated or allocated for the fiscal year beginning July 1, 1983 and the agency or institution is either developing an energy conservation plan in consultation with the energy policy council, or is implementing, or has implemented, an energy conservation plan which has been approved by the energy policy council and the state comptroller determines that other money is not available to the agency or institution for fuel or electricity purposes. However, not more than one hundred thousand (100,000) dollars of the funds appropriated in this section shall be used by the state comptroller to pay costs for the purchase of fuel and electricity which exceed the amounts allocated by the state board of regents to institutions under its control for the purchase of fuel and electricity.

Section 13 amends chapter 195, section 17 of the Acts of 1983 to allow the institutions under the control of the State Board of Regents to separately apply for fuel contingency funds.

As in the past the legislature made a lump sum appropriation to the Board of Regents for the purchase of fuel and electricity for 1983-84 for all the institutions. The board is authorized to distribute these funds among the institutions as is necessary to meet the various institutions' needs.

The contingency fund appropriation made last year was intended to offset any shortfall in the appropriation for fuel and electricity. Information obtained by the State Comptroller's Office indicates that the total amount of the appropriation is adequate to meet the requirements of all the Regent Institutions. Therefore the fuel deficit at any one institution could be met by reallocating fuel and electricity funds from the institutions which received allocations in excess of their needs. Since adequate funds are available within the overall appropriation for that purpose, and due to the state's difficult financial position, chapter 195, section 17 should remain as originally intended.

I am unable to approve the item designated in the act as Section 22, which reads as follows:

Sec. 22. This Act, being deemed of immediate importance, takes effect from and after its publication in The Record-Herald & Indianola Tribune, a newspaper published in Indianola, Iowa, and in the Ottumwa Courier, a newspaper published in Ottumwa, Iowa. However, sections 1 through 12 and 14 through 21 of this Act take effect July 1, 1984. Section 13 takes effect upon publication.

Section 22 is the enacting clause which would make Section 13 effective immediately. With disapproval of Section 13 this publication clause is no longer needed.

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 in House File 2519 are hereby approved as of this date.

Sincerely,
Terry E. Branstad
Governor

May 19, 1984

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit House File 2521, an act relating to and making appropriations to various state regulatory, administrative and finance departments, boards and commissions.

House File 2521 is approved May 19, 1984, with the following exceptions which I hereby disapprove.

I am unable to approve Section 7, unnumbered paragraph 3, and the entirety of Section 9, which reads as follows:

It is the intent of the general assembly that the department of job service and the advisory investment board of the Iowa public employees' retirement system shall evaluate their holding of stocks and the voting rights to the stock with respect to the involvement of the stock issuer in doing business with or investing in the Republic of South Africa. The list of companies that invest in or do business with the Republic of South Africa shall be developed with reference to information obtained from the United States department of commerce. The department of job service shall not give voting proxies to any candidate for a board position for a company on the list who does not support divestment. In any stockholder election involving an issue related to investments in or business with the Republic of South Africa, the department of job service shall exercise its right to vote stock in such a manner as to prohibit such investments or business. This paragraph does not require the department to send a person to attend shareholder meetings to vote stock.

Sec. 9.

1. It is the intent of the general assembly that after July 1, 1984 that in regard to the appropriations made in section 7 of this Act the department of job service and the advisory board of the Iowa public employees' retirement system shall not make investment in any person making an investment in South Africa. As used in this section, unless the context otherwise requires:

a. "Investment in South Africa" means either of the following:

(1) Establishing or making a loan or other extension of credit for the establishment of a business enterprise or a subsidiary, affiliate, branch or office in South Africa.

(2) Investing funds in an existing enterprise in South Africa including making a loan or other extension of credit or exercising control in an existing enterprise, except that this paragraph does not prohibit the purchase of securities on a securities exchange.

b. "South Africa" includes the Republic of South Africa, any territory under the legal or illegal administration of the Republic of South Africa, and the Bantustans including Transkei, Bophuthatswana, Venda, Ciskei, and KwaZulu.

2. A person shall be presumed to control a corporation, partnership, or enterprise in South Africa if any of the following exist:

a. The person beneficially owns or controls either directly or indirectly more than fifty percent of the outstanding voting securities of the corporation, partnership, or enterprise.

b. The person beneficially owns or controls either directly or indirectly twenty-five percent or more of the voting securities of the corporation, partnership, or enterprise, if no other person owns or controls an equal or larger percentage.

c. The corporation, partnership, or enterprise is operated by the person pursuant to an exclusive management contract.

d. A majority of the members of the board of directors of the corporation, partnership, or enterprise are also members of the comparable governing body of the person.

e. The person has authority to appoint a majority of the members of the board of directors of the corporation, partnership, or enterprise.

f. The person has authority to appoint the chief operating officer of the corporation, partnership, or enterprise.

3. It is also the intent of the general assembly that after July 1, 1984 that in regard to the appropriation made in section 7 of this Act the department of job service and the advisory investment board of the Iowa public employees' retirement system shall maintain a list of persons making an investment in South Africa. The list shall be developed with reference to information obtained from the United States department of commerce. The department of job service and the advisory board shall not invest in any person on the list. The department shall mail written notification to each person on the list. A person ineligible to receive investments may establish eligibility if documentary evidence is submitted to the advisory board. The evidence shall be sufficient to establish

that the person has adopted a written policy that prohibits the making of investments in South Africa. "Documentary evidence" includes, but is not limited to, an executed affidavit by an appropriate officer of the person in a form prepared by the advisory board, attesting to the fact that the person prohibits the making of investments in South Africa. The department of job service shall attempt to verify compliance by checking sources of information not affiliated with the person. The department of job service shall adopt rules under chapter 17A to assess civil penalties against a person who files false or misleading documentary evidence. Penalties shall be deposited in the state general fund. The civil penalties shall not exceed five thousand dollars for each violation. All civil penalties collected shall be deposited in the state general fund. If the advisory board determines that the government of the Republic of South Africa has made substantial progress toward the full participation of all the people in South Africa in the social, political, and economic life of that country and toward an end to discrimination based on race or ethnic origin, the advisory board shall submit that determination and the basis for that determination to the general assembly.

The above designated provisions in House File 2521 require the Department of Job Service and the Iowa Public Employees' Retirement System (IPERS) Advisory Investment Board to take three actions with respect to IPERS investments:

1. Support only board of director candidates who favor the divestment of the company's South African investments;
2. Support stockholder initiatives to force divestment of a company's investments in South Africa;
3. Make no investment in any companies making investments or having control of companies in South Africa, after July 1, 1984.

The provisions of House File 2521 represent a radical change in the handling of the state employees' pension fund. In the past, the state has given those who manage these funds broad discretion in selecting appropriate investments and has shied away from using these funds to affect social policy.

The IPERS system is actuarially sound — something of a rarity for public pension systems. And, IPERS managers have achieved substantial investment yields earning additional retirement income for former public employees.

Despite this investment record, proponents of Sections 7 and 9 of House File 2521 urge the adoption of the above restrictions on IPERS investments due to the racial policies of the South African government.

Their goal is a laudable one. The racism inherent in the apartheid policy is wrong. I am certain that Iowans — with their history of support for racial equality — join me in condemning this policy of the South African government.

Iowans also have a history of support for free and open commerce. We witnessed the failure of the Carter Administration's effort to force change in Soviet policy through a grain embargo. Rather than harm the Russians, the embargo hamstrung American farmers.

Instead of the negative approach reflected in House File 2521, I believe we would benefit blacks in South Africa far more with a positive effort to achieve racial equality. This can best be accomplished, not by divesting our ability to exercise influence, but by capitalizing on it.

Implementation of the so-called "Sullivan Principles" is one way to exercise economic influence to achieve needed social change. These principles require desegregation of the workplace, equality of pay and opportunity for blacks, and financial aid to the employees' communities. To date, over 120 American firms doing business in South Africa have signed agreements to honor these principles and 74 percent of the workers employed by U. S. firms are covered by these principles.

In summary, I concur with the goals of those proposing Sections 7 and 9 of House File 2521. However, the restrictions on South African investments included in those sections would likely hurt, rather than help, the victims of the oppressive apartheid system. On the other hand, a positive use of American investment could work to speed up the needed social change in South Africa.

I am also unable to approve Section 10, subsections 2, 3, 4, and 5, which read as follows:

2. Notwithstanding section 442.3, for the school year beginning July 1, 1985, the state foundation base shall be seventy-nine percent of the state cost per pupil.

3. Notwithstanding section 427A.9, the personal property tax credit allowed for the fiscal year beginning July 1, 1985 shall not exceed the amount of the personal property tax credit allowed for taxes payable in the fiscal year beginning July 1, 1984.

4. Notwithstanding section 427B.10, property acquired or purchased on or after January 1, 1983 up to and including December 31, 1983 shall not receive the benefits of sections 427B.10 through 427B.14 for taxes levied against the January 1, 1984 assessments and collected during the fiscal year beginning July 1, 1985.

5. Notwithstanding section 602.11101, subsections 3 and 4, Code Supplement 1983, the scheduled assumptions of state responsibility for court attendants and for juvenile probation officers are delayed for a period of one year, respectively, and the delay shall be implemented as provided in section 602.11101 and the percentage remittance to the counties from the court revenue distribution account under section 602.8108 for the fiscal year beginning July 1, 1984 shall not be reduced for the fiscal year beginning July 1, 1985.

Each of the above designated subsections would be implemented in the event that the State Comptroller on September 1, 1984 projected that the receipts of the state general fund revenues for the fiscal year 1986 would be less than 7.3 percent above the state general fund revenues for the fiscal year 1985. While I recognize these triggers are standby in nature, I am unable to approve these items because of my strong belief that it is wrong to shift state budget problems to local governments and local property taxpayers when problems occur. The four provisions which I will comment on briefly below could boost local property taxes by nearly \$25 million. These same provisions would wreak havoc on the local government budget process, and severely damage state government's relationship and credibility with local government officials and property taxpayers. I recommended a one cent increase in our state sales tax last year to avoid this type of action.

Subsection 2, if triggered, would further delay our state's long standing commitment to reaching the eighty percent foundation level in our school aid formula. This provision alone would cost local property taxpayers \$14 million.

Subsection 3, raises the trigger on the personal property tax phaseout which was enacted in 1974. This most unfair and inequitable tax on personal property and business inventories should have been phased out by now. It has already been delayed too many times.

Presently, the personal property tax phaseout moves forward only when state revenues grow by at least 5.5 percent. In most recent years, our revenue growth has been below 5.5 percent and no progress in the phaseout has been made. Last year, I recommended and budgeted for another step in the phaseout. The legislature failed to follow that recommendation, and spent the \$3.8 million elsewhere.

Our commitment to the elimination of this most unfair tax is a significant incentive to economic development and more jobs for Iowans. Unfortunately, our state government's credibility has already been damaged by the continual interruption of this economic development incentive. I find this action to be unacceptable.

Subsection 4 requires that industrial machinery, equipment and computers purchased from January 1, 1983 through December 31, 1983 would not receive the 30 percent valuation limit for January 1, 1984 assessments.

The language of this paragraph could lead to a retroactive denial of a significant incentive designed to encourage capital investment. Many Iowa businesses would not have made machinery and computer investments in calendar year 1983 without the incentive provided for under our state's new "70/30" residual value assessment system.

Even the possibility of a retroactive denial of this investment incentive would send a negative message to the business community of our state. The Iowa Development Commission believes that this provision would be a damaging blow to our economic development efforts and could cost us thousands of Iowa jobs.

Last year I recommended, and the General Assembly approved, legislation in which the state made a commitment to gradually assume responsibility for the court system which is now funded at the county level. This action was taken to provide a unified court system and property tax relief.

Subsection 5 could delay the scheduled assumptions of state responsibility, and result in unanticipated and unbudgeted property tax increases. This language should not be left to haunt property taxpayers and local government officials.

In short, the subsections above could only serve to raise property taxes, hinder local government officials in their budgetary and other fiscal matters, and erode the confidence of those who wish to invest and create jobs in Iowa. Our state must move forward with these and other economic development incentives if we are going to be successful in the competition for jobs. We cannot afford to take significant steps backward. We must continue to move forward in our efforts to create jobs and reduce the property tax burden.

I am also unable to approve the entirety of Sections 11 and 12, which read as follows:

Sec. 11. Section 49.12, Code 1983, is amended to read as follows:

49.12-ELECTION BOARDS. There shall be appointed in each election precinct an election board which shall ordinarily consist of at least five precinct election officials. However, in precincts using only one voting machine at any one time, and in precincts voting by paper ballot where no more than one hundred votes were cast in the last preceding similar election, the board shall consist of not less than three precinct election officials; and in precincts using more than two voting machines one additional precinct election official officials may be appointed for each such additional machine. Double election boards may be appointed for any precinct as provided by chapter 51. Not more than a simple majority of the members of the election board in any precinct, or of the two combined boards in any precinct for which a double election board is appointed, shall be members of the same political party or organization if one or more qualified electors of another party or organization are qualified and willing to serve on the board.

If double counting boards are not appointed for precincts using paper ballots and using only three precinct election officials a fourth precinct election official shall be appointed from the election board panel to serve beginning at 8:00 p.m. to assist in counting the paper ballots.

Sec. 12. Section 11 of this Act takes effect only if House File 2219, as enacted by the Seventieth General Assembly, 1984 Session becomes law.

Sections 11 and 12 which would increase local property taxes are no longer necessary as a result of my disapproval of House File 2219.

For the above reasons, I respectfully disapprove of these items in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 2521 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

May 19, 1984

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 2330, an act relating to the financing of state government by providing for a reduction in general fund appropriations through reallocation of general fund financial aid to merged area schools, by reducing or eliminating certain capital appropriations for the fiscal year beginning July 1, 1983 and appropriating funds for capital projects for the fiscal year beginning July 1, 1984, by updating references to the internal revenue code for individual and corporate income tax, franchise tax, and inheritance tax purposes with coordinating amendments, by restructuring the fee for operator's and chauffeur's licenses, increasing certificate of title fees, duplicate title fees, trailer and motorized bicycle fees, including allocation of those fees to the road use tax fund and county treasurers, providing for spot inspections and odometer law enforcement, funding from the road use tax fund the driver's license program of the state department of transportation and the division of the highway safety and uniformed force of the department of public safety, by providing for the creation of an Iowa economic emergency fund including its funding, by providing for the payment of one-half of the additional personal property tax credit in the fiscal year beginning July 1, 1984, by imposing the sales, service and use tax on licensed executive search agencies, beverages, electronic repair and installation and the rental of tangible personal property, and making certain provisions of the act retroactive.

Senate File 2330 is approved May 19, 1984, with the following exceptions which I hereby disapprove.

I am unable to approve Section 42, which reads as follows:

Sec. 42. It is the intent of the general assembly that the department of revenue shall conduct a study during the 1984 interim to determine a feasible method of disallowing certain interest expense deductions on tangible personal property which is manufactured or substantially assembled outside of the United States and which is purchased by a taxpayer. The department shall submit its report to the Seventy-first General Assembly not later than February 1, 1985.

This section requires the Iowa Department of Revenue to conduct a study which would consider various methods for disallowing the interest on foreign made personal property purchased by Iowans. Such a study can only lead to further discussion of legislation detrimental to both Iowa's consumers and producers.

While this legislation is directed solely at making the purchase of foreign made personal property less attractive, we must consider its implications for Iowa's exporters.

If we impose punitive policies on foreign producers, then foreign countries will surely impose retaliatory measures on Iowa producers and products. Iowa is a leading exporter, and action in this area could cost Iowans' jobs and reduce foreign markets for Iowa's agricultural commodities.

This section also requires the Department of Revenue to conduct and complete the study of a complicated issue within a short time. If the study were to be of value, it should address such matters as who would be affected, the impact on taxpayers and the state treasury, the policy question of whether we should no longer conform to the Internal Revenue Code in this area, and the administrative impact on the Department of Revenue. The department has made and will continue to make a considerable commitment of resources to the Tax Study Committee. A diversion of department resources to this matter at this time would not be wise.

Two discrepancies in this bill should be corrected by the next legislative session. First, Section 66 increases operator license fees and extends the license from four to six years for persons between ages 18 and 70. The legislature neglected to conform 321.196 of the Code to this change. That section states that an operator's license shall expire four years from the licensee's birthdate.

Secondly, Section 66 provides for a two-year and a six-year chauffeur's license. The legislature, in attempting to conform Section 321.197 to this change provided only for the expiration of the six-year license. Thus there is a question as to whether they intended to eliminate the two-year license. These conflicting sections should be corrected by the next General Assembly.

I am also unable to approve Division V, Section 75, which reads as follows:

DIVISION V

Sec. 75. Section 422.5, Code Supplement 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. There is imposed for the first tax year beginning after December 31, 1983, an additional tax equal to two percent of taxable income in excess of twenty-five thousand dollars for a single person and forty thousand dollars for married taxpayers. Married taxpayers electing to file separate returns or filing separately on a combined return must combine their respective taxable incomes for purposes of the additional tax. If the combined income of the married taxpayers electing to file separate returns or filing separately on a combined return exceeds forty thousand dollars, that portion of the combined income in excess of forty thousand dollars shall be subject to the additional tax. The liability of each spouse shall be in the proportion that each spouse's taxable income bears to the total combined taxable income. Subsection 14 of this section is applicable to the additional tax imposed by this unnumbered paragraph. This unnumbered paragraph is applicable for the tax year beginning after December 31, 1983 only if the governor finds that the estimated budget resources during the fiscal year beginning July 1, 1984 and ending June 30, 1985 are insufficient to pay all appropriations in full and the governor's findings are concurred in by the executive council. The governor shall make the determination not later than October 1, 1984 and the governor shall not make any reductions in allotments as allowed under section 8.31.

This section provides for an additional tax of two percent on individual's taxable income in excess of \$25,000 for a single person and \$40,000 for married taxpayers' combined taxable income for the tax year 1984. The additional tax would be imposed if I find, with concurrence of the Executive Council, that the estimated budget resources for the fiscal year ending June 30, 1985 are insufficient to pay all appropriations. The section further provides that I shall not make any reductions in allotments as allowed under section 8.31.

This new income tax would raise an estimated \$20 million. If the projection indicates that the budget resources are \$5 million short, the tax would go into effect raising the \$20 million even though only \$5 million is needed. If the shortfall were determined to be in excess of \$20 million, an income tax would be imposed and I would be prohibited from implementing any across-the-board reduction in order to balance the budget. The result could be the imposition of a state-wide property tax levy.

Two other important points should be made. First, the way Iowa's personal income tax rates compare with other states is a major factor in our economic development efforts. Iowa's individual income tax already ranks higher than the U.S. average when measured as a percent of personal income. Businesses considering whether to locate or expand here will be deterred by further increases in our personal income tax.

Second, while many Iowans have seen their income drop in our recent economic difficulties, the budget for the state has continued to grow each year. Should state revenue fall short in a given year, the problem should be addressed by reducing spending rather than raising the tax burden on our citizens.

I am also unable to approve Section 78 which reads as follows:

Sec. 78. Section 422.45, subsection 12, Code Supplement 1983, is amended to read as follows:

12. Gross receipts from the sale of all foods for human consumption which are eligible for purchase with food coupons issued by the United States department of agriculture pursuant to regulations in effect on July 1, 1974, regardless of whether the retailer from which the foods are purchased is participating in the food stamp program. However, as used in this subsection, "foods" does not include meals prepared for immediate consumption on or off the premises of the retailer, and does not include foods sold through vending machines, or beverages as defined in section 455C.1, subsection 1.

This section places the four percent sales tax on soft drinks sold by retailers.

This tax signals a willingness to tax consumable food items, which have been exempted from the sales tax since July 1, 1974. It represents a return to a policy rejected for good reasons. It hits hardest at low income families and their children. Further, accepting this tax could encourage attempts to tax other food items in future years. Any return to such regressive taxes is not appropriate public policy.

Finally, I am unable to approve Section 80 which reads as follows:

Sec. 80. Notwithstanding section 427A.12, subsection 7, in the fiscal year beginning July 1, 1984 and ending June 30, 1985, the state comptroller shall pay from the personal property tax replacement fund to the respective county treasurers on May 15, 1985 an amount equal to one-half of the amount due and payable for the fiscal year beginning July 1, 1984 and ending June 30, 1985. The remaining one-half of the funds payable from the personal property tax replacement fund for the fiscal year beginning July 1, 1984 and ending June 30, 1985 shall be paid by the state comptroller to the respective county treasurers not later than July 1.

1985. The payment received on July 1, 1985 is an account receivable for the previous fiscal year.

This section failed to accomplish the legislature's intent and was corrected by language included in Senate File 2365. This section is no longer necessary and should be deleted.

For the above reasons, I hereby respectfully disapprove of 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 2330 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

May 18, 1984

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 2334, an act relating to the funding of state agencies for designated service programs including health programs, civil rights, veterans' services, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1984 and ending June 30, 1985 and making a supplemental appropriation to the department of health for reallocation to the state board of regents for certain programs under the Iowa specialized child health care services for the fiscal year beginning July 1, 1983 and ending June 30, 1984, and providing an effective date.

Senate File 2334 is approved May 18, 1984, with the following exceptions which I hereby disapprove.

I am unable to approve Section 8, which reads as follows:

Sec. 8. Notwithstanding the 1983 Iowa Acts, chapter 206, section 4, subsection 6, paragraph a, unnumbered paragraph 7, the state comptroller shall transfer seventy-four thousand four hundred fifty (74,450) dollars from the office of the state comptroller to the general fund of the state for allocation to the programs identified in section 7 of this Act.

This section requires the State Comptroller to transfer the contingent appropriation that was made for the purposes provided in section 7 of this Act to the general fund of the state. This is confusing as this appropriation has not been distributed to the Board of Regents and is currently part of the general fund. It will revert on June 30, 1984, under the provisions of section 8.33, Code of Iowa. Since section 7 makes a supplemental appropriation which provides sufficient funding for the Specialized Child Health Services programs, distribution of the contingent fund is unnecessary.

For the above reasons, I respectfully disapprove of 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 2334 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

May 18, 1984

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 2337, an act relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety and public defense.

Senate File 2337 is approved May 18, 1984, with the following exceptions which I hereby disapprove.

I am unable to approve Section 2, subsection 1, unnumbered paragraph, which reads as follows:

It is the intent of the general assembly that only ten percent of the funds appropriated under this paragraph shall be used for the payment of operational expenses.

In the original bill, this paragraph referred to the victim reparation program which was later deleted. It has no application in the current context of the bill and if not excised would limit the Department of Public Safety's administration appropriation. This was not intended.

I am also unable to approve Section 4, subsection 2, which reads as follows:

2. For funding for two pilot projects for area-wide ridesharing programs authorized by law \$5,000

This subsection appropriates funds from the road use tax fund for two pilot projects for area-wide ride-sharing programs. The Department of Transportation currently has a similar program in central Iowa which is funded through the operating budget. I feel it is not good policy to establish a precedent of funding such programs from the road use tax fund.

For the above reasons, I respectfully disapprove of 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 2337 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

May 18, 1984

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 2351, an act relating to the administration and financing of current programs other than mental health programs under the jurisdiction of the department of human services and to the foster care review board for the fiscal year beginning July 1, 1984, and ending June 30, 1985.

Senate File 2351 is approved May 18, 1984, with the following exception which I hereby disapprove.

I am unable to approve of the item designated as Section 3, subsection 11, unnumbered paragraph, which reads as follows:

The department shall close a living unit at the training school for juvenile delinquents at Eldora and shall periodically notify the chief judges of the judicial districts and the chairpersons and ranking members of the social services appropriations subcommittee of the number of resident inmates at the Eldora campus when that number equals or approaches one hundred eighty. Notwithstanding the entering of orders for placement at the Eldora campus of the state training school pursuant to section 232.52, subsection 2, paragraph "e", on and after the date of the closing of the living unit at the Eldora campus the department shall not admit any juvenile to the Eldora campus unless the Eldora campus has less than one hundred eighty resident inmates at the time of admission. The department shall place the names of those juveniles, who are subject to orders for placement at the Eldora campus of the state training school but cannot be admitted upon the entering of the orders, on a waiting list. The department shall establish priority admission policies for those juveniles on the waiting list and shall notify the courts ordering placement of the tentative admission dates for the juveniles.

The State Training School is currently the only secure setting for Iowa's worst juvenile offenders. Those who are sent to Eldora have usually committed several delinquent acts. Juvenile Court judges have ordered them to be taken from their home communities for a reason. To cap the population at 180 and create a waiting list could constitute a danger to the public safety of our citizens.

For the above reason, I hereby respectfully disapprove of 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 2351 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

May 15, 1984

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 2353, an act relating to the funding of and to substance abuse treatment and prevention programs by making appropriations to the Department of Substance Abuse for the fiscal year beginning July 1, 1984 and ending June 30, 1985, for administration, program grants, treatment programs not licensed by the department, and prevention programs, requiring the Treasurer of State to deposit certain amounts of the sales made by the state liquor stores in a special fund, requiring the Beer and Liquor Control Council to adjust the sales margin on liquor August 1, 1984 to raise certain revenue, requiring the state to incur one hundred percent of the cost of substance abuse treatment at certain programs for the fiscal year beginning July 1, 1984 and ending June 30, 1985, crediting certain fees to the Beer and Liquor Control Fund, requiring the Department of Substance Abuse to distribute program grant funding by a certain formula, requiring an assessment of a patient before admittance to a state mental health institute for substance abuse treatment, prohibiting counties from certifying a supplemental levy for certain substance abuse treatment facilities, requiring the county auditor to recompute the levy rates to reduce the amount budgeted for certain substance abuse treatment programs in the fiscal year beginning July 1, 1984 and ending June 30, 1985, and providing an effective date.

Senate File 2353 is approved May 15, 1984, with the following exceptions which I hereby disapprove.

I am unable to approve that portion of Section 1, which reads as follows:

and in addition to the regular sales margin which is included in the sale price of liquor as established by the Iowa beer and liquor control council pursuant to section 123.21, subsection 6, and including the provisions in section 123.53, subsections 3 and 7, the council shall adjust the sales margin of liquor on August 1, 1984 in an amount sufficient to raise funds in an amount equal to the difference between the amount appropriated to the department of substance abuse from the general fund of the state for the 1983-1984 fiscal year and the amount appropriated to the department for the 1984-1985 fiscal year

This provision of Section 1 is not a condition of the appropriation and is unnecessary in light of the fact that the Iowa Beer and Liquor Control Council has the power to raise liquor prices pursuant to Section 123.16 (2)(c) as it deems necessary.

I am unable to approve Section 5, which reads as follows:

Sec. 5. Before property taxpayers are notified of taxes due during the fiscal year beginning July 1, 1984 and ending June 30, 1985, each county auditor shall recalculate the county levy by subtracting the amount budgeted for the same fiscal year for substance abuse treatment in facilities provided under chapter 125 from the computed amount in dollars certified by the county under section 444.2. If the taxpayers have already been so notified, the county auditor shall renotify the taxpayer of the reduced property tax amount or the county treasurer shall reduce the tax by such amount or refund to the taxpayer such amount when the property tax is paid. Any penalty shall be applied only to the recalculated property tax amount.

The administrative burden created for county government as a result of this section could negate any intended benefits to the property taxpayers.

Under the local budget law, the various political subdivisions are required to certify their budgets no later than March 15 of each year. This involves the publishing of a budget, holding public hearings on the budget and certifying their tax rate, at which time the county auditor prepares a summary of each budget, showing the condition of the various funds for the fiscal year, including the adopted budgets and forwards a copy of the certified budget to the State Appeal Board. The State Appeal Board reviews the certified budgets and upon approval, enters the various budgets and tax rates in a data base for future use by the executive and legislative branches.

This section would require county auditors to adjust a tax rate after it has been certified and published which will increase the cost of administering the law and produce unnecessary confusion.

The amount involved per individual taxpayer would not be significant. It would be much more cost efficient and less confusing to allow the tax to be collected as certified and reduce the tax levy in the subsequent year.

Finally, I am unable to approve Section 9, which reads as follows:

Sec. 9. This Act, being deemed of immediate importance, takes effect from and after its publication in the Belle Plaine Union, a newspaper published in Belle Plaine, Iowa, and in The Sioux City Journal, a newspaper published in Sioux City, Iowa.

For the 1983-1984 year, the legislature allowed the counties to retain 65 percent of the Sunday liquor license fees and all of the Sunday beer permit license fees. The state collects Sunday liquor license fees and remits the 65 percent to the counties. The counties collect Sunday beer license fees and retain all of it.

In Senate File 2353, the legislature provides that all Sunday liquor license fees and Sunday beer permit license fees shall be deposited in the state beer and liquor fund on the date of publication of the bill, which would be prior to the end of the fiscal year 1984.

The counties adopted and certified their fiscal 1984 budgets in anticipation of receiving these license fee funds through the end of fiscal year 1984 to pay for persons admitted or committed to alcoholic treatment centers. The counties presently have responsibility for funding these treatment programs and will be short funds to finance these programs through the end of fiscal year 1984 if they do not receive these license fee funds. Since the state is not assuming responsibility for funding the treatment centers until July 1, 1984, the state should not collect these funds until the beginning of the new fiscal year.

For these reasons, I respectfully disapprove of 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 2353 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

May 20, 1984

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 2359, an act establishing comparable worth salary adjustments for state employees based on a comparable worth pay grade system, establishing a comparable worth review committee, and making supplemental appropriations for salary adjustments and implementation.

Senate File 2359 is approved May 20, 1984 with the following exceptions which I hereby disapprove.

I am unable to approve the items designated in the Act as Section 2 which reads as follows:

Sec. 2. EMPLOYEE PARTICIPATION IN FACTOR SCORE REVIEW AND FINAL RATIFICATION OF FACTOR DETERMINED SCORES.

1. Any employee subject to the Iowa merit system may request review of the factor scores or the factor determined score that employee's job title received. Requests for review by more than one employee within a job title shall be considered together, and a request for review by one or more employees within a job title shall be considered as a request on behalf of all employees in that job title.

2. The Iowa merit employment department on its own initiative may request review of factor scores on any job titles under the merit system. These requests for review shall be delineated by the Iowa merit employment department and shall be available to merit employees no later than June 1, 1984 and prior to the notice in subsection 3. The delineation shall include a description of the reasons the factor scores should be reviewed and the Iowa merit employment department's recommendations for changing the factor scores.

3. Employees shall be notified of their right to request review of their factor scores and factor determined scores with one or more biweekly pay checks. The Iowa merit employment department shall devise "request for review" forms based upon the recommendations of the study commissioned under 1983 Iowa Acts, chapter 170, section 2. The department shall make "requests for review" forms available to all departments and agencies with employees subject to the merit system and shall make the forms available to individual employees upon request. Employees shall be provided access to complete information regarding the study and the methods for determining factor scores in the system.

4. Employees shall have not less than four weeks from the time the first notice of the right to request review is distributed in which to file a request for review. The department shall notify employees who file incomplete or incorrect requests for review, and shall assist them to complete and file the forms correctly.

5. Review teams shall be constituted to represent all types of employees in the merit system, and shall include representation from contractual as well as noncontractual employees. Teams shall be trained in the job evaluation system and, in reviewing job titles, shall review employee and department "request for review" forms as well as all materials used in initially setting the factor scores.

6. Each job title for which requests for review are filed under subsections 1 through 4 shall be reviewed by a review team. If the review team disagrees with the initial factor score, a second review team shall examine the factor score as determined initially and by the first review team and shall make a final decision as to that factor score.

7. Subsection 5 shall be conducted with the review and comment of the comparable worth review committee established in section 6 of this Act and subsections 5 and 6 shall be conducted under the supervision and approval of the Iowa civil rights commission. All reviews shall be completed by November 1, 1984.

Senate File 2359 is an attempt to provide pay equity to all employees in the Merit System of state government. That is why I have signed the bill. Unfortunately, the study which preceded this legislation and the bill itself were both done hastily.

Numerous flaws in the implementation method laid out in Section 1 have been identified. For example, Jerry Miller is the man who, almost singlehandedly, has stood atop scaffolding for grueling endless hours in our State Capitol to restore the building to the ambience intended by our forefathers. He has been recognized for his stenciling talents by many groups and was even the subject of a feature in the Des Moines Register. Some believe that few, if any other persons in Iowa, have the comparable talent and perseverance he has given to this state. Yet in this year in which we celebrated our Capitol's centennial, this bill would reduce Mr. Miller's pay scale four grades.

For this and many other reasons, the plan in Section 1 cannot be engraved in stone. Many individual state employees, personnel officials and Iowa citizens have communicated the need for a thorough reexamination of this section. Any statistically developed comparable worth plan should be tempered with common sense and compassion for taxpayers as well as state employees.

It is, therefore, important that we have the most credible, effective review process possible. For it is through this process that the state and its employees will have an opportunity to rectify mistakes made by legislators in drafting the Section 1 implementation mechanism.

I am not confident that the review process established in Section 2 will be an effective method for hearing appeals. Instead of this method, a comparable worth review should be handled by professionals in personnel matters. Furthermore, responsibility for the review process should not be placed on the shoulders of an already over-worked agency. The Civil Rights Commission has an important mission of its own.

I am unable to approve the item designated in the Act as Section 6 which reads as follows:

Sec. 6. COMPARABLE WORTH REVIEW COMMITTEE AND FINAL IMPLEMENTATION. There is established a comparable worth review committee to oversee the review process as provided in section 2 of this Act and to make recommendations regarding the completion of the implementation of comparable worth adjustments in accordance with 1983 Iowa Acts, chapter 170. The committee shall be composed of seven members, one to be appointed by the governor, and six to be appointed by the legislative council. Appointments shall be made not later than June 1, 1984 and shall include persons skilled in social science research and in comparable worth policy.

Legislative members of the committee are entitled to per diem and expenses as provided for interim study committee members in section 2.44. Public members who are not public employees are entitled to a per diem of forty dollars for attending committee meetings. Public members and public employee members are entitled to reimbursement for travel and other necessary expenses actually incurred in the performance of their duties on the committee. Payment for authorized per diem and expenses shall be made as provided in section 2.12.

The committee shall make recommendations to the governor, the legislative council, and the general assembly by January 1, 1985, regarding final implementation of the comparable worth adjustments, which recommendations shall include the following:

1. Incorporation of comparable worth policy into state agencies exempt or partially exempt from the state merit system, except the state board of regents, and the judicial department with an emphasis upon treating the job titles and positions in those agencies which are substantially equivalent to job titles or positions in the merit system in a comparable manner with respect to pay.

2. Establishment of a single pay plan for state merit employees consistent with the recommendations for salary schedules associated with the comparable worth pay grades used in section 1 of this Act and recommended modifications or adjustments made under subsection 3 of this section and the effect such a pay plan would have in eliminating sex bias or bias in comparability of pay for jobs of comparable worth.

3. Implementation of comparable worth adjustments to bring all job titles below their comparable worth pay grade up to that pay grade, incorporating any modifications or adjustments to the method of determining the comparable worth pay grade that may be necessary to reflect adjustments determined to more fully reflect the policy of the state as established in section 79.18, including consideration of alternative methods for establishing the relationship between factor determined scores and pay grades.

4. Implementation of any other adjustments to the pay grade positions of job titles that may be recommended by the Iowa merit employment department to avoid compaction in job series and the comparable worth pay grade system.

5. Implementation of a system which addresses job titles with current pay grades above their comparable worth pay grades.

6. Implementation of recommendations to combine certain job titles which were recommended for combination because of their comparable worth scores and the similarity of their job descriptions.

7. Implementation of a procedure for maintaining the comparable worth factor determination system for job evaluation, including the assigning of factor scores for new job titles in the state merit system.

I am unable to approve the items designated in the Act as Section 7, subsections 7 and 9 which read as follows:

7. There is appropriated from the general fund of the state to the comparable worth review committee established in section 6 of this Act the sum of fifty thousand (50,000) dollars or so much thereof as may be necessary. Subject to the conditions of section 2, subsection 7 of this Act, the committee shall contract with outside personnel or with state agencies for completion of the review process, including the training of review teams and review team oversight, and may hire staff to provide ongoing assistance to the committee.

9. There is appropriated from the general fund of the state to the Iowa merit employment department, in addition to other funds appropriated by the general assembly, for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the sum of fifty thousand (50,000) dollars, or so much thereof as may be necessary, to fulfill its responsibilities under section 6, subsections 4 through 7 of this Act and to assist the review committee in performing its functions.

The oversight committee set up in Section 6 will be controlled by the legislative branch of state government. This represents serious legislative encroachment into an executive branch function. I will draw on management and labor specialists in establishing a new review committee that will continue to monitor our progress on comparable worth.

Section 7(7) and (9) provided funding for the review committee and review process. This appropriation is no longer needed.

Through a credible review process and oversight committee, employees and individual departments will have recourse for adjusting the proposed implementation scheme.

For the above reasons, I respectfully disapprove of 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 2359 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

May 19, 1984

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 2361, an act relating to and making appropriations for various government projects and programs and providing effective dates.

Senate File 2361 is approved May 18, with the following exceptions which I hereby disapprove.

I am unable to approve Division I, Section 8, which reads as follows:

Sec. 8. 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 ending June 30, 1985, the sum of one hundred fifty thousand (150,000) dollars, or so much thereof as is necessary, to be paid to school districts for educational excellence incentive awards pursuant to chapter 260A.

Section 8 provides an appropriation to local schools in fiscal year 1984-1985. However, the grant application process outlined in Section 2 of the bill states in part:

"The board of directors of a school district may make application by November 1 of a school year to the department of public instruction for funding for an educational improvement project to be carried out in the school district during the next following school year."

Under this timetable, the first school year for which a school district can request a grant would be the 1985-86 school year. However, the appropriation has been made for fiscal year 1984-85. This program should be funded in fiscal year 1985-86, the year in which the grants will actually be used by the school districts.

I am also unable to approve Division III, Section 10, which reads as follows:

Sec. 10. There is appropriated from the general fund of the state to the Iowa college aid commission for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the sum of one hundred fifty thousand (150,000) dollars, or so much thereof as may be necessary, to be used to supplement the appropriation made in section 261.63 for supplemental grants to students.

Section 10 is a \$150,000 appropriation to supplement the appropriation made last year for supplemental grants to students. Last year's legislation provided grants to students completing seven credit hours of mathematics and science courses in high school. That legislation authorized grants of up to \$500, and created a standing limited appropriation of \$1,500,000 to fund the grants.

It is currently estimated that close to 7,000 students graduating in 1984 will qualify for these supplemental grants for college in 1984-85. If these projections are accurate, the grants will total \$240-\$250 for each student. The effect of this additional \$150,000 appropriation would be to raise individual grant amounts by \$20 to \$25 per student.

This program was intended to be an incentive to encourage students still in high school to take more math and science courses. However, by making the appropriation effective for 1984-85, the funds will merely increase the grants given to students who have completed high school this year and will already be in college during 1984-85. If this program is to be expanded, it should be done in a manner that would provide incentives for students still in high school. This legislation would simply increase the grants to graduated students on a retroactive basis.

I am also unable to approve Division VIII, Sections 29 and 30, which read as follows:

DIVISION VIII

Sec. 29. AGRICULTURE, FOOD, AND ENERGY DEMONSTRATION CENTER STUDY.

1. PURPOSE—INTENT. The general assembly of this state desires to promote and enhance economic development within the state. The establishment of an agriculture, food, and energy demonstration center may be useful in the development of agricultural and agricultural related activities within the state. A study shall be done as provided in this section for the purpose of determining the feasibility, practicality, advantages, disadvantages, benefits, and disincentives to agriculture and agricultural related businesses, the state, and local communities of having an agriculture, food, and energy demonstration center within the state. It is the intent of the general assembly that to the extent time and resources allow the study shall encompass all aspects of the question of the merits of establishing different types of agriculture, food, and energy demonstration centers and the question of how to and what is needed to establish the different types of agriculture, food, and energy demonstration centers. The major objectives of this center are:

- a. To increase Iowa exports of agriculture and agriculture industries.
- b. To assist in training Americans and foreign nationals in the operation and utilization of American agricultural products, industries, and technologies.
- c. To effectively utilize already existent public-owned land for the purpose of demonstrating Iowa crops, products, and technology to potential purchasers from around the United States and the world.
- d. To encourage private business and industry to demonstrate the production, processing, storage, and distribution of all feasible agricultural systems. Such systems would include, but not be limited to, the following: modern systems of cattle, swine, sheep, dairy, and poultry production; processing systems; food and feed processing technologies; alternative energy technologies such as solar, wind, methane, ethanol, and bio-mass; and other systems and processes that can be demonstrated.
- e. To encourage the purchase of Iowa based commodities and technology in the export market.
- f. To create and expand business opportunities and employment opportunities within the state.
- g. To expand the research and technology base of agricultural education and nutrition research already existent in the state.

h. To seek out the help, recommendation, and support of farm organizations and commodity groups, food and agricultural relief organizations, the exporting business community, all major state industries, manufacturers, and businesses, local and state government officials, and the citizens of Iowa in the establishment of an agriculture, food and energy demonstration center.

2. **AGRICULTURE, FOOD, AND ENERGY DEMONSTRATION CENTER STUDY COMMITTEE.** There is created an agriculture, food, and energy demonstration center study committee consisting of fifteen members. Four of the members, with not more than two of the same party, shall be appointed by and serve at the pleasure of the governor. Four of the members shall be members of the general assembly. The speaker of the house of representatives shall appoint two members, one from each political party. The president of the senate shall appoint two members, one from each political party. One member shall be appointed by the Des Moines city council. One member shall be appointed by the Ankeny city council. One member shall be appointed by the president of Iowa state university. Four members shall be associated with the private sector nonprofit corporation formed to provide matching funds for this study.

3. ORGANIZATION AND PARTICIPATION.

a. The chairperson and vice chairperson of and elected by the committee shall direct and coordinate the activities of the committee.

b. State officers and state departments and agencies shall cooperate by providing technical assistance to the committee upon request of the chairperson.

c. The nonlegislative members of the committee shall be reimbursed for their travel and other necessary expenses actually incurred in the performance of their official duties from the state general fund from funds not otherwise appropriated. The legislative members shall receive, when the general assembly is not in session, a per diem of forty dollars and their travel and other necessary expenses actually incurred in the performance of their official duties from funds appropriated by section 2.12.

d. The chairperson shall develop and provide to the governor or the governor's designee interim reports of the activities of the committee and shall complete and transmit copies of its final report to the governor and the members of the general assembly who request them by January 1, 1985. The final report shall contain a brief summary of its activities, listing of its findings, and its recommendations, including additions or changes to existing law.

e. The agriculture, food, and energy demonstration center study committee shall cease to exist on March 1, 1985.

4. **SCOPE OF THE STUDY.** The committee shall consider and its recommendations shall address, but are not limited to, the following:

a. Examination of existing infrastructure in the central Iowa region including:

(1) Transportation systems such as highways; railroads; and air, including international airport status.

(2) Communication systems such as computer technologies and telecommunications of all types; satellite communications, including television; and developing communication links with all of the major world centers of commerce and trade.

(3) Impact study for all communities in central Iowa.

(4) Determination of the best location for the center.

(5) Water source; waste, air and water management and disposal; electricity and gas.

(6) Environmental impact statement.

(7) Food, housing and local transportation for American and foreign visitors.

b. Determine what cooperation will be needed from local, state and federal agencies.

c. Determine what cooperation will be needed from higher education institutions.

d. Determination of the extent of participation and investment in an agriculture center by foreign governments and foreign private enterprise.

e. Determination of the extent of investment possible by federal government agencies, such as the foreign agricultural service of the United States department of agriculture and the agency for international development in the United States department of commerce.

5. STAFF SUPPORT. Staff for the agriculture, food, and energy demonstration center study committee may be provided by the legislative service bureau and the legislative fiscal bureau upon approval of the legislative council.

Sec. 30. There is appropriated from the general fund of the state to the marketing division of the Iowa development commission for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the sum of sixty thousand (60,000) dollars, or so much thereof as may be necessary, to be deposited in a special account together with such other funds as may be obtained from other public or private sources for the use of the agriculture, food, and energy demonstration center study committee. The funds appropriated by this section may be expended only to the extent that they are matched with funds from other public or private sources.

Division VIII, Sections 29 and 30 provide a study of the feasibility of establishing an agriculture, food, energy demonstration center and for its funding. The study committee would consist of fifteen members. Section 29 provides for a standing unlimited appropriation to reimburse non-legislative members.

The study effort established by this legislation has a worthy purpose, but is too narrowly defined. A good lesson learned during this past session is that all corners of Iowa and all elements of our economy must work together if we are to be successful in reaching statewide economic goals. The study provided for in Senate File 2361 centers on Des Moines, Ames, and the surrounding area. While it makes sense that a special, agriculturally oriented research or trading center would be located in central Iowa, we must be careful to address this issue and others in the context of how all Iowa would benefit.

I have publicly stated my intention to appoint a Blue Ribbon Strategic Development Council to fully explore ideas for Iowa's economic future. This effort will be large in scope, not limited to a particular geographic area or one or two segments of our economy.

The work of the Strategic Development Council will complement the interim legislative study of the proposed Iowa World Trade Center and other export initiatives. And, a federal government review of this same issue is also underway. To have yet another study created by law is unnecessary. Thus, I have chosen to delete this provision from Senate File 2361.

Finally, I am unable to approve Division 10, Section 38, which reads as follows:

Sec. 38. This Act, being deemed to immediate importance, shall take effect as provided in this section from and after its publication in the Oskaloosa Daily Herald, a newspaper published in Oskaloosa, Iowa, and in the Diamond Trail News, a newspaper published in Sully, Iowa. Section 32, subsection 2, paragraph "a", of this Act appropriating funds to the department of general services for payment of state house renovation costs shall take effect upon publication and become available for expenditure upon that date notwithstanding any contrary provision of that section. All other provisions of this Act shall take effect July 1 following enactment.

The publication clause provides that the appropriation to the Department of General Services for the payment of statehouse renovation costs would be effective upon publication of the Act. This will occur in the fiscal year 1984. This would be an obligation against the 1984 fiscal year balance even though the funds would not be spent until fiscal year 1985 or thereafter. This could put the 1984 state fiscal year general fund projected balance into a deficit position. Therefore, I am deleting this section to prevent the possibility of a deficit balance.

For the above reasons, I respectfully disapprove of 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 2361 are hereby approved as of this date.

Very truly yours,
Terry E. Branstad
Governor

COMMUNICATIONS FROM THE SECRETARY OF STATE

May 9, 1984

Mr. Joseph O'Hern
Chief Clerk of the House
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 Waterloo Courier Record, published in Waterloo, Iowa, I hereby designate the Waterloo Courier Cedar Falls Record, published in Waterloo, Iowa to publish Senate File 2295 and House File 2426.

I hereby certify that Senate File 2295 was published in the Waterloo Courier Cedar Falls Record on April 17, 1984 and in The Sioux City Journal, Sioux City, Iowa on April 16, 1984;

I further certify that House File 2426 was published in The Nevada Evening Journal, Nevada, Iowa on May 4, 1984 and in the Waterloo Courier Cedar Falls Record, Waterloo, Iowa on May 3, 1984;

I further certify that Senate File 2082 was published in The Daily Nonpareil, Council Bluffs, Iowa on April 20, 1984 and in the Muscatine Journal, Muscatine, Iowa on April 23, 1984;

I further certify that Senate File 2346 was published in the Oskaloosa Daily Herald, Oskaloosa, Iowa on May 4, 1984 and in The Messenger, Fort Dodge, Iowa on May 4, 1984.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 8, 1984

Mr. Joseph O'Hern
Chief Clerk of the House
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that House File 2473 was published in the West Des Moines Express, Des Moines, Iowa on May 11, 1984 and in The Altoona Herald-Mitchellville Index, Altoona, Iowa on May 10, 1984;

I further certify that Senate File 2357 was published in The Manchester Press, Manchester, Iowa on May 23, 1984 and in The Cascade Pioneer-Advertiser, Cascade, Iowa on May 17, 1984;

I further certify that House File 2468 was published in the Quad City Times, Davenport, Iowa on May 17, 1984 and in the Sigourney News-Review, Sigourney, Iowa on May 16, 1984;

I further certify that Senate File 2354 was published in The Bayard News, Bayard, Iowa on May 17, 1984 and in the Audubon County Journal, Exira, Iowa on May 16, 1984;

I further certify that House File 2522 was published in the Waverly Democrat, Waverly, Iowa on May 10, 1984 and in the Iowa City Press Citizen, Iowa City, Iowa on May 14, 1984;

I further certify that House File 2532 was published in the Daily Nonpareil, Council Bluffs, Iowa on May 7, 1984 and in the Jasper County Tribune, Colfax, Iowa on May 10, 1984;

I further certify that Senate File 2356 was published in The Boone News-Republican, Boone, Iowa on May 24, 1984 and in the Ames Daily Tribune, Ames, Iowa on May 21, 1984;

I further certify that Senate File 2318 was published in the Union-Republican, Albia, Iowa on May 10, 1984 and in the Pella Chronicle, Pella, Iowa on May 9, 1984;

I further certify that Senate File 2335 was published in the Grinnell Herald-Register, Grinnell, Iowa on May 24, 1984 and in the Ames Daily Tribune, Ames, Iowa on May 21, 1984;

I further certify that Senate File 2337 was published in The Bancroft Register, Bancroft, Iowa on May 30, 1984 and in the Carroll Daily Times-Herald, Carroll, Iowa on May 24, 1984.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 13, 1984

Joseph O'Hern
Chief Clerk
House of Representatives
L O C A L

Dear Mr. O'Hern:

I hereby certify that Senate File 2277 was published in The Treynor Record, Treynor, Iowa on May 24, 1984 and in the Kossuth County Advance, Algona, Iowa on June 2, 1984.

I further certify that Senate File 2334 was published in The Guttenberg Press, Guttenberg, Iowa on May 30, 1984 and in The Red Oak Express, Red Oak, Iowa on May 29, 1984.

I further certify that House File 2486 was published in the Diamond Trail News, Sully, Iowa on May 23, 1984 and in the Onawa Democrat, Onawa, Iowa on May 24, 1984.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 15, 1984

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, because of the inherent and imperative need for House File 2511 to be effective at the earliest possible date, I hereby designate that House File 2511 shall be published in the West Des Moines Express, a newspaper published in Des Moines, Iowa and in The New Iowa Bystander, a newspaper published in Des Moines, Iowa.

I hereby certify that the foregoing Act, House File 2511 was published in the West Des Moines Express, Des Moines, Iowa on April 20, 1984 and in The New Iowa Bystander, Des Moines, Iowa on April 20, 1984.

I further certify that Senate File 2330 was published in The Winterset Madsonian, Winterset, Iowa on May 30, 1984 and in the Audubon News-Advocate, Audubon, Iowa on May 30, 1984.

I further certify that Senate File 2359 was published in the Ames Daily Tribune, Ames, Iowa on May 24, 1984 and in the Iowa City Press-Citizen, Iowa City, Iowa on June 1, 1984.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

June 25, 1984

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 Waterloo Courier Record published in Waterloo, Iowa, I hereby designate the Waterloo Courier Cedar Falls Record to publish House File 2433.

I hereby certify that House File 2433 was published in the Waterloo Courier Cedar Falls Record, Waterloo, Iowa on June 12, 1984 and in The Sioux City Journal, Sioux City, Iowa on June 12, 1984.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

IN MEMORIAM

House

Memorials adopted by the House of Representatives, 1984 Regular Session of the Seventieth General Assembly, commemorating the life, character, and public service of the former members of the House of Representatives.

| | |
|----------------------|--------------------------------------|
| ARMOUR BOOT | July 9, 1903 – February 15, 1984 |
| JAMES W. BURKE | January 23, 1932 – March 25, 1983 |
| CHARLES H. EVERETT | August 20, 1903 – May 1, 1981 |
| CHARLES E. KNOBLAUCH | March 9, 1922 – February 7, 1984 |
| MAX W. KREAGER | July 1, 1916 – September 23, 1983 |
| HARVEY J. LONG | January 14, 1894 – July 23, 1975 |
| KATHERYN C. METZ | June 20, 1904 – December 6, 1982 |
| MAURICE M. NEAL | January 30, 1900 – March 19, 1983 |
| HENRY W. SIEFKAS | August 27, 1897 – February 26, 1981 |
| CLAIR STRAND | August 21, 1909 – February 8, 1984 |
| JOHN J. SWANER | January 9, 1898 – October 15, 1981 |
| DICK H. VANDERWILT | August 28, 1900 – September 23, 1980 |

ARMOUR BOOT

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Armour Boot, begs leave to submit the following memorial:

The son of William B. and Alice Rietveld Boot, he was born on July 9, 1903. On December 24, 1929, he was united in marriage to Susie Zwank, to which union was born one daughter.

His early years were spent in farming and was then employed by a farm implement company. He served on a local school board, was a member of the Pella City Council, and was a member of the First Reformed Church in Pella.

A Democrat, Mr. Boot represented Marion County in the Sixty-first General Assembly.

He died February 15, 1984, and is survived by his widow, Susie; daughter, Nola; sister, Elizabeth; two grandchildren and two great grandchildren, all of Pella.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly of Iowa, That in the passing of the Honorable Armour Boot, 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.

ROBERT GRANDIA
HAROLD VAN MAANEN
JAMES COOPER

Committee

JAMES W. BURKE

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable James W. Burke, begs leave to submit the following memorial:

James Burke was born January 23, 1932 in Sioux City, Iowa. He attended Morningside College and was a graduate of the University of Iowa. He was a real estate salesman, served as an administrative assistant for the City of Sioux City, served in the United States Air Force during the Korean Conflict from 1951 until 1955, was a member of the Monahan Post 64 of the American Legion and Chapter 54 of Disabled American Veterans.

A Democrat, Mr. Burke represented Woodbury County in the Sixty-first General Assembly.

James Burke died on March 25, 1983. Survivors include his mother, Mrs. Hazel Burke of Sioux City; and two brothers, Thomas of Sioux City and Donald of Rockford, 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 James W. Burke, the state has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

JAMES O'KANE
AL STURGEON
LEO MILLER

Committee

CHARLES H. EVERETT

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Charles H. Everett, begs leave to submit the following memorial:

Charles H. Everett was born on August 20, 1903 at Mingo, Iowa, the son of Guy E. and Della Hulse Everett. He was married on September 13, 1924 to Ruth A. Hook, to which union were born two children.

He graduated from Iowa State College in 1924. In 1945 he returned to Ames from Sioux Falls, South Dakota, and was a farm manager and appraiser. He was a member of the First United Methodist Church, Arcadia Lodge, #249 AF and AM, Scottish Rite Mason, Za-Ga-Zig Shrine, Ames Rotary Club and Appraisal Institute. He was a 50-year Mason and a life member of the Elks Ames Lodge 1626.

A Republican, Mr. Everett represented Story County in the Fifty-third General Assembly. Formerly an auditor with the State Tax Commission, he was appointed to serve out a term as County Auditor for Story County after serving in the Iowa House.

Charles H. Everett died on May 1, 1981. Survivors include his wife, Ruth; his son, Bernard of Moline, Illinois; six grandchildren and three great-grandchildren. He was preceded in death by his daughter, Jacqueline, in 1973.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly of Iowa, That in the passing of the Honorable Charles H. Everett, 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.

JOHNNIE HAMMOND
RALPH ROSENBERG
JOYCE LONERGAN

Committee

CHARLES E. KNOBLAUCH

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Charles E. Knoblauch, begs leave to submit the following memorial:

Charles E. Knoblauch was born on March 9, 1922. He married Ruth Ann Korpala in 1947, to which union were born four sons and four daughters.

He was a graduate of Aquinas High School at La Crosse; Air Force Technical Training Command Schools; and Institutes For Organization Management, Michigan State University. A veteran of World War II (3 years U.S. 9th Air Force E.T.O.), Knoblauch was a former Iowa Jaycee officer and National director, U.S. Jaycees; Editor and secretary-treasurer N.W. Iowa Chamber Executives; Executive Director Community Consultants, Carroll public relations firm working with Iowa Chambers of Commerce; a member of the American Legion; Elks; N.W. Iowa and Iowa Chamber of Commerce Executives; was associated with the Optimist Club and Knights of Columbus and was former Executive Director of the Iowa Funeral Directors Association.

A Democrat, Mr. Knoblauch represented Carroll and Crawford Counties in the Sixty-third and Sixty-fourth General Assemblies.

Charles Knoblauch died February 7, 1984. He is survived by his wife, Ruth Ann of Fort Dodge; sons, Timothy of Carroll, James of Urbandale, Andrew of Cedar Rapids and Charles, Jr. of Fort Dodge; daughters, Mrs. Bill (Mary) Powers of Fort Dodge, Kitty of Iowa City, Patricia at home and seven 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 Charles E. Knoblauch, the state has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

JAMES ANDERSON
GENE BLANSHAN
LOUIS J. MUHLBAUER
DALE M. COCHRAN

Committee

MAX W. KREAGER

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Max W. Kreager, begs leave to submit the following memorial:

Max W. Kreager was born July 1, 1916. He was married on August 26, 1946 to Marjorie Scheerer, to which union were born two daughters.

Max Kreager attended rural schools in Jasper County and was a graduate of Newton High School. After farming, he worked with Jasper County Triple A Office, the Newton National Bank, the Poweshiek-Jasper Farm Service (Manager), then became owner-operator of the Central Iowa Insulation Company.

Mr. Kreager's activities included serving as President of the Newton Kiwanis Club; President of the Newton Chamber of Commerce; Chairman of the Republican Central Committee; a member of the 4-H Club Committee; an active Farm Bureau member; and an active member in the Methodist Church, a four-time delegate to the General Conference.

A Republican, Mr. Kreager represented Jasper County in the Fifty-ninth General Assembly.

Max W. Kreager died on September 23, 1983. He is survived by his widow, Marjorie, of Newton; daughters, Mary Ellen Hollwell of Des Moines and Marcia Schroeder of Davenport; his mother, Mrs. William Kreager, of Newton; and a brother, Merle, of Newton.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly, That in the passing of the Honorable Max W. Kreager, 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.

DENNIS BLACK
EDWARD PARKER
TOM SWARTZ

Committee

HARVEY J. LONG

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Harvey J. Long, begs leave to submit the following memorial:

The son of Andrew and Catherine Long, he was born on January 14, 1894. He married Margaret E. Ehrlich, to which union was born one daughter.

He attended public school, high school and business college; was a former member of Division 599, Electric Railway Workers; A.F. of L., was a former member of the Lions and Gyro Clubs; was a member of the Masonic Lodge, DeMolay, Consistory, Shrine and Methodist Church.

A Republican, Mr. Long represented Clinton County in the Forty-ninth, Fiftieth, Fifty-first, Fifty-second and Fifty-third General Assemblies.

Harvey J. Long died on July 23, 1975. He is survived by his daughter, Geraldine, of Temple Terrace, Florida.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly of Iowa, That in the passing of the Honorable Harvey J. Long, 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.

C. ARTHUR OLLIE
BOB ARNOULD
VIC STUELAND

Committee

KATHERYN C. METZ

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Katheryn Clancy Metz, begs leave to submit the following memorial:

Katheryn Clancy Metz was born on June 20, 1904. She married John L. Metz in 1926 and had two stepdaughters.

Metz served as Editor and Publisher for the Lamoni Chronicle during the 1940's and worked for such papers as the Denver Post, St. Louis Star Times and Chicago Tribune, and later spent time on behalf of the Iowa Press Association in Mexico as an exchange editor. She was the Director of Women's Activities in the public relations department of the Quaker Oats Company; was a member of the American Women in Radio and Television; National Federation of Business and Professional Women; National Order of Women Legislators; Women's Advertising Club; National Federation of Press Women; Theta Sigma Phi; Academy of Political Science; was Past Worthy Matron, Order of the Eastern Star; and was a member of the Reorganized Church of Jesus Christ of Latter Day Saints.

A Republican, Mrs. Metz represented Decatur County in the Fifty-third and Fifty-fourth General Assemblies.

Katheryn C. Metz died on December 6, 1982. She was survived by four nieces and four nephews.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly of Iowa, That in the passing of the Honorable Katheryn C. Metz, the state has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of her service.

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 COOPER
RANDY HUGHES

Committee

MAURICE M. NEAL

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Maurice M. Neal, begs leave to submit the following memorial:

Born on January 30, 1900, Maurice M. Neal was married on September 3, 1927 to Zedonna Rawson, to which union were born four sons and one daughter.

Maurice Neal attended Iowa State College. He spent fifteen years in the oil business and the balance of time farming. He served as mayor; councilman; on the board of education, both locally and at a county level; was appointed Dexter postmaster and served sixteen years before retiring in 1968; was a veteran of World War II; was an elder in the Presbyterian Church; a fifty year member of the Masonic Lodge; was a member of the Eastern Star and the Za-Ga-Zig Shrine.

A Republican, Mr. Neal represented Dallas County in the Fifty-second General Assembly.

Maurice M. Neal died March 19, 1983. His wife, Zedonna, died two weeks later. Surviving are his sons; Robert of Dexter, Craig of Orient, Richard of West Des Moines, James of Nokesville, Virginia; his daughter, Emily Sulgrove of Dexter; seventeen grandchildren and eight 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 Maurice M. Neal, 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.

JO ANN ZIMMERMAN
BOB SKOW
PHILIP DAVITT

Committee

HENRY W. SIEFKAS

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Henry W. Siefkas, begs leave to submit the following memorial:

Henry William Siefkas was born August 27, 1897. He attended schools in Clarke County and on May 18, 1922, married Eula Kelley, to which union were born three children.

Henry Siefkas was engaged in farming for over forty years, retiring in 1965. He served as Township Assessor Trustee, was a member of the school board; the Odd Fellows; the Clarke County Board of Education; Rural Electrification Association Board and the Laclede Methodist Church.

A Republican, Mr. Siefkas represented Clarke County in the Forty-eighth, Forty-ninth, Fiftieth, Fifty-first, Fifty-second, and Fifty-third General Assemblies.

Henry William Siefkas died February 26, 1981. He is survived by two daughters, Enid Kendall of Osceola, Iowa; Marcia Craig of Aurora, Illinois; a sister, Nellie Moffitt, of Murray, Iowa; six grandchildren and three 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 Henry William Siefkas, 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
JAMES COOPER
PHILIP DAVITT

Committee

CLAIR STRAND

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Clair Strand, begs leave to submit the following memorial:

The son of Alfred and Katherine Strand, he was born August 21, 1909. He was married on July 6, 1935 to Beulah Brown, to which union were born two daughters.

Mr. Strand lived in Grinnell where he and his wife operated the United Food Store for thirty-three years. In 1958, he opened the first laundromat in Grinnell, and also operated one in Montezuma. He was an active member of the Grinnell First Baptist Church; the Grinnell Kiwanis Club; the Grinnell Chamber of Commerce; Hermon Masonic Lodge; the I.O.O.F. Lodge; the B.P.O. Elks Lodge; was a fifty-year member of the Rebekah Lodge; was a former member of the Steward Library Board; the Grinnell-Newburg Board of Education; the Greater Grinnell Development Corporation Board; the Grinnell Country Club Board; the Grinnell Planning Commission; and served on the Grinnell Federal Savings and Loan board of directors.

A Republican, Mr. Strand represented Iowa, Jasper and Poweshiek Counties in the Sixty-second, Sixty-third and Sixty-fourth General Assemblies.

Clair Strand died on February 8, 1984. He is survived by his wife, Beulah; two daughters, Charlotte Ellis of Grinnell and Betty Murray of Bettendorf; three brothers, Kenneth Strand of Adel, Ralph Strand of Rock Creek Lake and Donald Strand of Orlando, Florida; two sisters, Theresa Beason of Gilman and Genevieve Russell of Bettendorf; and six 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 Clair Strand, 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.

JANET CARL
RICHARD VARN
DENNIS BLACK

Committee

JOHN J. SWANER

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable John J. Swaner, begs leave to submit the following memorial:

The son of James and Mary Scorpil Swaner, he was born January 9, 1898. On October 4, 1920, he married Ruth Joy Ray, to which union were born one son and two daughters.

John Swaner served on the Iowa State Highway Commission from 1944 until 1949. He was a member of St. Wenceslaus Catholic Church; a member of the Board of Directors of Hills Bank and Trust Company; served with the Marines in World War I; was a past member of Hawkeye Area Boy Scouts; was past President of Rotary; and was past Chairman of the Community Chest Drive.

A Democrat, Mr. Swaner represented Johnson County in the Forty-ninth, Fiftieth, and Fifty-first General Assemblies.

John J. Swaner died October 15, 1981. He is survived by his wife, Ruth; one son, James; and two daughters, Ruth and Marilyn; all of Iowa City, Iowa.

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 J. Swaner, 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.

MINNETTE DODERER
JEAN LLOYD-JONES
RICHARD VARN

Committee

DICK H. VANDERWILT

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Dick H. Vanderwilt, begs leave to submit the following memorial:

The son of Henry and Elizabeth Vanderwilt, he was born August 28, 1900. He married Delores Dazier, to which union were born three children.

He attended public schools in Marion County; was a member of the Order of the Eastern Star No. 146; the Council Masonic Lodge; the Commandry; the KAABA Shrine; the Farm Bureau; NFO Organizations; the North Mahaska and Mahaska County School Boards; and served on the board of the Farmers Home Administration.

A Republican, Mr. Vanderwilt represented Mahaska County in the Fiftieth Special and Fifty-first General Assemblies.

Dick H. Vanderwilt died September 23, 1980. He is survived by his wife; two sons; Morgan of Oskaloosa and Marc of New Sharon; a daughter; Mrs. Charles (Kim Elizabeth) Jones of Indianapolis, Indiana; a brother; Louis Vanderwilt of Pella, Iowa; five grandchildren and one great-granddaughter. He was preceded in death by one son, Clair.

Now Therefore, Be It Resolved by the House of Representatives of the Seventieth General Assembly of Iowa, That in the passing of the Honorable Dick H. Vanderwilt, 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.

HAROLD VAN MAANEN
ROBERT GRANDIA
GEORGE SWEARINGEN

Committee

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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)

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Veto messages—1107, 1221-1223, 2047-2048, 2771-2780

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BLACK, DENNIS H.—Representative Jasper-Marshall Counties

Amendments filed—313, 810, 849, 926, 1363-1367, 1436, 1712-1713, 1955-1956, 1973, 2250, 2251

Amendments offered—941, 2363

Amendments withdrawn—217-219

Bills introduced—15, 39, 77, 78, 177, 184, 315, 352, 558

Committee appointments—417, 1078, 1880

Leave of absence—359

Presided at sessions of the House—1136

Reports—2193-2194

Resolutions offered—93-94, 848, 1880, 1972, 2400

Subcommittee assignments—70, 144, 469, 470, 472, 1110, 1111

BLANSHAN, EUGENE—Representative Boone-Carroll-Greene Counties

Amendments filed—598, 715, 811, 849, 851, 852, 982, 1009, 1513, 1539, 1724, 1776, 1825, 1851-1862, 1878, 1879, 1900, 2054, 2250, 2363-2366

Amendments offered—730, 731, 1379, 1419, 1630, 1914, 2336, 2343

Amendments withdrawn—1160, 1886, 2343

Bills introduced—116, 234, 262, 360, 603

Committee appointments—20, 1778

Escorted to the Speaker's station and presented Dr. George Gallup—1978

Leave of absence—76

Presented to the House the Honorable Carroll Perkins, former member of the House—2244

Presided at sessions of the House—1963, 2220, 2317

Reports—21

Resolutions offered—93-94, 656, 848, 1972, 2400

Subcommittee appointments—228, 229, 354

Subcommittee assignments—71, 72, 145, 194, 195, 196, 197, 198, 199, 200, 202, 203, 280, 355, 469, 471, 472, 474, 569, 931, 932, 1112, 1241, 1243

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—260, 506, 598, 637, 989, 1048, 1203, 1435, 1513, 2120-2121, 2220-2221

Amendments offered—488, 512, 987, 1338, 2346

Bills introduced—32, 178, 234

Leave of absence—658, 1514

Petitions presented—1204

Presided at sessions of the House—1386

Resolutions offered—93-94, 848, 1972, 2400

Subcommittee assignments—70, 71, 146, 196, 197, 198, 199, 200, 201, 565, 567, 568, 569, 677, 678, 1110, 1111, 1112, 1243, 1995, 2503

BRANSTAD, CLIFFORD O.—Representative Hancock-Kossuth-Winnebago Counties

Amendments filed—120, 212, 323, 348, 615, 715, 757, 784-785, 849, 850, 851, 852, 933, 1009, 1074, 1513, 1620, 1673, 1723, 1739, 1825, 1826, 2053

Bills introduced—351, 599

Leave of absence—225, 455, 554, 658, 1076, 1690, 1982

Resolutions offered—93-94, 714, 848, 1972, 2400

Subcommittee assignments—279, 280, 354, 470, 567, 569, 1110, 1113, 1545, 1775, 1995, 2502, 2503, 2504

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(See Governor Branstad, Terry E.)

BUDGET MESSAGE—

Delivered by Governor Terry E. Branstad—7

Resolution relating to, House Concurrent Resolution 101—7 adopted

BUHR, FLORENCE D.—Representative Polk County

Amendments filed—933, 2120, 2250, 2320

Amendments offered—1382, 2159

Appointed to the Advisory Commission on Intergovernmental Relations—9

Bills introduced—116, 176, 262, 297, 444, 580

Committee appointments—2

Presided at sessions of the House—777, 843, 919, 1913, 1988, 2241, 2476

Reports—82-83

Resolutions offered—93-94, 848, 1972, 2400

Subcommittee appointments—228, 229

Subcommittee assignments—69, 70, 72, 149, 196, 198, 200, 202, 203, 278, 279, 354,
678, 930, 931, 932, 1112, 1113, 1241**CAPITOL CENTENNIAL COMMEMORATION—**

(See Joint Convention)

CAPITOL PLANNING COMMISSION—

Appointments to—9

CARL, JANET A.—Representative Iowa-Poweshiek CountiesAmendments filed—578, 579, 687, 688, 709, 710, 852, 1372, 1435, 1436, 1458,
1458-1459, 1997, 2026, 2251, 2320

Amendments offered—694, 704, 709, 1331, 1445, 1458, 1461, 1527, 2026, 2307, 2309

Amendments withdrawn—2026

Bills introduced—34, 297, 316, 352, 361, 558, 618

Committee appointments—22, 417

Leave of absence—359

Presided at sessions of the House—721, 2203

Resolutions offered—93-94, 417, 755, 848, 1972, 2400, 2508

Subcommittee appointments—228

Subcommittee assignments—196, 201, 202, 280, 281, 472, 473, 564, 565, 569, 677, 931,
1110, 1113, 1241**CARPENTER, DOROTHY F.—Representative Polk County, Assistant Minority
Floor Leader**Amendments filed—120, 139, 238, 348, 357, 358, 597, 616, 637, 688, 849, 850, 926,
1074, 1291-1292, 1512, 1620, 1798, 1825, 2005-2006, 2007, 2145, 2212-2218, 2330,
2362Amendments offered—138, 139, 457, 502, 503, 625, 642, 646, 691, 889, 1291, 1796,
2005, 2007, 2145, 2330, 2362

Amendments withdrawn—545, 646

Bills introduced—176, 184, 240

Committee appointments—92, 105

Leave of absence—704, 1084

Presented to the House the Honorable Ed Bittle, former member of the House—981

Resolutions offered—93-94, 755, 848, 1722, 1972

Subcommittee appointments—228, 229

Subcommittee assignments—70, 72, 145, 194, 195, 196, 197, 198, 199, 200, 201, 202,
203, 277, 278, 280, 281, 354, 355, 469, 471, 472, 473, 474, 565, 569, 1109, 1110,
1112, 1241, 1242, 1545

CARTER, BRIAN—Representative Des Moines-Henry Counties

- Amendments filed—238, 323, 348, 578, 851, 1436, 1513, 1546, 1667, 1712-1713, 1724, 1825, 1869-1872, 1973, 2120, 2121, 2250
- Amendments offered—433, 898, 1886, 2018, 2206
- Amendments withdrawn—2070, 2209
- Bills introduced—16, 186, 240, 363
- Committee appointments—2315
- Leave of absence—1163
- Reports—2356-2359
- Resolutions offered—93-94, 848, 1972, 2400
- Subcommittee assignments—71, 72, 278, 472, 473, 931, 1111, 1242

CERTIFICATES OF RECOGNITION—

- Abraham Lincoln High School, Council Bluffs—1299-1300
- Al Billings, Belle Plaine, 1984 1A Wrestling Coach of the Year—1299
- Bondurant, City of, centennial—2510
- Boys Basketball Team, Little Rock Community School—1299
- Chad Hennings, Benton Community School, State 1984 Class 2A Wrestling Championship—1299
- Clarinda High School Band—161
- Class of 1949, Thomas Jefferson High School, Council Bluffs, 35th reunion—2502
- Creston High School Speech Club—714
- Don Holmes, Vinton, 1984 Wrestling Official of the Year—1299
- Donald W. (Doc) Wiebold, retired—161
- Druggist Mutual Insurance Company, Algona, 75th anniversary—2502
- Floyd Beaner, Mayor of Grinnell—1572
- Frank Christen, former doorkeeper and assistant sergeant-at-arms—319, 381
- Hartley-Melvin High School girls basketball team—1299
- Holy Family Church, Council Bluffs, 75th anniversary—293-294
- John F. Kennedy High School boys basketball team, Cedar Rapids, 1984 State 3A Championship—1572
- John V. Regan, LaSalle High School, Cedar Rapids—2049
- Keota Fire Department, Keota-centennial—2049
- Kern Junior High School, Council Bluffs, outstanding secondary school, 1983-84—1299
- Kingsley, City of, centennial—2049
- LaSalle High School boys football team, Cedar Rapids—2049
- Laur and Jay Murphy and descendants of Matthew J. Edel, generous gift to state—2502
- Mingo, City of, centennial—2510
- Mr. Lowell Hamilton, President, Hamilton Produce Co., Inc., Bloomfield, 50th anniversary—2049
- Newman Knights boys basketball team, Mason City—1572
- Oelwein High School Huskettes—1299
- Reverend E. Gordon Riffle, Sioux City, Evangelical Free Church, centennial—1299
- Sharon Lee, Altoona, Iowa Teacher of the Year—293-294
- Sharpsburg, City of, centennial—2502
- Terry Schmuecker, Benton Community School—1299
- Thomas Jefferson High School, Council Bluffs Gymnastics Team, state championship—293
- Tim Krieger, Mason City—2049

United Auto Workers Local 893, Marshalltown, 20th anniversary—2502
 Ventura Lady Vikes, Ventura—2049
 Washington High School, Cherokee boys basketball team—1299-1300
 Wayne A. Faupel, retired—161
 West Burlington, City of—1299

CHAPMAN, KAY—Representative Linn County

Amendments filed—238, 441, 524, 578, 715, 756, 810, 811, 849, 850, 858, 933, 934,
 1009, 1047, 1074, 1116, 1162, 1203, 1206, 1211-1212, 1301, 1309, 1513, 1620, 1667,
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 1384, 1942, 2070
 Amendments withdrawn—486, 747
 Appointed to the Council on Child Abuse Information—10
 Bills introduced—121, 122, 154, 186, 262, 315
 Committee appointments—124, 2239
 Leave of absence—560, 1256, 2008
 Presided at sessions of the House—1158
 Reports—2361-2382
 Resolutions offered—93-94, 848, 2400
 Subcommittee appointments—229
 Subcommittee assignments—71, 145, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203,
 276, 277, 278, 280, 471, 568, 1112, 1243

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 1773-1774, 1823, 1876, 1969, 1994, 2045, 2116, 2397, 2508

Resolutions relating to:

House Concurrent Resolution 110—656, 930, 1202, 1894 adopted
 House Concurrent Resolution 118—1546
 Senate Concurrent Resolution 125—2435, 2497 adopted

CHIEF JUSTICE OF THE SUPREME COURT, The Honorable W. W. Reynoldson
 (See Supreme Court of Iowa)

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 Appointments to—10

CHIODO, NED F.—Representative Polk County

- Amendments filed—260, 313, 323, 348, 383, 578, 656, 688, 811, 850, 933, 934, 982, 1008, 1009, 1048, 1074, 1373, 1573, 1620, 1851-1862, 2054, 2163, 2212-2218, 2222, 2225-2226
- Amendments offered—334, 374, 389, 432, 744, 1083, 1118, 1392, 1873, 1945, 1946, 2212, 2222, 2494
- Amendments withdrawn—1121, 1271
- Appointed to the Administrative Rules Review Committee—9
- Bills introduced—31, 65, 66, 77, 115, 153, 164, 214, 240, 316, 361, 362, 444, 759
- Committee appointments—22, 1821, 1956, 1957, 2034, 2326
- Leave of absence—625
- Motion to override governor's veto—1226
- Presided at sessions of the House—701, 1196, 1657, 1913, 2355
- Reports—2326, 2482-2484, 2485-2486
- Resolutions offered—93-94, 848, 1722, 1972, 1973, 2400
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- Subcommittee assignments—69, 144, 145, 146, 147, 148, 199, 201, 202, 203, 276, 279, 470, 471, 472, 473, 566, 568, 676, 930, 931, 1109, 1242, 1243, 1545, 1775, 1995, 2502, 2503, 2504

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- (See also State Appeal Board)
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CLARK, BETTY JEAN—Representative Cerro Gordo-Floyd-Mitchell Counties

- Amendments filed—91, 183, 515, 598, 849, 851, 926, 1074, 1373, 1620, 1673, 1709, 1752, 1869-1872, 2027, 2195-2199, 2250, 2320
- Amendments offered—514, 608, 1442, 1663, 1752, 2027, 2257
- Amendments withdrawn—1414, 1781
- Bills introduced—121, 163, 164, 165, 175, 241, 353, 361, 363, 603
- Committee appointments—2509
- Leave of absence—114, 239, 455, 1709, 1839
- Presented to the House foreign exchange student, Annica Sandberg from Stockholm, Sweden—380
- Resolutions offered—93-94, 656, 714, 755, 848, 1722, 1972, 1973, 2508
- Subcommittee assignments—72, 148, 196, 197, 198, 199, 200, 201, 278, 279, 281, 354, 473, 474, 567, 568, 677, 929, 1109, 1110, 1111, 1112, 1113

COCHRAN, DALE M.—Representative Hamilton-Webster Counties

- Amendments filed—119, 260, 348, 598, 707, 715, 810, 823, 849, 934, 1203, 1373, 1425-1426, 1712-1713, 1740, 1825, 1869-1872, 1959-1962, 2053, 2120, 2120-2121, 2195-2199, 2220-2221, 2250

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 Amendments withdrawn—1954, 2411
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 Petitions presented—314
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 Rulings made—707, 1328, 1334
 Subcommittee assignments—72, 146, 148, 203, 277, 470, 474, 567, 569, 678, 1110, 2503

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 Appointments to—10

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CONNOLLY, MICHAEL W.—Representative Dubuque County

Amendments filed—120-131, 323, 578, 811, 1008, 1162, 2120

Amendments offered—130, 1515, 1719, 1771, 2080

Amendments withdrawn—1515

Appointed to the Iowa Jobs Commission—10

Bills introduced—175, 414, 721

Leave of absence—487, 530, 935, 1982

Resolutions offered—93-94, 848, 2400

Subcommittee assignments—146, 147, 277, 354, 473, 564, 676, 1109, 1111, 1545, 1775, 1995, 2502, 2503, 2504

CONNORS, JOHN H.—Representative Polk County, Speaker Pro Tempore

Amendments filed—294, 295, 313, 348, 391, 579, 687, 852, 925, 933, 1255, 1373, 1435, 1513, 1724, 1851-1862

Amendments offered—391, 490, 925, 1409

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Presided at sessions of the House—117, 121, 213, 248, 369, 405, 443, 455, 531, 541, 606, 620, 627, 821, 884, 1003, 1031, 1037, 1058, 1193, 1204, 1238, 1276, 1304, 1312, 1571, 1632, 1638, 1664, 1713, 1719, 1803, 1841, 1842, 1844, 1863, 1869, 1913, 2126, 2141, 2224, 2226, 2289, 2321, 2368

Resolutions offered—93-94, 848, 1972, 1973, 2400

Rulings made—621, 1194, 1807, 2129, 2144

Subcommittee assignments—69, 70, 71, 72, 146, 147, 198, 199, 200, 201, 276, 279, 280, 281, 354, 471, 472, 473, 474, 565, 568, 677, 678, 929, 930, 931, 1110, 1112, 1241

COOPER, JAMES J.—Representative Clarke-Monroe-Lucas-Wayne Counties

Amendments filed—238, 348, 383, 413, 442, 756, 849, 850, 851, 928, 982, 1196, 1255, 1323, 1620, 1673, 1712-1713, 1825, 1869-1872, 2053, 2053-2054, 2083-2084, 2392

Amendments offered—765, 1653, 1779, 2392

Amendments withdrawn—998, 1323

Bills introduced—153, 185, 186, 214, 261, 315

Committee appointments—2, 511, 1976-1977, 2056

Leave of absence—1542

Presided at sessions of the House—1099

Resolutions offered—93-94, 848, 2400

Subcommittee assignments—70, 145, 146, 198, 203, 276, 277, 278, 279, 469, 471, 472, 474, 566, 677, 931, 1111, 1241

COPENHAVER, PAUL G.—Representative Black Hawk-Buchanan Counties

Amendments filed—982, 1048, 1074, 1075, 1711, 1714, 1825, 1826, 1851-1862, 1878, 2053, 2212-2218

Amendments offered—1711-1712

Amendments withdrawn—2039

Bills introduced—234, 361

Leave of absence—219, 1416, 1715, 2086

Presided at sessions of the House—2263

Resolutions offered—93-94, 848, 1546, 1972, 2400

Special recognition—2403

Subcommittee assignments—72, 146, 148, 201, 202, 277, 279, 472, 473, 677, 1109, 1110

COREY, VIRGIL E.—Representative Des Moines-Louisa-Washington Counties

Amendments filed—91, 212, 238, 260, 594-595, 596, 756, 849, 850, 851, 926, 1032, 1074,
1075, 1301, 1512, 1513, 1620, 1673, 1723, 1825, 1869-1872, 2052, 2053, 2063-2084

Amendments offered—375, 594, 596, 1032, 1136, 2106

Bills introduced—32, 33, 34, 184, 215, 234, 239, 298, 351

Committee appointments—1956

Leave of absence—456, 481

Petitions presented—37, 507, 1233, 1574

Resolutions offered—93-94, 714, 848, 1972

Subcommittee assignments—71, 145, 147, 197, 198, 199, 279, 471, 472, 564, 565, 566,
567, 568, 677, 678, 1110, 1111, 1113, 1243

DAGGETT, HORACE—Representative Adams-Decatur-Ringgold-Taylor Counties

Amendments filed—120, 323, 446, 480, 545, 579, 593, 598, 811, 849, 1075, 1301, 1436,
1579, 1587-1588, 1668, 1673, 1723, 1825, 1974, 2026, 2053, 2053-2054, 2054, 2063,
2103-2104, 2104, 2106, 2120, 2337

Amendments offered—157, 377, 593, 1097, 1579, 1587, 1833, 2026, 2063, 2103, 2104,
2106, 2110, 2131

Amendments withdrawn—288, 446, 593, 1587

Appointed to the Education Commission of the States—10

Bills introduced—16, 115, 153, 184, 213, 214, 234, 261, 298, 351, 352, 415, 443

Committee appointments—1976-1977, 2315

Leave of absence—213

Petitions presented—1050, 1204

Presented to the House the Honorable Glen Bortell, former member of the
House—1433

Resolutions offered—93-94, 714, 848, 1972, 1973, 1976

Subcommittee assignments—147, 196, 277, 278, 471, 473, 566, 677, 1110, 1243, 1995

DAVITT, PHILIP A.—Representative Warren County, Assistant Majority Floor
Leader

Amendments filed—1436, 1900, 1955-1956, 2053-2054, 2250

Bills introduced—15, 33, 234

Committee appointments—1999, 2056

Leave of absence—213, 1214

Presented to the House the Honorable James Middleswart, former member of the
House—631

Resolutions offered—93-94, 848, 2400

Special recognition—2403

Subcommittee assignments—71, 72, 147, 148, 200, 566, 567, 678, 1111

DE GROOT, KENNETH—Representative Lyon-O'Brien-Osceola-Sioux Counties

Amendments filed—91, 238, 413, 422, 637, 810, 823, 849, 1866, 1866-1867, 2053, 2120,
2250

Amendments offered—422, 1866, 2129

Bills introduced—76, 235, 262, 351, 352

- Committee appointments—20, 2239
 Leave of absence—658, 1076
 Presented to the House foreign exchange student Ineke Christina Draisma from Makkum, Netherlands—2050
 Presided at sessions of the House—2043
 Reports—2381-2382
 Resolutions offered—93-94, 714, 848, 1972
 Subcommittee appointments—229
 Subcommittee assignments—72, 146, 148, 195, 197, 202, 276, 277, 278, 279, 280, 354, 471, 566, 567, 678, 931, 932, 1109, 1111, 1113, 1545, 2503
- DIEMER, MARVIN E.**—Representative **Black Hawk County**
 Amendments filed—348, 357, 810, 849, 982, 1512, 1759, 1867, 1887, 1888-1889, 1889
 Amendments offered—821, 985, 1888, 1889
 Bills introduced—89, 77, 78, 177, 214, 235, 351, 360, 362
 Committee appointments—123, 1078, 2326
 Leave of absence—213, 512
 Reports—2193-2194
 Resolutions offered—93-94, 714, 1972
 Subcommittee assignments—69, 145, 203, 469, 472, 567, 677, 2503
- DODERER, MINNETTE**—Representative **Johnson County**
 Amendments filed—232, 348, 404, 413, 425, 480, 545, 598, 637, 715, 810, 894-895, 923, 1074, 1075, 1195, 1373, 1513, 1546, 1580, 1629-1630, 1723, 1777, 1803, 1997, 2120, 2121, 2305-2306
 Amendments offered—424, 426, 545, 647, 664, 1196, 1280, 1629, 1691, 1726, 1943, 2000, 2200, 2305
 Amendments withdrawn—486, 545, 560, 1715
 Bills introduced—175, 262, 353
 Committee appointments—1977, 2509
 Leave of absence—1226, 1233
 Petitions presented—1163
 Presented to the House the Honorable Joseph C. Johnston, former member of the House—1072
 Presided at sessions of the House—372, 943
 Resolutions offered—93-94, 755, 848, 1722, 1972, 1977, 2400
 Subcommittee assignments—72, 146, 196, 278, 279, 280, 281, 471, 472, 565, 677, 1109, 1110, 1111, 1545, 1775, 1995, 2502, 2503
- EDUCATION, COMMISSION OF THE STATES**—
 Appointment to—10
- EDUCATION, COMMITTEE ON**—
 Amendments filed—1254
 Amendments offered—1494-1495
 Bills introduced—117, 225, 255, 324, 617, 670, 717, 721, 758
 Recommendations—59, 112, 210, 258, 312, 574, 610, 652-653, 932, 1046, 1227-1228, 1244
 Subcommittee assignments—72, 199, 202, 278, 279, 354, 355, 471, 473, 564, 566, 930, 931, 1110, 1111, 1112, 1113, 1242, 1243

EMPLOYEES—

(See Officers and Employees)

ENERGY, COMMITTEE ON—

Amendments filed—1116, 1255

Amendments offered—1423, 1493

Bills introduced—604, 658, 659, 754, 759

Recommendations—574, 632, 681, 1115, 1244

Subcommittee assignments—72, 144, 148, 195, 201, 202, 471, 473, 566, 931, 1110

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ETHICS, COMMITTEE ON—

Recommendations—1228

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House File 111—Representative Schnekloth—1008

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House File 257—Representative Osterberg—1618

House File 405—Representative Poncy—755

House File 422—Representative Connolly—1241

House File 508—Representative Jay—88

House File 508—Representative Osterberg—1618

House File 509—Representative McIntee—172

House File 509—Representative Connolly—981

House File 523—Representative Maulsby—1720

House File 540—Representatives Connolly & Corey—505

House File 540—Representative Osterberg—1618

House File 586—Representative Jay—88

House File 598—Representative Connolly—255

House File 602—Representative McIntee—172

House File 2006—Representative McIntee—172

House File 2015—Representative Schnekloth—1008

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House File 2048, H-5101—Representative Mullins—402

House File 2048—Representative Mullins—402

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House File 2062—Representative Mullins—402

House File 2065—Representatives Cochran & Hoffmann-Bright—505

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House File 2164—Representative Maulsby—1720

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House File 2378 – Representative Connolly – 981
House File 2378 – Representative Schnekloth – 1008
House File 2378 – Representative Lonergan – 1072
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House File 2387 – Representative Lonergan – 1072
House File 2389 – Representative Maulsby – 1720
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House File 2390 – Representative Schnekloth – 1008
House File 2390 – Representative Lonergan – 1072
House File 2396 – Representative Daggett – 928
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House File 2400 – Representative Daggett – 928
House File 2404 – Representative Connolly – 981

- House File 2404 – Representative Schnekloth – 1008
 House File 2404 – Representative Lonergan – 1072
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 House File 2415 – Representative Daggett – 928
 House File 2421 – Representative McIntee – 847
 House File 2425 – Representative Schnekloth – 1008
 House File 2428 – Representative Rensink – 1072
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 House File 2433 – Representative Maulsby – 1201
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 House File 2436 – Representative Schnekloth – 1008
 House File 2436 – Representative Maulsby – 1720
 House File 2437 – Representative Rensink – 1072
 House File 2439 – Representative Schnekloth – 1008
 House File 2440 – Representative Maulsby – 1720
 House File 2454 – Representative Connolly – 981
 House File 2455 – Representative Connolly – 981
 House File 2458 – Representative McIntee – 1161
 House File 2464 – Representative Schnekloth – 1008
 House File 2465 – Representative Connolly – 981
 House File 2467 – Representative Connolly – 981
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 House File 2471 – Representative Maulsby – 1720
 House File 2472 – Representatives Connolly & Poncey – 981
 House File 2472, H-5527A – Representative Connolly – 981
 House File 2474 – Representative Rensink – 1072
 House File 2478 – Representative Maulsby – 1720
 House File 2485 – Representative Connolly – 981
 House File 2486 – Representatives Connolly & Poncey – 981
 House File 2492 – Representative Rensink – 1072
 House File 2497 – Representative Rensink – 1072
 House File 2504 – Representative Van Camp – 1970
 House File 2508 – Representative Osterberg – 1618
 House File 2510 – Representative Jay – 1571
 House File 2510 – Representative Osterberg – 1618
 House File 2516 – Representative Maulsby – 1720
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 Senate File 2084—Representative Fey—1371
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 Senate File 2119—Representative Van Gerpen—1371
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 Senate File 2169—Representative Van Gerpen—2399
 Senate File 2175—Representative Fey—1371
 Senate File 2176—Representative Fey—1371
 Senate File 2189—Representative Fey—1371
 Senate File 2215—Representative Carl—2117
 Senate File 2244—Representative Connolly—981
 Senate File 2244—Representative Schnekloth—1008
 Senate File 2244—Representative Lonergan—1072
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 Senate File 2289—Representative De Groot—1897
 Senate File 2359—Representative Van Gerpen—2501
 Senate Joint Resolution 9—Representative Fey—1371

FEDERAL AGENCIES—

(See President of the United States, Congress and/or Federal Agencies)

FEY, THOMAS H.—Representative Scott County

Amendments filed—1009, 1707, 1825, 1851-1862
 Amendments offered—1038
 Bills introduced—116, 176, 178, 235, 361
 Leave of absence—219, 1256, 1761
 Presentation of gifts—2402-2403
 Presided at sessions of the House—830, 2005
 Reports—11-14, 56-57, 187, 1224
 Resolutions offered—93-94, 848, 1546, 1972, 2400
 Subcommittee assignments—145, 147, 278, 470, 473, 566, 569, 677, 930, 1109, 1110

FINANCE, COMMITTEE ON—

Amendments filed—1620, 2054, 2121, 2371-2373
 Amendments offered—1719, 1771, 2257, 2371, 2494
 Bills introduced—379, 1992-1993, 2322
 Recommendations—91, 161-162, 294, 383, 550, 1372, 1619-1620, 1672, 1776, 1971, 1996, 2051, 2118-2119, 2247-2248

Reports — 2371, 2413, 2436, 2459, 2494
 Resolution relating to, HCR 111 — 714, 847, 930
 Subcommittee assignments — 148, 354, 567, 1545, 1775, 1995, 2502, 2503, 2504

FOGARTY, DANIEL P. — Representative Clay-Palo Alto Counties

Amendments filed — 553, 616, 715, 756, 849, 851, 933, 1436, 1712-1713, 1869-1872, 1973, 2053, 2155-2156, 2250
 Amendments offered — 763, 781, 1324
 Amendments withdrawn — 762, 763
 Bills introduced — 165, 214, 234, 240, 351, 414
 Leave of absence — 184
 Presided at sessions of the House — 823, 1706
 Resolutions offered — 93-94, 848, 1972, 2400
 Rulings made — 1706, 1707
 Subcommittee assignments — 72, 148, 199, 279, 280, 470, 474, 566, 1111, 1113, 1242

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Resolutions relating to:

House Concurrent Resolution 101, condition of the state and budget messages — 7 adopted
 House Concurrent Resolution 102, centennial observance, state capitol building, and legislature — 7 adopted
 House Concurrent Resolution 103, condition of the judicial department's message — 8 adopted
 House Concurrent Resolution 106, purchase of computer system — 312, 474, 1369
 House Concurrent Resolution 107, gift of historic property to state — 524, 1215 adopted
 House Concurrent Resolution 110, United States academy of peace and conflict resolution — 656, 930, 1202, 1894 adopted
 House Concurrent Resolution 111, delay effective date, salary increase, state legislators — 714, 847, 930
 House Concurrent Resolution 116, collective bargaining agreements — 1008, 1110, 1230
 House Concurrent Resolution 124, final adjournment — 2052
 House Concurrent Resolution 127, budgeting — 2400
 House Resolution 108, commend Representative Menke and Senator Van Gilst, efforts, field of education — 2249
 Senate Concurrent Resolution 126, adjournment — 2435, 2500 adopted

GIFTS —

(See Awards and Gifts)

GOVERNOR BRANSTAD, TERRY E. —

Addressed joint convention — 21-31, 100-102
 Bills signed by — 255, 292, 346, 504-505, 562, 651, 755, 847, 981, 1108, 1227, 1298, 1370, 1617, 1774, 1823-1824, 1876-1877, 1896-1897, 1969, 2045-2047, 2116, 2244, 2397, 2500-2501, 2754-2771

Closing messages — 2511-2513
 Committees to escort — 22, 31, 122, 127, 129
 Committees to notify — 2, 8, 2509
 Communication from — 2511-2513
 Delivered the Condition of the State and Budget Messages — 22-31
 Item veto messages — 2780-2807
 Resolution relating to the condition of the state and budget messages, HCR 101 — 7 adopted
 Resolutions relating to:
 House Concurrent Resolution 101 — 7 adopted
 House Concurrent Resolution 105 — 232, 242-243
 House Concurrent Resolution 121 — 1972, 2147 adopted
 Senate Concurrent Resolution 103 — 166 adopted
 Veto messages — 1107, 1221-1223, 2047-2048, 2771-2780

GRANDIA, ROBERT J. — Representative Marion County

Amendments filed — 212, 849, 926, 1034, 1074, 1075, 1232, 1513, 1620, 1667, 1673, 1723, 1869-1872, 2053
 Amendments offered — 1034
 Bills introduced — 78, 177, 233, 234, 351
 Committee appointments — 511, 1977-1978
 Presented to the House Beth Boomsma, Pella, Queen of the 1984 Pella Tulip Festival — 1841
 Presented to the House foreign exchange student Anouk Kooijmans of the Netherlands — 929
 Presented to the House foreign exchange students Lina Castrillon, Perira, Columbia; Noriko Kiron, Tokyo, Japan; Hans Habberstad, Vastervik, Sweden; and Claude-Alaim Baehler, Geneva, Switzerland — 631
 Reports — 82-83
 Resolutions offered — 93-94, 511, 714, 848, 1972
 Subcommittee assignments — 70, 72, 145, 146, 148, 198, 203, 276, 278, 469, 470, 931

GRONINGA, JOHN — Representative Cerro Gordo County

Amendments filed — 348, 413, 524, 578, 715, 737, 1301, 1373, 1513, 1723, 1851-1862, 1997, 2053, 2054, 2082
 Amendments offered — 527, 737, 1426, 1808, 2059, 2060, 2064, 2082
 Bills introduced — 262, 315
 Presided at sessions of the House — 671, 1754, 2025
 Resolutions offered — 93-94, 848, 2400
 Rulings made — 1760
 Subcommittee assignments — 69, 70, 144, 145, 146, 201, 203, 277, 278, 355, 470, 566, 567, 1113, 1242, 1243, 1995

GRONSTAL, MICHAEL E. — Representative Pottawattamie County

Amendments filed — 260, 553, 578, 756, 757, 811, 852, 934, 1009, 1301, 1373, 1436, 1512, 1513, 1621, 1667, 1825, 1826, 1865-1866, 1957-1958, 1974, 2250, 2345
 Amendments offered — 291, 498, 861, 865, 1415, 1625, 2328
 Amendments withdrawn — 698, 865
 Appointed to the Professional and Occupational Regulation Commission — 11
 Bills introduced — 37, 67, 164, 165, 175, 177, 361, 414-415, 580, 603
 Committee appointments — 1821, 1956

Leave of absence — 1901

Presided at sessions of the House — 2361

Reports — 2482-2484

Resolutions offered — 93-94, 848, 1972, 2400, 2401

Rulings made — 2363, 2366

Special recognition — 2403

Subcommittee assignments — 69, 70, 71, 72, 145, 147, 148, 199, 200, 201, 202, 203, 276,
277, 279, 470, 471, 472, 473, 676, 931, 1113, 1242, 2503

GROTH, RICHARD — Representative **Buena Vista-Pocahontas Counties**

Amendments filed — 120, 348, 357, 578, 597, 671-672, 811, 851, 982, 1191, 1373, 1436,
1547, 1668, 1777, 1973, 2054, 2100-2102, 2103, 2113, 2120, 2401

Amendments offered — 464, 650, 945, 1005, 1191, 1494, 1668, 1839, 2100, 2103, 2408

Amendments withdrawn — 519, 945, 2100, 2102, 2106, 2408

Bills introduced — 66, 240, 315, 508

Committee appointments — 2315

Presided at sessions of the House — 917, 1781

Reports — 2356-2359

Resolutions offered — 93-94, 1972, 2400

Subcommittee assignments — 71, 147, 202, 471, 472, 565, 566, 568, 678, 1110, 1242

GRUHN, JOSEPHINE — Representative **Dickinson-Emmet Counties**

Amendments filed — 238, 313, 707, 849, 933, 1009, 1197, 1667, 1712-1713, 1869-1872,
2053-2054, 2054, 2121, 2250

Amendments offered — 707, 944

Amendments withdrawn — 944

Appointed to the Advisory Investment Board of the Iowa Public Employees Retirement System — 9

Bills introduced — 38, 39, 116, 234, 235, 361, 414, 558

Committee appointments — 2239

Petitions presented — 1975

Presented to the House members of the Future Farmers of America as a part of
National Agriculture Day — 1163-1164

Presided at sessions of the House — 1414

Reports — 2381-2382

Resolutions offered — 93-94, 755, 848, 1972, 2400, 2508

Rulings made — 1417

Subcommittee appointments — 228, 229

Subcommittee assignments — 72, 148, 194, 195, 196, 197, 198, 199, 200, 202, 203, 276,
277, 280, 281, 354, 469, 471, 472, 474, 565, 567, 569, 678, 930, 1111, 1112, 1243

HALVORSON, RODNEY N. — Representative **Webster County, Assistant Majority Floor Leader**

Amendments filed — 323, 1009, 1048, 1255, 1321, 1323, 1436, 1869-1872, 2120-2121,
2220-2221, 2250, 2251

Amendments offered — 337, 1321, 1322, 1323, 1467, 2003

Amendments withdrawn — 2477, 2481

Bills introduced — 234, 316, 603

Leave of absence — 359, 507, 534, 983

Presided at sessions of the House — 274, 593, 1081, 1561, 1843, 2089

Reports — 11, 89

Resolutions offered—93-94, 848, 1722, 1972, 2400
 Subcommittee appointments—228, 229
 Subcommittee assignments—72, 148, 194, 195, 196, 198, 201, 202, 279, 471, 472, 565,
 567, 930, 1113, 1241, 1243, 1775, 1995, 2502, 2503

HALVORSON, ROGER A.—Representative Allamakee-Clayton Counties, Assistant
 Minority Floor Leader

Amendments filed—91, 212, 295, 313, 323, 404, 578, 597, 615, 688, 715, 756, 810, 811,
 849, 850, 851, 1008, 1032-1033, 1036, 1056-1057, 1074, 1075, 1116, 1232, 1301,
 1350, 1463, 1513, 1620, 1621, 1668, 1723, 1724, 1777, 1867, 1879, 1974, 1985,
 2028, 2029, 2039-2043, 2053, 2054, 2250
 Amendments offered—490, 650, 666, 1032, 1036, 1056, 1125, 1156, 1158, 1160, 1175,
 1177, 1180, 1350, 1462, 1463, 1502, 1626, 1842, 1867, 1882, 1979, 2029, 2259, 2323
 Amendments withdrawn—1348, 1351
 Bills introduced—33, 37, 64, 262, 298, 351, 361, 362
 Committee appointments—2, 367, 2326
 Presided at sessions of the House—367, 1594
 Reports—2375-2377
 Resolutions offered—93-94, 714, 848, 1546, 1972, 1973, 2052
 Rulings made—1597
 Subcommittee assignments—69, 70, 71, 145, 147, 148, 194, 195, 196, 197, 199, 200,
 201, 203, 277, 278, 279, 354, 471, 472, 564, 565, 566, 567, 568, 678, 1110, 1111,
 1112, 1113, 1241, 1242

HAMMOND, JOHNNIE—Representative Story County

Amendments filed—183, 323, 357, 579, 687, 850, 852, 934, 1009, 1161, 1435, 1513,
 1645, 1674, 1869-1872, 2027, 2054
 Amendments offered—1014, 1015, 1282, 1296, 1421, 1532, 1535, 1645, 2027
 Amendments withdrawn—1015
 Bills introduced—122, 163, 176, 262, 352, 361, 363, 405, 555, 558
 Committee appointments—20, 123, 1977
 Leave of absence—189, 462, 1190
 Presided at sessions of the House—795
 Resolutions offered—93-94, 656, 755, 848, 1722, 1972, 1977, 2400
 Subcommittee appointments—229
 Subcommittee assignments—71, 146, 194, 195, 196, 197, 198, 199, 200, 201, 276, 277,
 278, 280, 355, 471, 472, 473, 565, 566, 567, 568, 569, 677, 930, 1109, 1110, 1111,
 1112

HANDORF, WARD—Representative Black Hawk-Marshall-Tama Counties

Amendments filed—212, 348, 413, 597, 616, 849, 851, 926, 1074, 1075, 1203, 1232,
 1513, 1620, 1673, 1723, 1753-1754, 1762-1763, 1763-1764, 1764, 1777, 1869-1872,
 2028-2029, 2053, 2250
 Amendments offered—629, 640, 1753, 1762, 1763, 1764, 1812, 2028
 Bills introduced—176, 234, 351
 Leave of absence—76, 1864
 Resolutions offered—93-94, 714, 848, 1972
 Subcommittee assignments—72, 280, 472, 567, 678, 930, 931, 1243

HANSON, DARRELL R.—Representative Buchanan-Delaware-Linn Counties

Amendments filed—238, 348, 357, 757, 810, 851, 852, 876, 981, 1074, 1075, 1255, 1512,
 1513, 1673, 1758, 1760-1761, 1761, 1762-1763, 1764, 1777, 1825, 1826, 1869-1872,
 1879, 1974

Amendments offered—827, 856, 875, 876, 1017, 1057, 1268, 1271, 1317, 1729, 1758, 1761, 1843, 1847, 1893, 1910

Amendments withdrawn—252, 253, 1271, 1848

Announcements (bills passed on file)—980

Appointed to the Professional and Occupational Regulation Commission—11

Bills introduced—153, 163, 234, 262, 317, 406, 603, 1574

Committee appointments—1957

Leave of absence—698, 716, 1117, 1163, 1195, 1214

Presentation of visitors—1994-1995

Presided at sessions of the House—446, 560, 662, 897, 980, 1238, 1882, 1988, 2394, 2429, 2435

Reports—2485-2486

Resolutions offered—93-94, 848, 1722, 1972

Rulings made—898

Subcommittee appointments—229

Subcommittee assignments—144, 194, 195, 196, 197, 198, 200, 202, 276, 277, 278, 280, 353, 354, 355, 469, 470, 471, 473, 565, 930, 1112, 1241, 1242, 1243, 1775, 2502, 2503

HARBOR, WILLIAM H.—Representative Mills-Montgomery-Pottawattamie Counties

Amendments filed—119, 120, 224, 238, 323, 357, 363, 413, 597, 615, 715, 756, 811, 849, 851, 926, 933, 934, 1009, 1301, 1363-1367, 1498, 1673, 1723, 1867, 1974, 2053, 2212-2218, 2337

Amendments offered—142, 426, 964, 966, 1069, 1356, 1498, 1814, 2337

Amendments withdrawn—249, 1368, 2408

Bills introduced—31, 92, 176, 177, 214, 215, 234, 351, 352

Committee appointments—437

Leave of absence—184, 225, 492, 658, 895, 1099, 1117, 1256, 1302, 1374, 1675, 1729

Resolutions offered—93-94, 714, 848, 1546, 1972, 2400, 2401

Subcommittee assignments—145, 199, 474, 1242

HAVERLAND, MARK A.—Representative Polk County

Amendments filed—323, 348, 578, 757, 850, 852, 926, 1008, 1673, 1724, 1851-1862, 1973, 2053, 2100-2102, 2250, 2320

Amendments offered—769, 1061, 1329, 2022, 2023

Bills introduced—39, 77, 115, 122, 176, 406, 444

Committee appointments—2315

Leave of absence—287, 519, 1471

Presided at sessions of the House—2058, 2384

Resolutions offered—93-94, 656, 848, 1722, 1972, 2400

Rulings made—2069

Subcommittee assignments—197, 199, 469, 564, 566, 567, 930, 1112

HEALTH DATA COMMISSION—

Appointment to—10

HERMANN, DONALD F.—Representative Scott County

Amendments filed—112, 212, 247, 249, 294, 313, 597, 598, 615, 756, 849, 850, 851, 926, 982, 1074, 1512, 1513, 1546, 1620, 1673, 1723, 1759, 1869-1872, 1878, 2053

Amendments offered—630, 649, 993, 1888

Amendments withdrawn—650, 992

Bills introduced—15, 16, 234, 235, 351, 406, 414, 415, 509

Leave of absence—534

Resolutions offered—93-94, 714, 848, 1722, 1972

Subcommittee assignments—70, 71, 72, 146, 198, 201, 280, 281, 354, 471, 473, 474, 677, 929, 1110, 1112, 1243

HOFFMANN-BRIGHT, BETTY A.—Representative Louisa-Muscataine Counties,
Assistant Minority Floor Leader

Amendments filed—120, 238, 849, 926, 1673, 1715, 1826, 1869-1872, 2250, 2337

Amendments offered—1715

Bills introduced—351

Committee appointments—1957

Leave of absence—1, 61, 431, 1160, 1538

Reports—2485-2486

Resolutions offered—93-94, 714, 755, 1972

Special recognition—2403

Subcommittee appointments—228, 229

Subcommittee assignments—149, 194, 195, 196, 197, 198, 199, 200, 202, 203, 278, 279, 280, 469, 474, 569, 1112, 1113

HOLVECK, JACK—Representative Polk County

Amendments filed—384, 811, 844, 844-845, 849, 934, 1009, 1045, 1074, 1301, 1436, 1512, 1851-1862, 2053

Amendments offered—397, 843, 844, 1121, 1123, 1352, 1353

Amendments withdrawn—830

Bills introduced—176, 262, 352, 360-361, 362, 363, 481, 482

Presided at sessions of the House—1445

Resolutions offered—93-94, 656, 848, 1722, 1972, 2400

Rulings made—1460

Subcommittee assignments—145, 147, 148, 196, 197, 198, 199, 201, 202, 203, 277, 472, 473, 565, 566, 1109, 1111

HOUSE RULES AND ADMINISTRATION COMMITTEE—

(See Rules and Administration, Committee On)

HUGHES, RANDY—Representative Adair-Adams-Cass-Clarke-Union Counties

Amendments filed—442, 462-463, 480, 553, 578, 756, 811, 849, 1048, 1172-1173, 1255, 1573, 1724, 1826, 1851-1862, 1973, 2053-2054

Amendments offered—458, 462, 776, 786, 1293

Amendments withdrawn—2027, 2384

Bills introduced—38, 176, 214, 234, 239

Committee appointments—1976-1977, 2056

Leave of absence—1, 309, 314

Petitions presented—1975

Presided at sessions of the House—646, 732

Resolutions offered—93-94, 848, 1972, 2056, 2400

Subcommittee assignments—71, 72, 144, 199, 200, 201, 202, 354, 473, 566, 678, 930, 931, 1113

HUMAN RESOURCES, COMMITTEE ON—

Amendments filed—112, 211, 441, 442, 578, 616, 1232

Amendments offered—158, 246, 251, 723, 791, 794, 1257, 1261, 1277, 1398

Amendments withdrawn—251

Bills introduced—152, 213, 225, 482, 508, 526, 600, 602, 669, 670, 671

Recommendations—112, 173, 211, 230, 403-404, 439, 523, 574-575, 610-611, 639, 653-654, 1047, 1228-1229

Subcommittee assignments—69, 71, 72, 146, 147, 198, 199, 200, 201, 278, 279, 280, 281, 354, 473, 474, 566, 569, 677, 929, 930, 931, 1109, 1110, 1112

HUMMEL, KYLE—Representative Benton-Black Hawk-Counties

Amendments filed—120, 212, 269, 313, 348, 357, 506, 656, 688, 714, 756, 810, 811, 844-845, 981, 1035, 1048, 1074, 1232, 1323, 1372, 1513, 1620, 1621, 1673, 1724, 1825, 1826, 1869-1872, 1878, 1879, 2120, 2225-2226, 2392

Amendments offered—269, 367, 720, 1035, 1068, 1182, 1921, 1922, 2037, 2392

Amendments withdrawn—1991

Bills introduced—32, 37, 351

Committee appointments—1956

Presented to the House the Honorable Russell L. "Dutch" Wyckoff, former member of the House—1994

Presided at sessions of the House—1284

Resolutions offered—93-94, 232, 714, 1546

Subcommittee assignments—69, 200, 201, 277, 280, 567, 568, 931, 1113, 1995

INTERIM COMMITTEES—

(See also Legislative Council and/or Study Committees)

Resolutions relating to:

House Concurrent Resolution 108—552, 2056 adopted

House Concurrent Resolution 113—848, 1110, 1228, 1542 adopted

House Concurrent Resolution 122—1973

House Concurrent Resolution 123—1996

House Concurrent Resolution 125—2120, 2250

House Concurrent Resolution 126—2400

House Concurrent Resolution 128—2508

House Resolution 106—2052

House Resolution 110—2401

Senate Concurrent Resolution 125—2435, 2497 adopted

INTERSTATE COOPERATION COMMISSION—

Appointments to—10

INTRODUCTION OF BILLS—

(See Bills, Introduction of, and/or individual listings)

IOWA BOUNDARY COMMISSION—

Appointment to—9

IOWA JOBS COMMISSION—

Appointment to—10

IPERS, ADVISORY INVESTMENT BOARD—

Appointment to—9

JAY, DANIEL J.—Representative Appanoose-Davis-Wapello Counties

- Amendments filed—91, 260, 413, 578, 756, 810, 811, 850, 851, 852, 894-895, 919-921, 923, 927, 933, 1048, 1074, 1075, 1162, 1199, 1301, 1372, 1373, 1463, 1504, 1506-1507, 1513, 1600, 1620, 1621, 1634, 1723, 1724, 1767-1768, 1826, 1878, 1879, 1949, 1973, 1974, 1997, 2039-2043, 2053, 2120, 2121, 2250, 2303-2304, 2304-2305, 2305-2306
- Amendments offered—420, 887, 917, 965, 1186, 1479, 1506, 1521, 1522, 1600, 1634, 1767, 1815, 1949, 2039, 2057, 2289, 2303
- Amendments withdrawn—274, 2068
- Bills introduced—78, 116
- Committee appointments—124, 2232
- Leave of absence—152, 359, 462, 487, 935, 950, 1901
- Presided at sessions of the House—988
- Reports—2379-2380
- Resolutions offered—93-94, 848, 1972, 2400, 2508
- Subcommittee assignments—148, 197, 200, 201, 202, 278, 279, 471, 564, 566, 567, 568, 931, 1111, 1112, 1242, 1243, 1775

JOB SERVICE OF IOWA—

- Communication from—17

JOCHUM, THOMAS J.—Representative Dubuque County

- Amendments filed—119, 139, 323, 656, 851, 1074, 1116, 1513, 1541, 1723, 1760-1761, 1776, 1777, 1825, 1869-1872, 1879, 1974, 2234-2235, 2251, 2354-2355
- Amendments offered—132, 1265, 1270, 1271, 1272, 1704, 1760, 1838, 1885, 1988, 2234, 2334, 2354
- Amendments withdrawn—2235
- Committee appointments—437
- Leave of absence—481, 879
- Presented to the House foreign exchange student, Susanne Ferch from Munich, West Germany—1073
- Presented to the House, Sam Vaughn former doorkeeper of the House—809
- Presided at sessions of the House—767, 1954, 1979
- Resolutions offered—93-94, 848, 1546, 2400
- Subcommittee assignments—148, 195, 203, 567, 1545, 1775, 1995, 2502, 2503, 2504

JOINT CONVENTIONS—

- Address by Governor Robert D. Ray—105-111
- Address by Governor Terry E. Branstad—101-104
- Address by the Honorable Harold E. Hughes, former Governor and United States Senator—96-101
- Address by Governors Fulton, Erbe and Blue—111
- Capitol Centennial Commemoration—93-104, 105-111
- Capitol Centennial Events—113
- Extraordinary Resolution—93
- To hear the Condition of the Judicial Department Message—123-129
- To hear the Condition of the State and Budget Messages—22-31
- Resolutions relating to:
 - House Concurrent Resolution 101, condition of the state and budget messages—7 adopted
 - House Concurrent Resolution 102, centennial, capitol building and legislature—7 adopted

House Concurrent Resolution 103, condition of the judicial department message—8 adopted

JOINT RULES—

(See also Rules and/or Rules and Administration, Committee on)

Resolutions relating to:

House Concurrent Resolution 118—1546

Senate Concurrent Resolution 101—62-63, 985 adopted

JUDICIARY AND LAW ENFORCEMENT, COMMITTEE ON—

Amendments filed—182, 224, 285, 413, 578, 851, 1232, 1254, 1255

Amendments offered—485, 488, 514, 1282, 1289, 1327, 1329, 1885, 1403, 1421, 1479, 1500, 1532, 1942

Amendments withdrawn—486

Bills introduced—262, 324, 325, 482, 525, 525-526, 554, 599-600, 600, 602, 604, 605, 617-618, 636, 659, 669, 670, 671, 689, 716, 717, 721, 722, 752, 753, 758, 759, 760, 812

Recommendations—180-181, 222, 411, 439, 550, 575, 633-635, 681-684, 932, 1115, 1229, 1245-1249, 1722

Resolutions offered—848

Subcommittee assignments—71, 194, 196, 197, 198, 199, 200, 201, 202, 277, 278, 279, 280, 283-284, 354, 355, 564, 565, 566, 567, 568, 677, 678, 1110, 1111, 1112, 1113, 1241, 1242, 1243, 1775

KNAPP, DONALD J.—Representative Dubuque-Jones Counties

Amendments filed—656, 849, 1667, 1712-1713, 2053-2054

Amendments offered—694

Appointed to the Commission on Interstate Cooperation—10

Bills introduced—153

Leave of absence—455, 530, 1548

Resolutions offered—93-94, 848, 1972, 2400

Subcommittee assignments—69, 197, 200, 201, 276, 277, 278, 564, 566, 1110, 1242

KOENIGS, DEO A.—Representative Chickasaw-Howard-Mitchell Counties

Amendments filed—224, 313, 323, 348, 657, 849, 1436, 1712-1713, 1825, 2053, 2083-2084, 2190, 2250

Amendments offered—303, 305, 1332, 1407, 2083, 2263

Amendments withdrawn—2428

Bills introduced—33, 115, 234, 315

Leave of absence—287, 692, 1087

Presided at sessions of the House—627, 669, 1427, 1910

Resolutions offered—93-94, 848, 1972, 2400

Subcommittee assignments—72, 145, 146, 147, 196, 198, 199, 203, 276, 277, 472, 474, 567, 568, 676, 677, 678, 1109, 1113, 1995, 2503

KREWSON, LYLE R.—Representative Polk County

Amendments filed—348, 357, 384, 664-665, 715, 849, 933, 934, 1009, 1047, 1049, 1074, 1212, 1216, 1255, 1513, 1620, 1673, 1723, 1724, 1777, 1826, 1851-1862, 1900, 1973, 2054, 2250, 2320, 2401

Amendments offered—349, 664, 1062, 1081, 1212, 1216, 1260, 1306, 2317, 2320

Amendments withdrawn—1053, 1062, 2491

Appointed to the Council on Child Abuse Information—10

Bills introduced—163, 164, 175, 262, 297, 351, 361

Leave of absence—430, 512, 530, 554, 2265

Presented to the House the Honorable Fred Schwengels, former member of the House and United States Congressman—2050

Presided at sessions of the House—336, 1919, 2166

Resolutions offered—93-94, 656, 848, 1722, 1972

Special recognition—2403

Subcommittee assignments—202, 281, 471, 566, 930, 931, 1111, 1545, 1775, 1995, 2502, 2503, 2504

LABOR AND INDUSTRIAL RELATIONS, COMMITTEE ON—

Amendments filed—182, 413, 553, 578, 599, 687, 1254, 1966

Amendments offered—496, 782, 1021

Bills introduced—658-659, 670, 854

Recommendations—181, 222-223, 411, 551-552, 576, 635, 684-685, 932, 1115, 1229-1230, 1249

Subcommittee assignments—69, 70, 71, 146, 147, 199, 200, 279, 280, 470, 471, 472, 564, 565, 567, 568, 569, 678, 930, 1110, 1241, 1243

LAGESCHULTE, RAYMOND—Representative Black Hawk-Bremner-Butler Counties

Amendments filed—260, 537, 615, 688, 823, 849, 850, 1008, 1009, 1162, 1373, 1496, 1512, 1513, 1673, 1709, 1723, 1777, 1825, 1869-1872, 2250

Amendments offered—270, 537, 823, 886, 1236, 1496, 1707, 1709, 1833, 2408

Amendments withdrawn—1497, 1498

Appointed to the Commission on Interstate Cooperation—10

Bills introduced—177, 185, 234, 298, 351, 482

Leave of absence—430, 1036, 1542, 1548, 1982, 2235

Resolutions offered—93-94, 714, 848, 1972

Subcommittee assignments—69, 70, 145, 146, 203, 354, 472, 473, 474, 567, 676, 677, 1109, 1110, 1111, 1112, 1995

LAW ENFORCEMENT ACADEMY COUNCIL—

Appointments to—11

LEAVE OF ABSENCE—

1, 61, 76, 114, 152, 184, 189, 213, 219, 225, 239, 243, 286, 287, 309, 314, 326, 359, 370, 430, 431, 445, 455, 456, 462, 481, 487, 492, 507, 512, 519, 530, 531, 532, 534, 540, 545, 554, 560, 617, 622, 625, 658, 692, 698, 704, 716, 775, 845, 879, 881, 893, 895, 935, 945, 950, 983, 1036, 1040, 1076, 1084, 1087, 1096, 1099, 1117, 1160, 1163, 1166, 1190, 1195, 1205, 1214, 1226, 1233, 1256, 1302, 1374, 1416, 1471, 1514, 1538, 1542, 1548, 1574, 1587, 1638, 1657, 1675, 1690, 1709, 1715, 1729, 1739, 1758, 1761, 1765, 1782, 1827, 1835, 1839, 1864, 1892, 1901, 1914, 1965, 1981, 1982, 2001, 2008, 2022, 2086, 2122, 2193, 2235, 2265, 2369

LEGISLATIVE COUNCIL COMMITTEE—

(See also Study Committees)

Resolutions relating to:

House Concurrent Resolution 106—312, 474, 1369

House Concurrent Resolution 108—552, 2056 adopted

House Concurrent Resolution 113—848, 1110, 1228, 1542 adopted
 House Concurrent Resolution 115—933, 1110, 1229-1230
 House Concurrent Resolution 122—1973
 House Concurrent Resolution 123—1996
 House Concurrent Resolution 125—2120, 2250
 House Concurrent Resolution 126—2400
 House Concurrent Resolution 128—2508
 House Resolution 110—2401
 Senate Concurrent Resolution 118—2034, 2052, 2459, 2496-2497 adopted
 Senate Concurrent Resolution 125—2435, 2497 adopted

LEGISLATIVE EMPLOYEES—

(See Officers and Employees)

LEGISLATIVE FISCAL BUREAU—

Resolutions relating to:

House Concurrent Resolution 115—933, 1110, 1229-1230
 Senate Concurrent Resolution 118—2034, 2052, 2459, 2496-2497 adopted

LEGISLATIVE PHYSICIAN FOR THE DAY—

1, 19, 37, 61, 76, 92, 114, 121, 152, 163, 175, 184, 213, 225, 233, 239, 286, 296, 314, 405,
 507, 617, 638, 758, 812, 1010, 1163, 1204, 1221, 1302, 1374, 1622, 1827, 1901,
 1998, 2055, 2122, 2252

LLOYD-JONES, JEAN—Representative Johnson County, Assistant Majority Floor Leader

Amendments filed—212, 323, 852, 1009, 1047, 1546, 1796-1797, 1869-1872, 2120, 2220, 2250

Amendments offered—394, 495, 560, 827, 1688, 2220, 2343

Amendments withdrawn—1288

Bills introduced—116, 215, 361

Committee appointments—109, 124, 1977, 2509

Leave of absence—225, 531, 617

Presided at sessions of the House—247, 388, 536, 948, 1120, 1320, 2023, 2288, 2307, 2436

Resolutions offered—93-94, 656, 755, 848, 1722, 1972, 2400, 2508

Rulings made—247, 1121, 1123, 1124, 2311

Subcommittee assignments—70, 145, 146, 195, 201, 276, 277, 278, 279, 281, 353, 354, 470, 472, 474, 567, 930, 1111, 1242

LOBBYISTS—

(See Ethics, Committee On)

LOCAL GOVERNMENT, COMMITTEE ON—

Amendments filed—182, 285, 322, 413, 441, 637

Amendments offered—188, 216, 493, 495, 691, 740, 743, 765, 840

Amendments withdrawn—216

Bills introduced—225, 226, 261, 444, 482, 483, 603, 604, 671, 759, 813, 853, 854

Recommendations—74-75, 181-182, 223, 284, 322, 411-412, 440, 552, 576, 636, 685-686, 1115-1116, 1230, 1249-1250

Subcommittee assignments—69, 70, 71, 72, 145, 146, 147, 148, 195, 198, 200, 201, 203, 276, 278, 279, 280, 281, 353, 354, 470, 471, 472, 565, 677, 678, 931, 1111, 1112, 1241, 1242

LONERGAN, JOYCE—Representative **Boone-Story** Counties

- Amendments filed—247, 715, 756, 849, 852, 933, 1009, 1048, 1301, 1869-1872, 2330, 2331
- Amendments offered—247, 949, 1119, 1347, 2184
- Amendments withdrawn—949, 1430
- Appointed to the Commission on Interstate Cooperation—10
- Bills introduced—122, 361
- Committee appointments—1977
- Leave of absence—219, 287, 622, 945
- Presided at sessions of the House—1185, 1818
- Resolutions offered—93-94, 848, 1972, 1973, 2400
- Rulings made—1189, 1190
- Subcommittee assignments—198, 473, 567, 677, 931, 1110

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—91, 338, 348, 428, 597, 616, 849, 850, 926, 934, 962, 1075, 1673, 1723, 1752, 1777, 1900, 1997, 2028, 2052, 2053, 2053-2054, 2054, 2082, 2120, 2225-2226
- Amendments offered—338, 454, 623, 648, 962, 1158, 1741, 2028
- Amendments withdrawn—1991, 2164
- Bills introduced—116, 164, 351, 405-406, 558
- Committee appointments—2232
- Leave of absence—455, 1166, 1587, 1638, 2265
- Petitions presented—1675
- Presented to the House foreign exchange student Marcio Sanchez from Brazil—292
- Reports—11, 89, 2379-2380
- Resolutions offered—93-94, 714, 1972, 2052, 2400
- Subcommittee assignments—196, 197, 198, 199, 200, 201, 279, 355, 471, 564, 566, 567, 568, 677, 1109, 1110, 1111, 1112, 2503

McINTEE, JOHN—Representative **Black Hawk** County

- Amendments filed—91, 232, 260, 357, 383, 656, 756, 757, 810, 850, 851, 852, 923, 926, 934, 981, 1009, 1047, 1048, 1116, 1195, 1212-1213, 1232, 1350, 1673, 1759, 1826, 1869-1872, 1878, 1916, 1949, 2054, 2082, 2107, 2120, 2163, 2225-2226, 2241, 2303-2304
- Amendments offered—370, 372, 500, 666, 923, 1070, 1079, 1195, 1212, 1314, 1916, 2107, 2163
- Amendments withdrawn—1081, 1950, 2241
- Bills introduced—39, 78, 177, 214, 351, 361, 362, 406, 555
- Committee appointments—1956
- Leave of absence—152, 540
- Presided at sessions of the House—763
- Resolutions offered—93-94, 714, 848, 1972, 2400
- Subcommittee assignments—69, 70, 144, 145, 148, 199, 201, 202, 203, 278, 472, 473, 565, 567, 568, 1243

McKEAN, ANDREW (ANDY)—Representative Jones-Linn Counties

Amendments filed—91, 247, 546-547, 849, 850, 852, 922, 924, 926, 1009, 1301, 1372, 1373, 1411, 1435, 1504-1505, 1513, 1533-1534, 1673, 1723, 1777, 1825, 1869-1872, 1879, 1900, 1974, 2220-2221, 2250, 2251, 2288

Amendments offered—247, 546, 877, 900, 922, 1411, 1412, 1533, 1556, 1990, 2274, 2288, 2302

Amendments withdrawn—873, 1533, 1849

Appointed to the Medical Assistance Advisory Council—11

Bills introduced—116, 163, 176, 262, 315, 351, 352, 361, 405-406, 415, 481, 603

Committee appointments—124, 367

Leave of absence—152, 1117, 1163, 1205

Presented to the House the Honorable Karen Mann, former member of the House—402

Resolutions offered—93-94, 848, 1722, 1972

Subcommittee assignments—69, 71, 144, 147, 197, 200, 277, 279, 354, 355, 469, 564, 565, 566, 567, 568, 678, 1109, 1110, 1111, 1112, 1113, 1241, 1242

MEDICAL ASSISTANCE ADVISORY COUNCIL—

Appointments to—11

MEMORIALS—

Committees appointed—417, 511, 1678, 1778, 1880, 1976-1978, 1999, 2056, 2253

In memoriam list—2811

Memorials—2812-2821

Resolutions relating to—417, 511, 1678, 1778, 1880, 1976-1978, 1999, 2056, 2253

MENKE, LESTER D.—Representative Cherokee-Clay-O'Brien Counties

Amendments filed—120, 404, 597, 933, 1673, 1724, 1879, 1887, 2053

Amendments offered—660, 1846

Bills introduced—175, 186

Committee appointments—22, 109

Leave of absence—326, 1765, 1864

Presented check to Representative Connors, chair of the capitol centennial committee—2402

Presided at sessions of the House—418, 692, 1015, 1135, 1346, 1796, 2346

Resolutions offered—93-94

Rulings made—692, 1348

Special recognition—2403

Subcommittee assignments—69, 70, 146, 276, 280, 281, 353, 471, 472, 566, 677, 931, 1112, 1241, 1242

MESSAGES—

(Also see Communications, Joint Conventions and Addressed the House)

From Governor Terry E. Branstad—2511-2513

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1725, 1729, 1773, 1778, 1823, 1827-1829, 1880-1881, 1891, 1901-1902, 1912, 1967-1968, 1982-1983, 1993, 1998-1999, 2004, 2033-2034, 2056, 2071, 2085-2086, 2122, 2146-2147, 2191-2192, 2211, 2252-2253, 2287, 2315, 2326, 2355-2356, 2396, 2402, 2411, 2434-2435, 2504-2508

Immediate messages — 8, 344, 431, 581, 645, 675, 700, 754, 774, 809, 846, 867, 879, 928, 948, 980, 996, 1007, 1019, 1071, 1095, 1131, 1168, 1177, 1213, 1219, 1226, 1360, 1544, 1560, 1583, 1740, 1773, 1795, 1822, 1850, 1890, 1896, 1917, 1924, 1937, 1940, 1942, 1945, 1947, 1951, 1986, 1987, 1992, 2005, 2010, 2034, 2045, 2063, 2089, 2115, 2184, 2189, 2191, 2212, 2232, 2236, 2239, 2263, 2265, 2314, 2323, 2330, 2332, 2335, 2341, 2344, 2346, 2368, 2371, 2374, 2379, 2383, 2386, 2406

Item veto messages — 2780-2807

Motions to override governor's veto — 1226, 1238-1239, 1240, 1567

Objection to immediate message — 1200, 2243

Request for immediate message withdrawn — 774

Senate messages considered — 116, 118, 154-155, 186-187, 226, 235-236, 241, 286, 298, 325, 353, 385-386, 407, 415-416, 445, 509-510, 526, 600-601, 619, 639, 718, 760-761, 813, 854-855, 935-937, 983-984, 1010-1011, 1050, 1077, 1131-1132, 1169-1172, 1205, 1214, 1225, 1240, 1270, 1677, 1823, 1875, 1891, 1894, 1924, 1937, 1975, 2004, 2005, 2045, 2055, 2057, 2089, 2115, 2147, 2192, 2193, 2322, 2396, 2410, 2436

Veto messages — 1107, 1221-1223, 2047-2048, 2771-2780

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Supplemental report — 11, 89

MILLER, LEO P. — Representative Woodbury County

Amendments filed — 91, 212, 260, 688, 851, 890, 892, 926, 1048, 1301, 1406, 1435, 1436, 1512, 1673, 2120-2121, 2250, 2251

Amendments offered — 266, 727, 892, 1327, 1406, 1711, 2306, 2318

Amendments withdrawn — 486

Appointed to the Law Enforcement Academy Council — 11

Bills introduced — 185, 414

Committee appointments — 367, 1678

Leave of absence — 560, 1574

Petitions presented — 1302

Reports — 2375-2377

Resolutions offered — 93-94, 848, 2400

Special recognition — 2403

Subcommittee assignments — 70, 71, 145, 146, 196, 197, 198, 199, 200, 201, 277, 278, 279, 470, 472, 564, 566, 678, 1110, 1111, 1112, 1113, 1242, 1243

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 426 — 1071

House File 509 — 160

House File 558, H-6035 — 1669

House File 590 — 504

House File 595 — 275

House File 2031, motion to override governor's veto—1240
House File 2048—379, 380
House File 2062—380
House File 2062, H-5157—580
House File 2183—1670
House File 2184—320
House File 2189—380, 1670
House File 2217, H-5335—630
House File 2219—437
House File 2295, motion to override governor's veto—1226
House File 2295—1297
House File 2324—1720
House File 2332—711
House File 2339—809
House File 2346—809
House File 2415—847
House File 2436—980, 1670
House File 2436, H-5458B—980
House File 2482—1200
House File 2487—1200
House File 2516—1616
House Resolution 101—142
Senate File 24—1508
Senate File 190—275
Senate File 2036—1370
Senate File 2082—1298
Senate File 2117—1432
Senate File 2159—1298
Senate File 2165—2243
Senate File 2188—1544
Senate File 2206—1432
Senate File 2268—1370
Senate File 2271—1509
Senate File 2277—1432
Senate File 2289—1876
Senate File 2291, H-5838—1370
Senate File 2291—1432
Senate File 2306—1509
Senate Joint Resolution 9—1297

Deferred:

House File 2436—1822

Lost:

House File 468—1168
House File 2031, motion to override governor's veto—1567
House File 2219—643
House File 2295, motion to override governor's veto—1238-1239
House File 2415—1045
Senate File 190—377

Prevailed:

House File 509—855
House File 2184—644

House File 2324—1725-1726
House File 2346—1237
House File 2436—1831
House File 2516—1867
Senate File 2159—1397
Senate File 2165—2328
Senate File 2271—2057
Senate File 2289—1953
Senate File 2291, H-5838A—1430
Senate File 2291—1542

Ruled out of order:

House File 426—1168
House File 2415—1045
Senate File 2271—2057
Senate File 2291—1542

Withdrawn:

House File 558, H-6035—1822
House File 590—558
House File 595—310
House File 2048—774, 809
House File 2062—644
House File 2082—1571
House File 2183—2000
House File 2189—436, 1773
House File 2217, H-5335 to H-5275—668
House File 2332—762
House File 2339—1172
House File 2436—996
House File 2436, H-5458B—996
House File 2482—1213
House File 2487—1220
Senate File 24—1957
Senate File 2082—1571
Senate File 2188—1575
Senate File 2268—1585
Senate File 2277—1473
Senate File 2306—1633
Senate Joint Resolution 9—1583

Motions to reconsider (from the floor):

House File 2015, H-6097B—1936
House File 2209, H-5274—732, 1005
House File 2217, H-5257—542
House File 2217, H-5247—548
House File 2217, H-5335—668
House File 2217, H-6346A—2103, 2113
House File 2394, H-5645B—1018
House File 2433, H-5462—1165
House File 2436, H-6027—1831
House File 2439—1833
House File 2439, H-6006—1634
House File 2472, H-5505—892

House File 2472, H-5527A — 892
 House File 2472, H-5508 — 894
 House File 2472, H-5514 — 895
 House File 2487, H-5695 — 1197
 House File 2504, H-6192 — 1952
 House File 2519, H-6164A — 1849
 House File 2523 — 2010
 House File 2527 — 2243
 House Resolution 101 — 227
 Senate File 2102 — 2406
 Senate File 2102, H-6401 — 2409
 Senate File 2289, H-6224 — 1874
 Senate File 2289 — 1953
 Senate File 2289, H-6233 — 1954
 Senate File 2291, H-5829A — 1354
 Senate File 2328, H-6412C — 2384
 Senate File 2330, H-6127 — 1717
 Senate File 2330, H-6090 — 1718
 Senate File 2330, H-6062B — 1720
 Senate File 2330, H-6174 — 1800
 Senate File 2337, H-6341 — 2085
 Senate File 2337, H-6359 — 2087

Lost:

House File 2209, H-5274 — 1006
 House File 2217, H-5257 — 542
 House File 2394, H-5645B — 1018
 House File 2436, H-6027 — 1832
 House File 2487, H-5695 — 1198
 House File 2523 — 2011
 Senate File 2289, H-6224 — 1874
 Senate File 2328, H-6412C — 2385
 Senate File 2330, H-6127 — 1718

Motion to table, lost:

House File 2217, H-5335 — 668

Motion to table, prevailed:

House File 2527 — 2243

Prevailed:

House File 2015, H-6097B — 1936
 House File 2217, H-5247 — 559
 House File 2217, H-5335 — 668
 House File 2217, H-6346A — 2103, 2113
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 House File 2472, H-5527A — 893
 House File 2472, H-5508 — 894
 House File 2472, H-5514 — 895
 House File 2504, H-6192 — 1952
 House File 2519, H-6164A — 1849
 House Resolution 101 — 227

Senate File 2102—2407
 Senate File 2102, H-6401—2410
 Senate File 2289, H-6234—1953-1954
 Senate File 2289, H-6233—1954
 Senate File 2291, H-5829A—1354
 Senate File 2330, H-6090—1719
 Senate File 2330, H-6062B—1796
 Senate File 2330, H-6174—1801
 Senate File 2337, H-6341 & H-6359—2087

Withdrawn:

House File 2209, H-5274—1005

MUHLBAUER, LOUIS J.—Representative Crawford-Shelby Counties

Amendments filed—183, 238, 249, 323, 524, 849, 850, 851, 962-963, 963, 1196, 1203, 1301, 1373, 1425-1426, 1436, 1667, 1683-1684, 1712, 1777, 1825, 1869-1872, 1973, 2053, 2155-2156, 2250

Amendments offered—80, 248, 252, 832, 833, 944, 962, 1495, 1683, 1797, 2070

Appointed to the Boundary Commission—9

Bills introduced—116, 185, 214, 234, 361, 414, 559, 603

Committee appointments—92, 105, 1778

Leave of absence—534, 775

Petitions presented—1076

Presented to the House foreign exchange students Muti Sutojo from Indonesia and Gustavo Vaquera from Argentina—237

Presented to the House the Honorable Frank Crabb, former member of the House—89

Presided at sessions of the House—815, 2141

Resolutions offered—93-94, 1972, 2400

Subcommittee assignments—71, 72, 145, 198, 200, 279, 280, 355, 470, 473, 474, 568, 569, 677, 1110, 1243

MULLINS, SUE—Representative Humboldt-Kossuth-Palo Alto-Pocahontas Counties

Amendments filed—120, 249, 348, 413, 578, 579, 687, 709, 715, 849, 851, 876, 933, 1009, 1038, 1074, 1075, 1425-1426, 1435, 1620, 1673, 1723, 1724, 1758, 1761, 1869-1872, 2054, 2082, 2120-2121, 2127, 2250

Amendments offered—158, 249, 249-250, 704, 723, 791, 794, 1647, 1803, 2082, 2129

Amendments withdrawn—252, 2127

Bills introduced—16, 32, 34, 116, 175, 262, 317, 353, 360, 361, 603

Leave of absence—359, 431, 481, 512, 530, 1914

Presented to the House the Honorable Karl E. Kiilsholm, former member of the House—1008

Presided at sessions of the House—1531

Resolutions offered—93-94, 656, 714, 755, 848, 1972

Subcommittee assignments—69, 71, 72, 146, 147, 148, 199, 200, 279, 280, 473, 677, 930, 931, 1112

MUSICAL PRESENTATION, SPECIAL—

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NATURAL RESOURCES, COMMITTEE ON -

- Amendments filed - 232, 441
- Amendments offered - 1088
- Amendments withdrawn - 998
- Bills introduced - 296, 406, 525, 604, 618, 618-619, 853
- Recommendations - 112, 231, 259, 404, 440, 523, 577, 611, 654, 1230
- Resolutions offered - 524
- Subcommittee assignments - 469, 470, 472, 1111, 1242

NONCONTROVERSIAL CALENDAR -

Removed from:

- House File 591 - 675
- House File 2098 - 675
- House File 2279 - 675
- House File 2394 - 847
- House File 2448 - 1108

NORLAND, LOWELL E. - Representative Cerro Gordo-Winnebago-Worth Counties,
Majority Floor Leader

- Amendments filed - 1851-1862, 1955-1956
- Amendments offered - 1851, 1955
- Amendments withdrawn - 922
- Announced the appointment of Paul Stanfield to the tax study committee - 1161
- Bills introduced - 39, 153, 853, 2322
- Bills removed from calendar, referred to committee - 1302-1303, 1575
- Committee appointments - 95
- Presented with plaque in appreciation of service and dedication to the House - 2402-2403
- Remarks by - 3-5, 2498
- Resolutions offered - 7, 8, 93-94, 848, 2400
- Rules of the committee of the whole - 1134
- Subcommittee assignments - 567, 1545
- Tax study committee appointments - 1161

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- Immediate message - 377, 2243
- Raised - 19, 218, 336, 367, 377, 378, 428, 429, 453, 538, 592, 643, 709, 729, 732, 764, 882, 894, 922, 924, 1005, 1018, 1028, 1083, 1185, 1200, 1234, 1235, 1303, 1334, 1348, 1369, 1395, 1460, 1486, 1504, 1597, 1627, 1631, 1656, 1657, 1713, 1802, 1807, 1813, 1944, 1965, 1987, 2262, 2288, 2393, 2409, 2411
- Withdrawal from committee - 1369

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- Employees appointed - 11-14
- Pages - 11-14
- Pay grades and steps, list of - 11-14, 56-57, 187, 1224
- Resignations - 14, 1224
- Special presentation to House Pages - 619-620, 2487

O'KANE, JAMES D. - Representative Woodbury County

- Amendments filed - 313, 358, 524, 850, 851, 852, 934, 982, 1047, 1048, 1373, 1513, 1620, 1759, 1826, 2054, 2120, 2369
- Amendments offered - 328, 493, 740, 743, 986, 1104, 1392, 1582, 1920, 2123, 2144, 2369

Amendments withdrawn—1183

Appointed to the Administrative Rules Review Committee—9

Bills introduced—38, 39, 67, 76, 121, 163, 185, 316, 352, 362, 415

Committee appointments—1678

Leave of absence—481

Presided at sessions of the House—1831

Reports—82-83

Resolutions offered—93-94, 1678, 1972, 1996, 2400

Subcommittee assignments—69, 70, 71, 146, 148, 149, 197, 201, 278, 353, 469, 470, 471, 472, 677, 678, 931, 1109

OLLIE, ARTHUR C.—Representative Clinton County

Amendments filed—578, 579, 687, 756, 852, 1116, 1232, 1435, 1667, 1724, 1973, 2100-2102

Bills introduced—16, 34, 122, 176, 361, 414

Committee appointments—2253

Presided at sessions of the House—892, 1728, 1869, 2037

Resolutions offered—93-94, 656, 848, 933, 1722, 1972, 2253, 2400

Subcommittee assignments—69, 70, 71, 72, 146, 147, 199, 200, 279, 280, 471, 473, 566, 677, 930, 931, 1112, 1243

OSTERBERG, DAVID—Representative Cedar-Linn Counties

Amendments filed—413, 425, 851, 852, 919, 982, 1621, 1713, 1724, 1951, 2143, 2220-2221, 2250, 2251, 2368-2369, 2384, 2401

Amendments offered—419, 425, 884, 918, 919, 990, 992, 1664, 1919, 1951, 2143, 2305, 2368, 2384

Amendments withdrawn—1766, 1951, 2143

Bills introduced—116, 122, 164, 176, 262

Committee appointments—123

Leave of absence—2086

Presided at sessions of the House—139, 1409

Resolutions offered—93-94, 848, 1722, 1972, 2400

Subcommittee assignments—72, 145, 148, 195, 202, 470, 471, 473, 677, 931, 1109, 1545, 2503

OXLEY, MYRON B. (MIKE)—Representative Linn County

Amendments filed—849, 1777, 2053

Bills introduced—360, 559

Petitions presented—443

Resolutions offered—93-94, 848, 1972, 2400

Subcommittee assignments—69, 70, 146, 276, 676, 931, 1242, 1995

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PARKER, EDWARD G.—Representative Jasper-Marion-Polk-Warren Counties

Amendments filed—91, 715, 756, 757, 784-785, 810, 850, 851, 934, 1009, 1048, 1301, 1372, 1512, 1513, 1620, 1851-1862, 2054, 2120, 2121, 2225-2226, 2371-2373

Amendments offered—782, 784, 835, 1069, 1648, 2062, 2126, 2131, 2132, 2371
 Amendments withdrawn—252, 1183, 2126
 Appointed to the Medical Assistance Advisory Council—11
 Bills introduced—65, 163, 164, 214, 215, 262, 297, 361, 363
 Committee appointments—92, 105, 1821-1822, 1880, 1956, 1957, 2232
 Petitions presented—507
 Reports—105, 2379-2380, 2482-2484, 2485-2486
 Resolutions offered—93-94, 848, 1972, 2400
 Subcommittee assignments—71, 145, 147, 148, 194, 195, 197, 199, 200, 201, 202, 203,
 277, 278, 279, 280, 354, 472, 473, 564, 565, 567, 568, 930, 1110, 1111, 1242, 1243

PAULIN, DONALD J.—Representative Plymouth-Woodbury Counties

Amendments filed—91, 260, 480, 524, 852, 895-896, 926, 1373, 1723, 1825, 1826, 2053
 Amendments offered—270, 273, 644, 1410
 Amendments withdrawn—1410
 Bills introduced—234, 262, 298, 351, 405-406, 481
 Committee appointments—2, 1956, 2232
 Presided at sessions of the House—869
 Reports—2374, 2379-2380
 Resolutions offered—93-94, 714, 848, 1972
 Subcommittee assignments—144, 148, 199, 277, 278, 279, 469, 564, 566, 567, 931,
 1110, 1113

PAVICH, EMIL S.—Representative Pottawattamie County

Amendments filed—224, 238, 260, 442, 757, 773, 795, 1048, 1162, 1301, 1373, 1513,
 1667, 1712-1713, 1759, 1825, 1865-1866, 1974, 2081, 2081-2082
 Amendments offered—263, 264, 768, 1518, 1520, 1865, 2072, 2081
 Amendments withdrawn—263, 264, 1923, 2085
 Bills introduced—32, 122, 153, 164, 185, 361, 555
 Committee appointments—2239
 Presented to the House the Honorable Rollie Howell, former member of the
 House—1775
 Presided at sessions of the House—1555
 Reports—2381-2382
 Resolutions offered—93-94, 848, 2400, 2401
 Subcommittee assignments—144, 145, 146, 147, 194, 195, 196, 198, 200, 202, 277, 279,
 280, 565, 566, 568, 930, 1109, 1112, 1241, 1242, 1995, 2503

PEICK, DORIS A.—Representative Linn County

Amendments filed—579, 987, 849, 850, 852, 960, 1009, 1048, 1162, 1435, 1645, 1667,
 1759, 1802-1803, 1825, 1869-1872, 2054
 Amendments offered—496, 886, 960, 961, 1802, 1911
 Bills introduced—34, 67, 122, 175-176, 234, 360, 361, 603
 Petitions presented—1, 121, 152, 414
 Presented to the House the Honorable Maurice Hennessey, former member of the
 House—2399
 Presided at sessions of the House—886, 2029
 Reports—82-83
 Resolutions offered—93-94, 848, 1972, 1973, 2249, 2400, 2508
 Subcommittee assignments—69, 70, 146, 200, 278, 279, 280, 470, 565, 566, 569, 678,
 930, 1109, 1110

PELLETT, WENDELL C.—Representative Cass-Harrison-Pottawattamie-Shelby Counties

Amendments filed—598, 823, 849, 851, 1009, 1075, 1203, 1301, 1323, 1373, 1425-1426, 1436, 1673, 1723, 1777, 1887, 1974, 2053, 2250

Amendments offered—823, 1099, 1495, 2127

Appointed to the Commission on Interstate Cooperation—10

Bills introduced—214, 235, 298, 351, 405-406, 481

Leave of absence—225

Presented to the House the Honorable Bill Darrington, former member of the House—1298

Presented to the House the Honorable Frank Crabb, former member of the House—1108

Resolutions offered—93-94, 714, 848, 1972

Subcommittee assignments—72, 145, 148, 195, 198, 201, 277, 279, 469, 470, 473, 566, 567, 678

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PETITIONS—

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Filed—1, 37, 121, 152, 213, 286, 314, 359, 414, 443, 507, 935, 1050, 1076, 1163, 1204, 1233, 1302, 1514, 1574, 1622, 1675, 1827, 1975

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House File 426, H-5368—Representative Bennett—1028

House File 426, Rule 32 invoked—Representative Harbor—1053

House File 2019, H-5078—Representative Schroeder—307

House File 2072, H-5015—Representative Jochum—136

House File 2209, H-5394—Representative Cochran—732

House File 2217, Rule 33 invoked, refer to Ed.—Representative Halvorson of Clayton—378

House File 2217, H-5296—Representative Groth—621

House File 2218, H-5136—Representative Woods—340

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House File 2218, H-5132—Representative Woods—343

House File 2234, H-5389—Representative Hummel—695

House File 2247, Rule 32 invoked—Representative Stromer—766

House File 2306, H-5350—Representative Cooper—746

House File 2324, H-5468—Representative Schnekloth—1631

House File 2332, H-5369B—Representative Carl—707

House File 2332, Rule 32 invoked, refer to Approps.—Representative Stromer—708

House File 2392, H-6185—Representative Doderer—1818

House File 2401, Rule 32 invoked, refer to Ways & Means—Representative Bennett—729

House File 2433, H-5714—Representative Sturgeon—1155

House File 2433, H-5426—Representative Sturgeon—1157

House File 2468, H-6041—Representative Arnould—1596

House File 2469, H-5509—Representative Jay—876

- House File 2472, H-5506 – Representative Halvorson of Webster – 882
House File 2472, H-5557 – Representative Woods – 890
House File 2481, H-6067 – Representative Gronstal – 1626
House File 2482, Rule 32 invoked – Representative Stromer – 1173
House File 2486, H-5530 – Representative Paulin – 898
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Senate File 2043, H-6426 – Representative Doderer – 2261
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Senate File 2101, Rule 32 invoked – Representative Parker – 1404
Senate File 2102, H-6401 – Representative Branstad – 2393
Senate File 2156, H-6371 – Representative Holveck – 2125
Senate File 2163, H-5869 – Representative Brammer – 1413
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Senate File 2261, H-5892 – Representative Chiodo – 1417
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Senate File 2293, H-5930 – Representative Welden – 1460

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 Senate File 2330, H-6131 – Representative Connolly – 1807
 Senate File 2330, H-6121A – Representative Bennett – 1809
 Senate File 2337, H-6363 – Representative Lloyd-Jones – 2084

PONCY, CHARLES N. – Representative **Wapello** County

Amendments filed – 578, 849, 933, 934, 981, 1777, 1825, 1849, 1974, 2120, 2120-2121, 2234-2235, 2337
 Amendments offered – 1067, 1844, 1935
 Amendments withdrawn – 1935, 2132
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 Bills introduced – 39, 361, 414
 Escorted to the front of the Speaker's station and presented to the House, Joey Wagner, Ottumwa, 1984 Easter Seal Child – 359
 Leave of absence – 893
 Petitions presented – 1233
 Presided at sessions of the House – 1310
 Resolutions offered – 93-94, 848, 1825, 1972, 2400
 Subcommittee assignments – 71, 276, 278, 279, 280, 354, 355, 473, 564, 931, 1111, 1112, 1242

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 House Concurrent Resolution 114, Sex Discrimination in Education Reform Act of 1984 and HR 5011 – 848, 1110, 1511
 House Concurrent Resolution 116, collective bargaining, bankruptcy petitions – 1008, 1110, 1230
 House Concurrent Resolution 119, refugees of civil war in El Salvador – 1722
 House Concurrent Resolution 120, U.S. current efforts to resolve the POW/MIA issue – 1825, 1894 adopted
 House Resolution 102, family farm development authority – 552, 810, 815 adopted
 House Resolution 104, federal rules rescinded, prohibit industrial homework – 755, 930, 1969
 House Resolution 107, September 14, day of recognition, female veterans – 2249, 2496 adopted
 Senate Concurrent Resolution 106, federal surplus property program, general services – 1902, 1973, 2147 adopted
 Senate Concurrent Resolution 114, Taxpayer Antitrust Enforcement Act of 1983 – 1983, 1997, 2189 adopted

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House File 2186 – 1303
House File 2213 – 1303
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House File 2353 – 1303
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RENAUD, DENNIS L. — Representative Polk County

Amendments filed — 294, 810, 849, 896, 1301, 1512, 1513, 1546, 1620, 1667, 1724, 1759, 1825, 2120-2121
 Amendments offered — 889
 Bills introduced — 315, 360, 444
 Committee appointments — 367
 Petitions presented — 359, 443
 Reports — 2375-2377
 Resolutions offered — 93-94, 714, 848, 1972, 2400
 Subcommittee appointments — 229
 Subcommittee assignments — 69, 71, 144, 145, 195, 197, 200, 202, 276, 277, 278, 280, 354, 470, 471, 472, 565, 566, 677, 930, 931, 1113, 1242, 1243

RENKEN, ROBERT H. — Representative Butler-Grundy Counties

Amendments filed — 323, 348, 357, 598, 823, 849, 926, 1074, 1373, 1512, 1513, 1673, 1723, 1825, 1878, 1973, 2053, 2053-2054, 2120, 2225-2226, 2392
 Amendments offered — 326, 333, 1410
 Bills introduced — 234, 262, 351, 618
 Committee appointments — 124, 1821-1822
 Presided at sessions of the House — 2206
 Reports — 82-83, 2482-2484
 Resolutions offered — 93-94, 714, 848, 1825, 1972, 2052
 Subcommittee assignments — 70, 145, 148, 149, 199, 201, 202, 203, 276, 354, 472, 473, 678, 1109, 1111, 1112, 2503

RENSINK, WILMER — Representative Plymouth-Sioux Counties

Amendments filed — 238, 270-271, 313, 579, 687, 849, 926, 981, 1673, 1723, 1879, 2053
 Amendments offered — 270, 272, 364
 Bills introduced — 37, 234, 298, 351
 Leave of absence — 326, 1040, 1256, 1729
 Resolutions offered — 93-94, 714, 848, 1972
 Subcommittee appointments — 229
 Subcommittee assignments — 71, 146, 277, 280, 473, 474, 566, 568, 677, 930, 1110, 1113, 1243

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ROSENBERG, RALPH — Representative Story County

Amendments filed — 183, 357, 413, 419, 553, 598, 637, 715, 756, 757, 784-785, 810, 850, 851, 934, 953, 982, 1009, 1048, 1102, 1116, 1372, 1386, 1425-1426, 1436, 1715-1716, 1825, 1826, 1864-1865, 1865, 1866, 1878, 1949, 1973, 1997, 2053, 2054, 2120, 2121, 2251, 2349-2350, 2362, 2368, 2369, 2370

Amendments offered—418, 419, 426, 692, 704, 741, 883, 889, 900, 952, 953, 992, 1327,
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 2143, 2349, 2362, 2368, 2369, 2370
 Amendments withdrawn—426, 895, 1190, 2068
 Bills introduced—14, 39, 66, 67, 77, 78, 116, 122, 176, 186, 215, 234, 414
 Committee appointments—367, 1956, 1977
 Presented to the House the Honorable Larry Larson, former member of
 the House—1824
 Presided at sessions of the House—395, 1869
 Reports—11, 89, 2374, 2375-2377
 Resolutions offered—93-94, 656, 848, 1722, 1972, 2400, 2508
 Subcommittee assignments—69, 71, 144, 148, 197, 277, 278, 354, 564, 565, 566, 567,
 568, 678, 931, 1109, 1110, 1111, 1112, 1113, 1241, 1242, 1243, 1545, 1775

ROYER, WILLIAM D. (BILL)—Representative Fremont-Mills-Page Counties

Amendments filed—323, 383, 413, 688, 715, 849, 851, 852, 926, 933, 1009, 1116, 1645,
 1667, 1673, 1723, 1825, 1869-1872, 1887, 1974, 2053, 2053-2054
 Amendments offered—766, 840, 1122, 1988
 Amendments withdrawn—767, 945
 Bills introduced—185, 214, 234, 351, 361
 Leave of absence—152
 Petitions presented—507, 935, 1622, 1827
 Resolutions offered—93-94, 714, 848, 1972, 2052
 Subcommittee assignments—69, 71, 146, 195, 200, 202, 278, 279, 280, 354, 470, 471,
 566, 569, 930, 1109, 1110, 1241

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 House File 2295, H-5198 - 429
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 Senate File 2269, H-5948, filing of amendments - 1486
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Rule 32 (commitment of appropriation and revenue bills):

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 House File 2247 - 766
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 Senate File 2205 - 1367

Rule 33 (finance committee):

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 Senate File 2220, H-5903 - 1396
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 Senate File 2330, H-6131 - 1808
 Senate File 2337, H-6363 - 2085

Rule 31.8 (first reading, commitment and amendment):

House File 2295, H-5197 - 429
 House File 2295, H-5198 - 430
 House File 2332, H-5392 - 710
 Senate File 2270, H-5971, filing of amendments - 1505

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 House File 2217, H-5335 - 668
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Rule 31.8 (first reading, commitment and amendment):

Senate File 2269, H-5948, filing of amendments – 1487

Rule 32 (commitment of appropriation and revenue bills):

House File 426 – 1053

House File 2247 – 766

House File 2332 – 708

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Rule 33 (finance committee):

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Senate File 2310 – 1419

Rule 33 (finance committee):

House File 2217 – 378

Rule 75 (manner of voting):

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- Senate File 2153—2427
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- Senate File 2235, weekly debate calendar—1304
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 - House File 2218—325
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- Rule 32 (commitment of appropriation and revenue bills):
 - House File 2218—336
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 - House File 2472—868
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- Rule 36 (noncontroversial calendar):
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Recommendations—75
Reports—11-14, 56-57, 187, 1224
Resolutions offered—85-88
Resolution relating to, HR 101—85-88, 117, 141-142 adopted, 142, 212, 227-228
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RULES OF CIVIL PROCEDURE —

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(See Supreme Court of Iowa)

RUNNING, RICHARD V. — Representative Linn County

Amendments filed — 182, 294, 333-334, 715, 934, 1048, 1373, 1399, 1436, 1512, 1513,

1546, 1620, 1667, 1707, 1759, 1796-1797, 2120, 2220-2221, 2226-2228

Amendments offered — 188, 189, 333, 493, 1397, 1531, 1532, 1707, 2203, 2220

Appointed to the Title XX Statewide Advisory Committee — 11

Bills introduced — 64, 315, 360, 405, 406

Committee appointments — 2

Leave of absence — 1117, 1901

Petitions presented — 1514

Presided at sessions of the House — 1173

Resolutions offered — 93-94, 755, 848, 1008, 1825, 1972, 1973, 2400

Subcommittee assignments — 71, 145, 148, 198, 199, 280, 470, 471, 565, 569, 930, 1110

SCHNEKLOTH, HUGO — Representative Scott County

Amendments filed — 91, 182, 183, 212, 232, 260, 413, 597, 616, 637, 756, 849, 933, 1028,

1035, 1074, 1220, 1232, 1372, 1373, 1513, 1546, 1573, 1620, 1673, 1723, 1758,

1761, 1762-1763, 1777, 1825, 1867, 1869-1872, 2053, 2120-2121, 2155-2156,

2218-2219, 2250

Amendments offered — 605, 746, 1028, 1035, 1314, 1483, 1655, 1811, 1919, 1920, 2155, 2218.

Amendments withdrawn — 290, 423, 1920

Bills introduced — 15, 66, 66, 78, 234, 235, 314, 351, 599

Committee appointments — 2034

Leave of absence — 189, 370, 658, 935

Presented to the House the Honorable Warren Johnson, former member of the House — 2244

Reports — 2326

Resolutions offered — 93-94, 232, 714, 848

Subcommittee assignments — 69, 144, 146, 147, 280, 470, 931, 1241, 1242, 1995

SCHROEDER, LAVERNE W. — Representative Harrison-Pottawattamie Counties

Amendments filed — 91, 112, 120, 135, 224, 238, 250, 312, 313, 323, 326-327, 334, 340,

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541-542, 553, 578, 598, 616, 637, 688, 715, 731, 756, 810, 849, 850, 876, 894-895,

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1878, 1879, 1900, 1957-1958, 1973, 1974, 1985, 1997, 2003, 2053, 2054, 2085, 2120,

2121, 2209, 2303-2304, 2305-2306, 2337.

Amendments offered — 132, 135, 248, 250, 326, 334, 340, 341, 342, 389, 461, 491, 517,

529, 532, 533, 536, 537, 541, 623, 627, 640, 641, 643, 691, 726, 731, 767, 923, 945,

973, 1003, 1120, 1123, 1124, 1184, 1187, 1189, 1196, 1273, 1289, 1333, 1354, 1394,

1408, 1474, 1489, 1500, 1584, 1596, 1615, 1644, 1656, 1709, 1755, 1759, 1767, 1802, 1806, 1835, 1839, 1868, 1883, 1892, 1909, 1957, 1989, 1990, 2085, 2186, 2200, 2209

Amendments withdrawn—247, 249, 252, 264, 489, 622, 625, 642, 650, 739, 1119, 1180, 1189, 1190, 1474, 1475, 1522, 1584, 1711, 1760, 1895, 2162, 2202

Appointed to the Administrative Rules Review Committee—9

Bills introduced—14, 31, 32, 33, 39, 92, 114, 165, 176, 214, 215, 234, 363, 556, 618

Committee appointments—1821-1822, 2034, 2509

Motion to refer Senate File 407 to state government withdrawn—1944

Presented to the House the Honorable Arlyn Danker, former member of the House—380

Presented to the House the Honorable Charles E. Grassley, United States Senator and former member of the House and his wife Barbara—1

Reports—2326, 2482-2484

Resolutions offered—93-94, 312, 714, 848, 1972, 2052, 2400, 2401

Subcommittee assignments—71, 72, 145, 147, 148, 194, 196, 197, 199, 200, 201, 202, 203, 276, 277, 278, 279, 280, 354, 471, 472, 473, 564, 565, 567, 568, 676, 930, 1110, 1111, 1112, 1242, 1243, 1775

SEATS—

Assignment of seats in press gallery—160-161

SECRETARY OF STATE, Mary Jane Odell—

Communications from—676, 1572, 2049, 2808-2810

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—238, 524, 657, 687, 850, 933, 981, 1048, 1049, 1057-1058, 1255, 1301, 1724, 1759, 1777, 1851-1862, 1879, 2120-2121, 2306-2307

Amendments offered—216, 691, 702, 765, 884, 988, 1021, 1052, 1057, 1088, 1257, 1258, 2306, 2383

Amendments withdrawn—216

Bills introduced—33, 153, 164, 297, 315, 444

Committee appointments—2509

Leave of absence—1835

Motion to override governor's veto—1240

Presented to the House Karen Daniels, Representative Bob Denny, Senator Greg Lunn and Judge Roger Strand from Arizona—1008

Resolutions offered—93-94, 656, 848, 1008, 1825, 1972, 2400

Subcommittee assignments—69, 70, 71, 72, 145, 146, 147, 198, 199, 200, 201, 276, 279, 281, 354, 471, 472, 473, 474, 564, 677, 929, 930, 931, 1110, 1112, 1241, 1243

SHOULTZ, DON—Representative Black Hawk County

Amendments filed—323, 348, 442, 506, 688, 715, 811, 982, 1759, 1796-1797, 1974

Amendments offered—514, 990, 1312, 1796, 2024

Amendments withdrawn—446, 454, 516, 734

Bills introduced—64, 76, 77, 116, 176, 177, 186, 235, 360, 444, 558

Leave of absence—152, 1514

Resolutions offered—93-94, 848, 1972, 2400

Subcommittee assignments—72, 144, 195, 202, 279, 469, 470, 931, 1111, 1242, 1243

SKOW, BOB—Representative Adair-Dallas-Guthrie-Madison Counties

Amendments filed—238, 323, 687, 811, 849, 850, 851, 1008, 1116, 1363-1367, 1373, 1395, 1712-1713, 1759, 1825, 1869-1872, 1973, 2039-2043, 2053, 2120-2121, 2250

Amendments offered—244, 816, 1174, 1363, 1416, 1712

Bills introduced—15, 164, 177, 184, 185, 214, 234, 235

Committee appointments—1957, 1999

Leave of absence—554, 2122

Petitions presented—213

Presented to the House foreign exchange students throughout Iowa under the Youth for Understanding International Student Exchange—1571

Presented to the House the Honorable Ernest Gilson, former member of the House—1510

Presided at sessions of the House—1907

Reports—2485-2486

Resolutions offered—93-94, 848, 1972, 1973, 2052, 2400

Subcommittee assignments—69, 70, 72, 145, 147, 148, 277, 279, 280, 355, 469, 474, 566, 567, 568, 678, 931, 1111, 1242

SMALL BUSINESS AND COMMERCE, COMMITTEE ON—

Amendments filed—211, 212, 232, 260, 524, 578, 616, 1255

Amendments offered—369, 389, 432, 498, 859, 1265, 1347, 1392, 1415, 1502, 2059, 2064

Bills introduced—240, 296, 297, 324, 508, 600, 618, 619, 638, 639, 689, 717, 722, 813, 853, 854

Recommendations—173, 211, 231, 259, 312, 404, 479, 524, 577, 611-613, 654-655, 932-933, 1230-1231, 1250-1251, 1300

Reports—2344-2345

Subcommittee assignments—69, 70, 145, 147, 148, 195, 198, 199, 201, 202, 203, 276, 277, 279, 280, 355, 470, 471, 472, 473, 567, 568, 676, 930, 931, 1113, 1242, 1243

SPEAKER OF THE HOUSE—Donald D. Avenson, Representative Chickasaw-Fayette Counties

Addressed the House—2-3, 2498-2499

Announcements, Senate bills passed on file—556, 809, 980, 1225

Appointments announced:

Administrative Rules Review Committee—9

Advisory Investment Board of the Iowa Public Employees Retirement System—9

Advisory Commission on Intergovernmental Relations—9

Boundary Commission—9

Capitol Planning Commission—9

College Aid Commission—10

Commission on the Aging—10

Commission on Compensation Expenses and Salaries for Elected Officials—10

Commission on Interstate Cooperation—10

Council on Child Abuse Information—10

Education Commission of the States—10

- Health Data Commission – 10
 Iowa Jobs Commission – 10
 Law Enforcement Academy Council – 11
 Medical Assistance Advisory Council – 11
 Professional and Occupational Regulations Commission – 11
 State Functional Classification Review Board – 11
 Title XX Statewide Advisory Committee – 11
- Bills referred to committees – 1020, 1240, 1302, 1303, 1575, 2071
 Bills rereferred to committees – 275, 527, 1224
 Bills signed by – 220, 292, 596, 676, 754-755, 1007-1008, 1161, 1240, 1617, 1773-1774, 1823, 1876, 1969, 1994, 2045, 2116, 2397, 2508
- Changes in appointments to House committees – 68
 Closing message from Governor Terry E. Branstad – 2511-2513
 Committees appointed by – 20, 92, 105, 123, 1778, 1880, 1976-1977, 1977, 1977-1978, 1999, 2056, 2232, 2239, 2509
 Conference committees appointed – 367, 437, 1078, 1821-1822, 1956, 1957, 2034, 2232, 2239, 2315, 2326, 2396
- Final adjournment – 2510
 Final adjournment, 1984 Regular Session of the Seventieth General Assembly, Senate Concurrent Resolution 126 – 2435, 2500 adopted
- Memorial committees appointed by – 417, 511, 1678, 2253
 Petitions presented – 1514
 Presentation of visitors – 275, 597, 631, 651-652, 713-714, 810, 848, 929, 1045-1046, 1073, 1108-1109, 1201, 1241, 1298-1299, 1371, 1433-1434, 1618, 1720-1721, 1775, 1824, 1897-1898, 1970-1971, 2050, 2117, 2244-2245, 2399-2400, 2501
- Presented to the House the Honorable Terry Dyrland and the Honorable Marcia Walter, former members of the House – 2244
 Presented with plaque in appreciation of service and dedication to the House – 2402-2403
- Presided at sessions of the House – 1, 6, 7, 14, 19, 21, 31, 37, 57, 61, 64, 76, 92, 104, 111, 114, 118, 123, 129, 130, 139, 152, 163, 175, 184, 188, 216, 225, 233, 239, 243, 248, 249, 261, 267, 271, 274, 286, 287, 296, 299, 314, 319, 320, 324, 325, 336, 349, 350, 359, 368, 371, 376, 385, 387, 393, 398, 414, 420, 426, 429, 431, 445, 456, 468, 481, 492, 507, 512, 517, 525, 527, 532, 533, 537, 538, 542, 545, 548, 554, 556, 558, 560, 580, 592, 593, 594, 599, 602, 608, 627, 638, 642, 646, 648, 658, 664, 665, 669, 671, 689, 694, 700, 704, 707, 711, 716, 720, 721, 722, 734, 737, 743, 758, 765, 767, 774, 781, 798, 812, 815, 822, 823, 832, 844, 853, 870, 877, 879, 884, 889, 892, 895, 898, 917, 922, 935, 948, 956, 983, 994, 996, 1010, 1017, 1020, 1037, 1045, 1050, 1055, 1057, 1061, 1070, 1076, 1080, 1082, 1096, 1100, 1106, 1117, 1125, 1133, 1135, 1136, 1160, 1163, 1165, 1167, 1169, 1185, 1191, 1192, 1194, 1197, 1212, 1213, 1221, 1225, 1233, 1235, 1238, 1239, 1256, 1268, 1270, 1283, 1289, 1302, 1315, 1318, 1324, 1340, 1354, 1374, 1390, 1400, 1412, 1418, 1428, 1430, 1437, 1462, 1471, 1491, 1512, 1514, 1536, 1537, 1542, 1543, 1548, 1566, 1574, 1585, 1609, 1615, 1622, 1630, 1654, 1675, 1690, 1720, 1725, 1728, 1729, 1764, 1771, 1778, 1782, 1795, 1800, 1802, 1809, 1812, 1822, 1827, 1841, 1849, 1851, 1880, 1887, 1890, 1894, 1901, 1907, 1909, 1912, 1913, 1914, 1934, 1953, 1954, 1957, 1958, 1964, 1975, 1978, 1982, 1998, 2004, 2022, 2024, 2028, 2030, 2037, 2043, 2055, 2070, 2071, 2085, 2086, 2087, 2110, 2122, 2147, 2184, 2189, 2191, 2193, 2206, 2208, 2218, 2220, 2224, 2243, 2252, 2257, 2274, 2286, 2302, 2317, 2318, 2335, 2352, 2359, 2371, 2378, 2391, 2394, 2402, 2406, 2410, 2432, 2456, 2481, 2492
- Remarks by – 2-3, 2498-2499

Resolution relating to, HCR 101 - 7 adopted

Resolutions offered - 93-94, 848, 2400

Rulings made - 136, 189, 307, 340, 342, 343, 378, 538, 695, 708, 729, 732, 746, 766, 882, 890, 1028, 1053, 1083, 1130, 1155, 1157, 1173, 1387, 1395, 1404, 1413, 1419, 1481, 1484, 1522, 1529, 1631, 1767, 1818, 1909, 2125, 2151, 2154, 2155, 2156, 2199, 2223, 2261, 2288, 2393

Special presentation to House Pages - 619-620, 2487

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 - 151, 224, 260, 285, 480, 524, 579, 597, 598, 616, 687, 688, 715, 756, 811, 815, 849, 850, 851, 852, 934, 959, 981, 982, 1001, 1009, 1018, 1161, 1232, 1255, 1260, 1372, 1373, 1435, 1546, 1547, 1555, 1620, 1771, 1811, 1818, 1900, 1973, 1991, 2053, 2054, 2120, 2121

Amendments offered - 263, 395, 489, 642, 702, 779, 831, 837, 872, 873, 940, 956, 957, 958, 959, 988, 990, 1000, 1001, 1015, 1038, 1039, 1062, 1101, 1259, 1261, 1263, 1264, 1277, 1279, 1441, 1506, 1554, 1555, 1556, 1557, 1615, 1650, 1818, 1991, 2129, 2130

Amendments withdrawn - 395, 873, 940, 958, 995, 1015

Bills introduced - 15, 16, 115, 163, 177, 240, 262, 317

Presided at sessions of the House - 1135, 1625

Resolutions offered - 93-94, 848, 1722, 1972, 2400

Rulings made - 1626

Subcommittee assignments - 72, 145, 146, 147, 195, 198, 201, 276, 280, 281, 354, 355, 473, 474, 677, 929, 1111, 1112

SPECIAL COMMITTEES -
(See Committees, Special)

SPECIAL PRESENTATION -

Dr. George Gallup - 1978

Easter Seal Child for 1984, Joey Wagner - 359-360

Frank Christen, former doorkeeper and assistant sergeant-at-arms - 319

Iowa Childrens' and Family Services - 1374

Iowa's Junior Miss for 1984, Shannon Streeby - 122-123

National Agriculture Day, Representative Gruhn presented to the House, members of the Future Farmers of America - 1163-1164

Queen of the 1984 Pella Tulip Festival, Beth Boomsma - 1841

Representatives Avenson, Norland and Stromer presented with plaques in appreciation of service and dedication to the House - 2402-2403

Representatives Menke and Cochran presented a check to Representative Connors, chair of the capitol centennial committee - 2402

The Honorable Charles E. Grassley, United States Senator from Iowa and former member of the House and his wife Barbara - 1

SPECIAL RECOGNITION -

Retiring members of the House or candidates for offices - 2403

SPONSORS (bills and/or amendments)–

Added:

House File 356, H-5292 – Representatives Hummel, Harbor & Royer – 610
 House File 418 – Representative Muhlbauer – 191
 House File 2011 – Representative Zimmerman – 228
 House File 2019 – Representative Varn – 58
 House File 2129 – Representative Carl – 180
 House File 2130 – Representative Carl – 180
 House File 2131 – Representative Carl – 180
 House File 2136 – Representative Renaud – 220
 House File 2245 – Representative Hermann – 320
 House File 2472, H-5506 – Representatives Hoffmann-Bright, Schnekloth,
 Bennett, Paulin, Halvorson of Clayton, Welden, Clark of Cerro Gordo &
 Daggett – 881

Withdrawn:

House Concurrent Resolution 111 – Representative Renaud – 847
 House File 378, H-5144 – Representative Sullivan – 353
 House File 2383 – Representative Mullins – 1007
 House Resolution 104 – Representative Lloyd-Jones – 1969

STANDING SUBCOMMITTEES –

Changes in appointments – 68
 State Government-appointment of – 228-229

STATE APPEAL BOARD

(Richard D. Johnson, Chairman)

Claims approved – 40-52
 Claims disapproved – 52-56, 179-180, 712-713, 1509-1510, 2398-2399
 Communications from, stating claims filed with – 40-52, 52-56, 179-180, 712-713,
 1509-1510, 2398-2399

STATE FUNCTIONAL CLASSIFICATION REVIEW BOARD –

Appointments to – 11

STATE GOVERNMENT, COMMITTEE ON –

Amendments filed – 182, 238, 285, 322, 480, 687, 1203, 1232, 1254, 1255
 Amendments offered – 263, 268, 345, 364, 391, 502, 768, 964, 1296, 1321, 1331, 1335,
 1379, 1382, 1384, 1388, 1419, 2003
 Amendments withdrawn – 263, 747
 Bills introduced – 226, 261, 605, 689-690, 717, 721, 753, 754, 760
 Recommendations – 182, 223, 237-238, 322, 412, 479, 552, 577, 636-637, 655, 686-687,
 933, 1116, 1202, 1231, 1251-1253, 1511
 Subcommittee assignments – 144, 145, 146, 149, 194, 195, 196, 197, 198, 199, 200, 202,
 203, 276, 277, 278, 279, 280, 281, 284, 353, 469, 471, 472, 474, 564, 565, 566, 568,
 569, 930, 931, 932, 1109, 1110, 1111, 1112, 1113, 1241, 1243

STATE GOVERNMENT, SUBCOMMITTEES –

Appointment of – 228-229

STATE OF THE STATE MESSAGE –

Delivered by Governor Terry E. Branstad – 7
 Resolution relating to, HCR 101 – 7 adopted

STROMER, DELWYN – Representative Franklin-Hancock-Wright Counties.**Minority Floor Leader**

Amendments filed – 119, 212, 348, 413, 422, 534, 535, 538, 540, 542, 543, 598, 757, 810, 849, 926, 1161, 1512, 1668, 1723, 1777, 1825, 1878, 1900, 1916, 2028, 2029-2030, 2107-2108, 2210

Amendments offered – 227, 420, 534, 535, 538, 540, 543, 628, 833, 834, 1516, 1783, 1810, 1906, 1907, 1917, 2028, 2029, 2107, 2210

Amendments withdrawn – 542, 1196, 1813

Announced the appointment of Marvin Selden to the tax study committee – 1161

Bills introduced – 39, 316, 317, 351, 853, 2322

Committee appointments – 95

Leave of absence – 445, 1233

Presented with plaque in appreciation of service and dedication to the House – 2402-2403

Remarks by – 5-6, 2497-2498

Resolutions offered – 7, 8, 93-94, 714, 848, 1972

Special presentation to House Pages – 619-620, 2487

STUDY BILL COMMITTEE ASSIGNMENTS –

Agriculture – 36, 193, 194, 230, 237, 293, 310, 311, 321, 382, 403, 615, 2050

Education – 18, 144, 171, 191, 221, 258, 293, 403, 438, 597, 631

Energy – 118, 119, 310

Finance – 310, 347, 1898, 1899

Human Resources – 35, 68, 89, 90, 143, 144, 167, 172, 192, 221, 311, 347, 381, 438, 468, 548, 549, 614, 615

Judiciary and Law Enforcement – 58, 59, 192, 193, 256, 257, 311, 321, 382, 383, 520, 521, 522, 548, 563, 564, 614, 615, 652

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Local Government – 36, 118, 144, 167, 193, 194, 230, 256, 293, 382, 438, 520, 522, 614

Natural Resources – 35, 36, 192, 256, 293, 347, 409, 631

Small Business and Commerce – 18, 167, 171, 194, 258, 292-293, 320, 321, 381, 382, 409, 468, 562

State Government – 90, 118, 167, 168, 169, 172, 193, 194, 221, 257, 293, 311, 382, 403, 468, 469, 562, 563, 614, 652

Transportation – 35, 89, 142, 143, 221, 230, 381, 522, 614

Ways and Means – 166, 167, 169, 170, 171, 191, 230, 276, 347, 403, 409, 410, 468, 505, 521, 652, 714, 1046, 1201, 1434, 1671, 1899

STUDY BILL SUBCOMMITTEE ASSIGNMENTS –

Assignments – 73-74, 149-150, 203-210, 281-282, 355-357, 474-479, 569-573, 678-680, 932, 1113, 1243, 1776, 1995

Reassigned – 73, 281, 678

STUDY COMMITTEES –

(Also see Legislative Council)

Resolutions relating to:

House Concurrent Resolution 104, teacher compensation – 232

House Concurrent Resolution 108, cattle industry – 552, 2056 adopted

House Concurrent Resolution 113, adoption – 848, 1110, 1228, 1542 adopted

House Concurrent Resolution 122, health care insurance or benefit coverages, availability – 1973

House Concurrent Resolution 123, investment of idle public funds—1996
 House Concurrent Resolution 125, family farm study—2120, 2250
 House Concurrent Resolution 126, warranties on merchandise—2400
 House Concurrent Resolution 128, treatment of children, witnesses,
 judicial & quasi-judicial proceedings—2508
 House Resolution 106, liabilities and immunities, governmental
 entities—2502
 House Resolution 110, sanitary and improvement districts—2401

STUELAND, VICTOR (VIC)—Representative Cedar-Clinton Counties

Amendments filed—120, 413, 849, 851, 926, 933, 1075, 1673, 1723, 1869-1872, 2053
 Amendments offered—424
 Amendments withdrawn—951
 Bills introduced—163, 351, 361, 509, 658
 Committee appointments—2253
 Resolutions offered—93-94, 714, 848, 1972, 2052
 Subcommittee assignments—71, 200, 469, 472

STURGEON, ALLAN (AL)—Representative Woodbury County

Amendments filed—260, 384, 616, 851, 852, 934, 1008, 1048, 1161, 1436, 1513,
 1869-1872, 1974, 2120, 2187-2188, 2220-2221, 2340
 Amendments offered—306, 369, 696, 698, 897, 898, 1082, 1164, 1166, 1569, 1966, 2187,
 2340
 Amendments withdrawn—1165
 Appointed to the Commission on the Aging—10
 Bills introduced—66, 116, 153, 154, 175, 177, 214, 233, 239, 315, 317-318, 352, 361, 362,
 414
 Committee appointments—1678
 Leave of absence—481
 Presided at sessions of the House—1258, 1497, 1612, 2072
 Resolutions offered—93-94, 848, 1972, 2400
 Rulings made—2084
 Subcommittee assignments—69, 145, 147, 148, 199, 201, 202, 203, 470, 471, 472, 473,
 565, 568, 678, 1110

SUBCOMMITTEE APPOINTMENTS—

State Government—228-229

SUBCOMMITTEE ASSIGNMENTS—

Assignments—69-72, 144-149, 194-203, 276-281, 353-355, 469-474, 564-569, 676-678,
 929-932, 1109-1113, 1241-1243, 1545, 1775, 1995, 2502-2504
 Corrected—1109
 Reassigned—69, 70, 71, 72, 144, 145, 149, 194, 195, 196, 198, 203, 676, 1110

SULLIVAN, WILLIAM R.—Representative Lee-Van Buren Counties

Amendments filed—348, 413, 850, 851, 1363-1367, 1436, 1723, 2220-2221, 2250
 Amendments offered—1938
 Appointed to the Commission on Interstate Cooperation—10
 Bills introduced—114, 164, 177, 240, 315
 Committee appointments—2, 1078
 Petitions presented—1204

Presided at sessions of the House—517
Reports—2198-2194
Resolutions offered—93-94, 848, 1825, 2400

SUPREME COURT OF IOWA—

(Chief Justice of the Supreme Court, The Honorable W. W. Reynoldson)
Delivered condition of the judicial department message—124-129
Resolution relating to the condition of the judicial department message,
HCR 103—8 adopted

SWARTZ, THOMAS E. (TOM)—Representative Marshall County

Amendments filed—260, 852, 899, 982, 1009, 1048, 1301, 1390, 1435, 1436, 1766-1767,
1863-1864, 1880, 1997, 2053, 2054, 2120, 2226-2228, 2250, 2352-2353
Amendments offered—272, 888, 899, 1346, 1388, 1390, 1612, 1766, 1863, 2128, 2132,
2149, 2151, 2226, 2352
Amendments withdrawn—1612
Bills introduced—116, 185, 297, 318, 361
Committee appointments—2034, 2326
Leave of absence—512
Presided at sessions of the House—423
Reports—2326
Resolutions offered—93-94, 848, 1972, 2400
Subcommittee appointments—228
Subcommittee assignments—69, 70, 145, 149, 194, 195, 196, 197, 198, 199, 200, 201,
202, 203, 278, 279, 280, 281, 353, 354, 469, 470, 471, 472, 473, 474, 565, 569, 676,
931, 1109, 1110, 1112, 1241, 1243, 1995

SWEARINGEN, GEORGE R.—Representative Jefferson-Keokuk-Wapello Counties

Amendments filed—238, 294, 322, 323, 348, 357, 413, 597, 849, 851, 982, 1000, 1673,
1759, 1879, 1974, 2030-2031, 2105, 2108-2109, 2120, 2149, 2204-2205, 2207
Amendments offered—268, 434, 620, 888, 999, 1000, 2030, 2105, 2108, 2132, 2149,
2204, 2207
Amendments withdrawn—2206
Bills introduced—34, 77, 351, 351-352
Committee appointments—1977-1978, 2315
Escorted to the Speaker's station and presented to the House the 1984 Iowa's Junior
Miss, Shannon Streeby—122-123
Leave of absence—512
Presented to the House, Valerie Leiser student body president of Drake Univer-
sity—810
Presided at sessions of the House—1482
Reports—2356-2359
Resolutions offered—93-94, 714, 848, 1972
Subcommittee appointments—228, 229
Subcommittee assignments—145, 146, 149, 194, 195, 196, 198, 199, 200, 202, 203, 276,
278, 279, 353, 354, 470, 471, 472, 565, 677, 930, 931, 1111, 1242, 1243

TABOR, DAVID M.—Representative Dubuque-Jackson Counties

Amendments filed—91, 260, 578, 852, 919-921, 1009, 1047, 1203, 1673, 1707, 2303-2304
Amendments offered—272, 900, 918, 919, 1304, 1933
Appointed to the Education Commission of the States—10

Bills introduced—368, 580, 639
 Committee appointments—1078, 1956
 Leave of absence—1076, 1117, 1233, 1256, 1657, 1675
 Presided at sessions of the House—1183, 1543, 2087, 2212
 Reports—2193-2194
 Resolutions offered—93-94, 1972, 2400
 Rulings made—1185, 2218
 Subcommittee assignments—71, 146, 147, 196, 197, 277, 280, 354, 469, 564, 565, 566,
 567, 568, 676, 677, 678, 1110, 1111, 1112, 1113, 1241, 1242

TAX STUDY COMMITTEE—

Appointments to—1161

TITLE XX STATEWIDE ADVISORY COMMITTEE—

Appointments to—11

TOFTE, SEMOR C.—Representative Allamakee-Winneshiek Counties

Amendments filed—313, 615, 656, 810, 849, 1089, 1620, 1667, 1673, 1759, 1887
 Amendments offered—345, 1088, 1887
 Amendments withdrawn—1057, 1276
 Appointed to the Capitol Planning Commission—9
 Bills introduced—153, 234, 351, 444
 Committee appointments—1078
 Leave of absence—481, 532, 560, 881, 1099, 1538, 2001
 Presented to the House the Honorable Walter Langland, former member of the
 House—346
 Reports—2193-2194
 Resolutions offered—93-94, 578, 714, 848, 1972
 Subcommittee assignments—146, 147, 276, 469, 472, 564, 1111, 1241

TORRENCE, JANIS I.—Representative Muscatine-Scott Counties

Amendments filed—615, 849, 852, 1009, 1667, 1673, 1723, 1869-1872
 Bills introduced—235
 Leave of absence—189, 219, 243, 286, 359, 481, 481, 512, 545, 1538, 1965, 2193, 2369
 Resolutions offered—93-94, 714, 755, 848
 Subcommittee assignments—69, 70, 72, 146, 195, 278, 566, 569, 930, 1109, 1110

TRANSPORTATION, COMMITTEE ON—

Amendments filed—60, 174, 480, 656, 1047, 1232, 1254
 Amendments offered—80, 303, 560, 781, 832, 1324, 1332, 1407, 1491, 2070
 Bills introduced—240, 255, 296, 324-325, 508, 600, 603, 617, 669, 722
 Recommendations—59-60, 173, 231, 259, 312, 479-480, 577-578, 613, 655-656, 1047,
 1231, 1253-1254
 Subcommittee assignments—145, 146, 195, 198, 199, 203, 277, 279, 470, 472, 473, 474,
 565, 566, 567, 569, 676, 677, 678, 1110, 1113, 1242

UNANIMOUS CONSENT—

House File 422—1210
 House File 2532—2345
 Senate Concurrent Resolution 111—1740
 Senate File 2043—2257

Senate File 2165—1612
 Senate File 2289—1851
 Senate File 2327—2257
 Senate File 2333—1989

VAN CAMP, MICHAEL J.—Representative Scott County

Amendments filed—341, 578, 687, 715, 756, 811, 849, 850, 926, 982, 1435, 1528-1529, 1620, 1667, 1673, 1723, 1825, 1869-1872, 1997, 2053, 2083-2084, 2121, 2222, 2287-2288
 Amendments offered—341, 697, 881, 993, 1493, 1528, 1663, 1667, 1706, 1805, 2222, 2287
 Amendments withdrawn—725, 2274
 Bills introduced—31, 32, 65, 77, 235, 351, 352, 415
 Resolutions offered—93-94, 714, 848, 1722, 1825, 1972
 Subcommittee assignments—69, 71, 72, 146, 147, 198, 199, 200, 202, 279, 470, 473, 565, 677, 930, 931, 1112

VAN GERPEN, HARLAN W.—Representative Black Hawk County

Amendments filed—323, 348, 357, 384, 579, 606-607, 637, 687, 811, 849, 850, 934, 1009, 1048, 1435, 1512, 1645, 1673, 1723, 1869-1872, 1962-1963, 2053
 Amendments offered—393, 606, 662, 1962
 Amendments withdrawn—456, 464, 1963
 Bills introduced—154, 214, 235, 351, 361, 362, 414, 556
 Leave of absence—512
 Resolutions offered—93-94, 714, 848, 1972
 Subcommittee assignments—201, 278, 280, 473, 566, 569, 930, 1109, 1110, 1111

VAN MAANEN, HAROLD—Representative Keokuk-Mahaaska-Wapello Counties

Amendments filed—238, 715, 849, 1009, 1673, 1723, 1777, 2053-2054, 2120, 2225-2226, 2250
 Amendments offered—2154, 2225, 2316
 Amendments withdrawn—2309, 2317
 Bills introduced—31, 66, 78, 234, 261, 317, 351, 362, 555
 Committee appointments—511, 1977-1978, 2239
 Petitions presented—935
 Reports—2381-2382
 Resolutions offered—93-94, 714, 1972, 1977, 2052
 Subcommittee appointments—228, 229
 Subcommittee assignments—72, 145, 194, 195, 196, 198, 200, 201, 202, 277, 280, 472, 474, 565, 568, 569, 677, 931, 1110, 1241, 1243

VARN, RICHARD J.—Representative Iowa-Johnson Counties

Amendments filed—91, 260, 578, 715, 756, 810, 811, 850, 1009, 1048, 1075, 1116, 1190-1191, 1192, 1193-1194, 1195, 1372, 1373, 1436, 1506-1507, 1512, 1513, 1668, 1728, 1777, 1916, 1973, 1997, 2053, 2100-2102, 2120, 2250, 2363-2366
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**WELDEN, RICHARD W. - Representative Franklin-Hardin-Hamilton
Counties**

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Amendments offered - 136, 137, 339, 343, 621, 663, 705, 842, 991, 1029, 1037, 1332,
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WOODS, JACK E. - Representative Polk County

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Bills introduced - 37, 38, 67, 76, 153, 233, 262, 298, 315, 444, 507-508, 555

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ZIMMERMAN, JO ANN - Representative Dallas County

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