

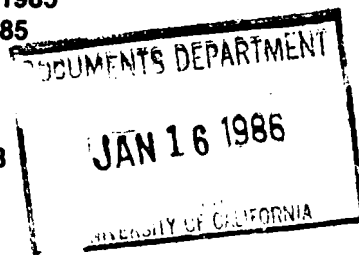
JOURNAL OF THE HOUSE

1985

REGULAR SESSION SEVENTY-FIRST GENERAL ASSEMBLY

Convened January 14, 1985
Adjourned May 4, 1985

Volume I
January 14 - April 3



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

Published by the
STATE OF IOWA
Des Moines

J
87
I8c
1985
v. 1
DOCS

SEVENTY-FIRST GENERAL ASSEMBLY

1985 Regular Session

OFFICERS OF THE HOUSE

- DONALD D. AVENSON, *Speaker of the House* Oelwein
- JOHN H. CONNORS, *Speaker Pro Tempore* Des Moines
- LOWELL E. NORLAND, *Majority Floor Leader* Kensett
- ROBERT C. ARNOULD, *Assistant Majority Floor Leader* Davenport
- FLORENCE D. BUHR, *Assistant Majority Floor Leader* Des Moines
- ROD HALVORSON, *Assistant Majority Floor Leader* Fort Dodge
- RICHARD RUNNING, *Assistant Majority Floor Leader* Cedar Rapids
- DELWYN STROMER, *Minority Floor Leader* Garner
- WAYNE BENNETT, *Assistant Minority Floor Leader* Galva
- DOROTHY F. CARPENTER,
Assistant Minority Floor Leader West Des Moines
- ROGER A. HALVORSON, *Assistant Minority Floor Leader* Monona
- RUHL MAULSBY, *Assistant Minority Floor Leader* Rockwell City
- JOSEPH O'HERN, *Chief Clerk* Des Moines
- ELIZABETH A. ISAACSON, *Assistant Chief Clerk* Des Moines
- VIVIAN ANDERS, *Assistant Journal Editor* Liberty Center
- CAROL S. EDWARDS, *Assistant Journal Editor* Des Moines
- C. ELAINE SCHOONOVER, *Compositor* Des Moines
- DEANNA J. TEMPLETON, *Executive Secretary*
to Chief Clerk Melcher
- SUZANNE SPENCER, *Clerk to Chief Clerk* Altoona
- DAN DUDLEY, *Legal Counsel* Des Moines
- M. MAXINE MANN, *Assistant Legal Counsel* Des Moines

MARGARET GREEN, <i>Assistant to Legal Counsel</i>	Des Moines
PEG E. KEPHART, <i>Assistant to Legal Counsel</i>	
<i>and Engrossing/Enrolling Clerk</i>	Des Moines
VALERIE WILSON, <i>Assistant to Legal Counsel</i>	Des Moines
BILLIE JEAN WALLING, <i>Finance Officer</i>	Des Moines
DEBRA K. REX, <i>Assistant Finance Officer</i>	Des Moines
LAURA WARD, <i>Recording Clerk</i>	Des Moines
VIRGINIA A. ROWEN, <i>Supervisor of Secretaries</i>	Des Moines
SUSAN BRUCKSHAW, <i>Clerk to Chief Clerk</i>	Des Moines
JO ANN CRITELLI, <i>Supply Clerk</i>	Des Moines
JUANITA F. SWACKHAMMER, <i>Chief Indexer</i>	Des Moines
WILMA F. ZIKA, <i>Indexing Assistant</i>	Des Moines
MARK W. BRANDSGARD, <i>Administrative Assistant</i>	
<i>to Speaker</i>	Des Moines
CATHERINE A. SEARS, <i>Executive Secretary</i>	
<i>to Speaker</i>	Des Moines
WILLIAM C. MALONEY, <i>Administrative Assistant</i>	
<i>to Majority Leader</i>	Des Moines
SHARON R. ROBINSON, <i>Majority Caucus Director</i>	Des Moines
MARIE CALLAS, <i>Secretary to Majority Caucus</i>	Des Moines
EDWARD J. CONLOW, <i>Research Analyst</i>	Des Moines
SHIRLEY M. DANSKIN-WHITE, <i>Research Analyst</i>	Grimes
TIMOTHY C. DUNBAR, <i>Research Analyst</i>	Des Moines
MARY E. O'CONNOR, <i>Research Analyst</i>	Des Moines
THOMAS R. PATTERSON, <i>Research Analyst</i>	Des Moines

ALLEN WELSH, <i>Research Analyst</i>	Des Moines
DAVID WERNING, <i>Research Analyst</i>	Norwalk
KEVIN S. VINCHATTLE, <i>Administrative Assistant</i> to <i>Minority Leader</i>	Des Moines
RONDA L. MENKE, <i>Minority Caucus Director</i>	Perry
COLLEEN DILLON, <i>Secretary to Minority Caucus</i>	Des Moines
MARK JOHNSON, <i>Research Analyst</i>	Altoona
Laura MURPHY, <i>Research Analyst</i>	Des Moines
GARY LEE PARKER, <i>Research Analyst</i>	West Des Moines
SHARON R. PILMER, <i>Research Analyst</i>	Des Moines
MARYJO F. WELCH, <i>Research Analyst</i>	Clive
VIRGINIA E. SEMPLE, <i>Switchboard Operator</i>	Des Moines
KIM R. SCHMIT, <i>Switchboard Operator</i>	Des Moines
PHYLLIS J. FRAIZER, <i>Bill Clerk</i>	Des Moines
MADLINE E. JAMES, <i>Assistant Bill Clerk</i>	Des Moines
GEORGE PENDERGRAFT, <i>Postmaster</i>	Des Moines
ROSEANNE McCARGAR, <i>Sergeant-at-Arms</i>	Des Moines
JAMES D. CUNNINGHAM, <i>Assistant Sergeant-at-Arms</i>	Gowrie
ARTHUR E. BORWICK, <i>Doorkeeper</i>	Des Moines
MARVIN W. HOLLINGSHEAD, <i>Doorkeeper</i>	Des Moines
ANTHONY F. KING, <i>Doorkeeper</i>	Des Moines
MAX D. PERDUE, <i>Doorkeeper</i>	Des Moines
JOHN PIGNERI, <i>Doorkeeper</i>	Des Moines
JOHN R. QUINN, <i>Doorkeeper</i>	Des Moines

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

v

ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

TERRY E. BRANSTAD, <i>Governor</i>	Lake Mills
ROBERT T. ANDERSON, <i>Lieutenant Governor</i>	Newton
MARY JANE ODELL, <i>Secretary of State</i>	Des Moines
RICHARD D. JOHNSON, <i>State Auditor</i>	Sheldahl
MICHAEL L. FITZGERALD, <i>Treasurer of State</i>	Des Moines
ROBERT H. LOUNSBERRY, <i>Secretary of Agriculture</i>	McCallsburg
THOMAS J. MILLER, <i>Attorney General</i>	McGregor

JUSTICES OF THE IOWA SUPREME COURT

W. W. REYNOLDSON, <i>Chief Justice</i>	Osceola
JAMES H. CARTER, <i>Justice</i>	Cedar Rapids
K. DAVID HARRIS, <i>Justice</i>	Jefferson
J. L. LARSON, <i>Justice</i>	Harlan
MARK McCORMICK, <i>Justice</i>	Des Moines
ARTHUR A. McGIVERIN, <i>Justice</i>	Ottumwa
LOUIS SCHULTZ, <i>Justice</i>	Iowa City
HARVEY UHLENHOPP, <i>Justice</i>	Hampton
CHARLES WOLLE, <i>Justice</i>	Sioux City

IOWA COURT OF APPEALS JUDGES

LEO OXBERGER, <i>Chief Judge</i>	Des Moines
ALLEN L. DONIELSON, <i>Judge</i>	West Des Moines
MAYNARD J.V. HAYDEN, <i>Judge</i>	Indianola
ROSEMARY S. SACKETT, <i>Judge</i>	Spencer
DICK SCHLEGEL, <i>Judge</i>	Ottumwa
BRUCE M. SNELL, JR., <i>Judge</i>	Ida Grove

MEMBERS OF THE HOUSE—SEVENTY-FIRST GENERAL ASSEMBLY—1985 REGULAR SESSION

VI

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Arnould, Robert C.	Davenport	31	Legislator	42nd— <i>Scott</i>	67(2nd), 67X, 68, 69, 69X, 69XX, 70
Avenson, Donald D.	Oelwein	40	Tool & Die Maker	28th— <i>Chickasaw, Fayette</i>	65, 66, 67, 67X, 68, 69, 69X, 69XX, 70
Baxter, Elaine *	Burlington	51	Economic Development Consultant	60th— <i>Des Moines</i>	69(2nd), 70
Beatty, Linda L.	Indianola	42		68th— <i>Warren</i>	None
Bennett, Wayne	Galva	57	Farmer	4th— <i>Ida, Monona, Woodbury</i>	65, 66, 67, 67X, 68, 69, 69X, 69XX, 70
Black, Dennis H.	Grinnell	45	Jasper Co. Conservation Board Director	71st— <i>Jasper, Marshall</i>	70
Blanshan, Eugene	Scranton	36	Farmer	88th— <i>Boone, Carroll, Greene</i>	70
Brammer, Philip E.	Cedar Rapids	52	Insurance Executive President	50th— <i>Linn</i>	70
Branstad, Clifford O.	Thompson	60	Farmer	16th— <i>Hancock, Kossuth, Winnebago</i>	68, 69, 69X, 69XX, 70
Buhr, Florence D.	Des Moines	51		85th— <i>Polk</i>	70
Carl, Janet A.	Grinnell	36	Management Trainer and Consultant	53rd— <i>Iowa, Poweshiek</i>	69, 69X, 69XX, 70
Carpenter, Dorothy F.	West Des Moines	51	Legislator	82nd— <i>Polk</i>	69, 69X, 69XX, 70
Carter, Brian	Mt. Pleasant	36	Teacher	59th— <i>Des Moines, Henry</i>	70
Chapman, Kay	Cedar Rapids	47	Lawyer	49th— <i>Linn</i>	70
Clark, Betty Jean	Rockwell	64		29th— <i>Cerro Gordo, Floyd, Mitchell</i>	67, 67X, 68, 69, 69X, 69XX, 70

* Elected in Special Election January 26, 1982

REPRESENTATIVES

The Following
Page(s) are Not Yet
Available

**If you have a hardcopy page suitable for scanning,
LLMC would like to hear from you.**

Thank you.

1-800-235-4446

or

llmc@llmc.com

MEMBERS OF THE HOUSE—SEVENTY-FIRST GENERAL ASSEMBLY—1985 REGULAR SESSION—Continued

viii

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Halvorson, Roger A.	Monona	50	Insurance-Real Estate Broker	32nd—Allamakee, Clayton	66, 67, 67X, 68, 69, 69X, 69XX, 70
Hammond, Johnie	Ames	52	Legislator	74th—Story	70
Handorf, Ward	Gladbrook	70	Farmer	75th—Black Hawk, Marshall, Tama	70
Hanson, Darrell R.	Manchester	30	Insurance Adjuster	48th—Buchanan, Delaware, Linn	68, 69, 69X, 69XX, 70
Harbor, William H.	Henderson	64	Grain Elevator Owner-Operator	94th—Mills, Montgomery, Pottawattamie	56, 57, 58, 62, 63, 64, 67, 67X, 68, 69, 69X, 69XX, 70
Hatch, Jack	Des Moines	34	Business Owner-Management Consultant	81st—Polk	None
Haverland, Mark A.	Polk City	38	Minister/Teacher	77th—Polk	70
Hermann, Donald F.	Bettendorf	63	Retired Industrial Relations Manager	40th—Scott	70
Hester, Joan L.	Honey Creek	52	Farm Wife	98th—Harrison, Pottawattamie	None
Holveck, Jack	Des Moines	41	Attorney	84th—Polk	70
Hughes, Randy	Creston	36	Instructor	91st—Adair, Adams, Cass, Clarke, Union	70
Hummel, Kyle	Vinton	49	Contractor-Realtor	76th—Benton, Black Hawk	68, 69, 69X, 69XX, 70
Jay, Daniel J.	Centerville	30	Lawyer	66th—Appanoose, Davis, Wapello	68, 69, 69X, 69XX, 70
Jochum, Thomas J.	Dubuque	33	Legislator	36th—Dubuque	66, 67, 67X, 68, 69, 69X, 69XX, 70
Johnson, Paul W.	Decorah	43	Farmer	31st—Allamakee, Winneshiek	None
Knapp, Donald J.	Cascade	52		33rd—Dubuque, Jones	69(2nd), 70
Koenigs, Deo A.	McIntire	49	Farmer	30th—Chickasaw, Howard, Mitchell	70
Kremer, Joseph M.	Jesup	63	Farmer	27th—Black Hawk, Buchanan	None

REPRESENTATIVES

The Following
Page(s) are Not Yet
Available

**If you have a hardcopy page suitable for scanning,
LLMC would like to hear from you.**

Thank you.

1-800-235-4446

or

llmc@llmc.com

MEMBERS OF THE HOUSE—SEVENTY-FIRST GENERAL ASSEMBLY—1985 REGULAR SESSION—Continued

x

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Pellett, Wendell C.	Atlantic	67	Farmer	97th—Cass, Harrison, Pottawattamie, Shelby	64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70
Peterson, Michael K.	Carroll	24		95th—Audubon, Carroll, Shelby	None
Platt, Donald R.	Muscatine	61	Legislator	56th—Louisa, Muscatine	None
Poney, Charles N.	Ottumwa	62	Retired	65th—Wapello	62, 63, 65, 66, 67, 67X, 69, 69X, 69XX, 70
Renaud, Dennis L.	Altoona	42	Barber Business and D.M. Fire Dept.	78th—Polk	69, 69X, 69XX, 70
Renken, Robert H.	Aplington	62	Farmer	21st—Butler, Grundy	68(2nd), 69, 69X, 69XX, 70
Rensink, Wilmer	Sioux Center	51	Farmer	6th—Plymouth, Sioux	70
Rosenberg, Ralph	Ames	33	Attorney	73rd—Story	69(2nd), 70
Royer, Bill D.	Essex	55	Real Estate Broker and Appraiser	93rd—Fremont, Mills, Page	70
Running, Richard V.	Cedar Rapids	38	Quality Assurance Technologist	51st—Linn	69, 69X, 69XX, 70
Schnekloth, Hugo	Eldridge	61	Farmer	39th—Scott	67, 67X, 68, 69, 69X, 69XX, 70
Sherzan, Gary	Des Moines	40	Correctional Worker	86th—Polk	70
Shoning, Don	Sioux City	69	Retired	3rd—Woodbury	None
Shultz, Don	Waterloo	48	Teacher	25th—Black Hawk	70
Siegrist, J. Brent	Council Bluffs	32	Teacher	99th—Pottawattamie	None
Skow, Bob	Guthrie Center	32	Insurance-Real Estate Broker	90th—Adair, Dallas, Guthrie, Madison	70
Spear, Clay	Burlington	68	Retired Postal Service Employee	61st—Des Moines, Lee	66, 67, 67X, 68, 69, 69X, 69XX, 70

REPRESENTATIVES

The Following
Page(s) are Not Yet
Available

**If you have a hardcopy page suitable for scanning,
LLMC would like to hear from you.**

Thank you.

1-800-235-4446

or

llmc@llmc.com

JOURNAL OF THE HOUSE

First Calendar Day—First Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 14, 1985

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the House of Representatives of the Seventy-first General Assembly of Iowa, 1985 Regular Session, convened at 10:00 a.m., Monday, January 14, 1985.

The House was called to order by the Honorable Minnette Doderer from Johnson County.

Prayer was offered by Bishop L. David Brown of the Iowa District of the American Lutheran Church of Des Moines.

TEMPORARY OFFICERS

On motion by Fey of Scott, Joseph O'Hern of Polk County was elected Acting Chief Clerk. Joseph O'Hern presented himself and took and subscribed to the following oath:

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

Fey of Scott moved that the Honorable Minnette Doderer of Johnson County be elected Temporary Speaker.

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

Temporary Speaker Doderer of Johnson in the chair.

CREDENTIALS OF MEMBERS

Groninga of Cerro Gordo moved that a committee of five on credentials be appointed and that the accredited list of the Secretary of State be accepted.

The motion prevailed and the following committee was appointed: Groninga of Cerro Gordo, Peick of Linn, Pavich of Pottawattamie, Carpenter of Polk and Torrence of Muscatine.

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

REPORT OF COMMITTEE ON CREDENTIALS

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

CERTIFICATION
STATE OF IOWA
Office of
THE SECRETARY OF STATE

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

I, MARY JANE ODELL, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the state, do hereby certify that the State Canvassing Board has declared that at the General Election held on November 6, 1984, each of the following named persons was duly elected to the office of State Representative for the term of two years beginning on the first day of January, 1985:

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

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

Seventy-third	Ralph Rosenberg
Seventy-fourth	Johnnie Hammond
Seventy-fifth	Ward Handorf
Seventy-sixth	Kyle Hummel
Seventy-seventh	Mark A. Haverland
Seventy-eighth	Dennis L. Renaud
Seventy-ninth	John H. Connors
Eightieth	Jack E. Woods
Eighty-first	Jack Hatch
Eighty-second	Dorothy F. Carpenter
Eighty-third	Janet Metcalf
Eighty-fourth	Jack Holveck
Eighty-fifth	Florence D. Buhr
Eighty-sixth	Gary Sherzan
Eighty-seventh	Joyce Lonergan
Eighty-eighth	Gene Blanshan
Eighty-ninth	Jo Ann Zimmerman
Ninetieth	Bob Skow
Ninety-first	Randy Hughes
Ninety-second	Horace Daggett
Ninety-third	Bill Royer
Ninety-fourth	William H. Harbor
Ninety-fifth	Mike Peterson
Ninety-sixth	Louis J. Muhlbauer
Ninety-seventh	Wendell C. Pellett
Ninety-eighth	Joan L. Hester
Ninety-ninth	John Brent Siegrist
One Hundredth	Emil S. Pavich

(Seal) IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol, in Des Moines, this 7th day of January, 1985.

MARY JANE ODELL, Secretary of State

JOHN GRONINGA
DORIS PEICK
EMIL S. PAVICH
DOROTHY CARPENTER
JANIS I. TORRENCE

Groninga of Cerro Gordo moved that the report of the committee on credentials be adopted.

The motion prevailed and the report was adopted.

MEMBERS' OATH OF OFFICE

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

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

Bob Arnould
Donald D. Avenson
Elaine Baxter
Linda L. Beatty
Wayne Bennett
Dennis H. Black
Gene Blanshan
Phil Brammer
Clifford O. Branstad
Florence D. Buhr
Janet A. Carl
Dorothy F. Carpenter
Brian E. Carter
Kay Chapman
Betty Jean Clark
Dale M. Cochran
Mike Connolly
John H. Connors
James J. Cooper
Virgil E. Corey
Horace Daggett
Kenneth De Groot
Marvin E. Diemer
Minnette Doderer
Tom Fey
Daniel P. Fogarty
Robert J. Grandia
John Groninga
Richard Groth
Josephine Gruhn
Rod Halvorson
Roger A. Halvorson
Johnie Hammond
Ward Handorf
Darrell Hanson
William H. Harbor
Mark A. Haverland
Jack Hatch
Don Hermann
Joan L. Hester
Jack Holveck
Randy Hughes
Kyle Hummel
Daniel Jay
Thomas J. Jochum
Paul W. Johnson
Donald J. Knapp

Deo Koenigs
Joseph M. Kremer
Ray Lageschulte
Jean Lloyd-Jones
Joyce Lonergan
Ruhl Maulsby
John E. McIntee
Andy McKean
Janet Metcalf
Tom H. Miller
Louis J. Muhlbauer
Sue Mullins
Lowell E. Norland
James D. O'Kane
C. Arthur Ollie
David Osterberg
Myron B. Oxley
Edward G. Parker
Donald J. Paulin
Emil S. Pavich
Doris Peick
Wendell C. Pellett
Mike Peterson
Donald R. Platt
Charles N. Poncy
Dennis L. Renaud
Rob Renken
Wilmer Rensink
Ralph Rosenberg
Bill Royer
Richard V. Running
Hugo Schnekloth
Gary Sherzan
Don Shoning
Don Shoultz
John Brent Siegrist
Bob Skow
Clay Spear
Delwyn Stromer
Vic Stueland
Al Sturgeon
William R. Sullivan
Tom Swartz
George R. Swearingen
Jane Teaford
Janis I. Torrence
Mike Van Camp

Harold Van Maanen
Richard J. Varn
Richard W. Welden

Jack E. Woods
Jo Ann Zimmerman

ELECTION OF SPEAKER

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

Madam Speaker:

It gives me great pleasure to come to you today for the purposes of nominating the gentleman from Fayette, the Honorable Donald Avenson to serve as Speaker of the House of Representatives for the Seventy-first General Assembly.

Two years ago it was also my pleasure to nominate Representative Avenson as Speaker of the Iowa House. The last two years saw members of this House — some more recently elected than others — work hard to establish an agenda for the eighties and beyond. As you worked you got to know our Speaker is a hard worker who is dedicated to make the system work and yet who is receptive and understanding of the diverse needs of his colleagues in the legislature.

This year, January 14, 1985, sees the House and its Speaker as seasoned legislators and leader, having strived during the last two sessions in a united way to address the difficult issues which came before us. Having worked with Representative Avenson the last twelve years and serving in this house where he has been the Speaker the last two years, I am confident in the Speaker's ability to lead us through this tough session. We begin here today with a keen awareness of the hopes, desires and aspirations of Iowans. I believe we are fortunate that Representative Avenson is willing to lend us his vision and contribute his leadership talents for another two years to help provide opportunities for the state and the youth of the state and to bring out the best in us all.

I ask you therefore, Madam Speaker and ladies and gentlemen of the House, to accept my nomination of Don Avenson as Speaker of the House.

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

Madam Speaker:

I'm pleased to have the honor of seconding the nomination of Don Avenson for Speaker of the House for the Seventy-first General Assembly.

I've known Don and Diane Avenson for ten years. That goes back to when they packed up Eric, Clay and little Nicolle and all came to Des Moines for the second semester of the school year. I've seen Don agonize over many decisions. The political ones are expected but how he handles other parts of his life have convinced me of the type of man he really is. Like the year the decision was made to no longer disrupt their childrens' schooling in Oelwein and he came to Des Moines alone for the session. One night Nicolle called and was crying, "When are you coming home, Daddy?" He agonized as much about that decision as he has about any political one that I know of.

I've seen him lead in both the minority and the majority. I've seen him pound on the table while trying to mold the caucus into a solid position. I've seen him spellbind the entire House with oratory. I've seen him work individually with members for a consensus. No matter what method he chooses to lead, the one thread they all have in common is fairness. He is sensitive to minority positions because he has been there at one time or another. He has respect because he is honest in his negotiations. I'm convinced we just couldn't do any better for a leader in these tough trying times.

I feel very proud and honored to second the nomination of the gentleman from Fayette, my friend, Don Avenson for Speaker.

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

Madam Speaker, Ladies and Gentlemen, I rise to second the nomination of Donald D. Avenson as Speaker of the House for the Seventy-first General Assembly.

Mr. Avenson's dedication to his family, his ability to sort out time for hunting, fishing and softball are testimony to the success of his efforts to seek the "good life" all Iowans want.

The challenges facing the state today are not going to be easy to resolve. We must all work for "economic opportunity" so that all Iowans can achieve that "good life."

I would only remind this body that a legislative agenda devoting too much time to bills the Senate will not consider or the Governor will not sign is not the best use of our legislative time. I would also point out that each of us represents 29,000 citizens who are entitled to access to the legislative process that a stronger committee system would insure. I am confident that Mr. Avenson's sense of fair play, his leadership and his two years' experience will benefit the chamber in these areas.

Finally, Mr. Avenson, I pledge the effort and dedication of the Republican Caucus in working for a stronger Iowa.

It is a privilege to second the nomination of the gentleman from Fayette, Mr. Avenson, as Speaker of the House for the Seventy-first General Assembly.

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

In accordance with the foregoing motion, the Acting Chief Clerk cast the votes of all the members of the House of Representatives for the Honorable Donald D. Avenson as Speaker of the House of Representatives of the Seventy-first General Assembly. The Honorable Donald D. Avenson of Fayette County, having received all of the votes cast for the office of Speaker of the House of Representatives of the Seventy-first General Assembly, was declared duly elected to that office.

Buhr of Polk moved that a committee of two be appointed to escort the Speaker to the chair.

The motion prevailed and the following committee was named: Buhr of Polk and Paulin of Plymouth.

PRESENTATION OF SPEAKER

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

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

Colleagues in the House, Ladies and Gentlemen:

Thank you for again giving me the honor of serving as your speaker. I in turn will honor your trust by pledging to preside fairly and impartially, to assure free and open debate of the issues, and to offer each of you a role in the decisions of this Legislature.

I congratulate you on your decision to participate in the legislative process. Iowa needs your enthusiasm and dedication and strength more than ever, and I look forward to sharing with you the legislative successes which will result from your hard work and cooperation. I, along with the rest of the state of Iowa, thank your families for the quiet sacrifices that they make to allow you to serve. Each year it is more difficult for me to leave home, but it is Diane, Eric, Clay and Nicolle who make it possible for me by maintaining the family's strength while I am away.

We convene today in the midst of an economic crisis seen only once before in the history of this state — during the Great Depression of the Thirties. It is simply not possible to overstate the gravity of our problems and the potential they hold for changing our way of life.

I have never been more concerned about the future of our state than I am today. My concern stems from the perilous condition of our agricultural economy. Farm experts project that in the next few years Iowa could lose twenty thousand more of its farmers. With them will go their families — enough people to populate a city the size of Dubuque. Only a few of them will ever return to the land.

Farm land values have already declined to just 53 percent of their 1981 prices, and may drop to only 35 percent of that level in the next few years. With each ten dollar decline in value, debt-to-asset ratios rise enough to put hundreds of additional farm units in jeopardy.

Farm reorganizations in the northern federal court district of Iowa have jumped by 210 percent from 1983 to 1984.

The devastation in our countryside is not confined to the farm. The ripple effect throughout our agriculture-based society is both broad and ominous. Our rural banks, which have served the agricultural community for so long, are facing their greatest financial crisis since the Depression. Over one hundred of Iowa's banks are in danger of closing if conditions do not improve, a possibility that was unthinkable just a few years ago.

Because farmers are making only necessary purchases, small businesses in our rural communities are suffering. I have only to look to my own family's business to attest to the stress in our business community. Business bankruptcies were up by three hundred in 1984, an increase of nearly twelve percent over the previous year. And if the farm exodus continues as predicted, seventeen hundred businesses will soon close their doors. Over sixty-five million dollars in retail sales will be lost, along with 2.6 million dollars in sales tax revenue to the state.

Elderly farm couples who have retired in our small towns, who were basing their retirement income on Social Security and the equity built up in their farms, have already seen that equity eroded by forty percent.

Even our schools, which are the focal points for activity in rural towns, have felt the impact. Enrollment in our public schools has dropped nearly ten percent since 1980.

Our cities are not immune, either. Our agriculture-related industries — meat packing plants and farm machinery manufacturers — have been the first to reflect the crisis in rural Iowa. Sadly, layoffs and plant closings have become almost a routine and have contributed to the record unemployment levels reached two years ago. Those unemployment levels have resulted in a loss of 120,000 people from the state's work force since 1979.

Right now, there is a feeling of uncertainty and pessimism, even despair, throughout Iowa, the likes of which I have never seen before. Unfortunately the end is not yet in sight.

If current conditions continue, we will witness a massive scarring of the face of Iowa. The family farm, that small independent unit which is the basis of our economy and our way of life, will no longer exist as we know it. Farm purchases will shift away from our local communities, and main street businesses will close their doors. There will be massive school reorganizations forced by declining enrollments. As our young people leave, there will be fewer Iowans to share the cost of providing public education, building and maintaining roads and highways, assuring police and fire protection, and supplying essential human services. For those who remain, the costs will be high.

This is a watershed year for Iowa. And as we convene today we must take stock of our responsibility as a Legislature to prevent those dire changes from taking place.

The Constitution of Iowa, which you have sworn today to uphold, establishes government "for the protection, security, and benefit of the people", and rests the authority to legislate those protections and benefits on this General Assembly. It does so because you are the voice of the people.

Our legislative branch has evolved through the years as our predecessors sought to fulfill their constitutional duties. For many years our potential as a legislature lay untapped. But in the last twenty years, we have examined our process closely and found ways to improve it. We began to meet annually instead of every other year. We established a system for gaining better oversight of state spending. We began to take advantage of the interim between sessions by committing that time to the study and understanding of complex issues. Now, we have entered the computer age, so that vast quantities of information will guide our decisions and be at our fingertips, independent of any other branch of government.

We have equipped ourselves with the procedural and mechanical tools to realize our potential as a legislative body. This year, our challenge is to reach for all that this legislative branch can be.

None of us truly knows the limits of the power which we, as a legislative body, hold in our hands. That power is limited only by our mutual political will to flex muscles which this body has seldom had to use.

It is going to take hard work. There will be long days and nights of debate. There will be hours and hours of committee and subcommittee meetings. You may be asked to forgo some of your personal agendas, but I am committed to providing the time necessary to do the work properly and I ask for your cooperation.

This year more than any other, we must put aside our partisan considerations for the good of all Iowans. I know that there are wounds left from past sessions and last fall's campaign, and those wounds are sometimes hard to heal. But we cannot let ourselves become distracted from our purpose here.

The diversity of philosophies which has so often separated us in the past must now be used to our advantage. Let's draw upon the rainbow of ideas of all one hundred minds in this House and select our course based on the best of those ideas, whether they be from Republican or Democrat. I pledge to you a full opportunity for all of your ideas to receive fair hearing. The times demand it and it will be provided.

We all need to take some political risks this year—let's call it political "venture capital." These extraordinary times require extraordinary solutions. We must be bold; our decisions must be dramatic and immediate. But they must serve the goal of saving this state, not just short-term political gains. If the next election is won, but the family farm, our small towns and our trained work force are lost, what have we gained? The right to wield political power over a state full of ghost towns and corporate farms?

We have already proven what this body can do when it has the will to act. Two years ago we faced a three-to-five hundred million dollar deficit in our unemployment trust fund that threatened to strangle business development in the state. There was political risk, but we acted decisively. Business and workers were brought together for the first time and asked to make sacrifices. And because of those sacrifices, current estimates indicate that the debt in the fund will be retired the same week in May when we hope to adjourn this session.

Two years ago we desperately needed to create new jobs. It is still our primary goal. A novel idea to train industrial workers at our community colleges was developed here in the House and enacted. Today, the Industrial New Jobs Training Program has brought over 4,000 new jobs to Iowa and is viewed by the Iowa Development Commission as one of the best incentives for attracting new business to the state.

Two years ago the state budget was in a one-hundred-million-dollar hole. But by raising needed taxes and scouring the state budget for savings, we balanced that budget.

This year we have proposed an ambitious program for the future of Iowa: an "Iowa Plan" for economic development funded by a state lottery; comprehensive child protection legislation; tax fairness; implementation of our "Excellence in Education" proposals; and the difficult task of balancing our budget.

I ask your help in assembling the components of those packages. It is your opportunity to shape the solutions—it is up to you to seize it.

In closing, I want to express my confidence in the ability of Iowa to bounce back from this crisis. We have so many basic assets to draw upon. Yes, there are problems on the farm, but we still have good farmers and the most fertile land in the world. Yes, there is unemployment and industrial stagnation, but we still have the best educated and most productive work force in the land. And yes, there is real suffering throughout our state, but with true leadership from this legislature we can rekindle the boundless spirit of Iowans which built this state 140 years ago. We can do anything that we put our minds to. Our potential is limited only by our imaginations and our energy.

I want to send a message to Iowans that this legislature understands your problems, we care about your condition, and are committed to making your lives better. And I want to assure those of you who are the most distressed that if everyone else walks away from you, you can count on this legislature and we will be there for you.

To you, my colleagues and friends, I say that this is the year when the legislature of Iowa reaches its potential as the people's branch of government. I ask you to give all your faith, your creativity, and your hard work to this effort. There will be risks to take—this is not a time for timid people. But if we come together as one with the power of these one hundred minds, we can bring Iowa back from the brink and chart a future of prosperity for all our citizens. Thank you once again for this honor.

COMMITTEE FROM THE SENATE

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

PERMANENT CHIEF CLERK

Fey of Scott moved that Joseph O'Hern be made permanent Chief Clerk of the House.

The motion prevailed and Joseph O'Hern was declared elected permanent Chief Clerk.

COMMITTEE TO NOTIFY THE GOVERNOR

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

The motion prevailed and the following committee was appointed: Swartz of Marshall, Chair; Varn of Johnson and Bennett of Ida.

COMMITTEE TO NOTIFY THE SENATE

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

The motion prevailed and the following committee was appointed: Sherzan of Polk, Chair; Cooper of Lucas and Siegrist of Pottawattamie.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 1

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

HOUSE CONCURRENT RESOLUTION 1

By Norland and Stromer

- 1 *Be It Resolved by the House of Representatives, the*
- 2 *Senate Concurring, That a joint convention of the two*
- 3 *houses of the 1985 session of the Seventy-first General*
- 4 *Assembly be held on Tuesday, January 15, 1985, at*
- 5 *10:00 a.m.; and*
- 6 *. Be It Further Resolved, That Governor Terry E. Branstad*
- 7 *be invited to deliver his state of the state message at*
- 8 *this joint convention of the two houses of the General*
- 9 *Assembly, and that the Speaker of the House and the*
- 10 *President of the Senate be designated to extend the*
- 11 *invitation to him.*

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 2

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

HOUSE CONCURRENT RESOLUTION 2

By Norland and Stromer

- 1 *Be It Resolved by the House of Representatives, the*
- 2 *Senate Concurring, That a joint convention of the two*
- 3 *houses of the 1985 Session of the Seventy-first General*
- 4 *Assembly be held on Thursday, January 17, 1985, at*
- 5 *10:00 a.m.; and*
- 6 *Be It Further Resolved, That Chief Justice of the*
- 7 *Supreme Court W. Ward Reynoldson be invited to present*
- 8 *his message of the condition of the judicial department*
- 9 *at this convention, and recommend such matters as the*
- 10 *Chief Justice deems expedient, pursuant to section 684.22*
- 11 *of the Code.*

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 3

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

HOUSE CONCURRENT RESOLUTION 3 By Norland and Stromer

- 1 *Be It Resolved by the House of Representatives, the*
- 2 *Senate Concurring, That a joint convention of the two*
- 3 *houses of the 1985 session of the Seventy-first General*
- 4 *Assembly be held on Thursday, January 24, 1985, at*
- 5 *10:00 a.m.; and*
- 6 *Be It Further Resolved, That Governor Terry E. Branstad*
- 7 *be invited to deliver his budget message at this joint*
- 8 *convention of the two houses of the General Assembly, and*
- 9 *that the Speaker of the House and the President of the*
- 10 *Senate be designated to deliver the invitation to him.*

The motion prevailed and the resolution was adopted.

ELECTION OF SPEAKER PRO TEMPORE

Cochran of Webster placed in nomination the Honorable John H. Connors as candidate for Speaker pro tempore of the House of Representatives of the Seventy-first General Assembly, preceding his nomination with the following remarks:

It is a distinct honor and privilege to stand before you to make this nomination this morning. John is well known to all of us. We trust him and we respect him.

I have known him for 20 years. He began his work in the legislative process 30 years ago, starting first in the third house.

During my close association with John, I have observed him as a fireman, lobbyist, labor arbitrator, legislator and president of the Iowa Golden Gloves Association.

He has served with distinction during the past 12 years as a member of this body. All of his experiences have served him well.

John is a team player. He works well with everyone.

Let me bring back an old saying, "Gentle but oh so tough." I think that says it all.

The severe economic times we have in this state today demands that we have outstanding, knowledgeable and dedicated leadership. John Connors fills all of these criteria very well.

John is a heavyweight in the role of leadership. He has served capably and with distinction during the past 2 years as Speaker pro tempore. We need John's talents and abilities in this leadership role again.

I ask you to support the nomination of John Connors as the Speaker pro tempore of the Iowa House of Representatives.

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

John Connors would be a leader in this House whether he had a title or not. He's been chosen by his caucus, and will today be confirmed by this body — not just because the Democratic caucus chose him, but because of the qualities he has to offer.

John has spent his life championing causes for those who seek justice — working people have no better friend, those who are mistreated and abused — no stronger advocate.

To those who disagree with him — you have a worthy adversary, but a fair and reasonable adversary. John will disagree with you, but he'll never attempt to humiliate you.

John Connors is also the type of leader who cares deeply about the members of this House of Representatives. To him we are a part of his family, and as one who has known him for 10 years his family comes first. Any member of this body can take John into his confidence. He is an adviser, a confidant, a leader and a friend.

It is indeed an honor to second the nomination for our Speaker pro tempore, John Connors.

McIntee of Black Hawk seconded the nomination of Mr. Connors, preceding his nomination with the following remarks:

Mr. Speaker, I rise to second the nomination of John Connors, the gentleman from Polk for the office of Speaker pro tempore. Since his election to his first term in 1973, John has offered this state twelve years of dedicated service.

John is a proven leader, a member who has the respect of all who have had the privilege to serve with him and he will quickly earn the respect of you who have taken the oath of office for the first time this morning.

In the short span of two years, John has become my friend. He has taught me a most valuable lesson, a lesson we should all ponder as we begin our deliberations this session. John has taught me that although we may disagree within this chamber and sometimes disagree with great partisan passion, we all, Democrats and Republicans, are striving toward the same goals of peace, justice and economic prosperity. Let us all remember that no matter how heated the discussion, no matter how achromonious the debate, we can leave these halls as friends.

Anyone in this Chamber would have gladly accepted the honor of seconding John's nomination, so with that thought in mind, I am truly, deeply, honored to move that the Chief Clerk be directed to cast the votes of all the members of the House of Representatives for the Honorable John Connors of Polk County for Speaker pro tempore.

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

In accordance with the foregoing motion, the Chief Clerk cast the votes of all the members of the House of Representatives for the Honorable John H. Connors as Speaker pro tempore of the House of Representatives of the Seventy-first General Assembly. The Honorable John H. Connors of Polk County, having received all of the votes cast for the office of Speaker pro tempore of the House of Representatives of the Seventy-first General Assembly, was declared duly elected to that office.

Lloyd-Jones of Johnson moved that a committee of two be appointed to escort the Speaker pro tempore to the chair.

The motion prevailed and the following committee was appointed: Lloyd-Jones of Johnson and Daggett of Taylor.

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

Mr. Speaker, Ladies and Gentlemen of the House—my Brothers and Sisters.

Two years ago you gave me the high honor of electing me Speaker pro tempore. . . . and today you have amended my life by striking the words: "Lightning never strikes twice in the same place" and inserting in lieu thereof the words, "Love, or rather, being elected Speaker pro tempore, is lovelier the second time around."

One year ago this coming Thursday, we celebrated the 100th anniversary of being in this beautiful Capitol Building with a gala Centennial Celebration, during which we gained an appreciation for our history and the heritage of our great state of Iowa.

This morning our Speaker has set the tone for the future with an ambitious agenda to deal with the serious problems facing the people of Iowa, realizing as Nelson Boswell said, "The river flows a winding course to the sea." We must be equally flexible, if we hope to reach our goal.

I promise you that I will again do everything humanly possible to aid him, so that he will have another successful administration—and that I will faithfully serve you to the best of my ability.

I again want to express my sincere appreciation and love to those who know me best, for their encouragement and support through the years that enables me to be here today.

It is a warm feeling of pardonable pride to be chosen by your co-workers to serve as one of their leaders, an honor that I accept, knowing that with this honor goes the responsibility to continue to earn the confidence and trust you have placed in me.

"Today" in the words of David Starr Jordon, "is your day and mine, the only day we have, the day in which we play our part. What our part may signify in the whole we may not understand; but we are here to play it, and now is our time. This we know; it is not a part of whining, it is a part of action. It is a part of love, not cynicism. It is for us to express that love in terms of human helpfulness."

You have again made me very happy—and this too, is a day I will always cherish. I pray that my parents, family, and friends—here today—in their other earthly places—and with God, can feel it too.

May God continue to bless you—and guide me.

Thank you.

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

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

The report was accepted and the committee discharged.

REPORT OF COMMITTEE TO NOTIFY THE SENATE

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

The report was accepted and the committee discharged.

ADOPTION OF HOUSE RESOLUTION 1

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

HOUSE RESOLUTION 1

By Haverland

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

The motion prevailed and the resolution was adopted.

The Speaker appointed as such committee Haverland of Polk.

SPECIAL ORDER

Norland of Worth moved that the assignment of seats to the members of the House be made a special order for this afternoon at 2:30 p.m.

The motion prevailed.

ADOPTION OF HOUSE RESOLUTION 2

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

HOUSE RESOLUTION 2

By Fey

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

The motion prevailed and the resolution was adopted.

COMMITTEE ON MILEAGE

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

The motion prevailed and the following committee was appointed: Zimmerman of Dallas, Black of Jasper and Maulsby of Calhoun.

REMARKS BY THE MINORITY FLOOR LEADER

Mr. Speaker, Ladies and Gentlemen of the House:

Mr. Norland and I have discussed many times in the past few months, because we're both from North Iowa, the economic problems facing Iowa and I welcome the opportunity to make a few brief comments on this issue.

The past several years it has been popular for politicians to blame other layers of government for all our economic problems. When someone comes to us about their high property tax it is easy to say the legislature doesn't levy property tax, talk to your county supervisors, city council or school boards. That may be a way to pacify that person, but we do, in fact, impact local budgets directly in the state legislature. Court funds, mental health costs, fine money, substance abuse and across the board cuts are a few examples.

A state legislator's typical response to the low corn prices or the high interest rate is that we have no influence in Washington, talk to the President or your Congressman. Too often our Congressional Delegation will tell us how great their solution to the problem is but no one else in Washington will listen. We must spend less time on what we can't do and spend more time, Mr. Speaker, on what can be accomplished.

I applaud Governor Branstad and other Iowans for going to Washington to relate our problems to the agencies in our nation's Capitol. We may also need legislative resolutions to remind congress of Iowa's problems. I have no quarrel with that procedure but there are solutions that we must explore in the Iowa Legislature to solve our problems now!

The bipartisan committee on Iowa's Future Growth, chaired by Gerald Kirke, suggested that one of the first keys to economic opportunity is to help keep existing industries in Iowa so they may continue to grow in our state! This is our first and our best chance to stop Iowa jobs from leaving.

There is little doubt that modification in the sales tax on machinery and equipment purchases are an incentive to expansion. We often ask "can we afford this change?" Based on information I have received, I doubt if we can afford not to make this change.

For the past two years we have watched the exodus of nearly one third of the cattle fed on Iowa farms. For every 1000 cattle fed or 3000 hogs fed there are 5 to 6 jobs somewhere in Iowa; a truck driver here, a feed salesman there and a teacher in the third community. Providing a level playing field for agriculture, industry and business should be our first priority. This will help rural mainstreet, the backbone of many of our legislative districts.

Education and human service programs must be considered as these concepts are enacted. The Tax Study Committee's recommendations should be considered as well as other changes that may create equity within our tax structure.

For the next few years every decision that affects Iowa must be an "economic decision." Business and agriculture have been forced to make these decisions and it's time the State of Iowa also makes these tough decisions.

To accomplish these goals, Mr. Speaker, I would suggest that you, the President of the Senate and Governor Branstad immediately appoint a committee, made up of members from the many groups which have been studying Iowa's economic problems the past few months. The committee must include industry, agriculture and labor. I would hope they could recommend a "prescription for progress" to the Governor and the Legislature within 30 days; a prescription that all Iowa could support. Anything less will only insure partisan politics as usual.

Thank you, Mr. Speaker.

IMMEDIATE MESSAGES

(House Concurrent Resolutions 1, 2 and 3)

Norland of Worth asked and received unanimous consent to immediately message House Concurrent Resolutions 1, 2 and 3 to the Senate.

REMARKS BY THE MAJORITY FLOOR LEADER

Mr. Speaker, it would seem to me that before we adjourn this morning the tone has been grim. I think we all understand that. I think we also have to understand that the collective wisdom of the people of Iowa, the members that are elected, gathered here and in Washington, D.C. have got our work cut out for us, and I pledge the Democratic Party to work with everybody, the best we can, to try to provide solutions, hope and a ray of sunshine in the State of Iowa.

Thank you.

On motion by Norland of Worth, the House was recessed at 11:23 a.m., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

ADOPTION OF TEMPORARY RULES OF THE HOUSE

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

The motion prevailed.

EMPLOYEES OF THE HOUSE

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

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

Elizabeth A. Isaacson – Assistant Chief Clerk
Dan Dudley – Legal Counsel II
Catherine A. Sears – Executive Secretary to Speaker
Mark W. Brandsgard – Leader's Administrative Assistant
William C. Maloney – Leader's Administrative Assistant
Kevin S. Vinchattle – Leader's Administrative Assistant
Sharon R. Robinson – Caucus Staff Director
Marie Callas – Caucus Secretary II
Edward J. Conlow – Research Analyst
Tim Dunbar – Research Analyst
Mary O'Connor – Research Analyst
Thomas R. Patterson – Research Analyst
Allen Welsh – Research Analyst
David Werning – Research Analyst
Shirley M. Danskin-White – Research Analyst
Ronda Lou Menke – Caucus Staff Director
Colleen Dillon – Caucus Secretary II
Mark Johnson – Research Analyst
Laura Murphy – Research Analyst
Gary Parker – Research Analyst
Sharon Pilmer – Research Analyst
Maryjo F. Welch – Research Analyst
Deanna J. Templeton – Executive Secretary to Chief Clerk
Susan Bruckshaw – Clerk to Chief Clerk
Virginia A. Rowen – Supervisor of Secretaries
Jo Ann Critelli – Supply Clerk
Vivian M. Anders – Assistant Journal Editor
Carol S. Edwards – Assistant Journal Editor
C. Elaine Schoonover – Composer
Billie Jean Walling – Finance Officer
Debra K. Rex – Assistant Finance Officer
Laurie J. Ward – Recording Clerk

Pauline E. Kephart — Assistant to the Legal Counsel and
Engrossing/Enrolling Clerk
M. Maxine Mann — Assistant Legal Counsel
Suzanne Spencer — Clerk to Chief Clerk
Margaret Green — Assistant to Legal Counsel
Valerie Wilson — Assistant to Legal Counsel
Juanita F. Swackhammer — Chief Indexer
Wilma F. Zika — Indexing Assistant
Kim Schmit — Switchboard Operator
Virginia Semple — Switchboard Operator
Phyllis J. Fraizer — Bill Clerk
Madeline E. James — Assistant Bill Clerk
George Pendergraft — Postmaster
Roseanne McCarger — Sergeant-at-Arms
Jim Cunningham — Assistant Sergeant-at-Arms
Arthur Borwick — Doorkeeper
Marvin Hollingshead — Doorkeeper
Anthony King — Doorkeeper
John Pigneri — Doorkeeper
Max D. Perdue — Doorkeeper
John Quinn — Doorkeeper

GROUP I

Jeffrey Hyler — Speaker's Page
Matthew Tibbitts — Chief Clerk's Page
Robin Bell
Stewart Black
Michael Booheister
Robin Clifton
Sunday Cline
Steven Cox
Stacey Elliott
Mindy Ferguson
Mark Fernow

Shawn Levsen
Lana McKee
David Nissen
Craig Petersen
Kristin Stewart
Carolyn Stickrod
Martha Weber
Adam Willim

GROUP II

Lisabeth Bench
Dana Bolte
Jacquelyn Bowie
Ruth Choate
Allison Corbin
Scott Crum
Carey Fitzpatrick
Laura Fuller
Kristin Henning
David Hunt

Julie Johnson
Sherry King
Jami Maxson
Jennifer Olerich
Julie Plummer
Lori Sanders
Shelly Shields
Todd Stuntzner
Suzanne Vincent

SPECIAL ORDER

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

The drawing of seats was as follows:

1. Speaker of the House Avenson—floor seat.
2. Speaker pro tempore Connors
3. Majority Floor Leader Norland
4. Minority Floor Leader Stromer
5. Assistant Floor Leaders—
6. Members with defective sight, hearing and physical disability.
7. Drawing by seniority:
 - a. Former Speakers
 - b. Returning members, by seniority
 - c. New members

The drawing of seats proceeded with the following results:

Name	Seat No.	Name	Seat No.
Bob Arnould	88	Richard Groth	43
Donald D. Avenson	14	Josephine Gruhn	39
Elaine Baxter	80	Rod Halvorson	83
Linda L. Beatty	11	Roger A. Halvorson	92
Wayne Bennett	63	Johnie Hammond	30
Dennis H. Black	3	Ward Handorf	29
Gene Blanshan	37	Darrell Hanson	10
Phil Brammer	72	William H. Harbor	94
Clifford O. Branstad	25	Jack Hatch	77
Florence D. Buhr	65	Mark A. Haverland	78
Janet A. Carl	73	Don Hermann	8
Dorothy F. Carpenter	62	Joan L. Hester	9
Brian E. Carter	41	Jack Holveck	28
Kay Chapman	55	Randy Hughes	7
Betty Jean Clark	34	Kyle Hummel	82
Dale M. Cochran	93	Daniel Jay	69
Mike Connolly	89	Thomas J. Jochum	90
John H. Connors	84	Paul W. Johnson	17
James J. Cooper	15	Donald J. Knapp	47
Virgil E. Corey	44	Deo Koenigs	1
Horace Daggett	45	Joseph M. Kremer	4
Keneth De Groot	32	Ray Lageschulte	31
Marvin E. Diemer	26	Jean Lloyd-Jones	95
Minnette Doderer	98	Joyce Lonergan	86
Tom Fey	68	Ruhl Maulsby	97
Daniel P. Fogarty	27	John E. McIntee	2
Robert J. Grandia	21	Andy McKean	23
John Groninga	20	Janet Metcalf	40

Name	Seat No.	Name	Seat No.
Tom H. Miller	13	Hugo Schnekloth	81
Louis J. Muhlbauer	16	Gary Sherzan	48
Sue Mullins	51	Don Shoning	19
Lowell E. Norland	100	Don Shoultz	50
James D. O'Kane	87	John Brent Siegrist	74
C. Arthur Ollie	76	Bob Skow	5
David Osterberg	49	Clay Spear	53
Myron B. Oxley	91	Delwyn Stromer	99
Edward G. Parker	22	Vic Stueland	35
Donald J. Paulin	18	Al Sturgeon	70
Emil S. Pavich	96	William R. Sullivan	71
Doris Peick	54	Tom Swartz	24
Wendell C. Pellett	33	George R. Swearingen	6
Mike Peterson	38	David Tabor	56
Donald R. Platt	57	Jane Teaford	52
Charles N. Poncy	66	Janis I. Torrence	61
Dennis L. Renaud	58	Mike Van Camp	59
Bob Renken	12	Harold Van Maanen	46
Wilmer Rensink	79	Richard J. Varn	36
Ralph Rosenberg	67	Richard W. Weiden	85
Bill Royer	42	Jack E. Woods	60
Richard V. Running	64	Jo Ann Zimmerman	75

Norland of Worth moved that the assignment of seats be accepted as listed, which motion prevailed.

STANDING COMMITTEES APPOINTED

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

AGRICULTURE—21 Members

Cochran, Chair	Branstad	Handorf	Osterberg
Carter*	De Groot	Hatch	Rensink
Pellett**	Fogarty	Hughes	Skow
Bennett	Gruhn	Koenigs	Stueland
Blanshan	Halvorson, Rod	Muhlbauer	Van Maanen
			Zimmerman

APPROPRIATIONS—18 Members

Jochum, Chair	Halvorson, Roger	Maulsby	Stueland
Blanshan*	Harbor	Muhlbauer	Sullivan
Weiden**	Knapp	Mullins	Swartz
Halvorson, Rod	Lloyd-Jones	Poncy	Van Maanen
		Sherzan	Varn

* Vice-Chair

**Ranking Member

ECONOMIC DEVELOPMENT—25 Members

Coanolly, Chair	Black	Hummel	Miller
Parker*	Branstad	Jochum	Norland
Hanson**	Cochran	Koenigs	Ollie
Arnould	Connors	Kremer	Paulin
Baxter	Groninga	McIntee	Schnekloth
Bennett	Halvorson, Rod	Metcalf	Swartz
			Varn

EDUCATION—25 Members

Groth, Chair	Connolly	Maulsby	Siegrist
Ollie*	Handorf	McKean	Spear
Daggett**	Haverland	Miller	Swearingen
Branstad	Hester	Poncy	Tabor
Carpenter	Hughes	Running	Teaford
Carter	Johnson	Shoultz	Varn
			Zimmerman

ENERGY AND ENVIRONMENTAL PROTECTION—23 Members

Rosenberg, Chair	De Groot	Loneragan	Shoultz
Osterberg*	Hatch	McIntee	Skow
Mullins**	Hughes	Parker	Sturgeon
Black	Jay	Paulin	Torrence
Carl	Johnson	Peterson	Van Camp
	Lageschulte	Royer	Welden

HUMAN RESOURCES—21 Members

Sturgeon, Chair	Carl	Hester	Shoning
Zimmerman*	Corey	Loneragan	Shoultz
Clark**	Fey	Mullins	Spear
Arnould	Hammond	Ollie	Teaford
Buhr	Hermann	Peick	Torrence
			Van Camp

JUDICIARY AND LAW ENFORCEMENT—25 Members

Jay, Chair	Doderer	Kremer	Rosenberg
Chapman*	Halvorson, Roger	Lageschulte	Running
McIntee**	Hammond	Maulsby	Schnekloth
Brammer	Haverland	McKean	Shoning
Carl	Holveck	Peterson	Siegrist
Clark	Knapp	Renaud	Tabor
			Woods

* Vice-Chair

**Ranking Member

LABOR AND INDUSTRIAL RELATIONS—21 Members

Sherzan, Chair	Chapman	Haverland	Kremer
Peick*	Connolly	Hermann	Metcalf
Corey**	Connors	Hester	Ollie
Bennett	Fey	Hummel	Pony
Brammer	Grandia	Jochum	Renaud
			Running

LOCAL GOVERNMENT—23 Members

O'Kane, Chair	Black	Groninga	Pony
Cooper*	Buhr	Hester	Royer
Renken**	Connors	Miller	Spear
Baxter	Daggett	Oxley	Sullivan
Beatty	Diemer	Peick	Teaford
	Grandia	Platt	Torrence

NATURAL RESOURCES AND OUTDOOR RECREATION—23 Members

Sullivan, Chair	Fogarty	Johnson	Pellett
Black*	Grandia	Knapp	Rensink
Diemer**	Groth	McKean	Stueland
Baxter	Gruhn	O'Kane	Varn
Cooper	Hanson	Paulin	Welden
	Haverland	Pavich	Woods

RULES AND ADMINISTRATION—15 Members

Fey, Chair	Blanshan	Lloyd-Jones	Stromer
Connors*	Carl	Lonergan	Swartz
Harbor**	Carpenter	O'Kane	Swearingen
	Handorf	Running	Torrence

SMALL BUSINESS AND COMMERCE—25 Members

Swartz, Chair	Chapman	Kremer	Renken
Brammer*	Diemer	Lonergan	Rensink
Hummel**	Groninga	McIntee	Schneklath
Baxter	Halvorson, Roger	Metcalf	Sherzan
Beatty	Hatch	Oxley	Shoning
Blanshan	Holveck	Parker	Skow
			Sturgeon

* Vice-Chair

**Ranking Member

STATE GOVERNMENT - 21 Members

Lloyd-Jones, Chair	Blanshan	Daggett	Renken
Hammond*	Buhr	Doderer	Shoning
Swearingen**	Carpenter	Halvorson, Rod	Siegrist
Arnould	Carter	Hanson	Spear
Beatty	Cochran	Pavich	Teaford
			Van Maanen

TRANSPORTATION - 21 Members

Woods, Chair	De Groot	Jay	Peterson
Koenigs*	Fey	Lloyd-Jones	Platt
Lageschulte**	Fogarty	Muhlbauer	Renaud
Cooper	Gruhn	Pavich	Royer
Corey	Harbor	Pellett	Sullivan
			Van Camp

WAYS AND MEANS - 26 Members

Doderer, Chair	Carpenter	Fey	O'Kane
Tabor*	Chapman	Groninga	Osterberg
Schnekloth**	Cochran	Groth	Oxley
Arnould	Connolly	Hanson	Parker
Beckett	Daggett	Holveck	Renken
Brammer	De Groot	Lageschulte	Rosenberg
		Miller	Siegrist

HOUSE APPROPRIATIONS SUBCOMMITTEES

BUSINESS/TRADE/TRANSPORTATION - 8 Members

Pavich, Chair	Branstad**	Harbor	Platt
Koenigs*	Cooper	Lloyd-Jones	Woods

CLAIMS - 3 Members

Oxley, Chair	Clark	Running
--------------	-------	---------

EDUCATION - 8 Members

Poney, Chair	Rensink**	Hughes	Running
Varn*	Beatty	Mullins	Swearingen

* Vice-Chair

**Ranking Member

HEALTH AND HUMAN RIGHTS—8 Members

Lonergan, Chair Gruhn*	Royer** Buhr	Hermann Ollie	Sturgeon Weiden
---------------------------	-----------------	------------------	--------------------

HUMAN SERVICES—8 Members

Carl, Chair Haverland*	Van Maanen** Clark	Grandia Peterson	Teaford Zimmerman
---------------------------	-----------------------	---------------------	----------------------

JUSTICE SYSTEM—8 Members

Spear, Chair Shoultz*	McKean** Carter	Hammond Hummel	Sherzan Stueland
--------------------------	--------------------	-------------------	---------------------

NATURAL RESOURCES—8 Members

Knapp, Chair Skow*	Paulin** Black	Blanshan Diemer	Johnson Pellett
-----------------------	-------------------	--------------------	--------------------

REGULATORY AND LICENSING—8 Members

Renaud, Chair Muhlbauer*	Van Camp** Connors	Corey Halvorson, Rod	Maulsby Peick
-----------------------------	-----------------------	-------------------------	------------------

STATE GOVERNMENT—8 Members

Baxter, Chair Fogarty*	Handorf** Halvorson, Roger	Hatch Jay	Metcalf Sullivan
---------------------------	-------------------------------	--------------	---------------------

HOUSE COMMITTEE ASSIGNMENTS

Arnould, Robert	Economic Development Human Resources State Government Ways and Means
Avenson, Donald	None
Baxter, Elaine	Economic Development Local Government Natural Resources and Outdoor Recreation Small Business and Commerce State Government Appropriations Subcommittee, Chair

* Vice-Chair

**Ranking Member

Beatty, Linda

Local Government
 Small Business and Commerce
 State Government
 Education Appropriations Subcommittee

Bennett, Wayne

Agriculture
 Economic Development
 Labor and Industrial Relations
 Ways and Means

Black, Dennis

Economic Development
 Energy and Environmental Protection
 Local Government
 Natural Resources and Outdoor Recreation,
 Vice-Chair
 Natural Resources Appropriations
 Subcommittee

Blanshan, Gene

Agriculture, Appropriations, Vice-Chair
 Rules and Administration
 Small Business and Commerce
 State Government
 Natural Resources Appropriations
 Subcommittee

Brammer, Phil

Judiciary and Law Enforcement
 Labor and Industrial Relations
 Small Business and Commerce,
 Vice-Chair
 Ways and Means

Branstad, Clifford

Agriculture
 Economic Development
 Education
 Business/Trade/Transportation Appropriations
 Subcommittee, Ranking Member

Buhr, Florence

Human Resources
 Local Government
 State Government
 Health and Human Rights Appropriations
 Subcommittee

Carl, Janet

Energy and Environmental Protection
 Human Resources
 Judiciary and Law Enforcement
 Human Services Appropriations
 Subcommittee, Chair

Carpenter, Dorothy	Education Rules and Administration State Government Ways and Means
Carter, Brian	Agriculture, Vice-Chair Education State Government Justice System Appropriations Subcommittee
Chapman, Kay	Ethics Judiciary and Law Enforcement, Vice-Chair Labor and Industrial Relations Small Business and Commerce Ways and Means
Clark, Betty Jean	Human Resources, Ranking Member Judiciary and Law Enforcement Claims Human Services Appropriations Subcommittee
Cochran, Dale	Agriculture, Chair Economic Development State Government Ways and Means
Connolly, Michael	Economic Development, Chair Education Labor and Industrial Relations Ways and Means
Connors, John	Economic Development Labor and Industrial Relations Local Government Rules and Administration, Vice-Chair Regulatory and Licensing Appropriations Subcommittee
Cooper, James	Local Government, Vice-Chair Natural Resources and Outdoor Recreation Transportation Business/Trade/Transportation Appropriations Subcommittee
Corey, Virgil	Human Resources Labor and Industrial Relations, Ranking Member Transportation Regulatory and Licensing Appropriations Subcommittee

Daggett, Horace	Education, Ranking Member Local Government State Government Ways and Means
De Groot, Kenneth	Agriculture Energy and Environmental Protection Transportation Ways and Means
Diemer, Marvin	Local Government Natural Resources and Outdoor Recreation, Ranking Member Small Business and Commerce Natural Resources Appropriations Subcommittee
Doderer, Minnette	Judiciary and Law Enforcement State Government Ways and Means, Chair
Fey, Thomas	Human Resources Labor and Industrial Relations Rules and Administration, Chair Transportation Ways and Means
Fogarty, Daniel	Agriculture Natural Resources and Outdoor Recreation Transportation State Government Appropriations Subcommittee, Vice-Chair
Grandia, Robert	Labor and Industrial Relations Local Government Natural Resources and Outdoor Recreation Human Services Appropriations Subcommittee
Groninga, John	Economic Development Local Government Small Business and Commerce Ways and Means
Groth, Richard	Education, Chair Natural Resources and Outdoor Recreation Ways and Means
Gruhn, Josephine	Agriculture Natural Resources and Outdoor Recreation Transportation Health and Human Rights Appropriations Subcommittee, Vice-Chair

* Vice-Chair

**Ranking Member

Halvorson, Rod	Agriculture Appropriations Economic Development State Government Regulatory and Licensing Appropriations Subcommittee
Halvorson, Roger	Appropriations Judiciary and Law Enforcement Small Business and Commerce State Government Appropriations Subcommittee
Hammond, Johnie	Human Resources Judiciary and Law Enforcement State Government, Vice-Chair Justice System Appropriations Subcommittee
Handorf, Ward	Agriculture Education Rules and Administration State Government Appropriations Subcommittee, Ranking Member
Hanson, Darrell	Economic Development, Ranking Member Natural Resources and Outdoor Recreation State Government Ways and Means
Harbor, William	Appropriations Rules and Administration, Ranking Member Transportation Business/Trade/Transportation Appropriations Subcommittee
Hatch, Jack	Agriculture Energy and Environmental Protection Small Business and Commerce State Government Appropriations Subcommittee
Haverland, Mark	Education Judiciary and Law Enforcement Labor and Industrial Relations Natural Resources and Outdoor Recreation Human Services Appropriations Subcommittee, Vice-Chair

* Vice-Chair

**Ranking Member

Hermann, Donald	Ethics Human Resources Labor and Industrial Relations Health and Human Rights Appropriations Subcommittee
Hester, Joan	Education Human Resources Labor and Industrial Relations Local Government
Holveck, Jack	Ethics, Chair Judiciary and Law Enforcement Small Business and Commerce Ways and Means
Hughes, Randy	Agriculture Education Energy and Environmental Protection Education Appropriations Subcommittee
Hummel, Kyle	Economic Development Labor and Industrial Relations Small Business and Commerce, Ranking Member Justice System Appropriations Subcommittee
Jay, Daniel	Energy and Environmental Protection Judiciary and Law Enforcement, Chair Transportation State Government Appropriations Subcommittee
Jochum, Thomas	Appropriations, Chair Economic Development Labor and Industrial Relations
Johnson, Paul	Education Energy and Environmental Protection Natural Resources and Outdoor Recreation Natural Resources Appropriations Subcommittee
Knapp, Donald	Appropriations Judiciary and Law Enforcement Natural Resources and Outdoor Recreation Natural Resources Appropriations Subcommittee, Chair

* Vice-Chair

**Ranking Member

Koenigs, Deo	Agriculture Economic Development Transportation, Vice-Chair Business/Trade/Transportation Appropriations Subcommittee, Vice-Chair
Kremer, Joseph	Economic Development Judiciary and Law Enforcement Labor and Industrial Relations Small Business and Commerce
Lageschulte, Raymond	Energy and Environmental Protection Judiciary and Law Enforcement Transportation, Ranking Member Ways and Means
Lloyd-Jones, Jean	Appropriations Rules and Administration State Government, Chair Transportation Business/Trade/Transportation Appropriations Subcommittee
Lonergan, Joyce	Energy and Environmental Protection Human Resources Rules and Administration Small Business and Commerce Health and Human Rights Appropriations Subcommittee, Chair
Maulsby, Ruhl	Appropriations Education Judiciary and Law Enforcement Regulatory and Licensing Appropriations Subcommittee
McIntee, John	Economic Development Energy and Environmental Protection Judiciary and Law Enforcement, Ranking Member Small Business and Commerce
McKean, Andy	Education Judiciary and Law Enforcement Natural Resources and Outdoor Recreation Justice System Appropriations Subcommittee, Ranking Member

* Vice-Chair

**Ranking Member

Metcalf, Janet	Economic Development Labor and Industrial Relations Small Business and Commerce State Government Appropriations Subcommittee
Miller, Tom	Economic Development Education Local Government Ways and Means
Muhlbauer, Louis	Agriculture Appropriations Transportation Regulatory and Licensing Appropriations Subcommittee, Vice-Chair
Mullins, Sue	Appropriations Energy and Environmental Protection, Ranking Member Human Resources Education Appropriations Subcommittee
Norland, Lowell	Economic Development
O'Kane, James	Local Government, Chair Natural Resources and Outdoor Recreation Rules and Administration Ways and Means
Ollie, C. Arthur	Economic Development Education, Vice-Chair Human Resources Labor and Industrial Relations Health and Human Rights Appropriations Subcommittee
Osterberg, David	Agriculture Energy and Environmental Protection, Vice-Chair Ways and Means
Oxley, Myron	Local Government Small Business and Commerce Ways and Means Claims, Chair

Parker, Edward	Economic Development, Vice-Chair Energy and Environmental Protection Small Business and Commerce Ways and Means
Paulin, Donald	Economic Development Energy and Environmental Protection Natural Resources and Outdoor Recreation Natural Resources Appropriations Subcommittee, Ranking Member
Pavich, Emil	Natural Resources and Outdoor Recreation State Government Transportation Business/Trade/Transportation Appropriations Subcommittee, Chair
Peick, Doris	Human Resources Labor and Industrial Relations, Vice-Chair Local Government Regulatory and Licensing Appropriations Subcommittee
Pellett, Wendell	Agriculture, Ranking Member Natural Resources and Outdoor Recreation Transportation Natural Resources Appropriations Subcommittee
Peterson, Michael	Energy and Environmental Protection Judiciary and Law Enforcement Transportation Human Services Appropriations Subcommittee
Platt, Donald	Ethics Local Government Transportation Business/Trade/Transportation Appropriations Subcommittee
Poncy, Charles	Appropriations Education Labor and Industrial Relations Local Government Education Appropriations Subcommittee, Chair

* Vice-Chair

**Ranking Member

Renaud, Dennis	Judiciary and Law Enforcement Labor and Industrial Relations Transportation Regulatory and Licensing Appropriations Subcommittee, Chair
Benken, Robert	Local Government, Ranking Member Small Business and Commerce State Government Ways and Means
Rensink, Wilmer	Agriculture Natural Resources and Outdoor Recreation Small Business and Commerce Education Appropriations Subcommittee, Ranking Member
Rosenberg, Ralph	Energy and Environmental Protection, Chair Ethics Judiciary and Law Enforcement Ways and Means
Royer, Bill	Energy and Environmental Protection Local Government Transportation Health and Human Rights Appropriations Subcommittee, Ranking Member
Running, Richard	Education Judiciary and Law Enforcement Labor and Industrial Relations Rules and Administration Claims Education Appropriations Subcommittee
Schneklath, Hugo	Economic Development Judiciary and Law Enforcement Small Business and Commerce Ways and Means, Ranking Member
Sherzan, Gary	Appropriations Labor and Industrial Relations, Chair Small Business and Commerce Justice System Appropriations Subcommittee
Shoning, Donald	Human Resources Judiciary and Law Enforcement Small Business and Commerce State Government

Shultz, Don	Education Energy and Environmental Protection Human Resources Justice System Appropriations Subcommittee, Vice-Chair
Siegrist, J. Brent	Education Judiciary and Law Enforcement State Government Ways and Means
Skow, Bob	Agriculture Energy and Environmental Protection Small Business and Commerce Natural Resources Appropriations Subcommittee, Vice-Chair
Spear, Clay	Education Human Resources Local Government State Government Justice System Appropriations Subcommittee, Chair
Stromer, Delwyn	Rules and Administration
Stueland, Vic	Agriculture Appropriations Natural Resources and Outdoor Recreation Justice System Appropriations Subcommittee
Sturgeon, Al	Energy and Environmental Protection Human Resources, Chair Small Business and Commerce Health and Human Rights Appropriations Subcommittee
Sullivan, William	Appropriations Local Government Natural Resources and Outdoor Recreation, Chair Transportation State Government Appropriations Subcommittee
Swartz, Tom	Appropriations Economic Development Rules and Administration Small Business and Commerce, Chair

Swearingen, George	Education Rules and Administration State Government, Ranking Member Education Appropriations Subcommittee
Tabor, David	Education Judiciary and Law Enforcement Ways and Means, Vice-Chair
Teaford, Jane	Education Human Resources Local Government State Government Human Services Appropriations Subcommittee
Torrence, Janis	Energy and Environmental Protection Human Resources Local Government Rules and Administration
Van Camp, Mike	Energy and Environmental Protection Human Resources Transportation Regulatory and Licensing Appropriations Subcommittee, Ranking Member
Van Maanen, Harold	Agriculture Appropriations State Government Human Services Appropriations Subcommittee, Ranking Member
Varn, Richard	Appropriations Economic Development Education Natural Resources and Outdoor Recreation Education Appropriations Subcommittee, Vice-Chair
Weiden, Richard	Appropriations, Ranking Member Energy and Environmental Protection Natural Resources and Outdoor Recreation Health and Human Rights Appropriations Subcommittee

Woods, Jack

Judiciary and Law Enforcement
 Natural Resources and Outdoor Recreation
 Transportation, Chair
 Business/Trade/Transportation Appropriations
 Subcommittee

Zimmerman, Jo Ann

Agriculture
 Education
 Human Resources, Vice-Chair
 Human Services Appropriations
 Subcommittee

IN THE SUPREME COURT OF IOWA

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

TO THE HOUSE OF REPRESENTATIVES OF THE IOWA GENERAL
 ASSEMBLY:

Pursuant to the provisions of section 68B.10, The Code, the undersigned, Chief Justice of the Supreme Court of Iowa, hereby appoints Trave E. O'Hearn, of LeClaire, and Mary E. Robinson, of Cedar Rapids, neither of whom is an employee of the General Assembly, as members of the Ethics Committee in the House of Representatives.

Done this 31st day of December, 1984.

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

The original and a true copy of this Order have been filed with the Chief Clerk of the House of Representatives of the Iowa General Assembly on this 31st day of December, 1984.

JOSEPH O'HERN, Chief Clerk

APPOINTMENT TO HOUSE ETHICS COMMITTEE

Pursuant to chapter 68B.10, Code of Iowa, I hereby appoint the following members to serve on the House Ethics Committee for the Seventy-first General Assembly: Representative Jack Holveck, Chair; Representative Kay Chapman of Linn County; and Representative Ralph Rosenberg of Story County.

LOWELL NORLAND
 House Majority Leader

APPOINTMENT TO HOUSE ETHICS COMMITTEE

Pursuant to chapter 68B.10, Code of Iowa, I hereby appoint the following members to serve on the House Ethics Committee for the Seventy-first General Assembly: Representative Donald Hermann of Scott County, Ranking Member; and Representative Donald Platt of Muscatine County.

DELWYN STROMER
House Minority Leader

COMMUNICATION FROM THE SECRETARY OF STATE

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

SPEAKER, HOUSE OF REPRESENTATIVES SEVENTY-FIRST GENERAL ASSEMBLY

On the 17th day of December, 1984, I, Mary Jane Odell, Secretary of State of the State of Iowa, do hereby certify that the following named newspapers were designated to publish Senate Joint Resolutions No. 9 and No. 2001, Acts of the Seventieth General Assembly, and in accordance with provisions of Chapter Six, Code of Iowa, 1983, affidavits showing proof of said publications are on file in this Department and are recorded as hereinafter shown:

<u>Congressional Districts</u>	<u>Newspapers</u>	<u>1984 Dates Published</u>
First	Ottumwa Courier, Ottumwa	8/13 - 9/10 - 10/8 - 11/5
	The Wapello Republican, Wapello	8/16 - 9/13 - 10/11 - 11/1
Second	Manchester Democrat - Radio, Manchester	8/13 - 9/10 - 10/8 - 11/5
	The Cedar Rapids Gazette, Cedar Rapids	8/14 - 9/11 - 10/9 - 11/3
	Waterloo Courier Cedar Falls Record, Waterloo	8/15 - 9/10 - 10/10 - 11/2
Third	Marshalltown Times Republican, Marshalltown	8/16 - 9/13 - 10/11 - 11/1
	Ames Daily Tribune, Ames	8/16 - 9/13 - 10/11 - 11/1
Fourth	The Des Moines Register, Des Moines	8/15 - 9/12 - 10/10 - 11/3

Fifth	The Daily Nonpareil, Council Bluffs	8/16 - 9/13 - 10/11 - 11/1
	The Messenger, Fort Dodge	8/14 - 9/13 - 10/9 - 11/5
Sixth	Globe Gazette, Mason City	8/14 - 9/11 - 10/9 - 11/2
	The Sioux City Journal, Sioux City	8/13 - 9/10 - 10/8 - 11/1

(Seal) IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Secretary of State at the Capitol, in Des Moines, this 17th day of December, A.D., 1984.

MARY JANE ODELL, Secretary of State

REPORT OF COMMITTEE ON MILEAGE

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

Name	Round Trip Miles
Robert C. Arnould	350
Donald D. Avenson	320
Elaine Baxter	384
Linda L. Beatty	36
Wayne Bennett	300
Dennis H. Black	104
Gene Blanshan	140
Philip E. Brammer	270
Clifford O. Branstad	260
Florence D. Buhr	None
Janet A. Carl	114
Dorothy F. Carpenter	None
Brian E. Carter	276
Kathleen H. Chapman	288
Betty Jean Clark	228
Dale M. Cochran	200
Michael W. Connolly	410
John H. Connors	None
James J. Cooper	120
Virgil E. Corey	302
Horace Daggett	206
Kenneth De Groot	508
Marvin E. Diemer	220
Minnette Doderer	240
Thomas H. Fey	350
Daniel P. Fogarty	316
Robert J. Grandia	92

John D. Groninga	240
Richard L. Groth	300
K. Josephine Gruhn	424
Rodney N. Halvorson	190
Roger A. Halvorson	436
Johnie W. Hammond	74
Ward W. Handorf	150
Darrell R. Hanson	322
William H. Harbor	258
Jack Hatch	None
Mark A. Haverland	32
Donald F. Hermann	340
Joan L. Hester	240
John K. (Jack) Holveck, Jr.	None
Randy Hughes	162
Kyle Hummel	250
Daniel J. Jay	190
Thomas J. Jochum	410
Paul W. Johnson	404
Donald J. Knapp	358
Deo A. Koenigs	328
Joseph M. Kremer	250
Raymond Lageschulte	278
Jean Lloyd-Jones	220
Joyce Lonergan	100
Ruhl Maulsby	230
John E. McIntee	240
Andrew J. McKean	310
Janet Metcalf	None
Tom H. Miller	350
Louis J. Muhlbauer	220
Sue B. Mullins	240
Lowell E. Norland	274
James D. O'Kane	422
C. Arthur Ollie	400
David E. Osterberg	270
Myron B. Oxley	288
Edward G. Parker	60
Donald J. Paulin	440
Emil S. Pavich	280
Doris A. Peick	270
Wendell C. Pellett	166
Michael Peterson	190
Donald R. Platt	324
Charles N. Poncy	180
Dennis L. Renaud	None
Robert H. Renken	204
Wilmer Rensink	460
Ralph Rosenberg	70
Bill D. Royer	280
Richard V. Running	260

Hugo A. Schnekloth	360
Gary Sherzan	None
Donald Shoning	380
Donald L. Shoultz	220
J. Brent Siegrist	252
Robert J. Skow	120
Clay Spear	330
Delwyn D. Stromer	226
Victor G. Stueland	360
H. Allan Sturgeon	424
William R. Sullivan	250
Thomas E. Swartz	102
George R. Swearingen	172
David M. Tabor	357
Jane Teaford	220
Janis I. Torrence	316
Michael J. Van Camp	330
Harold Van Maanen	114
Richard J. Varn	244
Richard W. Welden	144
Jack E. Woods	None
Jo Ann Zimmerman	30

Respectfully submitted,
 JO ANN ZIMMERMAN, Chair
 DENNIS H. BLACK
 RUHL MAULSBY

REPORT OF HOUSE RULES AND ADMINISTRATION COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 3, your committee on rules and administration submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

Chief Clerk	Joseph O'Hern	\$38,500.00	Annual Salary	1/14/85
Assistant Chief Clerk	Elizabeth A. Isaacson	\$32,328.00	Annual Salary	6/29/84
<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Executive Secretary to Speaker	Catherine A. Sears	23-5	P-FT	12/28/84

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Leader's Administrative Assistant	Mark W. Brandsgard	28-5	P-FT	1/14/85
Leader's Administrative Assistant	William C. Maloney	27-6	P-FT	1/14/85
Leader's Administrative Assistant	Kevin S. Vinchattle	27-2	P-FT	6/29/84
Caucus Staff Director	Sharon Robinson	31-6	P-FT	1/14/85
Research Analyst	Timothy C. Dunbar	24-1	P-FT	7/02/84
Research Analyst	Edward J. Conlow	24-2	P-FT	12/28/84
Research Analyst	Mary E. O'Connor	28-1	P-FT	6/29/84
Research Analyst	Thomas R. Patterson	27-2	P-FT	6/29/84
Research Analyst	Allen J. Welsh	24-1	P-FT	7/02/84
Research Analyst	Shirley M. Danskin-White	26-2	P-FT	12/28/84
Caucus Staff Director	Ronda Lou Menke	29-6	P-FT	10/24/84
Research Analyst	Mark Johnson	26-1	P-FT	1/14/85
Research Analyst	Laura A. Murphy	26-1	P-FT	1/14/85
Research Analyst	Gary L. Parker	26-1	P-FT	9/06/84
Research Analyst	Sharon R. Pihmer	28-1	P-FT	6/29/84
Research Analyst	Maryjo F. Welch	26-2	P-FT	6/29/84
Caucus Secretary I	E. Marie Callas	13-1 + 2 + 2	P-FT	4/19/84
Caucus Secretary II	E. Marie Callas	15-1 + 2 + 2	P-FT	7/13/84
Caucus Secretary II	Colleen Dillon	15-6 + 2 + 2	P-FT	6/29/84
Assistant to Legal Counsel	Margaret Green	21-1	PT-SO	1/14/85
Executive Secretary to Chief Clerk	Deanna J. Templeton	23-2	P-FT	12/28/84
Supervisor of Secretaries	Virginia Rowen	20-3	S-O	1/14/85
Assistant Journal Editor	Vivian M. Anders	19-5	P-FT	6/29/84
Assistant Journal Editor	Carol S. Edwards	19-5	P-FT	6/29/84
Compositor	C. Elaine Schoonover	18-3	P-FT	1/14/85
Assistant Finance Officer	Debra K. Rex	18-6	P-FT	1/14/85
Indexing Assistant	Wilma F. Zika	17-5	P-FT	6/29/84
Secretary II Majority Floor Leader	Dorothy Mauro	15-1 + 3 + 2	E-FT	10/30/84

The following are resignations from the officers and employees of the House:

Name	Position	Date
Patsy Soliday	Secretary II-Majority Floor Leader	9/12/84
Elizabeth C. Buck	Research Analyst	5/17/84
Joseph J. Shannahan	Research Analyst	5/10/84
Nylene Dory	Caucus Secretary II	5/04/84

FEY of Scott, Chair

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 14, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

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

K. MARIE THAYER, Secretary

APPOINTMENTS

Speaker Avenson announced the following appointments which were made during the interim:

ADMINISTRATIVE RULES REVIEW (Section 17A.8, Code of Iowa, 1983)

Ed Parker To fill an unexpired term ending April 30, 1987
(Appointed as a result of the resignation of Ned Chiodo, effective November 13, 1984)

COMMISSION ON THE AGING (249B.1-2, Code of Iowa, 1983)

Harold Van Maanen Appointed to a term beginning July 1, 1984
and ending June 30, 1988

COMMISSION ON CHILDREN, YOUTH AND FAMILIES (House File 2189, 70th G.A., 2nd Session)

Betty Jean Clark Appointed to a term beginning July 1, 1984
and ending December 31, 1984

Randy Hughes Appointed to a term beginning July 1, 1984
and ending December 31, 1984

HEALTH DATA COMMISSION
(House File 196, 70th G.A., 1st Session)

Jo Ann Zimmerman Reappointed to a term beginning July 1, 1984
and ending June 30, 1985

IOWA ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS
(Section 28C.2(2), Code of Iowa, 1983)

Robert Renken Reappointed to a term beginning July 1, 1984
and ending June 30, 1986

IOWA BOUNDARY COMMISSION
(Section 2.91, Code of Iowa, 1983)

Jim Anderson Reappointed to a term beginning July 1, 1984
and ending June 30, 1988

**IOWA COMMISSION ON COMPENSATION, EXPENSES
AND SALARIES FOR ELECTED OFFICIALS**
(Chapter 2A.1, Code of Iowa, 1983)

Carroll Perkins To a term expiring June 30, 1988

IOWA COMMISSION ON COMPENSATION
(Section 2A.1, Code of Iowa, 1988)

Barb Bowman To a term ending June 30, 1989

IOWA DEVELOPMENT COMMISSION
(Senate File 2182, 70th G.A., 2nd Session)

John Groninga To a term beginning July 1, 1984
and ending June 30, 1986

IOWA LAW ENFORCEMENT ACADEMY COUNCIL
(80B.6, Code of Iowa, 1983)

Dan Fogarty To a term beginning April 30, 1984
and ending April 30, 1988

APPOINTMENT

House Minority Leader Stromer announced the following
appointment which was made during the interim:

IOWA DEVELOPMENT COMMISSION
(Senate File 2182, 70th G.A., 2nd Session)

Wayne Bennett Appointed to a term beginning July 1, 1984
and ending June 30, 1986

COMMUNICATION RECEIVED

The following copy of a communication was received by the Speaker and placed on file:

November 9, 1984

The Honorable Terry Branstad
Governor
State of Iowa
State Capitol Building
L O C A L

Dear Governor Branstad:

On Tuesday, November 13, 1984 I will be sworn in as Polk County Auditor. Therefore, I resign as state representative in the 81st district effective today.

Sincerely,
NED F. CHIDO
State Representative

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 1 Education**

Relating to the determination of special education balances of school districts by the state comptroller and providing that the act is retroactive to June 30, 1984.

S.B. 2 Education

Requiring that the first day of school not be sooner than the first day of September except under certain conditions.

S.B. 3 Education

To establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date.

S.B. 4 Education

Relating to the procedure for determining the one hundred two percent budget guarantee for school districts for the school year beginning July 1, 1985.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following certificates of recognition were issued subsequent to final adjournment in 1984:

- | | |
|---------|--|
| 1984-38 | Community of Deep River — Centennial. |
| 1984-39 | Community of Guernsey — Centennial. |
| 1984-40 | Community of Marengo — One hundred twenty-fifth anniversary. |
| 1984-41 | Community of Hartwick — Centennial. |
| 1984-42 | Gene and Jo Struthers, Ottosen — Celebration of one hundred twenty-five years of family farming. |

JOSEPH O'HERN
Chief Clerk of the House

RESOLUTIONS FILED

HR 3, by Buhr, a resolution to commemorate Martin Luther King Day.

Laid over under **Rule 25**.

SCR 1, by Committee on Rules and Administration, a concurrent resolution relating to distribution of printed legislative materials.

Laid over under **Rule 25**.

On motion by Norland of Worth, the House adjourned at 3:27 p.m., until 9:00 a.m., Tuesday, January 15, 1985.

JOURNAL OF THE HOUSE

Second Calendar Day—Second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 15, 1985

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

Prayer was offered by Reverend Robert G. Ricks, pastor of the Capitol Hill Christian Church, Des Moines.

The Journal of Monday, January 14, 1985 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By Avenson of Fayette, from three thousand five hundred twenty-three Iowans opposing a state lottery.

By Sullivan of Van Buren, from two hundred eighteen constituents favoring a law that the school year begin the day after Labor Day.

INTRODUCTION OF BILLS

House Joint Resolution 1, by Welden, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to members of congress until an intervening election of representatives has occurred.

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

House File 1, by Running, a bill for an act to provide that candidates for seats in the general assembly may volunteer to abide by certain spending and contribution limits and qualify some of their contributors for an income tax credit.

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

House File 2, by Groth and Gruhn, a bill for an act relating to the day school shall commence for elementary and secondary schools each school year.

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

House File 3, by Mullins, 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**.

House File 4, by Spear, a bill for an act relating to the adoption of graduation requirements by school districts.

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

House File 5, by Lloyd-Jones, a bill for an act relating to county zoning by specifying duties of the board of adjustment and the board of supervisors, and by providing for training sessions on land use regulations.

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

House File 6, by Spear, a bill for an act to provide that any qualified elector who has attained the age of sixty-five may cast an absentee ballot.

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

House File 7, by Skow, a bill for an act relating to the sale of branded animals, and providing a penalty.

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

House File 8, by Skow, a bill for an act prohibiting banks, savings banks, savings and loan associations, and credit unions from participating in some types of group insurance programs for the depositors of the financial institution.

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

House File 9, by Halvorson of Clayton, a bill for an act relating to the license provided to landowners or tenants for the taking of deer.

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

House File 10, by Swartz, a bill for an act relating to the envelopes used for absentee ballots.

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

House File 11, by Shoultz, a bill for an act requiring occupants in the front seat of certain motor vehicles to be secured by child restraint systems, seat belts, or seat harnesses and providing a penalty and effective date.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 14, 1985, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 1, providing for a joint convention to be held on Tuesday, January 15, 1985, for the state of the state message.

K. MARIE THAYER, Secretary

MEMBER'S OATH OF OFFICE

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

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

David Tabor

MARTIN LUTHER KING, JR. OBSERVANCE

In honor and memory of the birthday of Martin Luther King, Jr., Buhr of Polk offered the following remarks:

Today, we honor a man and his dream. Today we join other progressive states in commemorating the birthdate of one of our most influential and respected twentieth century leaders. Dr. Martin Luther King, Jr. made the ultimate personal sacrifice for the values that inspired him to inspire us.

Born January 15, 1929, in Atlanta, Georgia, to a former sharecropper who through diligence and determination completed high school, graduated from college and later became a prominent minister in Atlanta's large black community, Martin Luther King, Jr. grew up surrounded by two essential ingredients for leadership: formal education and first-hand knowledge of repression and adversity. But King had additional qualities, qualities that propelled him into martyrdom. For Martin Luther King, Jr. possessed the gift of empathy, an empathy that knew no limits of race, sex, or creed. Speaking to a tension-filled Chicago in 1966, King stated that "if Catholics or Jews said to me amid bigotry or anti-semitism 'we don't need your support in this because we have enough Catholic or Jewish power to deal with this' I would still take a stand against bigotry or anti-semitism because it is wrong, it is evil, and it is unjust."

If King were alive today, would he not add the plight of South African blacks to this list? He believed in using non-violent direct action to force negotiation on issues that had steadfastly resisted negotiation in the past. He believed that through non-violent direct action various power structures would be forced to confront the issues. He might have likened the moral battle facing South Africa to that of Gandhi's India — a battle pitting the oppressed, persecuted, afflicted black majority against a supremacist minority.

King's vision extended into other less obvious areas of civil rights. While some criticized King for his vocal opposition to U.S. involvement in the Viet Nam war he persisted, eloquently. "Let no one claim there is a consensus for this war. I speak out against this war not in anger but with anxiety and sorrow in my heart and above all with a passionate desire to see our beloved country stand as the moral example to the world."

While King also spoke on the economic issues of the sixties would he not find it possible, easy even, to make an analogy between that situation and the economic plight facing some of our citizens today? Paraphrasing now from his Chicago address, King said, "We are getting ready to discuss the economic issues. We are getting ready to demand jobs and incomes. Minorities, women, and the poor are tired of living in run down, dilapidated, rat-infested shacks and slums. Or living without a home at all. We are tired of our children having to attend overcrowded and inferior schools. We are tired of our men and women not being able to be contributing citizens because of the economic realities facing them today."

King acknowledged in his time what we acknowledge commenting, "We have some challenging days ahead; some great and noble opportunities to make this the beautiful country of brotherhood that it is meant to be." In his immortal "I Have A

Dream" speech, King cautioned that "this is no time to engage in the luxury of cooling off, or to take the tranquilizing drug of gradualism. Now is the time to make real the promises of Democracy. Now is the time to rise from the dark and desolate valley to the sunlit path of justice. Now is the time to open the door of opportunity to all of God's children. Now is the time to lift our nation from the quicksands of injustice to the solid rock of sister and brotherhood."

But King asked not to be remembered for his recorded accomplishments but rather for the way he tried to live each day. Speaking at the Ebenezer Baptist Church in Atlanta in February of 1966, King said, "Every now and then I think about my own death, and I think about my own funeral. . . I don't want a long funeral. And if you get somebody to deliver the eulogy, tell them not to talk too long. . . Tell them not to mention that I have a Nobel Peace Prize. . . Tell them not to mention that I have three or four hundred other awards. . . I'd like somebody to mention that day, that Martin Luther King, Jr., tried to give his life serving others. I'd like for somebody to say that day that Martin Luther King, Jr. tried to love somebody. . .

"Say that I was a drum major for justice. Say that I was a drum major for peace. That I was a drum major for righteousness. And all of the other shallow things will not matter. I won't have any money to leave behind. I won't have the fine and luxurious things of life to leave behind. But I just want to leave a committed life behind."

ADOPTION OF HOUSE RESOLUTION 3

Buhr of Polk asked and received unanimous consent for the immediate consideration of House Resolution 3, as follows and moved its adoption:

- 1 HOUSE RESOLUTION 3
- 2 By Buhr
- 3 A House Resolution to commemorate Martin Luther King
- 4 Day.
- 5 *Whereas*, January 15, 1965 will mark the first year
- 6 celebration of Martin Luther King day; and
- 7 *Whereas*, the celebration is intended to rekindle Dr.
- 8 King's dream and ideals of equality for all people; and
- 9 *Whereas*, it is in the best interests of the citizens
- 10 of the state of Iowa that Martin Luther King day be
- 11 remembered; *Now Therefore*,
- 12 *Be It Resolved by the House of Representatives*, That
- 13 the House of Representatives proclaim the date of
- 14 January 15, 1965 to be Martin Luther King day.

The motion prevailed and the resolution was adopted.

The House stood at ease at 9:27 a.m., until the fall of the gavel.

The House resumed session at 9:38 a.m., Speaker Avenson in the chair.

COMMITTEE TO NOTIFY THE SENATE

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

The motion prevailed and the Speaker appointed as such committee: Brammer of Linn, Chair; Peterson of Carroll and Halvorson of Clayton.

REPORT OF COMMITTEE TO NOTIFY THE SENATE

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

The report was accepted and the committee discharged.

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

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

JOINT CONVENTION

In accordance with House Concurrent Resolution 1, duly adopted, the joint convention was called to order, President Anderson presiding.

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

The motion prevailed.

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

Senator Junkins of Lee moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify Governor Terry E. Branstad that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators Rodgers of Dallas, Hannon of Jones and Holden of Scott, on the part of the Senate; and Representatives Arnould of Scott, Blanshan of Greene and Welden of Hardin, on the part of the House.

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

Secretary of State Odell, Treasurer of State Fitzgerald and Attorney General Tom Miller were escorted into the House chamber.

Mrs. Chris Branstad, Eric and Allison; Mr. and Mrs. Edward Branstad (Governor Branstad's parents); Mr. and Mrs. Dick Johnson (Mrs. Branstad's parents); David and Kevin Johnson (brothers of Mrs. Branstad); and Kevin Lionetti (brother-in-law of Mrs. Branstad) were escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him to the Speaker's station.

President Anderson then presented Governor Terry E. Branstad who delivered the following address:

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

It is my constitutional responsibility to report to you on the condition of our state. I will fulfill that duty today and I will return on January 24, to present the state budget.

Today, I am going to break with the tradition of reporting on the accomplishments of the last year. Instead, I am going to speak from the heart about the condition of our state as it exists.

First, I want to personally welcome all the members of this, the Seventy-first General Assembly—especially you new members that are here for the first time. Twelve years ago I sat where you sit today. I can remember the excitement and anticipation about the challenges ahead. As Governor, I look forward to working with you and wish you all the very best.

I want to express my personal appreciation to the unsung heroes of this state, the honest, hardy working people—who raise their families—and never ask anything. In fact, they always give. They give to their church, to charities. They're the first, the very first, to volunteer to help in their communities, and help their friends and neighbors when there is a need.

I want to thank our dedicated state and local employees, our public and private school teachers, our peace officers, firefighters and all those who work to deliver needed services to the people of this state. These Iowans contribute to our fine quality of life and deserve our appreciation and respect.

And now, for the condition of our state.

In Iowa, we are all tied to the land. When a tractor grinds to a halt in the farm field, the wheels of commerce move more slowly on Main Street.

During the past year, many Iowans have shared with me their hardships and their fears. And looking at the galleries today, I can see that many of these people are here who share those concerns with us. My heart goes out to the families who have lost their farms and to the businesses who have seen their doors closed.

A western Iowa farmer recently told me how federal liquidators had refused him the authority to purchase the feed needed to complete his hogs to market weight. I have heard from workers laid off by Caterpillar, Rath, and International Harvester — many of these Iowans are confused and they are afraid for their family's future.

These are good people, innocent victims of an economic storm which, although brewed elsewhere, struck here. I have put forward a comprehensive plan for an agricultural recovery. We need federal action to bring down interest rates and help farmers get through this immediate credit crunch — a situation that will only get worse between now and March 1st. The federal government should do for farmers what they did for Chrysler — provide loan guarantees to allow them to work out of this immediate credit crisis.

We must get the federal deficit under control so that interest rates can go down and our exports can go up. We, in the heartland, are willing to share in a meaningful federal budget freeze — provided it is fair and across-the-board.

We must press for action at the national level, just as we must be ready to act here at the state level. I was in the nation's capital on Friday, and we carried the message right to the White House. We talked with David Stockman, Paul Volcker, John Block and Bob Dole. As Governor of the leading farm state, I told them I won't be satisfied until we get results.

Restoring economic prosperity is not an easy job, but it can be done. The first thing we must do is recognize our strengths. We have a lot of assets in this state. And, it is time we start telling the world about them.

We have clean air, open spaces, beautiful parks and fertile fields. We have progressive towns and cities. Most importantly, we have decent, hard-working and productive people.

Simply said, Iowans are the best thing that Iowa has going for it.

Winston Churchill, the great leader who helped his nation weather the darkest hours of World War II, said "We have not journeyed all this way across the centuries, across the oceans, across the mountains, across the prairies, because we are made of sugar candy."

We Iowans are not made of sugar candy either. It is our spirit, our determination to excel, that keeps us striving for results—even when the obstacles are overwhelming.

What we need now is a common sense of purpose. Skirmishes between Republicans and Democrats, between town and country, between one city in our state and another, will only divide us.

Today, I ask all Iowans to unite, in a compact—a compact for the future growth of Iowa—a compact whose objectives are quality education, the safety for our citizens and good jobs for men and women of all ages.

EDUCATIONAL EXCELLENCE

Education has always been important to Iowa's growth. Our state began with a commitment to access to education. We built a school house within two miles of every child in this state. Then in the early 1970's, we embarked on the school aid formula to provide an insured equity in education—equal opportunity for all children whether they live in a rich or poor district.

From access to equity, our quest now leads us to excellence in education.

We already have much to be proud of. Almost three-fourths of all Iowans say that our educational system is good or very good. Iowa students rank at the top of national tests of academic achievement. We have one of the lowest dropout rates in the country. In fact, Iowans even checked out more library books per capita than people in any other state in this nation.

We now invest well over half of our state tax dollars on educating our children. And, next year our state school aid formula will be increased by an additional \$33 million—to a record \$740 million. That's \$1,500 to every public school student in this state.

Our base is solid, but we can do more. Three task forces of prominent educators and citizens have shown us how. Their thoughtful recommendations serve as good guideposts to help us embark on a third generation of educational policy.

Iowa's schools are only as strong as our teachers. So, we must give our teachers the incentives and the tools they need—as well as the respect and recognition that they deserve.

I recommend a new teacher certification process so that extra compensation can be earned by master teachers.

My program includes a one-year pilot project to test new teachers, and requires Iowa schools to release the results of standard test scores. These are some of the initiatives that will give us a way to measure the success of our schools.

I will personally recognize school achievement through a Governor's School Improvement Award Program. And, we will provide funds for educational improvement grants.

There are other ideas to improve our schools which should be on the agenda this session. One is a program to coordinate curricula at all levels of education. Another is increased funding to help school districts which share programs. This is especially important to our smaller rural districts.

And when it comes to higher education, we in Iowa have some of the finest institutions in this country. Our public and private colleges and universities have served us well, and we have every right to be proud of them.

To strengthen that system, I propose increasing the Iowa Tuition Grant Program so that more students can receive grants, and the grants can be larger.

We must support our three state universities with additional funding for research and instruction. We must support our area colleges as a vital link in our education, job training and economic activities.

The commitment we make to our schools is critical to our young people and their development.

PUBLIC SAFETY

It is not enough to educate our young people. We must protect them from personal harm.

Our hearts are filled with emotion as we listen to Noreen Gosch, Donald Martin or John Walsh. These parents are eloquent advocates for stronger child protection laws.

If we earnestly want to prevent others from experiencing their agony, we should act. Here are some of the things that we can do:

- Give law enforcement better tools to capture and prosecute abusers,
- Strengthen the penalties for crimes against children,
- Aid and counsel the victims,
- Allow video testimony from children in the courtroom, and
- Require criminal background checks for applicants for sensitive jobs with young children.

We must not be satisfied until our children can feel free from abuse, abduction and molestation.

Nor can we relent in our work to secure safety on our highways. Last year we made progress in tightening our drunk driving laws, and we saw traffic deaths decline in Iowa. This year, the public is demanding even more meaningful changes. We should heed that call for action. We should adopt uniform, nationally recognized standards to stop drunk driving.

* * * * *

And when a person commits a crime, he or she should pay the price. Dangerous felons should be kept behind bars until they are rehabilitated or have earned their parole.

The conscientious members of our citizens' Parole Board are constantly caught between the proverbial rock and a hard place as they strive to protect public safety, while staying under the prison population cap. We must not be forced to parole dangerous felons because of some arbitrary lid.

The 500 new prison beds now on line, will in the short run, help ease overcrowding. Other states have contracted with private concerns to build and to operate new prisons. That may be a workable solution for Iowa, and it, along with other ideas, deserves further study.

JOBS FOR IOWANS

We must do more than educate and protect our children. We must find jobs for them in Iowa when they grow up. We cannot afford to spend billions to educate our best and brightest and then send them off to the Sunbelt.

Next week I will return to present the budget, and with it I will highlight a bold program to diversify our state's economy. It will provide incentives for expansion and exporting, and remove impediments for small business people and farmers. This week, I will speak of ways we can plan and work together to create jobs.

In Japan for some time, and more recently in America, the benefits of public/private partnerships for economic development and growth have been recognized.

I will name a permanent Iowa Partnership for Economic Progress to insure that leaders from the private sector continue to play an active role in the development of our state. This Partnership will include members of the Committee for Iowa's Future Growth, and they will work closely with the Development Commission, the Department of Transportation and local leaders.

Successful development requires a conscious commitment from local leaders as well as the state. We should launch an Iowa Main Street strategy to help in these local development efforts. In this way the people who live, work, and shop downtown can be a part of the revitalization of their community.

We should always be on the lookout for innovative ways to develop our state's resources. Our program includes a plan for Iowa State University and the University of Iowa to use new fluidized bed boilers. This system will allow both of these public institutions to burn Iowa coal cleanly and economically — thus opening a new chapter for our Iowa coal industry.

We need your cooperation in another area that is important in both creating and retaining Iowa jobs — our Unemployment Trust Fund. Even though it will soon be out of debt, the unemployment system, as it now stands, is an impediment to creating Iowa jobs.

The one-week waiting period which took effect on January 1st should be made permanent, and we need to eliminate the penalties for expanding businesses. These small, but significant steps, can be accomplished this year.

A more comprehensive review of the competitiveness of our unemployment and workers' compensation laws should be undertaken. I will appoint a bipartisan commission, similar to the National Commission on Social Security, to address this sensitive issue.

We must march forward on a number of fronts. Energy incentives and venture capital initiatives, each will give a boost to fledgling companies, especially small businesses.

These are all parts of our economic development program. A much bigger part, along with initiatives in other areas, will be addressed in my budget message next week.

None of us should be naive enough to believe that there is one magic measure that will bring economic prosperity to our state. We cannot stand back and expect someone else to come up with Iowa's version of the computer chip.

For many Iowans, the next few months will be the most difficult since the 1930's. Perhaps never again will there be a time when it is so crucial for us all to pull together.

We must join hands, share what is in our heads, and work in unison with sincere hearts.

To achieve success, we cannot have a Governor's agenda and a legislative agenda, a Democratic plan and a Republican plan, a rural strategy and an urban strategy. We cannot divide. . . we must unite.

Iowans have helped each other triumph over difficult odds before. And, we can do it again with a compact for Iowa's future prosperity.

Today. . . together. . . let's start work on an agenda that we can all get behind. Let's have an Iowa agenda that merits, and in fact gains, the support of all the people. Let's have an Iowa agenda that will help us overcome today's troubles. Let's have an Iowa agenda that will leave a legacy of growth, progress and opportunity in the years ahead.

Thank you, and God bless you all.

GOVERNOR'S RECOMMENDATIONS

Recommendations submitted to the Seventy-first General Assembly, First Session, in accordance with Article IV, Section 12, of the Constitution of the State of Iowa:

EDUCATIONAL EXCELLENCE

Iowa's education system is among the best in the country, as witnessed by the fact that standardized measures consistently rank Iowa students at or near the top. Still, our schools can be even better. Now is the time to embark on a new generation of educational policy. The following initiatives will help assure continued improvement in Iowa's education system.

- I. **Local School Aid Increase:** Aid to local schools will increase substantially in each year of the biennium. Under existing law, state support will increase from \$707 million this year to over \$738 million in 1985-86 and \$760 million in 1986-87. These major increases should be fully funded, and the following improvements in the school aid formula should also be adopted.

- **Increased Incentives to Share Programs**

Schools should be given more incentive to share programs. The supplementary weighting for shared programs should be increased from 0.1 per FTE to 0.5 per FTE. This change will provide sharing districts with \$1 million more state aid in 1986-87.

- **Remove Penalty for Semi-Annual Apportionment Levy**

State law specifies that each school district should receive budget growth of at least 2 percent per year. However, existing law counts levies to replace lost semi-annual apportionment funds ("fine money") as part of a district's budget growth. This is unfair since these levies are used to replace funds taken away by state action. They do not represent new budget growth.

The law should be changed so that levies to replace lost semi-annual apportionment funds are not considered part of a district's guaranteed budget growth. This will provide \$1.7 million more state support to districts affected by the budget growth guarantee — districts which have been hit hardest by declining enrollment.

- II. **New Certification Structure:** The State Board of Public Instruction's Task Force on Teacher Education and Certification has recommended a new four-level teacher certification structure. This structure is designed to provide additional support to beginning teachers, to expand career opportunities for more experienced educators, and encourage teacher accountability. The structure would allow teachers to advance professionally by attaining additional experience, professional development, and positive evaluations. Ultimately, qualified educators could be designated "master teachers", and receive additional financial support funded by the state.

The State Board of Public Instruction can begin implementation of this system by administrative rule, given the necessary appropriations. Some modifications of Chapter 279 of the Code will also be required. The State Board should move quickly to adopt the rules necessary to put the system in effect in 1986-87. Five million dollars should be appropriated in the second year of the biennium to fund the program.

- III. **Pilot Project for Examination of New Teachers:** The Task Force on Teacher Education and Certification has recommended a pilot project to examine new teachers. Under this recommendation, all 1986 graduates of teacher education programs in Iowa and all out-of-state applicants would be required to take nationally standardized examinations. The tests would measure basic skills, the knowledge base of professional education, and academic subject matter in the applicant's teaching area.

The purpose of the project would be to develop base-line data on Iowa teacher education graduates and out-of-state applicants for Iowa certification. An applicant's level of performance on the exams would not be used as the basis for issuance or denial of a certificate to teach.

This pilot project can help us assure that our teachers are properly trained for the classroom. The State Board of Public Instruction can implement the program by administrative rule, if appropriated the funds necessary to carry out the project. The State Board should adopt the necessary rules with appropriations of \$250,000 in 1985-86 and \$115,000 in 1986-87.

- IV. **Curriculum Coordination and Articulation:** The Excellence in Education Task Force has recommended that a series of curriculum coordinating committees be established to develop model curricula. The committees would also work to improve communication among educators in specific subject areas and across subject area lines. The committees would involve representatives of all levels of education. The recommendation should be implemented and \$100,000 should be appropriated for this purpose in each year of the biennium.

The Excellence on Education Task Force has also recommended the creation of an independent foundation to support education research and curriculum development projects. The task force called for the foundation to be endowed by both state funding and private contributions. The foundation concept has merit. Unfortunately, the state's financial condition does not allow a recommendation for public funding of the project in this biennium. Private support for the foundation project is encouraged, however, and the state should consider supporting this project in the future.

- V. **Collective Bargaining Study:** The Excellence in Education Task Force has recommended the establishment of a bipartisan committee to conduct a one-year study on the future direction of collective bargaining in education. Because of the importance and complexity of the topic, a thorough and complete study should be undertaken.
- VI. **Advisory Committee on Preparation and Certification:** The State Board of Public Instruction currently serves as the Board of Educational Examiners. This responsibility should remain with the State Board. However, because Iowa law prohibits educators from serving on the State Board, it is important that a workable mechanism be established to assure professional input on preparation and certification issues. An advisory committee, with representation from the entire education community, should be created by statute.

- VII. **School Award Program:** Schools with exemplary programs in certain subject areas should be recognized for their achievements. This would help provide an additional incentive for schools to upgrade their programs and would establish models for other schools. The Department of Public Instruction will implement such a program.
- VIII. **State Education Plan and Annual Report:** The State Board of Public Instruction should be required to develop a five year plan for achieving education goals in Iowa, and should issue annual progress reports. The development of such a plan will serve as a means for improving communication among all educational levels, and serve as a vehicle for defining and expressing common education goals. Plan development must be done in consultation and coordination with affected parties at all education levels.
- IX. **Local School Annual Reports:** Iowa has a long tradition of local control of education. It is an important tradition which must be maintained and strengthened. One key to the success of a local control system is assuring that the local community is involved in, and informed of, its schools' activities. Therefore, each local district should be encouraged to involve the community in its programs, and should be required to report annually to its patrons. The annual report should include, at a minimum, information on overall student achievement and the status of school improvement efforts.
- X. **Bond Financing Flexibility:** Major capital projects in local districts are currently financed by bond issues. An issue must be approved by 60 percent of the electorate, and is repaid by an additional property tax levy. Districts should have more flexibility in proposing revenue sources to repay the bonds. School districts should be given the option of proposing bond issues which would be repaid partially (up to 50 percent) by a surtax on income in the district. Remaining funds would continue to come from property tax. All bond issues and funding mechanisms should still be approved by 60 percent of the local electorate.
- XI. **Educational Improvement Grants:** Legislation adopted last year establishes provisions under which local districts may receive assistance in funding school improvement programs. The law allows districts to receive additional property tax to fund these projects and sets out criteria for state participation should state money be appropriated. The State should provide \$150,000 in each year of the biennium to cover its share of the cost for these projects.
- XII. **Support for Higher Education**

● Tuition Grant Increases

The Iowa Tuition Grant Program provides assistance to needy students who attend Iowa's independent colleges and universities. Many students would not be able to attend the college of their choice without a strong Tuition Grant Program. Funding should be provided to increase the maximum grant amount by \$200, and to allow for 400 additional grants over the biennium.

- **Regent's Instruction and Research**

Our Regent institutions are valuable resources for both teaching and research. We should support their efforts to improve instructional programs in high demand areas. State funding of \$600,000 in 1985-86 and \$900,000 in 1986-87 is recommended for this purpose.

Targeted research programs by our Regent institutions can be of great assistance to Iowa's economic development efforts, while also enhancing the quality of the universities. State support of \$2.6 million in 1985-86 and \$3.77 million in 1986-87 should be provided for economic development research.

- **Area School Economic Development Activities**

The education and training provided at our merged area schools are a key part of our economic development efforts. We should continue to support the area schools' education programs, while targeting \$500,000 each year to enhance their economic development programs.

PUBLIC SAFETY

Iowa is among the safest places in which to live with only eleven states having lower crime rates. Yet, regardless of how well off we are, any crime poses a threat to our citizens. And, there are several areas in which we can work to achieve a greater degree of public safety for all citizens.

I. **Child Protection:** The state of Iowa must embark upon a comprehensive program designed to systematically deal with child abuse in our state.

A. **Prevention**

Action to be taken should include:

- prohibiting the possession of, as well as the production of, child pornography;
- requiring criminal record checks of operators, staff and employees at any child care, detention or treatment facilities;
- strengthening child support laws such as the establishment of procedures for mandatory wage garnishment, longer statutes of limitations on paternity actions, require security or bond to guarantee payment of support, require social security number on dissolution of marriage petitions; and
- guaranteeing medical services for a child who otherwise may not receive such assistance.

B. Aid in Apprehension and Prosecution

All necessary tools should be given to law enforcement and prosecutors in investigating and prosecuting child abuse cases. The General Assembly should act to provide additional tools such as:

- establishing a missing children's clearinghouse;
- allowing the use of video tapes in providing testimony;
- allowing public disclosure of the names of all missing children; and
- allowing the holding of child abuse information for one year.

C. Strengthen Penalties

To adequately deal with individuals who inflict harm upon our children, our child abuse laws must be strengthened. Areas which should be acted upon include:

- establishing a felony classification for the taking of a child by non-custodial parent in violation of a court order;
- increasing the statute of limitations from three to six years for child molestation;
- changing the definition of a child from age 14 to 16 for purposes of bringing charges of "lascivious acts with a child";
- increasing the crime of impersonating an officer to a class "D" felony; and
- strengthening penalties for assaulting a child.

D. Aiding Victims

Victims of child abuse often suffer serious psychological, as well as physical, pain.

- The state should allow the victim reparation program to pay for counseling of child victims.
- The state should require that the victims of violent crimes be notified when a perpetrator is released from a state facility.
- The amount of funds appropriated for child abuse grants must be increased.

II. Drunk Driving: Iowa should adopt uniform, nationally recognized standards for curbing drunk driving.

Actions which should be taken include:

- .10 per se blood alcohol content to be legally drunk,
- thirty day loss of license for first offense of drunk driving,
- prohibit deferred sentences for conviction of drunk driving, and
- extend implied consent authority to boat and snowmobile operators.

III. **Elimination of the Prison Cap:** In 1981, a "cap" or ceiling was placed on the number of prisoners that could be confined in the state's penal system. As a result, staying under the "cap" rather than Public Safety has become the driving force in making parole decisions. It is now time to eliminate this "cap" or ceiling. The five hundred new prison cells added to our penal system will, in the short run, ease some of the overcrowding caused by abolishing the "cap".

A committee of both public and private sector experts will be appointed to review the penal system to determine its adequacy for protecting our people. Other states have contracted with private concerns to build and operate prisons. Iowa should also explore that possibility.

IV. **Supervision of Inmates:** Measures must be taken to ensure the safety of the public.

- **Mandatory Minimum Sentences:**

The state of Iowa has designated that individuals who are convicted of certain crimes must serve a mandatory minimum sentence before being released. At no time should an individual convicted for one of those crimes be permitted to have their sentence reduced by administrative "good time." Iowa's "good time" provisions should be modified so that a mandatory minimum sentence cannot be reduced.

- **Mandatory Supervision of Released Inmates:**

Under state law, no supervision is permitted for prisoners who serve their full sentence. Often inmates who serve their full sentence (minus good time) are among the most dangerous and not considered good risks by the State Board of Parole. In order to make provision for parole supervision, these individuals often are paroled prior to expiration of their sentence. A transitional supervision release provision should be implemented for all inmates who serve out their sentences in an institution.

V. **Appellate Defender's Office:** The Appellate Defender's Office represents indigents on appeal in a criminal case and on appeal in proceedings to obtain post conviction relief. The office handles over 350 appeals a year. It is scheduled to sunset July 1, 1985; it should be continued.

- VI. **Use of an Adult's Juvenile Record:** Many states allow criminal courts to consider the juvenile record of an adult who is being sentenced. While in Iowa an adult's juvenile record may be considered in sentencing if an offender has committed a felony, it cannot be used in sentencing an aggravated or serious misdemeanor. Judges, prison officials, and the Parole Board should have access to the adult's juvenile record to allow them to make better informed and more effective decisions.
- VII. **Apprehension of Juvenile Delinquents:** Iowa law enforcement officials are prohibited from notifying other state law enforcement officials of juveniles suspected of committing delinquent acts when they flee the state. Thirty-one states permit law enforcement agencies to enter the names and alleged delinquent acts committed by juveniles on the nationwide crime computer system.

These states also allow the holding of a juvenile who has crossed state lines for return to the state in which the act was committed. Iowa should also permit such actions in relation to juvenile suspects.

ECONOMIC DEVELOPMENT/CREATE JOBS

Iowa is experiencing difficult economic times due, in large part, to national and international factors over which we exercise little control. Nevertheless, Iowa can build on its strength to bring about economic opportunities and new jobs. Bold or imaginative steps must be taken to diversify our economy, provide for a better business climate, assist farmers and small businesses, and create new jobs in the state. The following is a list of statutory changes which should be enacted to encourage economic development. Additional important economic development initiatives will be presented with the budget message on January 24, 1985.

- I. **Farm Land Marketing:** State law should be amended to allow state chartered lending institutions to hold repossessed land for up to five years without putting the land on the market. The State Banking Superintendent should be allowed to administratively establish a mechanism to determine the value of this inventoried land.
- II. **Farm Loan Program:** Since its creation in 1980, the Iowa Family Farm Development Authority has issued nearly 400 loans, totaling in excess of \$30 million to help finance beginning farmers.

Actions to strengthen the Authority's ability to assist beginning farmers should be taken during these troubled times in agriculture. These actions include:

- Expand the definition of farming to enable the Authority to fund projects such as aquaculture, hydroponics and tree farming and thus provide more opportunities for the diversification of agriculture.
- Increase the net worth limitation for loan eligibility. The maximum net worth for new farmers to be eligible for leases should be increased from \$100,000 to \$250,000. The present limitation excludes many beginning farmers in need of assistance.

- Provide for financing partnerships under the Beginning Farmer Loan Program if the applicants meet required net worth limitations.

- III. **Improve Housing Finance Authority:** The Iowa Housing Finance Authority (IHFA) loaned over \$250 million in 1984 through its housing and small business programs. According to certified loan documents, this activity resulted in approximately 5,000 temporary and 3,000 permanent jobs.

The state has traditionally exercised control over IHFA bonding limits. However, in 1983-84 Congress also assumed this authority and set limits based on population for each state. The present existence of both state and federal limits are unnecessary and unwieldy. The General Assembly should assist political subdivisions, finance institutions, and the construction and real estate industries, by repealing our state's present bonding limitations and codifying the state bonding allocation formula. This presently exists under Executive Order 10.

- IV. **Unemployment Insurance and Workers' Compensation:** Iowa's unemployment and workers' compensation programs are not competitive. A bipartisan task force must be established to recommend tax structures and benefit programs that will aid workers in need while protecting the employer who carries the financial burden. Most important, this task force should develop a plan to make Iowa's Unemployment Compensation and Workers' Compensation systems competitive so that we can retain and attract jobs.

Immediate action should also be taken to make permanent the requirement that individuals be unemployed one week prior to receiving unemployment benefits. We must stop penalizing businesses for adding new jobs. As soon as possible, we should institute a job insurance tax incentive rate plan for expanding businesses within our state.

- V. **Venture Capital:** To encourage investment in new and emerging businesses, legislation should be enacted to allow financial institutions to invest up to five percent of their assets in venture capital firms which mainly invest in small businesses.
- VI. **Main Street Iowa:** Iowa should have a Main Street Program to assist the revitalization of main streets in Iowa's communities. Some services provided would include design, restoration techniques, marketing, business management, historical preservation, loans and financing. Both federal and state funds should be utilized for this important project.
- VII. **Energy Jobs Incentives:** Energy prices play a key role in many decisions to expand or locate facilities and jobs within our state. The General Assembly should allow the Commerce Commission to provide incentive price levels that will encourage job creation and lower prices for all ratepayers. Such authority should be implemented only when reserve capacity can be demonstrated.

VIII. Petroleum Overcharge Funds: Iowa has already put oil overcharge funds to work assisting our state's taxpayers and helping the needy by providing additional funds for weatherization. Conflict between Iowa legislative requirements and U.S. Department of Energy guidelines has limited the full and effective use of overcharge funds. Efforts must be made to prevent this situation from recurring. Special consideration should be given to:

- assisting rural and community based transit systems;
- petroleum quality and motor fuel inspection;
- emergency medical care; and
- the establishment of a revolving loan program for state and local government energy conservation measures.

Funding flexibility must be granted to allow for the expenditure of the funds, consistent with federal guidelines.

- IX. Cultural Grant Program:** The current grant provides matching funds on a one-time basis to organizations so community groups can hire people to perform projects of ethnic, historical, cultural or tourist value. The program is scheduled to sunset; it should be continued.
- X. Personal Property Tax Phaseout:** Numerous delays have caused many to question Iowa's commitment to this important aid to economic development. The state should continue to implement the phaseout of Iowa personal property tax without regard to a revenue growth trigger.
- XI. Revitalizing Iowa Coal Industry:** New "fluidized bed combustion boilers" allow high sulfur coal to be burned in a clean, efficient, and environmentally acceptable manner. By allowing the Board of Regents to replace two badly needed boilers at Iowa State University and the University of Iowa, we can encourage other private sector investment in this technology, save taxpayers money, and assist our Iowa coal and limestone industries. Savings from avoided energy costs will more than pay for the construction of these systems.

OTHER PRIORITIES

- I. Continue Health Data Commission:** The Iowa Health Data Commission has been very beneficial in providing necessary health data over the past eighteen months. This information is essential in making crucial health care decisions. The Commission should be continued.
- II. Substance Abuse:** The 1984 General Assembly mandated that the state would totally fund the cost of care and maintenance of alcohol and drug abuse programs presently contracted through licensed community based treatment centers for the fiscal year 1985. A liquor markup was implemented to support the program. The state should continue to provide that funding.

- III. **State Water Plan:** Water is one of this state's most precious resources. To ensure that water is used fairly and in the most effective manner, the state should begin implementing a State Water Plan. The legislature should adopt the water plan to ensure an orderly, clean and sufficient water supply for Iowa's future.
- IV. **Soil Conservation:** Iowa's fertile soil must be conserved so that we can continue to feed the world. A modification is needed in our present soil conservation program to make it more effective. Maintaining this resource is crucial to Iowa's future.

The present revolving loan program is not being sufficiently utilized due to unreasonable eligibility limitations. The net worth limitation should be eliminated.

- V. **Federal Disaster Assistance Program:** The Federal Disaster Assistance Program has been modified to require state and local governments together to match 25 percent of the federal funds. In order to obtain federal monies for disaster assistance, a required ratio match of 10 percent state and 15 percent local government should be established.
- VI. **Local Option Taxes:** Counties and cities should be given the authority to allow voters to decide on local option taxes.
- VII. **Capitol Restoration/Historical Building Income Tax Check-Off:** A checkoff on individual income tax returns for Iowans to designate a contribution for the restoration of the State Capitol and construction of the new Historical Building should be enacted. The program would voluntarily allow for an increase in the amount of tax due or reduce the refund available for each contributing taxpayer. This measure was approved by the Senate in 1984.
- VIII. **Economy and Efficiency Reduction of "Red Tape":** The Governor's Task Force made 81 recommendations and 43 have already been implemented. The General Assembly should consider action on the items in the task force report that require legislation.

Other efforts to reduce red tape in government include:

● **Staggered Registration**

Unnecessary financial hardship is imposed upon many Iowans transferring a vehicle between spouses, and other members of their family. Currently, a registration fee is required of both parties in such transfers. Action should be taken to provide credits for these transfers and refunds for individuals who purchase new vehicles before selling their previous car or truck.

● **Health Care Regulations**

A body composed of state agency commissioners with health care related responsibilities will be formed to review rules and regulations concerning health care facilities and providers.

The goal will be to reduce cost and increase the access to quality care by eliminating duplications as well as eliminating unnecessary standards.

- IX. **Fifty States Project:** The Iowa Fifty States Commission has identified laws which potentially cause sex discrimination. These laws should be eliminated or changed to correct potential discrimination problems.

Governor Terry E. Branstad was escorted from the House chamber by the committee previously appointed.

Norland of Worth moved that the joint convention be now dissolved, at 10:30 a.m. which motion prevailed.

The House reconvened, Connors of Polk in the chair.

On motion by Norland of Worth, the House was recessed at 10:30 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Shultz of Black Hawk and Hughes of Union, both for today and the remainder of the week, on request of Norland of Worth; Hummel of Benton, for today and the remainder of the week on request of Stromer of Hancock.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 5 Judiciary and Law Enforcement

To regulate the sale of time-sharing estates and uses, establish time-share and project instruments, mandate the disclosure of certain information to a purchaser by a developer, provide for the release of liens, and provide a civil cause of action for violations.

S.B. 6 Judiciary and Law Enforcement

Making corrections and other changes relating to court reorganization, court fees, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures.

S.B. 7 Judiciary and Law Enforcement

Relating to information contained on interstate probation and parole compact transfer requests.

S.B. 8 Local Government

Relating to veterans preference in public employment and providing an effective date.

S.B. 9 Local Government

Relating to benefits paid to victims of heart and lung disease contracted by members of local police or fire retirement systems.

S.B. 10 Local Government

Relating to the imposition of a local option wheel tax by referendum.

S.B. 11 Local Government

Authorizing the issuance of general obligation bonds by a majority vote of the electorate voting on the question.

S.B. 12 Energy and Environmental Protection

Requiring the state building code commissioner to adopt a minimum energy consumption standard for new residential construction and requiring periodic updating of the standard.

S.B. 13 Economic Development

Relating to the Iowa Lottery Act.

COMMUNICATION RECEIVED

The following communication was received by the Speaker of the House and placed on file:

IOWA DEPARTMENT OF PUBLIC SAFETY

A report from the Iowa Department of Public Safety on the collection of domestic abuse data from the Iowa law enforcement agencies, pursuant to Chapter 1258 of the Acts of the Seventieth General Assembly, 1984 Session (House File 2164).

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 RULES AND ADMINISTRATION

House Resolution, a resolution relating to house rules.

Fiscal Note is not required.

Recommended Do Pass.

RESOLUTIONS FILED

HCR 4, by Harbor, Stromer, Handorf, Hummel, Van Maanen, Carpenter, Hanson, Swearingen, Diemer, Corey, Daggett, Renken, Schneklath, Maulsby, Royer, McKean, Lageschulte, Stueland, Grandia, Mullins, Platt, Rensink, Hermann, De Groot, Shoning, Branstad, Bennett, Torrence, Hester, Kremer, Halvorson of Clayton, Paulin, Van Camp, McIntee, Miller, Welden, Metcalf, Siegrist, Carter, Blanshan, Koenigs, Clark and Pellett, a concurrent resolution relating to Iowa's economic crisis.

Referred to committee on **agriculture**.

HR 4, by committee on rules and administration, a resolution relating to House rules.

Placed on the **calendar**.

On motion by Norland of Worth, the House adjourned at 1:12 p.m., until 9:00 a.m., Wednesday, January 16, 1985.

JOURNAL OF THE HOUSE

Third Calendar Day – Third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 16, 1985

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

Prayer was offered by the Reverend Mr. John Ayers, Deacon of the Roman Catholic Archdiocese of Dubuque.

The Journal of Tuesday, January 15, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Brian J. Heineman, Story City.

PETITION FILED

The following petition was received and placed on file:

By Gruhn of Dickinson, from ten constituents opposing proposed auctioneers licensing and clerking law.

INTRODUCTION OF BILLS

House Joint Resolution 2, by Spear, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the general assembly to prescribe by law when a person who is convicted of a felony or who is mentally ill or mentally retarded shall be entitled to the privilege of an elector.

Read first time and referred to committee on state government.

House File 12, by Cochran, a bill for an act to lower the alcohol concentration level at or above which a person is absolutely prohibited from operating a motor vehicle, from thirteen hundredths, to ten hundredths of a gram.

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

House File 13, by Schnekloth, a bill for an act relating to grading corn for foreign material.

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

House File 14, by Schnekloth, a bill for an act exempting the amount of social security benefits received from the state individual income tax and making it retroactive.

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

House File 15, by Schnekloth and Paulin, a bill for an act that eliminates the requirement of a tenant to withhold state income taxes from rental payments made to nonresident landlords under certain conditions.

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

House File 16, by Schnekloth, a bill for an act to increase the capitalization rate from seven to nine percent in valuing agricultural land for property tax purposes.

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

House File 17, by Cochran, a bill for an act eliminating the state sales, services and use tax on the gross receipts from the storage warehousing of raw agricultural products.

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

House File 18, by Schnekloth, a bill for an act limiting the time a state bank may hold repossessed real property.

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

House File 19, by Daggett, a bill for an act relating to the designation of the Grand river.

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

House File 20, by Skow, a bill for an act relating to penalties assessed on delinquent canoe renewal registrations.

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

House File 21, by Daggett and Mullins, a bill for an act relating to the operation of all-terrain vehicles subject to penalties provided by law.

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

House File 22, by Lloyd-Jones, a bill for an act relating to the recapture of taxes on agricultural property when a change in use of the property occurs, and providing an effective date.

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

House File 23, by Spear, a bill for an act relating to the payment of court costs and providing a penalty.

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

House File 24, by Zimmerman, Clark, Connors, Chapman, Carter, Sullivan, Ollie, Halvorson of Webster, Shultz, Lloyd-Jones, Sturgeon, Doderer, Blanshan, Parker, Woods, Varn, Haverland, Peick, Baxter, Spear, Black, Cooper, Carl, Hammond and Torrence, a bill for an act relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn; providing for revocations; providing a procedure in absence of a declaration; providing for patient transfers; providing immunity from liability; prohibiting destruction, concealment or forging of declarations or revocations; providing penalties; and providing other matters properly relating thereto.

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

House File 25, by Hammond, a bill for an act prohibiting a motor vehicle from blocking access to a handicapped parking space, and providing penalties.

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

House File 26, by Shoultz, a bill for an act relating to the use of protective headgear when operating or riding certain motor vehicles and the sale of such headgear and providing penalties.

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

House File 27, by Spear, Baxter, Corey, Sullivan and Carter, a bill for an act exempting from the sales, services and use tax the gross receipts from the sale to a nonprofit organization of goods, wares, merchandise, or services used in the providing of services to persons with developmental disabilities or physical or mental handicaps.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 14, 1985, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 2, providing for the condition of the judicial department message at a joint convention to be held on Thursday, January 17, 1985.

Also: That the Senate has on January 15, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 2, providing for compensation of officers and employees for the Seventy-first General Assembly.

Also: That the Senate has on January 16, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 3, providing for the joint rules of the Seventy-first General Assembly.

K. MARIE THAYER, Secretary

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on January 2, 1985 and is on file in the office of the Chief Clerk.

January 2, 1985

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 43 claims of a general nature that have been denied by the State Appeal Board during the year 1984.

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

Sincerely,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

JOSEPH O'HERN
Chief Clerk of the House

**DENIED GENERAL CLAIMS BY STATE APPEAL BOARD
SUBMITTED TO THE 70TH GENERAL ASSEMBLY**

<u>Claim Number</u>	<u>Name of Claimant Nature of Claim</u>	<u>Amount of Claim</u>	<u>Amount Approved</u>
6713-69-25	Medusa Aggregates Company Cleveland, Ohio Reimbursement for overpayment for annual report fee to Sec. of State	\$4,155.00	Disapproved
1325-70-25	Department of General Services Des Moines, Iowa IPERS contribution for former employee	1,144.74	Disapproved
1537-70-25	Herteen & Stocker Jewelers Iowa City, Iowa License fee refund	75.00	Disapproved
1688-70-25	Alonzo J. Cariaga, Jr. Los Angeles, California Sales tax refund on vehicle	116.00	Disapproved
1682-70-25	Melvin Moody Trucking Shenandoah, Iowa License fee refund	156.25	Disapproved

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
1605-70-25	Kriz-Davis Company Council Bluffs, Iowa Outdated billing - Glenwood State Hospital School	2,739.83	Disapproved
1663-70-25	Mike Felder Transit, Inc. New Hampton, Iowa License fee refund	228.58	Disapproved
1721-71-25	Kansas University Anesthesiology Foundation Kansas City, Missouri Outdated invoice - Dept. of Human Services	330.00	Disapproved
1751-71-25	Kenneth F. Dolezal Cedar Rapids, Iowa Expense reimbursement for interview	68.65	Disapproved
1824-71-25	Joseph D. Thomas Corbett Cedar Falls, Iowa State Services - Dept. of Corrections	1,107.58	Disapproved
1836-71-25	Charles Gabus Ford Des Moines, Iowa Vehicle license refund	324.00	Disapproved
1855-71-25	Western Trucking Baker, Montana License fee refund	92.00	Disapproved
1867-71-25	Edward F. Kiernan Cedar Rapids, Iowa License fee refund	7.00	Disapproved
1894-71-25	Blachowske Truck Line, Inc. Fairmont, Minnesota License fee refund	250.00	Disapproved
1900-71-25	Murray Motors, Inc. Des Moines, Iowa License fee refund	28.00	Disapproved
1903-71-25	Martha Lawrence Woodward, Iowa Back pay - Life insurance	205.66	Disapproved
1917-71-25	Cedric L. Marlow Ogden, Iowa License refund	205.66	Disapproved
1921-71-25	Richard B. Ogilvie c/o Lawrence E. Myers Des Moines, Iowa Transfer tax refund	371.25	Disapproved
1922-71-25	Richard B. Ogilvie c/o Lawrence E. Myers Des Moines, Iowa Transfer tax refund	1,382.29	Disapproved

<u>Claim Number</u>	<u>Name of Claimant Nature of Claim</u>	<u>Amount of Claim</u>	<u>Amount Approved</u>
1923-71-25	Richard B. Ogilvie c/o Lawrence E. Myers Des Moines, Iowa Transfer tax refund	1,500.26	Disapproved
1947-71-25	Iowa State Patrol Des Moines, Iowa Outdated invoice	10.85	Disapproved
1969-71-25	Rozanna Sue Bettmeng Hiawatha, Iowa Outdated invoice	414.93	Disapproved
1984-71-25	Joseph Apolpnio Ramirez Des Moines, Iowa License fee refund	106.25	Disapproved
1978-71-25	Dwight A. Carroll Harlan, Iowa License fee refund	Undetermined	Disapproved
2008-71-25	Kenneth J. Kramer Grinnell, Iowa License fee refund	25.00	Disapproved
2080-71-25	Spurrier Oil Co. Clearfield, Iowa Fuel tax refund	4,586.92	Disapproved
2082-71-25	Michael Sulentic Waterloo, Iowa License fee refund	106.00	Disapproved
2075-71-25	Pilling Gas Company Macedonia, Iowa Motor fuel refund	915.07	Disapproved
2119-71-25	Peter V. Boe Sloan, Iowa License fee refund	36.00	Disapproved
2121-71-25	Gerard School of Iowa, Inc. Mason City, Iowa Outdated billing	90.00	Disapproved
2122-71-25	Gerard School of Iowa, Inc. Mason City, Iowa Outdated billing	56.00	Disapproved
2123-71-25	Gerard School of Iowa, Inc. Mason City, Iowa Outdated billing	90.00	Disapproved
2159-71-25	James F. Self Waterloo, Iowa License fee refund	Undetermined	Disapproved
2161-71-25	Pat Albrecht Humboldt County Treasurer Dakota City, Iowa Outdated invoice - Mental health commitment costs	4,574.58	Disapproved

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
2164-71-25	Madolyn Carol Lamphier Davenport, Iowa License fee refund	37.84	Disapproved
2168-71-25	Debra Irene Leggins Davenport, Iowa License fee refund	96.00	Disapproved
2215-71-25	F.F. Mengel Company Custer, Wisconsin Interest lost on warrants	2,074.32	Disapproved
2231-71-25	Charles T. Brogan Norwalk, Iowa License fee refund	64.00	Disapproved
2356-71-25	Roberta S. Dugan Clarksville, Arkansas Outdated billing	546.00	Disapproved
2361-71-25	Deborah R. Zwiefel Elgin, Iowa License fee refund	11.00	Disapproved
2447-71-25	Frank Welte Danbury, Iowa License fee refund	Undetermined	Disapproved
2492-71-25	Mary Ann Beierschmitt Jesup, Iowa License fee refund	90.00	Disapproved

COMMUNICATION FROM THE STATE COMPTROLLER

The following communication was received from the State Comptroller on January 2, 1985 and is on file in the office of the Chief Clerk:

January 2, 1985

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

Dear Mr. O'Hern:

In accordance with Section 25A.12, Code of Iowa, we are hereby submitting to the General Assembly all General Tort claims, Highway Tort claims, and Settlements & Judgments (general and highway) paid during 1984 by the State Appeal Board under Chapter 25A.

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

Sincerely,
William Krahl
State Comptroller

Receipt of the above is hereby acknowledged.

JOSEPH O'HERN
Chief Clerk of the House

CHAPTER 25A GENERAL TORT CLAIMS APPROVED
BY STATE APPEAL BOARD, 1984

<u>Claim Number</u>	<u>Name of Claimant Nature of Claim</u>	<u>Amount Claimed</u>	<u>Amount Approved</u>
T-10235-00	David John Simmons Lost personal property during transfer to Iowa State Penitentiary	\$ 391.15	\$ 75.00
T-022-70	David Allen Freeman Gold wedding ring lost during transfer to Men's Reformatory	228.95	50.00
T-042-70	Wesley C. Haskins Personal property lost at Fort Madison	125.00	50.00
TE-130-70	Scott A. Heunphreus Personal property lost at Fort Madison	455.00	25.00
TE-040-70	Board of Trustees of the Municipal Electric & Water Utilities of the Municipality of Indianola, Iowa DOT's error in not determining improper placement of utility poles	9,961.71	2,500.00
T-716-70	Chris L. Peterson, Father of Cory Peterson Cory Peterson was injured when a steel bar on a gate fell on Cory's right leg in Fort Defiance State Park	75,000.00	12,500.00
T-834-70	Gary R. Bear Claimant was injured when he fell in the shower at the Iowa State Penitentiary	500,000.00	500.00
T-000-70	Richard Kellar Never received ordered goods while at Fort Madison	248.00	282.00
T-052-70	Katie Ostrem Claimant was injured on Iowa State Fair Grounds	4,650.00	1,500.00
T-000-70	Michael Phillip Howard Lost property while at Fort Madison	273.00	50.00

Claim Number	Name of Claimant Nature of Claim	Amount <u>Claimed</u>	Amount <u>Approved</u>
T-1193-70	Steven Charles Peake Mixing console was stolen while in the possession of the Iowa State Jazz Band	1,400.00	1,011.00
T-1293-70	Robert E. Wallace Personal property was lost while being transferred to Rockwell City	80.00	40.00
T-1297-70	Ronald Eric Veverka Personal property was lost at Fort Madison while claimant was hospitalized	189.52	75.00
T-1300-70	Virgil Lee Hutchinson Property was lost while being transferred to Fort Madison	50.00	30.00
T-1316-70	Everett Ray Wagner Personal property was lost at Fort Madison	11.72	11.72
T-1317-70	William M. Gibbons Car was damaged while parked at loading dock of Hoover State Office Building	45.44	45.44
T-1374-70	Gregory Sykes Personal items were lost during transfer to Fort Madison	205.00	75.00
T-1383-70	Jennifer G. Hade, A Minor, by Mother & Next Friend, Abbie Hade During an appendectomy at University of Iowa Hospitals & Clinics, a small piece of curved surgical needle was left in the claimant	15,000.00	6,750.00
T-1384-70	Jennifer G. Hade, A Minor, by Mother & Next Friend, Abbie Hade See nature of claim above	15,000.00	
T-1411-70	John C. Donald Personal clothing was lost at Woodward State Hospital-School	46.56	25.00
T-1427-70	Jeffrey Lynn Kimmel Property lost while at Fort Madison	45.00	45.00
T-1428-70	Gregory Thomas Ladwig Property lost while at Fort Madison	85.00	30.00
T-1431-70	Cotis Wm. Gurndy Property was lost during transfer to Fort Madison	282.40	50.00
T-1432-70	Evelyn Louise Schuelzky Claimant was injured at State Fair Grounds	864.70	500.00

Claim Number	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
T-1461-70	Jean Marie Mathis Car was damaged by railroad tracks on property leased by Iowa State Fair Board	146.81	146.81
T-1462-70	Thomas E. McCarty Claimant was injured on a metal bed at the Iowa House Hotel in Iowa City, operated by SUI	2,500.00	2,000.00
T-1497-70	Robert L. Howser Car was damaged while parked at Glenwood State Hospital-School	238.00	165.60
T-1505-70	Randall Joseph Bedwell Personal property lost while at Riverview Release Center	70.00	40.00
T-1506-70	Brenda Sue Quick Property was lost/stolen while at Correctional Institution for Women in Mitchellville	237.00	150.00
T-1510-70	Francis Vern Kellogg Clothing was damaged in the laundry area of Riverview Release Center	40.00	25.00
T-1511-70	Allen Keith Williams Reimbursement for attorney's fees and lost wages due to mistaken identity by DHS, Child Support Recovery Unit	194.00	194.00
T-1518-70	Carol A. Viles Claimant was injured as she bumped her leg against a crank left out by a nurse at the University of Iowa Hospitals & Clinics	50,000.00	3,500.00
T-1533-70	Judith Ann Lett Car was damaged while parked in state parking lot by a state mower	113.36	113.36
T-1543-70	Rick Geiger Personal property lost while being returned to Fort Madison	240.00	10.00
T-1548-70	Eric John Schwarz Pair of blue jeans missing from laundry facility at Riverview Release Center	20.00	20.00
T-1549-70	Eric John Schwarz Clothing damaged at laundry facility at Riverview Release Center	12.00	12.00
T-1567-70	Maryjo F. Welch Dress was damaged on a nail protruding from door frame in Executive Hills Conference Room	35.00	35.00

Claim Number	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
T-1568-70	Gary L. Frazer Reimbursement for damages to a window at Fort Madison; claimant overpaid	196.00	196.00
T-1589-70	Carl Dawson Art supplies were lost during transfer from Farm #1 to Fort Madison	74.00	40.00
T-1590-70	Mei B. Ivy Clothing missing from laundry facility at Riverview Release Center	25.00	25.00
T-1598-70	Elizabeth M. Lundberg Claimant slipped and fell at the Armory in Perry, Iowa, while renewing her driver's license	172.75	172.75
T-1599-70	Pirates in the Sky Outdoor rigging was damaged when it was struck by a forklift driven by UNI-Dome personnel	4,706.84	4,000.00
T-1602-70	Russell Clarke Damaged clothing on defective chair in Hoover Building 1st floor conference room	67.60	30.00
T-1609-70	Abdigraniyu O. Oshinbanjo Lost clothing at Anamosa	11.00	11.60
T-1619-70	Donald Charles Reinier Property was damaged while at Riverview Release Center	5.00	5.00
T-1629-70	John Mouzakis, Jr. Personal property was lost while being transferred to Fort Madison	70.00	50.00
TE-1643-70	Reed Wayne Hamilton Lost property while in storage at Fort Madison	37.97	20.00
T-1685-71	June Males Reick Belgian filly died due to improper treatment at ISU's Veterinary Clinic in Ames	5,500.00	5,000.00
T-1686-71	Merle A. Coulter Claimant was injured due to a fall on the ice in front of the Ingersoll Liquor Store	96.00	96.00
T-1689-71	Arthur Norton Clothes damaged at Clarinda Correctional Treatment Unit's laundry facility	14.00	14.00

Claim Number	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
T-1699-71 TE-1699-71	Brian D. Harrison Brian D. Harrison End of daughter's right pinky finger was amputated by nurse during adjusting of I.V. at University Hospitals and Clinics in Iowa City	1,077.80	15,000.00
T-1700-71	Brandi L. Harrison, A Minor, by her Father, Guardian & Next Friend, Brian Harrison See Nature of Claim above	51,077.80	
TE-1701-71	Brandi L. Harrison, A Minor, by her Father, Guardian & Next Friend, Brian Harrison See Nature of Claim above	51,077.80	
T-1709-71	Jeannette L. Wheelchel Paint damage to auto while parked in State Vehicle Dispatcher's lot	83.64	83.64
T-1741-71	Dorothy L. Bramblett Claimant was injured at surplus cheese distribution sight overseen by DHS	876.00	126.00
T-1746-71	Viola Barlow Claimant was injured coming out of elevator in parking ramp at the University of Iowa Hospitals & Clinics	2,000.00	1,625.00
T-1765-71	Sharon Louise Jenkins Property lost while at Iowa Correctional Facility for Women	217.00	110.00
T-1768-71	Jon B. Moore c/o Barry E. Moore Medical bills incurred by claimant during residency at State Training School for Boys at Eldora	568.00	556.00
T-1789-71	Beverly Joyce Cloke Claimant injured when using the women's restrooms, the toilet she was using fell off the wall at the Mt. Pleasant Medium Security Unit	124.10	124.10
T-1794-71	James Lyle Gavin Lighter was lost while in custody at Correctional Treatment Unit at Clarinda	4.50	4.50
T-1798-71	James Robert Demro Property was damaged at Riverside Astronomical Observatory, owned by University of Iowa	530.00	530.00
T-1835-71	Toni Lee Sharp Money order was never placed in claimant's account while in custody at Iowa Correctional Institution for Women	20.00	20.00

Claim Number	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
T-1873-71	Diane Iske Lost makeup during move to a new building on campus of the Mental Health Institute in Mt. Pleasant	60.00	30.00
T-1888-71	Ada Patricia Stewart Lost humidifier while being moved to another location at Woodward State Hospital-School	103.00	103.00
T-1931-71	Timothy Green Bottle of vitamins was lost which were in storage at Fort Madison	4.42	4.42
T-1932-71	Richard James Wilson Clothing was damaged while helping relocate offices on 4th floor of Wallace Building	41.00	41.00
T-1933-71	Philip John Gourley Leather goods were lost while being transferred to Fort Madison	102.08	102.08
T-1958-71	Ritchie L. Berkland Ewe died while being treated at ISU Veterinary Clinic in Ames	2,500.00	2,500.00
T-1976-71	Steven E. Lackland Stained glass frame was broken by staff members at Clarinda Treatment Unit	11.00	11.00
T-2012-71	Spot-A-Pot Four toilets sustained major damage due to vandalism at Mini Wankum State Park	350.00	350.00
T-2065-71	Michael Richard Zehdon Footlocker was damaged during shakedown at Fort Madison	25.00	25.00
T-2101-71	Jean B. Hills Claimant fell on icy spot while visiting the Iowa School for the Deaf	85.00	85.00
T-2114-71	Mary Love Gessner Car was damaged while parked in a parking space by University employees	159.00	159.00
T-2135-71	Conrad Zingerman Car was damaged while parked in front of state-owned building by piece of flying plywood	436.08	436.08
T-2143-71	Raymond E. Osborn Glasses were broken when another correctional officer placed equipment on top of them	140.00	140.00

Claim Number	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
T 2144-71	Sue M. Miller Car was struck by parking lot gate in state parking lot	98.00	98.00
T 2152-71	American Family Insurance as subrogee for Joseph Murphy Mr. Murphy's car was damaged when it was struck by state-owned snowplow	214.32	214.32
T 2163-71	Judy A. Cochran Dress was damaged by a nail protruding from the arm of a chair located in the office of Commerce Commission	35.00	35.00
T 2187-71	Richard Daniel Markham Car was struck by parking lot gate in state parking lot	98.28	98.28
T 2190-71	John Lee Hrbek Personal property was lost while in custody at Fort Madison	29.13	29.13
T 2203-71	Randy George Name Clothing was lost while in Mental Health Institute in Clarinda	75.54	75.54
T 2111-71	James M. Sandholdt Car was damaged by the park attendant while removing snow from the driveway and park roads	480.96	480.96
T 2222-71	Charles L. McCloud Car was damaged while parked in a parking lot at Woodward State Hospital School	190.80	190.80
TE 2235-71	Darrell A. Reel Truck was damaged by state employee who backed a state vehicle into the truck, damaging the door	163.27	163.27
T 2294-71	Mike Patterson Clothing was damaged by laundry facility at Clarinda Correctional Treatment Unit	20.60	20.60
T 2296-71	Judith Jane Andrews Shultz Dress was damaged while working in the Academic Computing Services room at UNI	25.99	25.99
T 2297-71	Tonya Marlene Rhodes Skirt was damaged by dry chlorine that had been spilled or sprayed on the seating area around the Grimes Building fountain	14.99	14.99
T 2304-71	Jerry Connolly Stereo cassette and other items were lost while in custody at Fort Madison	124.94	124.94

Claim Number	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
T-2364-71	Joyce E. Schmidt Pickup was damaged by rock thrown by state vehicle	110.00	110.00
T-2381-71	Marvin Henry Townsend Travel trailer was damaged by rock thrown by state mowing machine	304.72	304.72
T-2396-71	Kevin Richard Johnson Book was lost while in custody at Fort Madison	5.00	5.00
T-2418-71	Peggy A. Davison Car was damaged by a rock thrown by a weedster operated by a state employee	162.26	162.26
T-2419-71	Michael Gene Ellis Glasses were damaged while he was loading a mattress onto a truck at the University of Iowa	130.59	130.59
T-2422-71	Sylvia M. Best State Fair maintenance worker driving a riding lawn mower, slid into claimant's parked vehicle	320.53	320.53
T-2430-71	Kreg A. Kauffman Parked car was struck by a portable spraying unit which was being pulled by a state-owned tractor	334.52	334.52
T-2461-71	Kenneth O. Hunter State Fair maintenance worker driving a tractor with an endloader bucket on the front, backed into claimant's pickup	262.48	262.48
T-2483-71	William Robert Pasquarelli Tape recorder was lost while in custody at Fort Madison	32.06	32.06
T-2490-71	Susan K. Bohall Claimant was injured in parking lot of Iowa State Fair grounds when she fell on some loose asphalt	369.70	286.00

**CHAPTER 25A HIGHWAY TORT CLAIMS
APPROVED BY STATE APPEAL BOARD, 1984**

Claim Number	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
H-347-70-T	Charles W. Shono Damage caused by fresh road paint	\$ 110.00	\$ 110.00
H-364-70-T	Golden View Farms, Inc. Changes in drainage pattern resulted in water being diverted onto part of 30 acres	8,324.10	4,162.05

Claim Number	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
H-377-70-T	Gary & Gayle Moody Chemicals sprayed along Highway 333 resulted in the destruction of 14 trees	512.40	512.40
H-378-70-T	Harold D. Sypersma Materials used for shoulders adjacent to farm contained railroad spikes and other hazardous materials which damaged farm vehicles	960.00	592.74
H-404-70-T	Regie G. Boston Debris fell from overpass on Highway 30 onto windshield	203.58	203.58
H-405-70-T	Roger L. Sutton Claimant swerved to avoid oncoming car and cropped into a hole that measured 7 inches deep	1,495.82	1,286.96
H-406-70-T	Verle Thomas Manson DOT sprayed tordon beads in the right of way; it rained that night and the chemical washed into bean field, destroying 34.5 acres	460.85	460.85
H-414-70-T	Northwestern Bell DOT crew damaged a 150 pair cable while changing the water flow in a ditch	206.68	206.68
H-423-70-T	Gary P. Cooper Construction on Highway 330 caused improper drainage resulting in flood and silt damage to crops	2,000.00	700.00
H-427-70-T	American Family Insurance Co., as Subrogee of Elden G. Baker DOT sandblasting crew threw rock at insured's vehicle cracking the windshield	215.90	215.90
H-432-71-T	Northwestern Bell 25 pair of cable were cut by DOT crews	309.50	309.50
H-434-71-T	Chicago & Northwestern Transportation Co. Water drained from construction project down to railroad tracks, washing out some areas and causing siltation in others	14,968.72	8,904.41
H-456-71-T	Jack Seeser Drainage tile was damaged by DOT construction crew which caused wet fields	3,388.68	3,388.68
H-463-71-T	Sophie B. Wright Paint on car was damaged by DOT road repair crew	150.00	150.00

Claim Number	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
H-478-71-T	Robert W. McCormick DOT sprayed tordon beads in right of way adjacent to land; it rained heavily and destroyed 45 BU of beans	497.92	497.92
H-480-71-T	Kenneth E. Bell Car was struck by flying debris from DOT maintenance crew, causing chips to windshield and paint	170.69	170.69
H-488-71-T	Ann Marie Willett Road work sign blew into the front of car	129.60	129.60
H-503-71-T	P. Laverne Peterson Fence was damaged during the winter by DOT	1,990.70	995.35
H-513-71-T	Brian D. Bean Car was damaged by tar and road oil by a maintenance project on U.S. 218	101.52	101.52
H-514-71-T	Dolores G. Marks Rear door glass was shattered by rocks and other debris thrown by air compressor used by DOT	67.34	67.34
H-533-71-T	Curtis Olenius Axel on travel trailer was damaged when claimant drove over potholes formed DOT crew	48.91	48.91
H-566-71-T	Sandra Eileen Nichols Bulb fell from streetlight on the I-74 bridge, damaging claimant's car	74.15	74.15
H-569-71-T	Duane John Meiners Weed spray used by DOT employees washed into field, causing damage to soybeans	140.00	24.38
H-572-71-T	DPD Acres Crop damage as a result of flooding and silt damage from construction work	2,497.50	2,497.50
H-574-71-T	Richard B. Huber Barrel mounted stop sign blew over onto car causing damage	491.24	491.24
H-575-71-T	James R. Boike Rock from seal-coating project was thrown onto windshield, causing it to crack	176.50	176.50
H-568-71-T	Gerald Albert Keller Car was pelted with sand and gravel from a construction area	194.43	194.43

Claim Number	Name of Claimant Nature of Claim	Amount Claimed	Amount Approved
H-509-71-T	Phillip L. and Melvin Henry Tordon beads applied by DOT washed onto field, causing damage to bean crops	1,100.00	300.00
H-393-71-T	Elizabeth J. Beenken Loose sand on a DOT strip sealing project caused windshield to break	184.85	184.85
H-616-71-T	Lyle C. Williams DOT employees have sprayed weed adjacent to claimant's property, resulting in 3 trees dying	350.00	350.00
H-617-71-T	Glenn A. Jenkins DOT crew sprayed thistles beside soy-bean field, causing damage	72.00	65.00

**CHAPTER 25A - GENERAL TORT CLAIMS
JUDGMENTS & SETTLEMENTS AT OR BEFORE TRIAL - 1984**

Former Claim No.	Name of Claimant Nature of Claim	Amount of Original Claim	Amount Settled
T-9086-69	April Andre, by Lee Andre Personal Injury (Settlement)	Undetermined	200.00
T-10236-69	Omer & Arlene Darnell Wrongful Death (Settlement)	Undetermined	85,000.00
T-388-70	Richard E. Curley Personal Injury (Settlement)	150,000.00	5,000.00
T-5716-68	Evelyn Arlene Dean Personal Injury (Settlement)	106.45	1,000.00
TE-6836-69	Brenda Fritz (and parents of Michael & Rosie Fritz) Personal Injury (Settlement)	3,000,000.00	70,000.00
TE-712-70	Elmer Fehrlé Personal Injury (Settlement)	250,000.00	4,000.00
TE-1681-71	Estate of Lois E. Gridley Wrongful Death (Settlement)	500,000.00	5,000.00
T-1656-71	Don Gardiner Personal Injury (Settlement)	15,262.29	1,500.00

Former Claim No.	Name of Claimant Nature of Claim	Amount of Original Claim	Amount Settled
T-10125-69	Theresa Heumphreus as parent, guardian & next friend of Amy Heumphreus, a minor Wrongful Death (Settlement)	50,730.00	112,896.17
T-10124-69	Theresa Heumphreus Wrongful Death (Settlement)	26,069.70	
T-10091-69	Estate of Billy Gene Heumphreus Wrongful Death (Settlement)	1,500,000.00	
T-10161-69	Charles E. Long Personal Injury (Settlement)	2,000,000.00	7,500.00
TE-10160-69	Charles E. Long Personal Injury (Settlement)	2,000,000.00	
TE-10162-69	Maria H. Long Personal Injury (Settlement)	2,000,000.00	
T-10163-69	Maria H. Long Personal Injury (Settlement)	2,000,000.00	
TE-10159-69	Estate of Stephen Michael Long, Maria H. Long, Administrator Wrongful Death (Settlement)	5,000,000.00	
T-061-70	Bob & Shelly Klaassen Personal Injury (Settlement)	30.00	6,000.00
T-1112-70	Carolyn Marie Mata Personal Injury (Settlement)	50,000.00	25,000.00
T-1113-70	Cruz Mata Personal Injury (Settlement)	500,000.00	
T-1110-70	Diana Maria Mata Personal Injury (Settlement)	20,000.00	
T-1109-70	Eateben Cruz Mata Personal Injury (Settlement)	20,000.00	
T-1111-70	Melissa M. Mata Personal Injury (Settlement)	20,000.00	
T-1107-70	Monica Lee Mata Personal Injury (Settlement)	20,000.00	
T-1108-70	Vanassa Mata Personal Injury (Settlement)	20,000.00	

T-977-70	Amar Nath Personal Injury (Settlement)	100,000.00	}	85,000.00
T-978-70	Sandhya Nath Personal Injury (Settlement)	500,000.00		
TE-10496-89	Mary Jane North Personal Injury (Settlement)	20,000.00		5,500.00
T-1280-70	City of Oelwein, Iowa Personal Injury (Settlement)	3,000,000.00		10,000.00
T-1054-70	Kimberlee Peterson Personal Injury (Settlement)	5,000,000.00		326,293.90
TE-10448-89	Seney Grain, Inc., et al Property Damages (Settlement)	60,501.00		10,000.00
T-1534-70	Diana L. Shannon Personal Injury (Settlement)	35,000.00	}	7,500.00
TE-1535-70	Diana L. Shannon Personal Injury (Settlement)	35,000.00		
T-10688-89	John & Jennifer Slater Personal Injury (Settlement)	200,000.00	}	160,000.00
T-10025-89	Patricia Slater Personal Injury (Settlement)	500,000.00		
T-10024-89	Patricia Slater Personal Injury (Settlement)	1,500,000.00		
T-414-70	Susan Rae Spetman Personal Injury (Settlement)	282.29		1,500.00
TE-201-70	William J. Spratt Personal Injury (Settlement)	25,000.00	}	3,250.00
T-202-70	William J. Spratt Personal Injury (Settlement)	25,000.00		
T-10378-89	Stephen T. Stepanek Personal Injury (Settlement)	50,000.00		7,500.00
T-458-70	Willard Stuviek Personal Injury (Settlement)	500,000.00		39,000.00
T-4445-88	George Thompson Personal Injury (Settlement)	850,000.00		150,618.50

**CHAPTER 25A – HIGHWAY TORT CLAIMS
JUDGMENTS & SETTLEMENTS AT OR BEFORE TRIAL – 1984**

Former Claim No.	Name of Claimant Nature of Claim	Amount of Original Claim	Amount Settled
H-802-68-T	Mildred M. Anderson Wrongful Death (Settlement)	88,000.00	38,000.00
H-370-70-T	Fred Benedix Property Damages (Settlement)	2,700.00	3,330.00
H-005-70-T	Richard W. Booth Property Damages (Settlement)	1,700.00	2,500.00
H-071-70-T	James A. Buelt Personal Injury (Settlement)	50,000.00	4,500.00
H-724-68-T	Paul Arnold Farnett Property Damages (Settlement)	35,872.84	1,000.00
H-1178-69-T	Douglas Gronau (John F. Gronau) Property Damages Wrongful Death (Settlement)	5,550.00	18,000.00
H-1177-69-T	Maxine M. Gronau Property Damages Wrongful Death (Settlement)	6,409.67	
H-660-68-T	Edward Helfenstein Personal Injury (Settlement)	750,000.00	250,000.00
H-085-70-T	Myron J. Hoffman Property Damages Personal Injury (Settlement)	2,000.00 75,000.00	16,500.00
H-190-70-T	John B. Horton Personal Injury (Settlement)	2,000,000.00	18,125.00
H-794-68-T H-793-68-T	Jack Kooker (Settlement)	150,000.00	175,000.00
H-028-70-T H-027-70-T	Richard Krebill Personal Injury Viola Krebill Personal Injury	2,250,000.00 250,000.00	925,000.00
H-829-69-T	Sean Michael McCarron Personal Injury (Settlement)	250,000.00	34,150.00
H-801-68-T	Sally Morelock Personal Injury (Settlement)	75,000.00	34,150.00

H-1128-89-T	Mouw Transportation Property Damages (Settlement)	27,481.73	2,500.00
H-1198-89-T	Willie F. Murra Property Damages (Settlement)	1,587.50	1,150.00
H-1189-89-T	Gary D. Ogden Property Damages Personal Injury (Settlement)	3,000.00	2,000.00
H-145-70-T	Roger Dale Sarauer Property Damages Personal Injury (Settlement)	250.00 350,000.00	71,750.00
H-854-89-T	Estate of Jeffrey Alan Stoner Wrongful Death (Settlement)	750,000.00	6,000.00
H-1253-89-T	Danny Sweezer, Adm. of the Estate of Tanya Sweezer Wrongful Death (Settlement)	200,000.00	68,000.00
H-1252-89-T	Danny Sweezer, Adm. of the Estate of Rhonda Sweezer Wrongful Death (Settlement)	200,000.00	
H-1254-89-T	Danny Sweezer Wrongful Death (Settlement)	100,000.00	
H-903-89-T	Anthony Thompson Personal Injury (Settlement)	Undetermined	55,000.00
H-227-76-T	Joseph Wesley Turner Property Damages (Settlement)	357.76	132.50
H-1259-89-T	Viola M. Venard, Adm. of the Estate of Richard Snyder Black Wrongful Death (Settlement)	135,700.00	3,000.00
H-171-70-T	Robert L. Welsh, Jr. Personal Injury (Settlement)	57,500.00	7,000.00
H-1122-89-T	Bonnie L. and Richard L. White, Adm. of the Estate of Thomas Lee White Wrongful Death (Settlement)	750,000.00	6,000.00

COMMUNICATIONS RECEIVED

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

CAMPAIGN FINANCE DISCLOSURE COMMISSION

The final report of the Political Campaigns Study Committee, pursuant to Chapter 1218, section 1.5, 1984 Acts of the Seventieth General Assembly. Received December 31, 1984.

DEPARTMENT OF HUMAN SERVICES

A report of the "Review of the Feasibility and Cost of Establishing a Special Class of Intermediate Care Facilities Designed to Serve Brain Injured Persons or Other Persons with Special Disabilities", pursuant to Chapter 1310, Section 5(7), 1984 Acts of the Seventieth General Assembly. Received January 15, 1985.

The annual report of the Iowa Department of Human Services, pursuant to Chapter 217.21, Code of Iowa. Received July 16, 1984.

Two copies of a report entitled, "A Study of Iowa's Disabled Population", pursuant to Chapter 1306, Section 10, 1984 Acts of the Seventieth General Assembly. Received October 21, 1984.

A copy of the study on how to recruit and retain psychiatrists at the Iowa Mental Health Institutes, pursuant to Chapter 1306, Section 5.3(c), 1984 Acts of the Seventieth General Assembly. Received January 9, 1985.

DEPARTMENT OF PUBLIC SAFETY

The preliminary Uniform Crime Report comparison for the first calendar quarter of 1984, pursuant to Section 692.15, Code of Iowa. Received July 19, 1984.

The preliminary Uniform Crime Report comparison for the second calendar quarter and first half of 1984, pursuant to Section 692.15, Code of Iowa. Received November 8, 1984.

DEPARTMENT OF TRANSPORTATION

The annual report on Iowa's public transit programs, pursuant to Section 601J.4, Subsection 2, Code of Iowa. Received May 29, 1984.

A report entitled, "1984 Iowa Primary Road Sufficiency Log", pursuant to Section 307A.1(12), Code of Iowa. Received July 5, 1984.

A report entitled, "1984 Iowa Airport Sufficiency Ratings", pursuant to Chapter 328, Code of Iowa. Received December 7, 1984.

A report of the 1985-1990 Transportation Improvement Program, pursuant to Chapter 307A.2(12), Code of Iowa. Received December 20, 1984.

DEPARTMENT OF WATER, AIR AND WASTE MANAGEMENT

The first annual report from the Department of Water, Air and Waste Management, pursuant to Sections 455B.425 and 455B.427, Code of Iowa. Received January 10, 1985.

A copy of the 1985 State Water Plan, pursuant to Section 455B.263, Code 1983. Received January 15, 1985.

HEALTH DATA COMMISSION

A report of the activities of the Iowa Health Data Commission to the Iowa General Assembly, pursuant to Section 145.6, Code 1983. Received January 15, 1985.

IOWA HIGHER EDUCATION LOAN AUTHORITY

The Annual Report of the Iowa Higher Education Loan Authority for the period July 1, 1983-June 30, 1984, pursuant to Section 261A.21, Code of Iowa. Received December 12, 1984.

IOWA RAILWAY FINANCE AUTHORITY

The 1984 annual report of the Iowa Railway Finance Authority, pursuant to Section 307B.8(6), Code of Iowa. Received January 5, 1985.

OFFICE FOR PLANNING AND PROGRAMMING

The second quarterly reports for the period of October 1, 1983-March 31, 1984, pursuant to Chapter 207, Section 79, Code of Iowa. Received May 25, 1984.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 14 Energy and Environmental Protection**

Relating to the elimination of sanitary landfills as a method of waste disposal and subjecting violators to a civil penalty.

S.B. 15 State Government

Relating to the financing of political campaigns and the reporting of that financing.

RESOLUTIONS FILED

SCR 2, by committee on rules and administration, a concurrent resolution providing for the compensation of chaplains, officers and employees of the general assembly.

Referred to committee on rules and administration.

SCR 3, by committee on rules and administration, relating to the joint rules of the Senate and House in the Seventy-first General Assembly.

Referred to committee on **rules and administration**.

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 RULES AND ADMINISTRATION

Senate Concurrent Resolution 2, a concurrent resolution providing for compensation of chaplains, officers and employees of the general assembly.

Fiscal Note is not required.

Recommended Do Pass.

Senate Concurrent Resolution 3, a concurrent resolution providing for the joint rules of the Senate and House of the seventy-first general assembly.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-3002, January 16, 1985.

AMENDMENTS FILED

H-3001	SCR	2	McKean of Jones
H-3002	SCR	3	Committee on Rules and Administration
H-3003	SCR	2	Spear of Lee

On motion by Norland of Worth, the House adjourned at 9:17 a.m., until 9:00 a.m., Thursday, January 17, 1985.

JOURNAL OF THE HOUSE

Fourth Calendar Day — Fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 17, 1985

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

Prayer was offered by Reverend Julius Rechtermann, pastor of the United Methodist Church, Klemme.

The Journal of Wednesday, January 16, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stanley Haugland, Des Moines.

INTRODUCTION OF BILLS

House File 28, by Running, a bill for an act to require state liquor stores and holders of liquor control licenses and beer permits to post in a prominent place in the stores or licensed establishments notice explaining the laws which prohibit the operation of a motor vehicle while intoxicated.

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

House File 29, by Haverland, a bill for an act relating to qualification of nonprofit corporations as guardians.

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

House File 30, by Spear, a bill for an act relating to the appointment of chiefs of the police department and chiefs of the fire department in cities under civil service.

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

House File 31, by Halvorson of Clayton, a bill for an act permitting a lender to obtain reimbursement for title insurance premiums paid if the title insurer is located outside the state and the mortgage is going to be sold by the lender in the secondary mortgage market.

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

House File 32, by Lloyd-Jones, a bill for an act relating to use of a handicapped parking space making penalties applicable.

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

House File 33, by Schnekloth, a bill for an act eliminating the requirement for elevator operators to withhold state income taxes from rent payments made to nonresident landlords.

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

House File 34, by Cochran, a bill for an act authorizing an increased tax credit on agricultural land on which approved soil and water conservation practices or erosion control practices are established and maintained.

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

House File 35, by Spear, a bill for an act making changes in the statutes relating to marriage.

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

House File 36, by Harbor, a bill for an act to provide for a user permit to park a motor vehicle on certain state lands and providing a penalty.

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

House File 37, by Groth, a bill for an act relating to antiquated vehicles by providing an exemption from equipment standards for

street rods and by allowing the use of year of production plates and providing a penalty.

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

House File 38, by Spear, a bill for an act providing that appraised value determines when a school board has the power to sell, lease or dispose of school property.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hermann of Scott, until his arrival, on request of Renken of Grundy; Groninga of Cerro Gordo, until his arrival, on request of Paulin of Plymouth; Mullins of Kossuth on request of Stromer of Hancock.

ADOPTION OF SENATE CONCURRENT RESOLUTION 1

Norland of Worth asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 1, relating to distribution of printed legislative materials, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF MILEAGE COMMITTEE REPORT

Zimmerman of Dallas called up for consideration the report of the committee on mileage found on pages 42 through 44 of the House Journal and moved its adoption.

The motion prevailed and the report was adopted.

COMMITTEE TO NOTIFY THE SENATE

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

The motion prevailed and the Speaker appointed as such committee: Fogarty of Palo Alto, Chair; Beatty of Warren and Harbor of Mills.

The House stood at ease at 9:12 a.m., until the fall of the gavel.

The House resumed session at 9:47 a.m., Speaker Avenson in the chair.

REPORT OF COMMITTEE TO NOTIFY THE SENATE

Fogarty of Palo Alto, chair of the committee appointed to notify the Senate that the House was ready to receive it in joint convention reported that it had performed its duty. The report was accepted and the committee discharged.

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

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

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 2, duly adopted, the joint convention was called to order, President pro tempore Rodgers of Dallas presiding.

Senator Junkins of Lee moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed.

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

Senator Junkins of Lee moved that a committee of four, consisting of two members from the Senate and two members from the House, be appointed to escort Governór Terry E. Branstad to the House chamber for the Condition of the Judicial Department Message.

The motion prevailed and the President appointed as such committee: Senators Mann of Polk and Corning of Black Hawk, on the part of the Senate; and Representatives Rosenberg of Story and McKean of Jones, on the part of the House.

Senator Junkins of Lee moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify Chief Justice W. W. Reynoldson that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee: Senators Doyle of Woodbury, Chair; Miller of Des Moines and Ritsema of Sioux, on the part of the Senate; and Representatives Jay of Appanoose, Chapman of Linn and McIntee of Black Hawk, on the part of the House.

State Treasurer Michael Fitzgerald, Auditor Richard Johnson and Attorney General Tom Miller were escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him to the Speaker's station.

The Justices of the Supreme Court, the Judges of the Court of Appeals and the Chief Judges of the eight Iowa Judicial Districts were escorted into the House chamber.

The committee waited upon Chief Justice W. W. Reynoldson and escorted him to the Speaker's station.

President pro tempore Rodgers then presented Chief Justice W. W. Reynoldson who delivered the following Condition of the Judicial Department message:

Mr. President, Mr. Speaker, Governor Branstad, Senators, Representatives, State Officials, Justices and Judges, and fellow Iowans:

Your statutory request that brings us here for the seventh time to report on the condition of Iowa's judicial branch of government is not viewed as a duty, but a high honor and a rich opportunity to visit with both new and long-standing friends. We raise and pass another landmark today. With the understanding concurrence of Governor Branstad, we submit our judicial budget request, contained in a separate Addendum to this message, directly to this legislature, without the executive branch first reviewing it. We consider this courtesy by the legislative and executive branches an affirmation of the commitment we all share to the concept of three separate and equal branches of government.

There is a temptation in presenting these messages, accounting as we should for our stewardship, to dwell on our appreciation for the forward-looking efforts of past General Assemblies. The tendency is great because the Iowa Legislature has been great, and surely as public spirited and unselfish as any in the nation.

You will recall that as you grappled with the court reorganization and funding bill now incorporated in Iowa Code chapter 602, I cautioned you that court reform would not necessarily invoke thunderous applause or garner landslide votes. In view of favorable media and public comments, that prediction may have been unwarranted. It is nonetheless true that you acted strictly in the public interest and continued down that progressive path with the necessary funding.

Your leadership is all the more impressive because it has come at a time when the courts are still taking criticism for the size and complexity of our modern case load. The truth is that the staggering work load of the courts is largely dictated by factors beyond our control. Today many of the old ties and community restraints are gone: Too often we are a massed collection of strangers, who want to remain strangers but who nonetheless are totally dependent upon each other for every basic necessity. Tensions mount and litigation follows, now frequently involving multiple parties.

The supreme court decisions in the early Iowa Reports unfold a nostalgic and fascinating history. Smith sues Jones on a simple promissory note. A train ends the blissful career of a prize bull. A plaintiff is injured by a team of runaway horses, frightened by a newfangled automobile. Today the advances of science and technology provide us new and insidious means of harming each other, and create strange and complex legal issues. Although we still struggle with many recurring questions, the frontiers of the law are advancing with blinding speed. Today courts, like legislatures, confront questions concerning the contaminations of our environment, the pollution of our ground water, the genetic engineering that results in new forms of life, the random conception of babies in a dish, and the withholding of life support systems for the terminally ill. Small wonder that our decisions become more numerous and more complex.

Your effort to strengthen Iowa's justice system must have been based on your faith that people would continue to use Iowa courtrooms as the place to resolve their differences and answer their concerns. While civil case filings above the small claims level are down slightly from the historic peak we reached in 1981, the combined district court civil and criminal filings increased 57 percent in the ten-year period from 1974 to 1984. In the same ten-year period appeals have nearly doubled to a new high in 1984, and the work load for each appellate justice or judge has climbed nearly 20 percent.

Despite this increase, we cannot, and should not, ignore those to whom the courtroom doors in civil cases have long been closed. In our 1982 message we noted that the unrepresented poor have access to the courts in the same manner that early Christians in the Roman arenas had access to the lions. Commendably, the Iowa State Bar Association recently proposed a plan to pool small, idle trust funds, and utilize the interest, otherwise lost, to provide legal services to the poor. Last month the supreme court adopted the Interest on Lawyer's Trust Account (IOLTA) proposal, with slight modifications, and the plan has been set in motion.

Some might be alarmed by our swelling tide of court litigation. We view it as a healthy sign that a remarkably civilized society is finding a way to resolve the differences that are bound to arise among people who truly are free. If our major disputes are not to be resolved in the calm and orderly atmosphere of the courtroom, then where? And how?

Perhaps in times past, before judicial services were so widely available, the need for those services was more apparent. The pioneers who set up our government not only established the judiciary as a separate branch of government, but they also created a seat of government in each county, centering it in what they called, not a government house, but a courthouse.

We are a litigious society. We always have been and so long as we are free, will always continue to be. Surely all of our joint planning must be designed to meet the long-range requirements of Iowans for effective, efficient, and just court services.

Today we report that the state of the Iowa judiciary is good and, with the implementation of chapter 602 state funding, getting even better. Much credit for the improvement belongs to Iowa's hardworking district judges and district associate judges. In 1984 they disposed of over 90,000 civil and criminal cases. They handled 16 percent more civil and criminal cases than they did five years ago and 41 percent more cases than in 1974—the first full year after unification of the state court system. We feel justified pride in the distinguished Iowans who have chosen a judicial career. Usually appointments are taken at financial sacrifice to the judge and to the judge's family as well.

Pursuant to chapter 602, we are in transition to state funding and state monitoring of the Iowa judicial system. The state assumed the expense of jury fees October 1, 1983, witness fees and court reporters July 1, 1984, and bailiffs (now called "court attendants") January 1, 1985. At the same time, the state has received from the counties an additional 20 percent each year of court-collected revenues. Bringing these staff components into the state judicial system as state employees makes good, Iowa, common horse sense. We believe this "new family" is healthy and happy.

Although there are inevitable growing pains, we have committed our continuing efforts to positive, open communications with, and support of, these new employees. In this we have had invaluable advice on policy decisions from knowledgeable court personnel in the field. These include those who serve on the Supreme Court's Advisory Committee on Court Reporters, Advisory Committee on the Administration of Juvenile Court Offices, Advisory Committee on the Administration of District Court Clerks' Offices, and the Advisory Committee on Judicial Information Systems.

We have worked hard with the juvenile court officers in anticipation of their becoming state employees on July 1 of this year. We look forward to welcoming the final personnel component, the district court clerks and their staffs, on July 1, 1986. Each day demonstrates more need for all these units to be functioning as a team. For just one example, last December 24 a number of the district court clerks' offices were closed, observing a county holiday, while the district court judges — state officers all — were attempting to hold court.

We share the legislature's basic commitment to the taxpayers, to the counties and to these court components: We must maintain decentralized administration of this restructured court system. A walk through our administrative offices here in the Capitol Building will show a strong but lean staff, for although policy is made at the state level pursuant to constitutional mandate, most of the management and administrative functions remain where they rightly belong: with the eight judicial districts.

For this reason, it is critical that judicial districts be provided with adequate administrative staff to carry out district responsibilities. Many of you will recall that when the state assumed the expense of the district court administrators' offices in 1981, it cut the operating budgets of those offices by 40 percent. The system still suffers from that shortfall, particularly in the Fifth and Seventh Judicial Districts. The key to meeting financial and personnel requirements in transferring hundreds of employees from county to state payroll is a budget officer for each of the eight districts. The budget we submit today requests less than you originally projected for state court funding administration expense, but it does include funding for four district budget officers to join the four already functioning. We make no request for additional assistance in the office of the state court administrator, William O'Brien, although his duties, of course, have multiplied.

The requested budget we file today reflects as top priority the continued implementation of the court-restructuring legislation. Our requests are pared to the core. We believe we are the first full state supreme court ever to sit through days of budget submissions and reviews. We cut proposed funding for some services we recognized were truly needed, slashing \$3,000,000 in fiscal year 1986, and \$2,400,000 in fiscal year 1987. We did so in recognition of the severe revenue concerns you face. We thought long and hard about the priorities you will find reflected in our proposals, and we are convinced they are sound.

Public administration in the 80's requires effective management of information and communications. You have recognized the arrival of the age of computerized technology as a management tool. To follow your lead and to get the most from available tax dollars, we have requested funds for a statewide study of current and future computer capability, and the requirements of a state computerized judicial information system. We are faced with a compelling need to implement the use of computers as our capabilities necessarily are expanded to schedule cases, generate jury lists, process child support payments, compute case load statistics, supplement current research practices, speed the production of jury instructions and judicial opinions, and perform various recordkeeping and accounting procedures in finance and personnel administration. Without a systematic state plan to achieve efficiencies, large sums of public money may be squandered in the purchase and development of incompatible hardware and programs.

The need for initial and continuing training of professional employees and support staff is a good investment that is recognized universally in both public and private sectors. In recognition of the fact that good judges are made, not born, this budget incorporates funds for continuing annual judicial training sessions. These sessions are designed not only to discuss new developments in substantive and procedural law but to assist judges and magistrates in developing and utilizing the attributes and traits necessary for evenhanded justice. Last year our judicial training included child custody, child sexual abuse, children in jail, victim rights, utility rates, debtor-creditor problems, comparative negligence, computers and modern technology, mediation and judicial writing. This spring juvenile judges and referees will attend a special conference on permanency planning for children, and another workshop will examine the social, economic and legal issues associated with drunken driving.

Training programs and materials are also integral functions of our judicial education and planning office, under the capable guidance of Dr. Jerry Beatty. Thus our requested supreme court appropriations include basic funding to train both the current court-supporting staff and those coming on line during the biennium.

Although the state's shouldering of the state judicial system cost will lift a great burden from the farmers and other real property owners who traditionally have paid 75 percent of this expense, the impact on the state budget will be relatively small. This year the total judicial branch appropriation comprises only 1 percent of the total state appropriations of approximately \$2,289,000,000. We estimate that in fiscal year 1988 when court reorganization is fully implemented by state assumption of indigent defense costs, the judicial branch share of the total state budget will be approximately 2.7 percent. After allowances for court-collected revenues diverted to the state, it will be approximately 1.6 percent.

We must not waiver in our joint commitments toward state court funding, decentralized administration, and an equitable allocation of resources for the judicial system. It is an opportunity for Iowa citizens that should not be jettisoned in the politics of the moment or the frugalities of shortsightedness. Governor Branstad continues his steadfast support of this legislation, and has indicated he will provide for its implementation in his budget. We are confident of your continued wisdom in this clear public interest.

This is an appropriate time to recognize the chief judges of our eight judicial districts, all of whom are here today. It has been a privilege to work with this dedicated group in the judicial council. They tackle tough and challenging problems in court administration. Along with countless other tasks, they are studying the troublesome area of attorney compensation for the defense of indigents in criminal cases, attempting to devise conservative but reasonable statewide standards before the state takes over that obligation in fiscal year 1988. Last June the council launched a study of case processing in Iowa's courts to determine whether we meet the national time standards recently formulated by the National Conference of State Court Administrators, and endorsed by the National Conference of Chief Justices. Despite our all-out efforts, and the assistance you have provided over the years with district court law clerks and administrators, more than one-half of our dissolution cases, and one-fourth of all other cases, do not meet the recommended standards. Although further case-processing efficiencies will be achieved when chapter 602 brings all of the components of Iowa's justice system together, the question of additional judges, which I have raised over the years, remains.

The present statutory formula for adding judges as case load and population builds seems to lack credibility. Because of past legislative freezes on the operation of that statute, Iowa now has 26 fewer judges than called for by the formula. We now propose that a joint court-legislative committee be formed and charged with the responsibility of reexamining the issues of numbers and allocation of judicial officers, taking into account the support you have furnished and the present judicial needs of Iowa citizens. This committee might utilize new and helpful national studies in which the National Conference of State Legislatures has played a role.

Our past joint studies have increased the efficiency of the judicial branch and made it more responsive to the need of Iowans for judicial services. In midpassage of a year as President of the Conference of Chief Justices, I have compared notes with my judicial colleagues across the nation. Always I return to Iowa with a sense of pride in Iowa's legislative and executive branches and their sensitive cooperation in building a better justice system. We look forward to working with you on the study we now propose.

Two years ago we undertook together a task of vast and lasting significance. Few generations of public leaders are given the unique responsibility and opportunity to reconstruct one of the three branches of state government. The reconstruction we began with such high hopes is now well underway. A solid foundation is in place. With the blueprints you drafted in chapter 602, we have built on that foundation and we have kept faith with you and the public by the efforts we have described.

In all of this, you have looked beyond the next election to the next generation. We salute you, for the new judicial branch of Iowa government will one day stand as a monument to your unselfish vision.

Chief Justice W. W. Reynoldson was escorted from the House chamber by the committee previously appointed.

Governor Terry E. Branstad was escorted from the House chamber by the committee previously appointed.

Norland of Worth moved that the joint convention be now dissolved at 10:28 a.m., which motion prevailed.

The House reconvened, Speaker Avenson in the chair.

On motion by Norland of Worth, the House was recessed at 10:29 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

The House stood at ease at 1:07 p.m., until the fall of the gavel.

The House resumed session at 2:37 p.m., Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Skow of Guthrie, for the remainder of the day, on request of Black of Jasper.

ADOPTION OF SENATE CONCURRENT RESOLUTION 2

Norland of Worth asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 2 as follows:

SENATE CONCURRENT RESOLUTION 2
By Committee on Rules and Administration

1 *Whereas*, section 2.11 of the Code provides that "The
2 compensation of chaplains, officers and employees of the
3 general assembly shall be fixed by joint action of the house
4 and senate by resolution at the opening of each session, or as
5 soon thereafter as conveniently can be done.", *Now Therefore*,
6 *Be It Resolved By The Senate, The House Concurring*, That
7 the compensation for the following officers for the period
8 commencing January 14, 1985 and ending January 12, 1987, shall
9 be within the following ranges:

10 Secretary of the Senate and Chief

11 Clerk of the House \$24,985 to \$42,182

12 Assistant Secretary of the Senate, Parliamentarian and

13 Assistant Chief Clerk of the House \$20,732 to \$32,328

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

23 *Be It Further Resolved*, That the compensation of the
24 employees of the seventy-first general assembly is set,
25 effective from January 14, 1985, until January 12, 1987, in
26 accordance with the following salary schedule:

Page 2

1	#7	#8	#9	#10	#11
2	\$8,756.80	\$9,152.00	\$9,526.40	\$9,984.00	\$10,462.40
3	4.21	4.40	4.58	4.80	5.03
4					
5	#12	#13	#14	#15	#16
6	\$10,920.00	\$11,440.00	\$11,960.00	\$12,438.40	\$12,979.20
7	5.25	5.50	5.75	5.98	6.24
8					
9	#17	#18	#19	#20	#21
10	\$13,520.00	\$14,123.20	\$14,747.20	\$15,454.40	\$16,286.40
11	6.50	6.79	7.09	7.43	7.83
12					
13	#22	#23	#24	#25	#26
14	\$17,118.40	\$17,908.80	\$18,657.60	\$19,448.00	\$20,238.40
15	8.23	8.61	8.97	9.35	9.73
16					
17	#27	#28	#29	#30	#31
18	\$21,153.60	\$22,068.80	\$22,984.00	\$23,899.20	\$25,001.60
19	10.17	10.61	11.05	11.49	12.02
20					

21	#32	#33	#34	#35	#36
22	\$26,104.00	\$27,393.60	\$28,724.80	\$30,076.80	\$31,553.60
23	12.55	13.17	13.81	14.46	15.17
24					
25	#37	#38	#39	#40	#41
26	\$33,072.00	\$34,694.40	\$36,420.80	\$38,251.20	\$40,123.20
27	15.90	16.68	17.51	18.39	19.29

28 In this schedule, each numbered block shall be the yearly
 29 and hourly compensation for the pay grade of the number
 30 heading the block. Within each grade there shall be six steps
 31 numbered "1" through "6". In the above schedule the steps for
 32 all grades are determined in the following manner. Each
 33 numbered block is counted as the "1" step for that grade. The
 34 next higher block is counted as the "2" step; the next higher
 35 block is the "3" step; the next higher block is the "4" step;

Page 3

1 the next higher block is the "5" step; the next higher block
 2 is the "6" step.

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

12 The following personnel shall not be paid an overtime
 13 premium:

14 Secretary of the Senate
 15 Chief Clerk of the House
 16 Senate Parliamentarian
 17 Assistant Secretary of the Senate
 18 Assistant Chief Clerk of the House
 19 Senate Legal Counsel
 20 House Legal Counsel
 21 Finance Officer
 22 All Administrative Assistants
 23 All Research Analysts
 24 All Secretaries to Senators and Representatives
 25 All Caucus Staff Directors
 26 Secretaries or Executive Secretaries to Caucus or Leader

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

32 *Be It Further Resolved*, That in the event the salary
 33 schedule for employees of the State of Iowa as promulgated by
 34 the merit employment commission pursuant to section 19A.9,
 35 subsection 2, Code 1985, is revised upward at any time during

Page 4

1 the seventy-first general assembly, such revised schedule
 2 shall simultaneously be adopted for the compensation of the
 3 employees of the seventy-first general assembly assigned a
 4 grade by this resolution. The pay ranges of those positions
 5 specifically listed on page one of this resolution shall be
 6 automatically adjusted to reflect any cost of living increases
 7 granted to those employees not included in the collective
 8 bargaining agreement made final under chapter 20 of the Code.

9 *Be It Further Resolved*, That the employees of the seventy-
 10 first general assembly be placed in the following pay grades:

Employees Of The House	
11	Legal Counsel II Grade 33
13	Legal Counsel I Grade 29
14	Executive Secretary to Speaker Grade 23
15	Caucus Staff Director and/or
16	Leader's Administrative Assistant Grade 26 to Grade 31
17	Research Analyst Grade 24 to Grade 28
18	Executive Secretary to Caucus or Leader Grade 17 to Grade 22
19	Executive Secretary to Chief Clerk Grade 23
20	Clerk to Chief Clerk Grade 15
21	Supervisor of Secretaries Grade 20
22	Journal Editor Grade 22 to Grade 24
23	Assistant Journal Editor Grade 18 to Grade 20
24	Compositor Grade 16 to Grade 18
25	Finance Officer Grade 22 to Grade 27
26	Assistant Finance Officer Grade 17 to Grade 20
27	Recording Clerk Grade 20
28	Assistant Legal Counsel Grade 23
29	Assistant to the Legal Counsel and
30	Engrossing/Enrolling Clerk Grade 21
31	Assistant to the Legal Counsel Grade 21
32	Secretary to Caucus or Leader Grade 15 to Grade 20
33	Chief Indexer Grade 19
34	Indexing Assistant Grade 17
35	Supply Clerk Grade 15

Page 5

1	Swing Clerk Grade 15
2	Switchboard Operator Grade 13
3	Secretary I Grade 13
4	Secretary II Grade 15
5	Administrative Assistant I Grade 13
6	Administrative Assistant II Grade 15
7	Bill Clerk Grade 13
8	Assistant Bill Clerk Grade 12
9	File Clerk Grade 8 or minimum wage, whichever is greater
10	Postmaster Grade 10
11	Sergeant-at-Arms Grade 15
12	Assistant Sergeant-at-Arms Grade 13

13	Doorkeepers	Grade 9
14	Porter	Grade 8 or minimum wage, whichever is greater
15	Cloakroom Attendant	Grade 8 or minimum wage, whichever is greater
16	Pages	Minimum Wage
17	Aide to the Chief Clerk	\$4.00/hr.
18	Employees Of The Senate	
19	Legal Counsel II	Grade 33
20	Legal Counsel I	Grade 29
21	Caucus Staff Director and/or	
22	Leader's Administrative Assistant	Grade 26 to Grade 31
23	Research Analyst	Grade 24 to Grade 28
24	Executive Secretary to Caucus, Leader or	
25	Secretary of the Senate	Grade 17 to Grade 22
26	Secretary to the Secretary of the Senate	Grade 20
27	Journal Editor	Grade 22 to Grade 24
28	Assistant Journal Editor	Grade 18 to Grade 20
29	Compositor	Grade 16 to Grade 18
30	Assistant Legal Counsel	Grade 23
31	Assistant to the Legal Counsel	Grade 17
32	Finance Officer	Grade 22 to Grade 27
33	Assistant Finance Officer	Grade 17 to Grade 20
34	Recording Clerk	Grade 20
35	Secretary to Caucus or Leader	Grade 15 to Grade 20

Page 6

1	Chief Indexer	Grade 19
2	Indexing Assistant	Grade 17
3	Records and Supply Clerk	Grade 19
4	Switchboard Operator	Grade 13
5	Secretary I	Grade 13
6	Secretary II	Grade 15
7	Administrative Assistant I	Grade 13
8	Administrative Assistant II	Grade 15
9	Bill Clerk	Grade 13
10	Assistant Bill Clerk	Grade 12
11	Postmaster	Grade 10
12	Sergeant-at-Arms	Grade 15
13	Assistant Sergeant-at-Arms	Grade 13
14	Chief Doorkeeper	Grade 10
15	Doorkeepers	Grade 9
16	Porter	Grade 8 or minimum wage, whichever is greater
17	Pages	Minimum Wage
18	<i>Be It Further Resolved, That the following positions:</i>	
19	Journal Editor	
20	Assistant Journal Editor	
21	Chief Indexer	
22	Indexing Assistant	
23	Secretary I	
24	Secretary II	
25	Administrative Assistant I	
26	Administrative Assistant II	

27 shall each have pay ranges adjusted upward one grade beginning
28 with the convening of the 1986 legislative session, unless
29 prior to that time, the joint pay subcommittee of the house
30 and senate rules and administration committees certifies to
31 the chief clerk of the house and secretary of the senate that
32 such grade changes are inconsistent with the recommendations
33 of the legislative council comparable worth report. Position
34 grade changes allowable under the provisions of this paragraph
35 which are determined by the joint subcommittee to be

Page 7

1 inconsistent with the comparable worth recommendations of the
2 legislative council shall not be granted. Grade changes
3 allowed under this paragraph not found by the joint
4 subcommittee to be inconsistent with the legislative council
5 report on comparable worth recommendations shall become
6 effective on the first day of the 1986 legislative session.

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

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

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

17 A "session-only" employee is one who is employed for only a
18 portion of the year, usually the legislative session. This
19 class is not eligible for state benefits, except IPERS.

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

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

- 30 1. The extent of formal education required of the
31 position; and,
- 32 2. The extent of the responsibilities to be assigned to
33 the position; and,
- 34 3. The amount of supervision placed over the position;
35 and,

Page 8

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

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

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

16 Each standing committee chairperson and each appropriations
17 subcommittee chairperson shall designate a secretary of at
18 least the Secretary II level to be the Secretary to the
19 Committee. Such Secretary shall prepare committee minutes,
20 committee reports, type committee correspondence, maintain
21 committee records, and otherwise assist the committee. Such
22 duties shall be performed in accordance with standards which
23 shall be provided by the secretary of the senate and chief
24 clerk of the house. The chairperson of a senate committee may
25 designate any Secretary II to be the committee secretary. The
26 chairperson of a house committee may designate any Secretary
27 II to be the committee secretary. In making the designation,
28 chairpersons shall consider persons for possible designation
29 as the secretary to the committee in the following order:

30 First: The secretary to the chairperson.

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

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

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

35 A Secretary II is a person who has been certified by Merit

Page 9

1 Employment as having passed a typing performance examination
2 of at least 40 words per minute, and a stenographic
3 performance examination of 80 words per minute using either
4 manual or machine dictation which will be transcribed with 80%
5 accuracy.

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

10 *Be It Further Resolved*, That as an alternative to each
11 senator and representative having a secretary, senators or
12 representatives may hire an administrative assistant I or II

13 as provided by this paragraph. Senators or representatives
14 may employ an assistant only if two or more senators or two or
15 more representatives agree to jointly employ a secretary or
16 secretaries and the assistant in a total number not greater
17 than the senators and representatives participating in the
18 joint hiring. Without an agreement between the hiring
19 senators or representatives to the contrary, the secretary or
20 secretaries and the assistant shall each devote their time
21 equally to each of the persons for whom they work.

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

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

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

Page 10

1 practice.

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

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

9 *Be It Further Resolved*, That employees of the general
10 assembly may be eligible for either:

11 a) increases in salary grade or step based on evaluation
12 of their job performance and recommendations of their
13 administrative officers, subject to approval of the senate
14 committee on rules and administration or the house committee
15 on rules and administration, as appropriate; or

16 b) mobility within pay steps at the discretion of the
17 chief clerk of the house and the secretary of the senate,
18 subject to the approval of the house committee on rules and
19 administration or the senate committee on rules and
20 administration, as appropriate — in accord with the following
21 schedule:

22 (1) Progression from step "1" to "2" — six months of
23 actual employment.

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

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

28 *Be It Further Resolved*, that in addition to the steps
29 provided in the preceding paragraph, that secretaries to
30 senators and representatives shall be eligible for additional
31 steps as provided in this paragraph. At the discretion of the
32 secretary of the senate and chief clerk of the house and
33 subject to the approval of the senate committee on rules and
34 administration or the house committee on rules and
35 administration, as appropriate, secretaries may be granted

Page 11

1 additional steps in accord with the following schedule:

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

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

7 3. Two additional steps for a designated secretary to a
8 standing or ethics committee or appropriations subcommittee or
9 assistant floor leader or speaker pro tempore or president pro
10 tempore, and one additional step for each such position held
11 beyond the first position.

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

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

30 *Be It Further Resolved*, That a pay increase for employees
31 of one step within the pay grade for the position may be made
32 for exceptionally meritorious service in addition to step
33 increases provided for in this resolution, upon recommendation
34 of the secretary of the senate or chief clerk of the house and
35 the approval of the senate committee on rules and

Page 12

1 administration or the house committee on rules and
2 administration. Exceptionally meritorious service pay
3 increases shall be governed by the following:

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

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

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

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

28 The chief clerk of the house shall submit to the house
29 committee on rules and administration and the secretary of the
30 senate shall submit to the senate committee on rules and
31 administration the list of names, or amendments thereto, of
32 employee classifications and recommended pay step for each
33 officer and employee. Such list shall include recommendations
34 for the pay step for all employees. Each respective committee
35 shall approve or amend the list of recommended classifications

Page 13

1 and pay steps and publish said list in the journal. The
2 secretary of the senate and the chief clerk of the house shall
3 set the period of employment of intermittent employees under
4 such direction as the senate rules and administration
5 committee and the house rules and administration committee may
6 provide.

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

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

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

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

25 An employee may appeal in writing an adverse ruling of the
26 secretary or chief clerk to the senate rules and
27 administration committee or the house rules and administration
28 committee which shall consider the grievance. The committee's
29 consideration shall be informal except that accurate minutes
30 shall be kept and the final conclusion shall be in writing.

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

Page 14

1 *Be It Further Resolved*, That prior to the convening of the
2 1986 session of the general assembly, the senate and house
3 members of the joint pay subcommittee of the senate and house
4 committees on rules and administration, shall meet in joint
5 session to consider recommendations for amendments in the
6 provisions of this resolution based on information contained
7 in the legislative council report on comparable worth in
8 general assembly employee compensation and merit department
9 reports on uses of differing employee pay matrices. Any
10 recommended amendments to this resolution approved by the
11 joint subcommittee shall be submitted to the respective
12 committees on rules and administration in each house for
13 consideration prior to the convening of the 1986 session of
14 the general assembly.

15 *Be It Further Resolved*, That the compensation of chaplains
16 officiating at the opening of the daily sessions of the house
17 of representatives and the senate of the seventy-first general
18 assembly be fixed at ten dollars for each house of the general
19 assembly, and that mileage for chaplains be fixed at the rate
20 of twenty-four cents per mile to and from the State Capitol.
21 The secretary to the senator or representative who is the
22 chairman of the chaplain's committee shall be granted one pay
23 step in addition to the step for which that secretary is
24 otherwise qualified.

Spear of Lee offered the following amendment H—3003 filed by him and moved its adoption:

H—3003

- 1 Amend Senate Concurrent Resolution 2 as passed by
- 2 the Senate as follows:
- 3 1. Page 14, line 20, by inserting after the word
- 4 "mile" the words ", or the rate of twenty and one-half
- 5 cents per mile if requested by the chaplain."

A non-record roll call was requested.

The ayes were 29, nays 45.

Amendment H—3003 lost.

McKean of Jones offered the following amendment H—3001 filed by him and moved its adoption:

H—3001

- 1 Amend Senate Concurrent Resolution 2 as passed by
- 2 the Senate as follows:
- 3 1. Page 14, by striking lines 15 through 20 and
- 4 inserting the following:
- 5 "*Be It Further Resolved*, That the house of
- 6 representatives and senate shall adopt rules providing
- 7 that the responsibility for officiating at the opening
- 8 of the daily sessions be shared among the members of
- 9 each house. A member may invite a chaplain to
- 10 officiate, but the compensation and expense of the
- 11 chaplain shall not be borne by the house of
- 12 representatives or the senate."

A non-record roll call was requested.

The ayes were 20, nays 61.

Amendment H—3001 lost.

On motion by Connors of Polk, the resolution was adopted.

ADOPTION OF SENATE CONCURRENT RESOLUTION 3

Norland of Worth asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 3, as follows:

1 SENATE CONCURRENT RESOLUTION 3

2 By (Rules and Administration Committee Resolution)
3 *Be It Resolved By The Senate, The House Concurring.*

4 That the joint rules of the senate and house in the
5 seventy-first general assembly shall be:

6 JOINT RULES OF THE 7 SENATE AND HOUSE

8 Rule 1

9 Suspension of Joint Rules

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

13 Rule 2

14 Designation of Sessions

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

18 Rule 3

19 Sessions of a General Assembly

20 The election of officers, organization, hiring and
21 compensation of employees, and standing committees in
22 each house of the general assembly and action taken by
23 each house shall carry over from the first to the
24 second regular session and to any extraordinary
25 session of the same general assembly. The status of
26 each bill and resolution shall be the same at the
27 beginning of each session as it was immediately before
28 adjournment of the previous regular or extraordinary
29 session; however the rules of either house may provide
30 for re-referral of some or all bills and resolutions

Page 2

1 to standing committees upon adjournment of each
2 session or at the beginning of a subsequent regular or
3 extraordinary session, except those which have been
4 adopted by both houses in different forms.

5 Upon final adoption of a concurrent resolution at
6 any extraordinary session affecting that session, or
7 at a regular session affecting any extraordinary
8 session which may be held before the next regular
9 session, the creation of any calendar by either house
10 shall be suspended and the business of the session

11 shall consist solely of those bills or subject matters
12 stated in the resolution adopted. Bills named in the
13 resolution, or bills containing the subject matter
14 provided for in the resolution, may, at any time, be
15 called up for debate in either house by the majority
16 leader of that house.

17 Rule 4

18 Presentation of Messages

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

24 Rule 5

25 Printing and Form of Bills 26 and Other Documents

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

Page 3

1 house of representatives.

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

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

7 Rule 6

8 Companion Bills

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

15 Rule 7

16 Reprinting of Bills

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

22 The secretary of the senate or the chief clerk may
23 order the printing of a reasonable number of
24 additional copies of any bill, resolution, amendment,
25 or journal.

26 Rule 8

27 Daily Clip Sheet

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

Page 4

1

Rule 9

2

Reintroduction of Bills and Other Measures

3

4

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

5

6

Rule 10

7

Certification of Bills and Other Enrollments

8

9

10

11

12

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

13

Rule 11

14

Code Editor's Correction Bill

15

16

17

18

19

20

21

22

23

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

24

Rule 12

25

Amendments by Other House

26

27

28

29

30

I. When a bill which originated in one house is amended in the other house, the house originating the bill may amend the amendment, concur in full in the amendment, or refuse to concur in full in the amendment. Precedence of motions shall be in that order.

Page 5

1

2

3

4

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

5

6

7

8

9

10

11

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

8

9

10

11

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

10

11

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

12

13

14

15

16

C. If the house originating the bill amends the amendment, that house shall concur in the amendment as amended and the bill shall be read for the last time as amended, shall be placed on final passage, and shall be returned to the other house. The other house

17 cannot further amend the bill.

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

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

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

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

Page 6

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

4 III. A motion to lay on the table or to
5 indefinitely postpone shall be out of order with
6 respect to motions to recede from or insist upon and
7 to amendments to bills which have passed both houses.

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

Rule 13

Conference Committee

14 1. Within one legislative day after either house
15 insists upon an amendment to a bill, the presiding
16 officer of the house, after consultation with the
17 majority leader, shall appoint three majority party
18 members and, after consultation with the minority
19 leader, shall appoint two minority party members to a
20 conference committee. The presiding officer of the
21 senate, after consultation with and approval by the
22 majority leader, shall appoint three majority party
23 members and, after consultation with and approval by
24 the minority leader, shall appoint two minority party
25 members to a conference committee. The papers shall
26 remain with the house that originated the bill.

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

Page 7

1 3. The authority of the committee shall cover free
2 conference during which the committee has authority to
3 propose amendments to any portion of a bill provided
4 the amendment is within the scope of the title of the
5 bill as passed by the house of origin or amended by
6 the second house.

7 4. An agreement on recommendations must be
8 approved by at least three members from each house.
9 The committee shall submit two originals of the report
10 signed by at least three members of each house with
11 one signed original and three copies to be submitted
12 to each house. The report shall first be acted upon
13 in the house originating the bill. Such action,
14 including all papers, shall be immediately referred by
15 the secretary of the senate or the chief clerk of the
16 house of representatives to the other house.

17 5. The report of agreement is debatable, but
18 cannot be amended. If the report contains recommended
19 amendments to the bill, adoption of the report shall
20 automatically adopt all amendments contained therein.
21 After the report is adopted, there shall be no more
22 debate, and the bill shall immediately be placed upon
23 its final passage.

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

27 7. If the conference committee fails to reach
28 agreement, a report of such failure signed by at least
29 three members of each house shall be given promptly to
30 each house. The bill shall be returned to the house

Page 8

1 that originated the bill and the members of the
2 committee shall be immediately discharged and a new
3 conference committee appointed by the presiding
4 officer of each house. The presiding officer of the
5 house, after consultation with the majority leader,
6 shall appoint three majority party members and, after
7 consultation with the minority leader, shall appoint
8 two minority party members. The presiding officer of
9 the senate, after consultation with and approval by
10 the majority leader, shall appoint three majority
11 party members and, after consultation with and
12 approval by the minority leader, shall appoint two
13 minority party members.

14

Rule 14

15

Enrollment and Authentication of Bills

16

A bill or resolution which has passed both houses

17 shall be enrolled in the house of origin under the
18 direction of either the secretary or the chief clerk
19 and its house of origin shall be certified by the
20 endorsement of the secretary or the chief clerk.

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

23

Rule 15

24

Concerning other Enrollments

25 All resolutions and other matters which are to be
26 presented to the governor for approval shall be
27 enrolled, signed, and presented in the same manner as
28 bills.

29 All resolutions and other matters which are not to
30 be presented to the governor or the secretary of state

Page 9

1 shall be enrolled, signed and retained permanently by
2 the secretary of the senate or chief clerk of the
3 house.

4

Rule 16

5

Transmission of Bills to the Governor

6

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

12

Rule 17

13

Fiscal Notes

14

15 A fiscal note shall be attached to any bill or
16 joint resolution which reasonably could have an annual
17 effect of at least one hundred thousand dollars or a
18 combined total effect within five years after
19 enactment of five hundred thousand dollars or more on
20 the aggregate revenues, expenditures or fiscal
21 liability of the state or its subdivisions. This rule
22 does not apply to appropriation and ways and means
23 measures where the total effect is stated in dollar
amounts.

24

25 The preliminary determination of whether the bill
26 appears to require a fiscal note shall be made by the
27 legislative service bureau which shall send a copy of
28 the request to the legislative fiscal bureau unless
29 the requestor specifies the request is to be
30 confidential. Upon completion of the bill draft, the
legislative service bureau shall immediately send a

Page 10

1 copy to the legislative fiscal director for review.
2 If the legislative fiscal bureau confirms that a
3 fiscal note is required, the words "FISCAL NOTE
4 REQUIRED" shall be prominently stamped on the bill
5 jacket.

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

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

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

21 The legislative fiscal director may request the
22 cooperation of the state comptroller or any state
23 department or agency. If a fiscal note is prepared by
24 the comptroller or any state department or agency at
25 the request of the fiscal director, that fact shall be
26 stated in the note.

27 Each fiscal note shall state in dollars the
28 estimated effect of the bill on the revenues,
29 expenditures, and fiscal liability of the state during
30 the first five years after enactment. The information

Page 11

1 shall specifically note the fiscal impact for the
2 first two years following enactment and the
3 anticipated impact for the succeeding three years.
4 Sources of funds for expenditures under the bill shall
5 be stated, including federal funds. If the fiscal
6 director cannot make an accurate estimate, the
7 director shall state the best available estimate or
8 shall state that no dollar estimate can be made and
9 state concisely the reason.

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

13 A revised fiscal note may be requested by a
14 committee chair or a sponsor of the bill if the fiscal
15 effect of the bill has been changed by adoption of an
16 amendment. However, a request for a revised fiscal

17 note shall not delay action on a bill unless so
18 ordered by the presiding officer of the house in which
19 the bill is under consideration.

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

25 **Rule 18**

26 **Legislative Interns**

27 Legislators may arrange student internships during
28 the legislative session with Iowa college, university,
29 or law school students, for which the students may
30 receive college credit at the discretion of their

Page 12

1 schools. Each legislator is allowed only one intern
2 at a time per legislative session, and all interns
3 must be registered with the offices of the secretary
4 of the senate and the chief clerk of the house.

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

13 The secretary of the senate and the chief clerk of
14 the house or their designees shall have the following
15 responsibilities as regards the legislative intern
16 program:

17 1. Identify a supervising faculty member at each
18 participating institution who shall be responsible for
19 authorizing students to participate in the intern
20 program.

21 2. Provide legislators with a list of
22 participating institutions and the names of
23 supervising professors to contact if interested in
24 arranging for an intern.

25 3. Provide interns with name badges which will
26 allow them access to the floor of either house when
27 required to be present by the legislators for whom
28 they work.

29 4. Provide orientation materials to interns prior
30 to the convening of each session.

Page 13

1

Rule 19

2

Administrative Rules Review Committee Bills

3

4 A bill which relates to departmental rules and
5 which is approved by the administrative rules review
6 committee by a majority of the committee's members of
7 each house is eligible for introduction in either
8 house at any time and must be referred to a standing
9 committee, which must take action on the bill within
10 three weeks of referral, except bills referred to
11 appropriations and ways and means committees.

11

Rule 20

12

Time of Committee Passage and Consideration of Bills

13

14 1. This rule does not apply to concurrent or
15 simple resolutions, joint resolutions nullifying
16 administrative rules, senate confirmations, or bills
17 passed by both houses in different forms. Subsection
18 2 of this rule does not apply to appropriations bills,
19 ways and means bills, legalizing acts, administrative
20 rules review committee bills, bills cosponsored by
21 majority and minority floor leaders of one house,
22 bills in conference committee, and companion bills
23 sponsored by the majority floor leaders of both houses
24 after consultation with the respective minority floor
25 leaders. For the purposes of this rule, a joint
26 resolution is considered as a bill.

26

27

28

29

30

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

Page 14

1

house, a bill must be first reported out of the
committee of first referral by Friday of the 13th week
of the first session and the 11th week of the second
session.

5

6

7

8

9

10

11

12

13

14

15

16

3. During the 11th week of the first session and
the 9th week of the second session, each house shall
consider only bills originating in that house and
unfinished business. During the 14th week of the
first session and the 12th week of the second session,
each house shall consider only bills originating in
the other house and unfinished business. Beginning
with the 15th week of the first session and the 13th
week of the second session, each house shall consider
only bills passed by both houses, bills exempt from
subsection 2 and unfinished business.

4. A motion to reconsider filed and not disposed

17 of on an action taken on a bill or resolution which is
18 subject to a deadline under this rule may be called up
19 at any time before or after the day of the deadline by
20 the person filing the motion or after the deadline by
21 the majority floor leader, notwithstanding any other
22 rule to the contrary.

23 Rule 21

24 Resolutions

25 1. A "concurrent resolution" is a resolution to be
26 adopted by both houses of the general assembly which
27 expresses the sentiment of the general assembly or
28 deals with temporary legislative matters. It may
29 authorize the expenditure, for any legislative
30 purpose, of funds appropriated to the general

Page 15

1 assembly. A concurrent resolution is not limited to,
2 but may provide for a joint convention of the general
3 assembly, adjournment or recess of the general
4 assembly, or requests to a state agency or to the
5 general assembly or a committee. A concurrent
6 resolution requires the affirmative vote of a majority
7 of the senators or representatives present and voting
8 unless otherwise specified by statute. A concurrent
9 resolution does not require the governor's approval
10 unless otherwise specified by statute. A concurrent
11 resolution shall be filed with the secretary of the
12 senate or the chief clerk of the house. A concurrent
13 resolution shall be printed in the bound journal after
14 its adoption.

15 2. A "joint resolution" is a resolution which
16 requires for approval the affirmative vote of a
17 constitutional majority of each house of the general
18 assembly. A joint resolution which appropriates funds
19 or enacts temporary laws must contain the clause "Be
20 It Enacted by the General Assembly of the State of
21 Iowa.", is equivalent to a bill, and must be
22 transmitted to the governor for his approval. A joint
23 resolution which proposes amendments to the
24 Constitution of the State of Iowa, ratifies amendments
25 to the Constitution of the United States, proposes a
26 request to Congress or an agency of the government of
27 the United States of America, proposes to Congress an
28 amendment to the Constitution of the United States of
29 America, nullifies an administrative rule, or creates
30 a special commission or committee must contain the

Page 16

1 clause "Be/It Resolved by the General Assembly of the
2 State of Iowa:" and shall not be transmitted to the
3 governor. A joint resolution shall not amend a
4 statute in the Code of Iowa.

5 **Rule 22**

6 **Nullification Resolutions**

7 A "nullification resolution" is a joint resolution
8 which nullifies all or part of an administrative rule
9 adopted pursuant to chapter 17A of the Code. A
10 nullification resolution shall not amend an
11 administrative rule by adding language or by inserting
12 new language in lieu of existing language.

13 A nullification resolution may be introduced by a
14 standing committee or the administrative rules review
15 committee. A nullification resolution introduced by
16 the administrative rules review committee shall be
17 referred to the same standing committee it would be
18 referred to if it was a bill. A nullification
19 resolution may be presented by a member of a standing
20 committee.

21 A nullification resolution by a standing committee
22 may be referred to the administrative rules review
23 committee by a majority vote of the standing
24 committee. The administrative rules review committee
25 may seek an agreement with the affected administrative
26 agency wherein the agency agrees to voluntarily
27 rescind or modify a rule or rules relating to the
28 subject matter of the nullification resolution. An
29 agreement to voluntarily rescind or modify an
30 administrative agency rule shall be in writing and

Page 17

1 signed by the chief administrative officer of the
2 administrative agency and a majority of the
3 administrative rules review committee members of each
4 house and shall be placed on file in the offices of
5 the chief clerk of the house, the secretary of the
6 senate and the secretary of state. If an agreement is
7 not reached, or the nullification resolution is not
8 approved by a majority of the administrative rules
9 review committee members of each house, within two
10 weeks of the date the resolution is referred to the
11 committee, the resolution shall be placed on the
12 calendar. If the nullification resolution is approved
13 by the administrative rules review committee it shall
14 be placed on the calendar. A nullification resolution
15 is subject to a motion to withdraw the nullification
16 resolution from the committee as provided in the rules

17 of that house.

18 A nullification resolution is debatable, but cannot
19 be amended on the floor of the house or senate.

20

Rule 23

21

Reconsideration of Vetoes

22 1. The senate and house calendar shall include a
23 list known as the "Veto Calendar." The veto calendar
24 shall consist of:

25 a. Bills returned to that house by the governor in
26 accordance with Article III, section 16 of the
27 Constitution of the State of Iowa.

28 b. Appropriations items returned to that house by
29 the governor in accordance with Article III, section
30 16 of the Constitution of the State of Iowa.

Page 18

1 c. Bills and appropriations items received from
2 the other house after that house has voted to override
3 a veto of them by the governor.

4 2. Vetoes bills and appropriations items shall
5 automatically be placed on the veto calendar upon
6 receipt. Vetoes bills and appropriations items shall
7 not be referred to committee.

8 3. Upon first publication in the veto calendar,
9 the senate majority leader or the house majority
10 leader may call up a vetoed bill or appropriations
11 item at any time.

12 4. The affirmative vote of two-thirds of the
13 members of the body by record roll call on a motion to
14 reconsider a vetoed bill or appropriations item
15 constitutes a vote to override the executive veto or
16 item veto.

17 5. A motion to reconsider a vetoed bill or
18 appropriations item is debatable. A vetoed bill or
19 appropriation item cannot be amended in this case.

20 6. The vote by which a motion to reconsider a
21 vetoed bill or appropriations item passes or fails to
22 pass either house is not subject to reconsideration
23 under senate rule 24 or house rule 74.

24 7. The secretary of the senate or the chief clerk
25 of the house shall immediately notify the other house
26 of the adoption or rejection of a motion to reconsider
27 a vetoed bill or appropriations item.

28 8. All bills and appropriations items on the veto
29 calendar shall be disposed of before adjournment sine
30 die, unless the house having a bill or appropriation

Page 19

1 item before it declines to do so by unanimous consent.

2 9. Bills and appropriations items on the veto
3 calendar are exempt from deadlines imposed by joint
4 rule 20.

Fey of Scott offered the following amendment H—3002 filed by the committee on rules and administration and moved its adoption:

H—3002

- 1 Amend Senate Concurrent Resolution 3, as amended,
- 2 passed and reprinted by the Senate, as follows:
- 3 1. Page 16, by striking line 13 through page 17,
- 4 line 17.

The committee amendment H—3002 was adopted.

The following amendment H—3006, filed by Fey of Scott from the floor was adopted by unanimous consent:

H—3006

- 1 Amend Senate Concurrent Resolution 3, as amended,
- 2 passed and reprinted by the Senate, as follows:
- 3 1. Page 18, line 23, by striking the numeral "74"
- 4 and inserting in lieu thereof the numeral "73".

On motion by Fey of Scott, the resolution, as amended, was adopted.

IMMEDIATE MESSAGE
(Senate Concurrent Resolution 3)

Norland of Worth asked and received unanimous consent to immediately message Senate Concurrent Resolution 3 to the Senate.

SPONSORS ADDED
(House File 14)

Corey of Louisa requested to be added as a sponsor of House File 14.

(House File 14)

Sturgeon of Woodbury requested to be added as a sponsor of House File 14.

COMMUNICATION RECEIVED

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

OFFICE OF PLANNING AND PROGRAMMING

The annual report of the Job Training Partnership Program in Iowa, pursuant to Chapter 7A.28, Code of Iowa. Received January 16, 1985.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 1

State Government: Spear, Chair; Beatty and Daggett.

House Joint Resolution 2

State Government: Spear, Chair; Beatty and Daggett.

House File 1

State Government: Halvorson of Webster, Chair; Carter, Hammond, Siegrist and Van Maanen.

House File 2

Education: Groth, Chair; Maulsby and Teaford.

House File 5

Local Government: Teaford, Chair; Cooper and Diemer.

House File 6

State Government: Arnould, Chair; Buhr and Renken.

House File 10

State Government: Arnould, Chair; Buhr and Renken.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 1

Education: Hughes, Chair; Johnson and Miller.

Study Bill 2

Education: Groth, Chair; Maulsby and Teaford.

Study Bill 3

Education: Carter, Chair; Shoultz and Siegrist.

Study Bill 4

Education: Ollie, Chair; Handorf and Tabor.

Study Bill 8

Local Government: Connors, Chair; Buhr and Miller.

Study Bill 9

Local Government: Spear, Chair; Grandia and Poncy.

Study Bill 10

Local Government: O'Kane, Chair; Beatty and Platt.

Study Bill 11

Local Government: Groninga, Chair; Baxter and Diemer.

Study Bill 13

Economic Development: (Iowa Lottery Act Subcommittee) Connolly, Chair; Arnould, Connors, Halvorson of Webster, Hummel, Kremer and Paulin.

Study Bill 13

Economic Development: (Community and Business Development Subcommittee) Groninga, Chair; Baxter, Black, Hanson, McIntee and Swartz.

Study Bill 13

Economic Development: (Education and Agriculture Research and Development Subcommittee) Ollie, Chair; Bennett, Cochran, Koenigs, Miller, Schnekloth and Varn.

Study Bill 13

Economic Development: (State Economic Development Authority Subcommittee) Parker, Chair; Branstad, Connolly, Jochum, Metcalf and Norland.

Study Bill 15

State Government: Halvorson of Webster, Chair; Carter, Hammond, Siegrist and Van Maanen.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Resolution, a concurrent resolution requesting federal legislation for an adequate farm program.

Fiscal Note is not required.

Recommended **Do Pass** January 16, 1985.

Committee Resolution, a concurrent resolution, formerly House Concurrent Resolution 4, relating to Iowa's economic crisis.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 16, 1985.

RESOLUTIONS FILED

HCR 5, by committee on agriculture, a concurrent resolution requesting federal legislation for an adequate farm program.

Laid over under **Rule 25**.

HCR 6, by committee on agriculture, a concurrent resolution relating to Iowa's economic crisis.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-3004	H.R.	4	Stromer of Hancock Torrence of Muscatine Handorf of Marshall Swearingen of Keokuk Harbor of Mills Carpenter of Polk
--------	------	---	--

H-3005	H.R.	4	Spear of Lee
H-3007	H.R.	4	Spear of Lee
H-3008	H.R.	4	Carpenter of Polk
			Lloyd-Jones of Johnson
			Harbor of Mills
			Haverland of Polk

On motion by Norland of Worth, the House adjourned at 3:02 p.m., until 10:00 a.m., Monday, January 21, 1985.

JOURNAL OF THE HOUSE

Eighth Calendar Day—Fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 21, 1985

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

Prayer was offered by Reverend Perry De Groot, pastor of the Bethany Reformed Church, Des Moines.

The Journal of Thursday, January 17, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Dennis J. Walter, M.D., Des Moines.

INTRODUCTION OF BILLS

House File 39, by Van Maanen, a bill for an act relating to purchase orders payable from the revolving farm fund.

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

House File 40, by Halvorson of Clayton, a bill for an act authorizing the sale of title insurance for real property.

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

House File 41, by Harbor, a bill for an act to make a provision relating to farm implement franchises retroactive to January 1, 1984.

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

House File 42, by De Groot, a bill for an act relating to the establishment of an export trade division within the Iowa development commission.

Read first time and referred to committee on **economic development**.

House File 43, by Daggett, a bill for an act limiting the time a state bank may hold repossessed real property.

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

House File 44, by Daggett, a bill for an act to change the rate of capitalization used in determining the value of agricultural property.

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

House File 45, by Hammond, Carl, Ollie and Arnould, a bill for an act permitting a school corporation to operate an extended care program for students in kindergarten through grade six.

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

House File 46, by Skow, a bill for an act relating to the valuation of agricultural property.

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

House File 47, by Skow, a bill for an act relating to the licensing of persons who charge a fee for risk management consulting in the insurance business.

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

House File 48, by Hammond, Haverland and Lonergan, a bill for an act requiring, under certain circumstances, the dispensing of motor fuel into vehicles displaying a handicapped identification device and providing a penalty.

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

House File 49, by Torrence, a bill for an act relating to the issuance of prisoner of war plates.

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

House File 50, by Skow, a bill for an act relating to the deduction for the purchase of medical or health insurance in computing the state individual income tax and making the Act retroactive.

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

House File 51, by Peterson, a bill for an act requiring a municipal election on the question of a gift by a city of real property to a governmental body upon the filing of a petition.

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

House File 52, by Running, a bill for an act appropriating state funds for a Vietnam veterans center.

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

House File 53, by Branstad, a bill for an act relating to the credit of registration fees for vehicles which are sold, traded, or junked.

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

House File 54, by Van Maanen, a bill for an act allowing the Iowa state commerce commission to approve incentive rates for industrial and commercial customers of electric and gas public utilities.

Read first time and referred to committee on **energy and environmental protection**.

House File 55, by Running, a bill for an act relating to statutory provisions for a Constitutional convention following the approval of a convention by the voters.

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

House File 56, by Skow, a bill for an act relating to the creation of an Iowa export credit authority to aid in the financing of the exportation of goods, products, or services produced or assembled in the state.

Read first time and referred to committee on **economic development**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 16, 1985, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 3, providing for a joint convention on January 24, 1985, and inviting Governor Branstad to deliver the budget message.

Also: That the Senate has on January 21, 1985, refused to concur in the House amendment to the following concurrent resolution in which the concurrence of the Senate was asked:

Senate Concurrent Resolution 3, providing for the joint rules of the Seventy-first General Assembly.

Also: That the Senate has on January 17, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 4, requesting the Governor of the State to declare the State of Iowa in an economic emergency brought on by agricultural depression and requesting Congressional hearings on the crisis.

K. MARIE THAYER, Secretary

ADOPTION OF HOUSE MEMORIAL RESOLUTION 1

Lonergan of Boone offered the following House Memorial Resolution 1 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 1

Whereas, The Honorable Sonja L. Egenes of Story County, Iowa, who was member of the Sixty-fourth, Sixty-fifth, Sixty-sixth, Sixty-seventh, Sixty-seventh Extra, Sixty-eighth, Sixty-ninth, Sixty-ninth June Extra and Sixty-ninth August Extra General Assemblies, passed away on November 28, 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 her life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee: Lonergan of Boone, Stromer of Hancock and Welden of Hardin.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Van Camp of Scott and Corey of Louisa on request of Stromer of Hancock.

RULE 58 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 58, relating to committee notice and agenda, for the 1:00 p.m. meeting today of the committee on small business and commerce.

REPORT OF HOUSE RULES AND
ADMINISTRATION COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 2, duly adopted, your committee on rules and administration submits the following names of officers and employees of the House and their respective classification, grades and steps:

Chief Clerk	Joseph O'Hern	\$38,500.00	Annual Salary
Assistant Chief Clerk	Elizabeth A. Isaacson	\$32,328.00	Annual Salary

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>
Legal Counsel II	Dan Dudley	83-4	P-PT
Executive Secretary to Speaker	Catherine A. Sears	23-5	P-FT
Leader's Administrative Assistant	Mark W. Brandsgard	28-5	P-FT
Leader's Administrative Assistant	William C. Maloney	27-6	P-FT
Leader's Administrative Assistant	Kevin S. Vinchattle	27-2	P-FT
Caucus Staff Director	Sharon Robinson	31-6	P-FT
Research Analyst	Edward J. Conlow	24-2	P-FT
Research Analyst	Timothy C. Dunbar	24-1	P-FT
Research Analyst	Mary E. O'Connor	28-1	P-FT
Research Analyst	Thomas R. Patterson	27-2	P-FT
Research Analyst	Allen J. Welsh	24-1	P-FT
Research Analyst	David Werning	24-1	P-FT
Research Analyst	Shirley M. Danskin-White	26-2	P-FT

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>
Executive Secretary to Caucus	E. Marie Callas	19-1	P-FT
Caucus Staff Director	Ronda L. Menke	29-6	P-FT
Research Analyst	Mark Johnson	26-1	P-FT
Research Analyst	Laura A. Murphy	26-1	P-FT
Research Analyst	Gary L. Parker	26-1	P-FT
Research Analyst	Sharon R. Pilmer	28-1	P-FT
Research Analyst	Maryjo F. Welch	26-2	P-FT
Executive Secretary to Caucus	Colleen Dillon	19-6	P-FT
Executive Secretary to Chief Clerk	Deanna J. Templeton	23-2	P-FT
Clerk to Chief Clerk	Susan Bruckshaw	15-2	S-O
Supervisor of Secretaries	Virginia Rowen	20-4	S-O
Assistant Journal Editor	Vivian M. Anders	19-5	P-FT
Assistant Journal Editor	Carol S. Edwards	19-5	P-FT
Compositor	C. Elaine Schoonover	18-3	P-FT
Finance Officer	Billie Jean Walling	26-6	P-FT
Assistant Finance Officer	Debra K. Rex	18-6	P-FT
Recording Clerk	Laurie J. Ward	20-2	SO-PT
Assistant Legal Counsel	M. Maxine Mann	23-6	P-FT
Assistant to the Legal Counsel & Engrossing/Enrolling Clerk	Pauline E. Kephart	21-6	P-FT
Clerk to Chief Clerk	Suzanne Spencer	15-1	S-O
Assistant to the Legal Counsel	Margaret Green	21-1	SO-PT
Assistant to the Legal Counsel	Valorie Wilson	21-1	SO-PT
Chief Indexer	Juanita F. Swackhammer	19-6	P-FT
Indexing Assistant	Wilma F. Zika	17-5	P-FT
Supply Clerk	Jo Ann Critelli	15-1	S-O
Switchboard Operator	Kim Schmit	13-1	S-O
Switchboard Operator	Virginia Semple	13-1	S-O
Bill Clerk	Phyllis J. Fraizer	13-6	S-O
Assistant Bill Clerk	Madeline E. James	12-5	S-O
Postmaster	George Pendergraft	10-1	S-O
Sergeant-at-Arms	Roseanne Mc Carger	15-1	S-O
Assistant Sergeant-at-Arms	Jim Cunningham	13-1	S-O
Doorkeeper	Arthur Borwick	9-2	S-O
Doorkeeper	Marvin Hollingshead	9-1	S-O
Doorkeeper	Anthony King	9-1	S-O
Doorkeeper	Max D. Perdue	9-1	S-O
Doorkeeper	John Pigneri	9-1	S-O
Doorkeeper	John Quinn	9-1	S-O
Speaker's Page	Jeffrey Hyler	\$3.35	S-O
		Per Hr.	
Chief Clerk's Page	Matthew Tibbits	\$3.35	S-O
		Per. Hr.	

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>
GROUP I			
Page	Robin Bell	\$3.35 Per. Hr.	S-0
Page	Stewart Black	\$3.35 Per. Hr.	S-0
Page	Michael Booheister	\$3.35 Per. Hr.	S-0
Page	Robin Clifton	\$3.35 Per. Hr.	S-0
Page	Sunday Cline	\$3.35 Per. Hr.	S-0
Page	Steven Cox	\$3.35 Per. Hr.	S-0
Page	Stacey Elliott	\$3.35 Per. Hr.	S-0
Page	Mindy Ferguson	\$3.35 Per. Hr.	S-0
Page	Mark Fernow	\$3.35 Per. Hr.	S-0
Page	Shawn Levsen	\$3.35 Per. Hr.	S-0
Page	Lana McKee	\$3.35 Per. Hr.	S-0
Page	David Nissen	\$3.35 Per. Hr.	S-0
Page	Craig Petersen	\$3.35 Per. Hr.	S-0
Page	Kristin Stewart	\$3.35 Per. Hr.	S-0
Page	Carolyn Stickrod	\$3.35 Per. Hr.	S-0
Page	Martha Weber	\$3.35 Per. Hr.	S-0
Page	Adam Willim	\$3.35 Per. Hr.	S-0

GROUP II

Page	Lisabeth Bench	\$3.35 Per. Hr.	S-0
Page	Dana Bolte	\$3.35 Per. Hr.	S-0
Page	Jacquelyn Bowie	\$3.35 Per. Hr.	S-0

Position	Name	Grade and Step	Class of Appointment
Page	Ruth Choate	\$3.35	S-O
Page	Allison Corbin	Per. Hr. \$3.35	S-O
Page	Scott Crum	Per. Hr. \$3.35	S-O
Page	Carey Fitzpatrick	Per. Hr. \$3.35	S-O
Page	Laura Fuller	Per. Hr. \$3.35	S-O
Page	Kristin Henning	Per. Hr. \$3.35	S-O
Page	David Hunt	Per. Hr. \$3.35	S-O
Page	Julie Johnson	Per. Hr. \$3.35	S-O
Page	Sherry King	Per. Hr. \$3.35	S-O
Page	Jami Maxson	Per. Hr. \$3.35	S-O
Page	Jennifer Olerich	Per. Hr. \$3.35	S-O
Page	Julie Plummer	Per. Hr. \$3.35	S-O
Page	Lori Sanders	Per. Hr. \$3.35	S-O
Page	Shelly Shields	Per. Hr. \$3.35	S-O
Page	Todd Stuntzner	Per. Hr. \$3.35	S-O
Page	Suzanne Vincent	Per. Hr. \$3.35	S-O
Secretary II	Julie A. Anderson	15-4 + 1	S-O
Secretary II	Norma L. Bakros	15-2 + 1 + 1	S-O
Secretary I	John E. Beumler	13-1 + 1	S-O
Secretary II	Faun S. Black	15-1 + 1 + 1	S-O
Secretary II	M. Anne Blobaum-O'Connell	15-1 + 2 + 1	S-O
Secretary II	Janis L. Bowden	15-1 + 1 + 1	S-O
Secretary I	Mary E. Brandsgard	13-1	S-O
Secretary I	Joan K. Brauer	13-1	S-O
Secretary II	Ruby J. Briar	15-1 + 2	S-O
Administrative Assistant II	Penny Lu Brown	15-1	S-O
Secretary I	Doris M. Burford	13-1 + 1	S-O
Secretary I	Robyn A. Burgeson	13-1 + 1	S-O
Secretary II	Lugene R. Burns	15-6	S-O
Secretary II	Gretchen Cardamon	15-2 + 1	S-O
Administrative Assistant II	Lynne D. Carey	15-1	S-O

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>
Secretary II	Janet S. Clayton	15-3 + 2	S-O
Secretary II	R. Jeannene Cochran	15-5 + 2	S-O
Secretary I	Elsie L. Corey	13-1 + 1	S-O
Secretary II	Phyllis R. Cowles	15-4 + 1	S-O
Secretary I	LuAnn K. Creek	13-1 + 1	S-O
Secretary II	Ruth A. Daggett	15-2 + 1	S-O
Secretary I	Kory A. Darnall	13-1 + 1	S-O
Secretary I	Clarretta J. De Groot	13-2	S-O
Secretary II	Joan R. Eggen	15-3	S-O
Secretary I	Julie A. Elder	13-1 + 2	S-O
Secretary II	Mary Joan Eveleth	15-3 + 2	S-O
Secretary I	Patricia J. Ewing	13-1 + 1	S-O
Secretary I	Theresa M. Ferin	13-1 + 1	S-O
Secretary II	Rosemary Findlay	15-2	S-O
Secretary I	Kirk R. Fjelstul	13-1 + 2	S-O
Secretary II	M. Rosalie Flesher	15-2	S-O
Secretary I	Gertrude E. Fogarty	13-1 + 1	S-O
Administrative Assistant II	E. Jane Fowler	15-3	S-O
Secretary I	Phyllis N. Freel	13-3 + 1	S-O
Secretary II	Audrey J. Gibson	15-3 + 2	S-O
Secretary II	Nancy E. Gore	15-1 + 2	S-O
Administrative Assistant II	Jean I. Goudy	15-1	S-O
Secretary I	Barbara A. Hancock	13-1 + 1	S-O
Secretary II	Joan Hansen	15-1	S-O
Secretary II	Jean P. Harkin	15-1 + 2	S-O
Secretary II	Darlene J. Higginbottom	15-2 + 2 + 1	S-O
Secretary II	Betty J. Hirschauer	15-2 + 1	S-O
Secretary I	Dolores M. Horton	13-1 + 1	S-O
Secretary II	Donna B. Hove	15-1 + 1	S-O
Secretary II	Linda K. Hughes	15-1 + 2	S-O
Secretary I	Trelawney K. James	13-1 + 1	S-O
Secretary II	Merilee G. Johnson	15-1 + 2	S-O
Administrative Assistant II	Marcia L. Kephart	15-1	S-O
Secretary I	Joan M. Koenigs	13-1 + 1	S-O
Secretary I	Sharon K. Kreps	13-2	S-O
Administrative Assistant II	Daniel A. Kueper	15-1	S-O
Secretary II	Mark O. Lambert	15-1 + 1	S-O
Secretary II	Maxine R. Lauritzen	15-2 + 2	S-O
Secretary I	JoAnn M. Leachman	13-1 + 1	S-O
Secretary I	Prudence A. Leachman	13-1 + 1	S-O
Secretary II	Gay P. Leverich	15-3	S-O
Secretary I	Mary L. Liljegren	13-1	S-O
Secretary II	Anita M. Lindstrom	15-1 + 2	S-O
Secretary I	Kara R. Lindstrom	13-1 + 1	S-O
Secretary II	Dona K. Lloyd	15-4 + 2	S-O
Secretary I	Betty Lou Lundy	13-1 + 1	S-O
Secretary I	Mary E. Mauhsby	13-1 + 2	S-O

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>
Executive Secretary			
to Leader	Dorothy A. Mauro	20-1	E-FT
Secretary II	Nancy D. McCarthy	15-1 + 2	S-O
Secretary I	Jeanne A. McIntee	13-1 + 1	S-O
Secretary I	Betty C. Millen	13-4 + 1	S-O
Secretary I	Christopher B. Morton	13-1 + 1	S-O
Secretary I	Phyllis Muhlbauer	13-1 + 1	S-O
Secretary II	Anita M. O'Gara	15-1 + 2	S-O
Secretary II	Haleen E. Pellett	15-4 + 1	S-O
Secretary II	C. David Perret	15-1 + 2	S-O
Secretary II	Kathleen L. Peterson	15-2 + 2	S-O
Secretary I	Naomi L. Poncy	13-2 + 1	S-O
Secretary I	Cheryl Ann Porath	13-1	S-O
Secretary I	Joann B. Quade	13-1 + 1	S-O
Secretary I	Marilyn J. Rensink	13-1 + 1	S-O
Secretary II	Mary A. Rhoads	15-2	S-O
Secretary II	Giovanna K. Ries	15-2 + 1 + 1	S-O
Secretary I	Cleo C. Royer	13-1 + 1	S-O
Secretary II	LaVena M. Rucker	15-5 + 1	S-O
Secretary II	Betty A. Rutan	15-1 + 1	S-O
Secretary I	Connie L. Ryan	13-1 + 1 + 1	S-O
Secretary II	Mildred L. Schneklath	15-2 + 1	S-O
Secretary II	Mary Ann Scott	15-5	S-O
Secretary I	Machelle R. Shaffer	13-1 + 1	S-O
Secretary I	Mary M. Shandley	13-1	S-O
Executive Secretary			
to Leader	Harriet J. Stromer	18-5	S-O
Secretary I	Marian S. Swearingen	13-1 + 1	S-O
Secretary II	Charlotte R. Turner	15-2 + 1	S-O
Secretary I	Luella R. Van Maanen	13-2 + 1	S-O
Secretary I	Jane M. Wallerstedt	13-1	S-O
Secretary I	Charlene F. Warren	13-1 + 2	S-O
Secretary I	Cheryl A. Weld	13-1 + 1	S-O
Secretary II	Barbara B. Wennerstrum	15-3	S-O
Secretary II	Bettie J. Wentz	15-3 + 2	S-O
Secretary II	JoAnn West	15-3 + 2	S-O
Secretary I	E. Diana Winters	13-1 + 1	S-O
Secretary I	Kathryn M. Woods	13-1 + 1	S-O
Secretary I	Marilyn J. Zagnoli	13-2 + 1	S-O

TOM FEY, Chair

SPONSOR ADDED
(House File 24)

Metcalf of Polk requested to be added as a sponsor of House File 24.

COMMUNICATION RECEIVED

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

IOWA DEVELOPMENT COMMISSION

The Annual Report of the Small Business Division, pursuant to Section 28.46, Code of Iowa.

CERTIFICATES OF RECOGNITION

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

- | | |
|--------|---|
| 1985-1 | Judy Shirbroun, Perry, 1984 Business Woman of the year. |
| 1985-2 | Capitol Hill Christian Church, Des Moines, centennial year of its founding. |

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 16 Education**

Relating to the number of academic hours a pupil is required to complete before graduation.

S.B. 17 Education

To provide for the granting of certificates of excellence to certain school boards by the state board of public instruction.

S.B. 18 Education

Requiring the state board of public instruction to adopt a five-year plan regarding education.

S.B. 19 Agriculture

Relating to the Iowa family farm development authority by revising definitions, amending requirements relating to the board, and imposing conditions on loans made by the authority to a beginning farmer.

S.B. 20 Transportation

Relating to violations of ten miles per hour or less over the legal speed limit.

RESOLUTION FILED

SCR 4, by committee on agriculture, a concurrent resolution to declare an economic emergency, to request Congressional hearings on the crisis, to request federal legislation, and requesting the use of the powers of the state's executive branch.

Referred to committee on **agriculture**.

AMENDMENTS FILED

H-3009	H.R.	4	Halvorson of Clayton
Lageschulte of Bremer			McIntee of Black Hawk
Hanson of Delaware			Clark of Cerro Gordo
Harbor of Mills			Maulsby of Calhoun
Corey of Louisa			Royer of Page
Shoning of Woodbury			Platt of Muscatine
McKean of Jones			Grandia of Marion
Kremer of Buchanan			Swearingen of Keokuk
			Diemer of Black Hawk
H-3010	H.R.	4	Harbor of Mills
Royer of Page			Halvorson of Clayton
Maulsby of Calhoun			Corey of Louisa
Platt of Muscatine			Shoning of Woodbury
			Branstad of Winnebago

On motion by Norland of Worth, the House adjourned at 10:23 a.m., until 9:00 a.m., Tuesday, January 22, 1985.

JOURNAL OF THE HOUSE

Ninth Calendar Day—Sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 22, 1985

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

Prayer was offered by Reverend Arthur Becker, Consultant to the Bishop of the Episcopal Diocese of Iowa in Des Moines.

The Journal of Monday, January 21, 1985 was approved.

PETITION FILED

The following petition was received and placed on file:

By Grandia of Marion, from twenty-eight constituents of District 69, favoring a bill to raise the drinking age to twenty-one in the state of Iowa.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mullins of Kossuth on request of Stromer of Hancock.

INTRODUCTION OF BILLS

House File 57, by Skow, a bill for an act relating to the rights and duties of an owner of property requested to provide information to an assessor to assist the assessor in valuing the property, and providing penalties.

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

House File 58, by Welden, 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.

House File 59, by Van Maanen, a bill for an act relating to the annexation of a rural water district or association by a city.

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

House File 60, by Osterberg, a bill for an act to provide for a runoff election for those elections which result in a tie.

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

House File 61, by Norland, a bill for an act requiring the licensure of junk dealers and pawnbrokers and providing a penalty.

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

House File 62, by Skow, a bill for an act relating to the handling and preservation of assessment rolls and assessment information.

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

House File 63, by Skow, a bill for an act striking the requirement that notaries public be bonded.

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

House File 64, by Skow, a bill for an act to eliminate the filing of a summary report of tax exempt property.

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

House File 65, by Running, a bill for an act requiring an area education agency to provide certain services to school age children in inpatient substance abuse programs.

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

House File 66, by Groth, a bill for an act requiring state agencies to enter into agreements with soil conservation districts for the control of soil erosion on state land in cultivation under the agencies' control.

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

House File 67, by Harbor, a bill for an act to allow the use of class "C" fireworks.

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

House File 68, by Skow, a bill for an act to provide the department of water, air and waste management with authority to require compensation for well interference.

Read first time and referred to committee on **energy and environmental protection**.

House File 69, by Spear, a bill for an act providing for the combining of offices of county auditor and county recorder.

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

House File 70, by Swartz, a bill for an act relating to the conducting of going-out-of-business sales and providing for penalties.

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

House File 71, by Swartz, a bill for an act relating to the expenditure of funds designated for homemaker-home health aide services.

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

House File 72, by Pavich, a bill for an act to allow certain elections to be conducted by mail ballots.

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

House File 73, by Diemer, Osterberg, Black, Royer, Kremer, McIntee and Johnson, a bill for an act relating to the caliber of firearms and the type of ammunition permitted during the gun deer hunting season and subjecting violators to a penalty.

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

House File 74, by Hammond, a bill for an act relating to the election of hospital trustees.

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

House File 75, by Groth, a bill for an act relating to the sale of Iowa state industries products.

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

HOUSE INSISTS

Fey of Scott called up for consideration Senate Concurrent Resolution 3, a resolution providing for the joint rules of the Senate and House of the Seventy-first General Assembly, and moved that the House insist on its amendment.

The motion prevailed and the House insists on its amendment.

CONFERENCE COMMITTEE APPOINTED (Senate Concurrent Resolution 3)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate Concurrent Resolution 3: Fey of Scott, chair; Connors of Polk, Lonergan of Boone, Carpenter of Polk and Harbor of Mills.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 5

Cochran of Webster called up for consideration House Concurrent Resolution 5, requesting federal legislation for an adequate farm program, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 6

Cochran of Webster called up for consideration House Concurrent Resolution 6, relating to Iowa's economic crisis, and moved its adoption.

The motion prevailed and the resolution was adopted.

**REREFERRED TO COMMITTEE ON HUMAN RESOURCES
(House File 45)**

The Speaker announced that House File 45, previously referred to the committee on education, was rereferred to the committee on human resources.

ASSIGNMENT OF SEATS IN PRESS GALLERY

The following named persons are accredited members of the press, TV and radio stations and are entitled to seats in the following galleries:

WEST PRESS GALLERY

The Cedar Rapids Gazette	Ken Sullivan, Judy Daubenmier
Quad City Times	Mike Owen
Iowa Newspaper Association	Harrison Weber
Waterloo Courier	Eric Woolson
United Press International	Bill Brewer, Scott Sonner, Dennis Garrels
Des Moines Register	David Yepsen, Tom Witosky, Dewey Knudson
Associated Press	Mike Glover, Tom Seery

EAST PRESS GALLERY

KCCI TV	Ann Hawkins, Dave Busiek, John Houghton
Iowa Legislative News Service	Jo VonStein, Todd VonStein, Sue Barbieri, Susan Davis
WHO Radio News	Lore McManus, Ev Hickman, Dana Placko
WHO TV	Brooks Humphreys, Courtney Kintzer, Matt Hoffmann, John Windschitl, Steve Carns, Mike Borland, Mike Sims, Eric Ulbrich
KWWL TV	Diann Hostert, Chris Lidstad
Iowa Radio Network	C. Ross Martin, Brian W. Weber
KRNT News	Julie Rutz, Pam Dixon, Roger Summitt, Deb Craft, Robin Shepard, Elaine Honomichl, Dale Woolery
WOI TV	Marcia Cady, Blake Bruner, Rodney Minor
WOI Radio	Allison Hadley, Kay Henderson

GENERAL ASSIGNMENT

The following named persons are accredited members of the press and entitled to access to the House Chamber:

AFSCME	Larry Scarpino
Dubuque Telegraph Herald	Roxie Hammil
Iowa Broadcast System	Bob Singer
KASI/KCCQ	Rich Fellingham, Gary McCoy
KJJY Radio	Kevin J. Teale
KLYF FM	Rob Dillard
KWLO/KFMW Radio	Christopher Scholl, John Garcia
KIOA Radio	Deb Ryan, Jackie King Steve Dahlman
The Sioux City Journal	Jack W. Huttig
WMT Radio	James Boyd, Christy Cobb

COMMUNICATION RECEIVED

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

STATE OF NEBRASKA

Legislative Resolution 2, concerning the plight of the nation's farmers and ranchers and the devastating effect that the depression in the agriculture industry has on the economic prosperity of farm belt states, and calling for a joint delegation from the Midwest states to express these concerns to members of the Administration, Congress and the Department of Agriculture.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 21 Judiciary and Law Enforcement

Relating to the authorization of contempt powers for juvenile court referees and providing penalties.

S.B. 22 Small Business and Commerce

Relating to the reorganization of bank affiliates.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been

received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Senate Concurrent Resolution 4, a concurrent resolution to declare an economic emergency, to request Congressional hearings on the crisis, to request federal legislation, and requesting the use of the powers of the state's executive branch.

Fiscal Note is not required.

Recommended **Do Pass** and laid over under Rule 25, January 22, 1985.

COMMITTEE ON EDUCATION

Committee Bill, (Formerly Study Bill 1), relating to the determination of special education balances of school districts by the state comptroller and providing that the Act is retroactive to June 30, 1984.

Fiscal Note is required.

Recommended **Amend and Do Pass** January 21, 1985.

Committee Bill, (Formerly Study Bill 2), requiring that the first day of school not be sooner than the first day of September except under certain conditions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 21, 1985.

Committee Bill, (Formerly Study Bill 4), relating to the procedure for determining the one hundred two percent budget guarantee for school districts for the school year beginning July 1, 1985.

Fiscal Note is required.

Recommended **Do Pass** January 21, 1985.

AMENDMENTS FILED

H-3011	H.R.	4	Harbor of Mills
			Halvorson of Clayton
			Maulsby of Calhoun
			Shoning of Woodbury
			Branstad of Winnebago
H-3012	H.R.	4	Fey of Scott
			Harbor of Mills

On motion by Norland of Worth, the House adjourned at 9:34 a.m., until 9:00 a.m., Wednesday, January 23, 1985.

JOURNAL OF THE HOUSE

Tenth Calendar Day – Seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 23, 1985

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

Prayer was offered by the Reverend George Weitzel, pastor of the Nishna Valley Parish of the United Methodist Church, Emerson.

The Journal of Tuesday, January 22, 1985 was approved.

• LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Alan Patterson, M.D., Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Clark of Cerro Gordo on request of Stromer of Hancock.

INTRODUCTION OF BILLS

House File 76, by Muhlbauer and Skow, a bill for an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty.

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

House File 77, by Mullins, a bill for an act providing a procedure for the collection of unpaid support and providing exceptions to garnishment limitations for collection of delinquent support.

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

House File 78, by Lloyd-Jones, a bill for an act requiring 1986 model year or newer school buses to be equipped with safety belts for passengers, and making penalties applicable.

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

House File 79, by Skow, a bill for an act to provide information on the ratio of assessments to city and county assessors.

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

House File 80, by Connors, a bill for an act to provide credit under the Iowa public employees' retirement system for certain former members of retirement systems established in chapters 97A and 411.

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

House File 81, by Hermann, a bill for an act relating to the appropriate and quality education of a child.

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

House File 82, by Poncy, a bill for an act relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn; providing for revocations; providing a procedure in absence of a declaration; providing for patient transfers; providing immunity from liability; prohibiting destruction, concealment or forging of declarations or revocations; providing penalties; and providing other matters properly relating thereto.

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

House File 83, by Skow, a bill for an act relating to the rights and responsibilities of landowners concerning partition fences.

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

House File 84, by Sherzan, a bill for an act relating to the disclosure of information regarding missing persons.

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

House File 85, by Sherzan, a bill for an act establishing a missing children information clearinghouse and providing procedures for the collection, maintenance, and dissemination of information received by the clearinghouse.

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

House File 86, by Doderer, a bill for an act relating to the collection and disbursement of support payments pursuant to an execution in garnishment.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the members of the conference committee, appointed Tuesday, January 22, 1985, on Senate Concurrent Resolution 3, providing for the joint rules of the Seventy-first General Assembly, on the part of the Senate, are: The Senator from Lee, Senator Junkins, Chair; the Senator from Wapello, Senator Gettings; the Senator from Montgomery, Senator Hultman; the Senator from Audubon, Senator Hutchins; and, the Senator from Bremer, Senator Jensen.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 9:08 a.m., until 2:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

SPECIAL PRESENTATION

1985 Iowa Junior Miss

Peterson of Carroll escorted to the Speaker's station and presented to the House the 1985 Iowa Junior Miss, Jayne Danner from Carroll, Iowa, the daughter of Donald and Elizabeth Danner.

Jayne is a senior at Kuemper High School where she is active in orchestra, chorus, volleyball, golf, basketball, softball, bowling and 4-H. Her first love is music including singing, dancing, piano, violin, viola and guitar. Jayne would like to attend the University of Northern Iowa this fall and major in music and business marketing. She will represent Iowa at the National Junior Miss Pageant in Mobile, Alabama in June.

Jayne addressed the House Briefly and the House expressed its welcome.

CONFERENCE COMMITTEE REPORT FILED

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

JOSEPH O'HERN
Chief Clerk of the House

Senate Concurrent Resolution 3, a concurrent resolution relating to the Joint Rules of the Senate and House in the Seventy-first General Assembly.

SPONSOR ADDED (House File 59)

Muhlbauer of Crawford requested to be added as a sponsor of House File 59.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 23 Judiciary and Law Enforcement

Relating to the designation of persons to accept bond money and securities.

S.B. 24 Judiciary and Law Enforcement

Relating to the protection of victims and witnesses in judicial proceedings, and providing penalties.

S.B. 25 Judiciary and Law Enforcement

Relating to nonsubstantive Code corrections.

S.B. 26 Human Resources

Relating to adoption and termination of parental rights and providing penalties.

S.B. 27 Human Resources

Relating to the rights of a person having mental retardation or a developmental disability.

S.B. 28 Education

Relating to the use of certain funds for the elimination of asbestos from school buildings.

S.B. 29 Education

To provide for the waiver of tuition for certain non-resident students under the sponsorship of a foreign student exchange program.

S.B. 30 Education

Relating to the health and physical education requirements in grades one through twelve.

S.B. 31 Education

Requiring a free and appropriate public education for children requiring special education.

S.B. 32 Education

Requiring an area education agency to provide certain services to school age children in inpatient substance abuse programs.

AMENDMENTS FILED

H-3013	H.R.	4	Jochum of Dubuque
H-3014	H.F.	21	Daggett of Taylor
H-3015	H.R.	4	Fey of Scott

On motion by Norland of Worth, the House adjourned at 2:38 p.m., until 9:00 a.m., Thursday, January 24, 1985.

JOURNAL OF THE HOUSE

Eleventh Calendar Day—Eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 24, 1985

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

Prayer was offered by Reverend Jim Berka, pastor of the First Lutheran Church, Centerville.

The Journal of Wednesday, January 23, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Marvin Moles, Newton.

PETITION FILED

The following petition was received and placed on file:

By Corey of Louisa, from twenty-one constituents opposing deletion of veterans benefits.

INTRODUCTION OF BILLS

House File 87, by committee on education, a bill for an act relating to the procedure for determining the one hundred two percent budget guarantee for school districts for the school year beginning July 1, 1985.

Read first time and placed on the calendar.

House File 88, by committee on education, a bill for an act requiring that the first day of school not be sooner than the first day of September except under certain conditions.

Read first time and placed on the calendar.

House File 89, by Sturgeon, a bill for an act to limit the acceptance of contributions from political committees by candidate's committees and subjecting violators to a penalty.

Read first time and referred to committee on state government.

House File 90, by Ollie, a bill for an act relating to subscriptions to the Iowa administrative code.

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

House File 91, by Sturgeon, a bill for an act to limit the amount of funds certain candidate's committees may accept from certain political committees and subjecting violators to a penalty.

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

House File 92, by Carl, a bill for an act requiring child abuse identification and reporting training for mandatory reporters of child abuse.

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

House File 93, by Corey, a bill for an act relating to access to adoption records.

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

House File 94, by Diemer, a bill for an act relating to the disposal of used oil and providing a penalty for violations.

Read first time and referred to committee on **energy and environmental protection**.

House File 95, by Diemer, Spear, Muhlbauer, Parker, Paulin and Harbor, a bill for an act imposing a monthly fee of twenty dollars on offenders on parole and defendants granted probation.

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

House File 96, by Skow, a bill for an act relating to the administration of property tax laws.

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

House File 97, by Sherzan, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board.

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

House File 98, by Cochran, a bill for an act to allow an individual income tax credit for health insurance premiums paid by a taxpayer on income earned from self-employment in computing state individual income tax.

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

House File 99, by Cochran, a bill for an act making an appropriation for an Iowa farm management program.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 23, 1985, adopted the conference committee report and adopted Senate Concurrent Resolution 3, providing for the Joint Rules of the Seventy-first General Assembly.

K. MARIE THAYER, Secretary

COMMITTEE TO NOTIFY THE SENATE

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

The motion prevailed and the Speaker appointed as such committee: Hammond of Story, Chair; Skow of Guthrie and Corey of Louisa.

The House stood at ease at 9:05 a.m., until the fall of the gavel.

The House resumed session at 9:45 a.m., Speaker Avenson in the chair.

REPORT OF COMMITTEE TO NOTIFY THE SENATE

Hammond of Story, chair of the committee appointed to notify the Senate that the House was ready to receive it in joint convention, reported that the committee had performed its duty.

The report was accepted and the committee discharged.

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

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

JOINT CONVENTION

In accordance with House Concurrent Resolution 3, duly adopted, the joint convention was called to order, President Anderson presiding.

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

The motion prevailed.

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

Senator Junkins of Lee moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify Governor Terry E. Branstad that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee: Senators Murphy of Fayette, Boswell of Decatur and Holden of Scott, on the part of the Senate; and Representatives Sherzan of Polk, Daggett of Taylor, and Teaford of Black Hawk, on the part of the House.

Chief Justice Reynoldson, the Justices of the Supreme Court and Judges of the Appellate Court were escorted into the House Chamber.

The members of the Executive Council and the Attorney General were escorted into the House chamber.

Mrs. Chris Branstad and Mr. and Mrs. Dick Johnson (Mrs. Branstad's parents) were escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him to the Speaker's station.

President Anderson then presented Governor Terry E. Branstad who delivered the following Budget Message:

Mr. President, Mr. Speaker, Mr. Chief Justice, Justices and Judges, State Officials, Senators and Representatives, Guests and Citizens of Iowa.

Last week I reported on the Condition of our State. We are in the midst of the most severe economic difficulties since the Great Depression. As America's leading farm state, our economy has been devastated by high interest rates, falling land prices, and an overvalued dollar.

My message last week was clear. Though our problems were created elsewhere, we must take the lead in resolving them. We must put partisan differences aside, and form a compact for Iowa's future growth.

After meeting with our entire Congressional Delegation in Washington D. C. on Tuesday of this week, I know that they are willing to work with us.

Today, I am presenting to you the budget for the state for the next two fiscal years. We spent thousands of hours crafting a budget to meet today's challenges and tomorrow's opportunities.

We held public hearings on the requests of each agency and department of state government. We considered the concerns of citizens from all across the state. This budget addresses those concerns. It is fair. It meets Iowa's needs, and it merits your support.

Before discussing the specifics of the budget, I want to express my thank you to Bill Krahl and to the staff of our State Comptroller's Office who assisted in preparing it.

Particularly, I want to thank Art Claus, Director of the State Budget. Art has worked in the Comptroller's Office for 25 years and today is his final day as a state employee. Tomorrow, he begins a well-deserved retirement. And, I think he deserves our applause and our appreciation.

Art is just one of many state employees who has donated thousands of hours of overtime without any compensation and he will be missed.

* * * * *

The budget that I present today is an austere budget, reflecting the realities of our time. We cut departmental askings by over \$370 million.

These were tough decisions, but they were necessary. Our citizens live within their means and State government must do the same. State government must have a balanced budget. I have presented you with a balanced budget, and it was balanced without raising taxes.

At the same time, this is a budget that recognizes Iowans' needs. The priority areas of education and economic development receive substantial increases.

Government has a responsibility to those who can't provide for themselves, especially when times are tough. This budget maintains our programs to help Iowans in need. It includes funding for the Medically Needy Program, and to provide state support for organ transplants.

State government also has a role in the preservation of our precious resources—our natural areas, water, and soil. This state budget increases the State Soil Conservation Cost Share Program. It will protect our environment for future generations.

This budget maintains our commitment to property tax relief. It increases the State's share of funding for our schools and our court system, and it takes the next two steps in the long-delayed personal property tax phase-out. In all, this budget makes available \$72 million in additional property tax relief.

This budget includes needed funding for important work. The details are in the documents that will be delivered to you after my remarks.

* * * * *

Last week I highlighted my program priorities. I presented recommendations to achieve educational excellence, to protect our people, and to strengthen Iowa's economy.

My education recommendations will provide better career opportunities and more compensation for master teachers. They will improve education coursework, and increase the accountability of our schools to the public.

In the area of public safety, I have proposed measures to protect our children, to stop drunk driving, and to keep dangerous criminals behind bars.

I encouraged Iowans to plan and work together to create jobs. And, I promised that today, I would present a blueprint for Iowa's economic future.

The Committee for Iowa's Future Growth studied Iowa's economy, and they prepared a comprehensive plan for economic development. That committee said that our plan cannot be narrow—it must cover all economic fronts. It cannot be parochial—it must encompass all of Iowa. It should not be partisan—it must bridge political differences.

Our economic plan must be bold and imaginative. Today, I offer an agenda with initiatives designed to reach five important goals:

- To strengthen our farm economy;
- To assist small and emerging businesses;
- To support local economic development activities;
- To create jobs through needed construction projects;
- and
- To eliminate penalties on the investments to create jobs.

First, we must aggressively market Iowa's products and diversify our agricultural base. A world trade center could be a real asset in the long-term export policy of this state. This budget provides additional funding for trade missions and for foreign offices in Frankfurt and Hong Kong.

This budget establishes an Iowa Ambassador Program to utilize university alumni located throughout the world. The budget includes needed support for our meat export technology research center. And, it adds to our domestic marketing programs like "Taste of Iowa."

Historically, Iowa has produced a wide variety of agricultural products. However, in recent years we have grown more and more dependent on corn and soybeans.

We must find additional ways to add value to the products we produce. It can be done. Industries in this state are now producing corn to sweeten soft drinks and to produce lysine protein supplements as well. Feeding our grain to livestock here in Iowa is another important way to add value to our commodities.

We need to find alternative crops and develop more efficient ways of livestock production. This budget provides \$2 million for additional agricultural research.

The second thing we must do is to help our small businesses—that's where most of the new jobs are created. This budget provides support to help small businesses to attract federal dollars and to obtain management assistance. It increases funding for the New Product Development Corporation. And, small business incubators should be created at every Small Business Development Center in the state.

We need to attract more high technology jobs. Our well-educated and productive workforce in Iowa is appealing to technology industries.

Bio-technology and microelectronics offer the most promise for Iowa. This budget contains over \$9 million in additional research in these and other high-tech areas. This investment will attract an additional \$9 million plus in research funds from federal and private sources.

We can also help small business by promoting Iowa as a good place for family vacations and recreation. Tourism is one of the fastest growing industries in this country. Yet Iowa ranks last in our spending for tourism promotion.

Recently, a number of major new tourist attractions have been added in our state. The Cedar Valley Nature Trail is now open between Waterloo and Cedar Rapids. The Boone and Scenic Valley Railroad is in operation and the Mississippi Belle Riverboat has already transported over 100,000. Think about it, the Mississippi Belle in the first year of operation has transported over 100,000 people between the Quad-Cities and Dubuque.

We can create hundreds of additional jobs right away by doing more to promote these and other important tourist attractions in our state. This budget doubles our state funding for tourism promotion.

The third part of our plan is designed to assist local communities with their development projects. A state development bank will be organized by the Partnership for Economic Progress that I announced last week. The Community Development Loan and Cultural Grant Programs which have clearly helped revitalize large and small communities throughout the state, will be continued and funded.

In addition, we should establish a special economic development fund as a catalyst for local efforts. Communities should be given maximum flexibility in utilizing this fund to attract new jobs and encourage expansion.

Fourth, we can create hundreds of needed construction jobs by improving and maintaining our state facilities. Funding is recommended for some very important capital projects like our new Historical Building, the Home Economics facilities at Iowa State University, and improving our state parks and recreation areas.

These four initiatives meet crucial Iowa needs and when combined with the measures I announced last week, they form a comprehensive plan for Iowa's future.

This important and meaningful plan will do much to create jobs in Iowa. But there is still another issue that must be addressed to dramatically improve Iowa's position in this very competitive race for jobs. We must eliminate the penalties for production and retooling for agriculture and industry.

In the last five years, our largest employers have been forced to make deep cuts in their work forces. In fact, since 1979 over 50,000 blue-collar jobs have disappeared from Iowa — a percentage that is much higher than the national average.

During the same period, employment in businesses like insurance and financial services has increased. Why is this happening? The national trend toward a "service" economy is part of the answer, but not the full explanation.

The rest of the answer can be found in state policy. A thoughtful analysis of Iowa's tax policy leads to the unfortunate conclusion that our state penalizes the kind of fixed investment that creates blue collar jobs. The Iowa Development Commission and local economic development specialists have said this for years.

More recently, the Bipartisan Tax Study Committee and the Committee for Iowa's Future Growth both concluded that a major impediment to Iowa's economic development is the imposition of the sales and use tax on industrial and agricultural machinery, equipment, computers, and parts.

Virtually every group that has studied the issue has recommended the repeal of this penalty for creating jobs. The evidence is overwhelming.

Iowa is one of a few states that imposes this kind of tax on all industrial equipment. Iowa and Nebraska are the only states in this region that impose the full tax on farm machinery.

It is time to eliminate this significant barrier to economic growth in our state.

Eliminating this tax penalty is certainly not the answer to all of the problems of agriculture today. I know it won't solve the immediate credit crisis.

But it will help the farmer who is struggling to keep his equipment in the field, and it will help the factory worker whose employer is considering relocating in another state because of the high cost of retooling here.

I recognize that eliminating this penalty on production will mean foregoing substantial revenue. In the past, we have not been able to take this step because other taxes would have to be raised to replace what was lost. This year is different.

* * * * *

By now, Iowans are no doubt familiar with my personal feelings on the issue of lottery. My personal feelings have not changed.

However, it is obvious that public sentiment strongly supports a lottery. I am aware that lottery bills have already been introduced in both houses and put on a fast track by the legislative leadership.

This year I will lay my personal objections aside. Should lottery legislation be enacted, I will not stand in the way of it becoming law.

In fact, to show my good faith, I pledge the full cooperation of the Executive Branch of state government to put a lottery in operation by the beginning of the next fiscal year.

* * * * *

In addition, under present law, the Federal Cigarette Tax is scheduled to be reduced by eight cents per pack on October 1. Smoking does not need to be made more attractive. We should maintain the present level of combined state and federal cigarette taxes. By doing so, we will generate \$42 million revenue in this biennium without raising the cost of cigarettes to the consumer.

The revenue from this cigarette tax offset, and approximately one-half of the proceeds from the lottery, will be enough to replace the revenue lost by removing the tax penalty on investment in jobs.

The remaining lottery revenues should be used for other economic development projects like the flexible Economic Development Assistance Fund and the important capital projects that I mentioned earlier.

* * * * *

Today, Jack Bailey, the Director of our Iowa Development Commission, is in Detroit meeting with the top management of General Motors. He is urging them to locate their new Saturn Plant here in Iowa. On Monday, I will go to Detroit to personally make an appeal for the 5,000 jobs that this plant will create.

With the program I have just outlined and the assets we already have in place, the State of Iowa will have an appealing package to present to General Motors. For that matter, Iowa should be appealing to any company interested in locating, expanding, or retooling a plant that requires a major investment in equipment or computers.

Of course, no economic development program can guarantee success on a single project. But, the bold program for Iowa jobs I have announced today will definitely make Iowa much more competitive. It provides the best opportunity available to give our state's economy a shot in the arm.

* * * * *

I know that I am asking you to do some extraordinary things for agriculture and for industrial jobs. But Iowans are faced with extraordinary troubles. In times like this, we must all work together.

We must be willing to thoughtfully consider actions that we might otherwise find philosophically objectionable. Our problems require that we put our differences aside and develop a common agenda—an Iowa agenda.

We made a good first step by pledging that economic development would be the top priority of this session. The decisions made in the next few months will have a profound effect on the future of this state.

During this crucial year in the history of Iowa, the people are counting on us to do what needs to be done.

As elected officials, that is our role.

That is our responsibility.

That is our mission.

Let's go to work.

Thank you.

Governor Terry E. Branstad was escorted from the House chamber by the committee previously appointed.

Norland of Worth moved that the joint convention be now dissolved at 10:33 a.m., which motion prevailed.

The House reconvened, Speaker Avenson in the chair.

On motion by Norland of Worth, the House was recessed at 10:34 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lonergan of Boone on request of Arnould of Scott.

QUORUM CALL

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

ADOPTION OF THE REPORT OF THE CONFERENCE COMMITTEE (Senate Concurrent Resolution 3)

Fey of Scott called up for consideration the following report of the conference committee on Senate Concurrent Resolution 3 and moved the adoption of the conference committee report and the amendments contained therein:

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE CONCURRENT RESOLUTION 3

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 Concurrent Resolution 3, a resolution relating to the Joint Rules of the Senate and House, respectfully make the following report:

1. That the House recedes from the House amendment, S-3021, to Senate Concurrent Resolution 3, as passed by the Senate.

2. That Senate Concurrent Resolution 3, as passed by the Senate, be amended as follows:

1. By striking page 16, line 13, through page 17, line 19.

ON THE PART OF THE HOUSE:

TOM FEY, Chair
JOHN H. CONNORS
JOYCE LONERGAN
DOROTHY F. CARPENTER
WILLIAM H. HARBOR

ON THE PART OF THE SENATE:

LOWELL L. JUNKINS, Chair
BILL HUTCHINS
DON E. GETTINGS
CALVIN O. HULTMAN
JOHN W. JENSEN

The motion prevailed and the report was adopted.

On motion by Fey of Scott, the resolution was adopted.

ADOPTION OF SENATE CONCURRENT RESOLUTION 4

Carter of Henry called up for consideration Senate Concurrent Resolution 4, to declare an economic emergency, to request Congressional hearings on the crisis, to request federal legislation, and requesting the use of the powers of the state's executive branch, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPONSOR ADDED
(House File 70)

Gruhn of Dickinson requested to be added as a sponsor of House File 70.

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on January 23, 1985 and is on file in the office of the Chief Clerk.

January 18, 1985

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 4 claims of a general nature. This supplements our filing of January 2, 1985.

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

Very truly yours,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

JOSEPH O'HERN
Chief Clerk of the House

OFFICE OF STATE COMPTROLLER

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
1498-70-25	James W. Hopkins, M.D. 1212 Pleasant, Suite 202 Des Moines, Iowa Outdated Billing	\$ 305.00	Denied
1718-71-25	Craig Steven Williams 5411 S.W. 17th Des Moines, Iowa Tax Refund	340.00	Denied

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
3085-71-25	Creswell, Munsell, Fultz & Zirbel, Inc. Box 2879 Cedar Rapids, Iowa Outdated Invoice	5,746.10	Denied
2570-71-25	Sterling Feed & Grain, Inc. 817 Washington Street Miles, Iowa License Fee Refund	825.25	Denied

COMMUNICATIONS RECEIVED

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

IOWA COMMERCE COMMISSION

The Annual Report, pursuant to Chapter 474, Code of Iowa.

IOWA CRIMINAL AND JUVENILE JUSTICE PLANNING AGENCY

The 1985 Edition of the Criminal and Juvenile Justice Plan.

IOWA DEPARTMENT OF HUMAN SERVICES

A report entitled, "Population Demands and Trends at the Mental Health Institutes and Its Relationship to Per Diem Charges.," pursuant to Senate File 2333, Section 5(6), 70th General Assembly, 1984 Session.

IOWA STATE BOARD OF REGENTS

The State Board of Regents Ten-Year Building Program, 1985-1995, pursuant to Chapter 262A.3, Code of Iowa.

SUBCOMMITTEE ASSIGNMENTS

House File 4

Education: Spear, Chair; Miller and Swearingen.

House File 7

Agriculture: Zimmerman, Chair; Fogarty and Van Maanen.

House File 8

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

House File 9 .

Natural Resources and Outdoor Recreation: Black, Chair; Diemer and Haverland.

House File 11

Transportation: Renaud, Chair; Jay, Platt, Van Camp and Woods.

House File 13

Agriculture: Koenigs, Chair; Handorf and Hughes.

House File 18

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklath.

House File 19

Natural Resources and Outdoor Recreation: Black, Chair; Cooper and Pellett.

House File 20

Natural Resources and Outdoor Recreation: Varn, Chair; Hanson and McKean.

House File 21

Transportation: Muhlbauer, Chair; Harbor and Peterson.

House File 24

Human Resources: (Elderly Subcommittee) Sturgeon, Chair; Clark, Lonergan, Ollie and Torrence.

House File 25

Transportation: Fogarty, Chair; De Groot and Fey.

House File 26

Transportation: Jay, Chair; Corey, Lageschulte, Pavich and Sullivan.

House File 28

State Government: Blanshan, Chair; Pavich and Swearingen.

House File 30

Local Government: Spear, Chair; Diemer and Poncy.

House File 31

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

House File 32

Transportation: Gruhn, Chair; Fey and Royer.

House File 35

Human Resources: (Health Care Subcommittee) Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 36

Natural Resources and Outdoor Recreation: Baxter, Chair; Diemer, Hanson, Haverland and Johnson.

House File 37

Transportation: Koenigs, Chair; Cooper and Harbor.

House File 38

Education: Spear, Chair; Haverland and Hester.

House File 39

State Government: Cochran, Chair; Doderer and Hanson.

House File 42

Economic Development: Baxter, Chair; Cochran and Schnekloth.

House File 43

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

House File 45

Education: Ollie, Chair; Carpenter and Zimmerman.

House File 45 (Rereferral)

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 51

Local Government: Groninga, Chair; Peick and Royer.

House File 54

Energy and Environmental Protection: Osterberg, Chair; Parker, Paulin, Sturgeon and Van Camp.

House File 55

State Government: Teaford, Chair; Halvorson of Webster and Shoning.

House File 56

Economic Development: Baxter, Chair; Cochran and Schnekloth.

House File 59

Local Government: Beatty, Chair; Buhr and Daggett.

House File 60

State Government: Arnould, Chair; Buhr and Renken.

House File 61

State Government: Pavich, Chair; Hanson and Teaford.

House File 63

State Government: Beatty, Chair; Blanshan and Daggett.

House File 64

Local Government: Groninga, Chair; Oxley and Torrence.

House File 69

Local Government: Cooper, Chair; Renken and Spear.

House File 71.

Human Resources: Sturgeon, Chair; Clark, Lonergan, Ollie and Torrence.

House File 72

State Government: Arnould, Chair; Buhr and Renken.

House File 74

Local Government: Buhr, Chair; Royer and Sullivan.

House File 75

State Government: Spear, Chair; Carpenter and Carter.

House File 82

Human Resources: Sturgeon, Chair; Clark, Lonergan, Ollie and Torrence.

House File 84

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 85

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 12

Energy and Environmental Protection: Hughes, Chair; Carl, De Groot, Mullins and Peterson.

Study Bill 14

Energy and Environmental Protection: Hughes, Chair; Mullins and Skow.

Study Bill 16

Education: Varn, Chair; Daggett, Groth, Haverland and McKean.

Study Bill 17

Education: Varn, Chair; Daggett, Groth, Haverland and McKean.

Study Bill 18

Education: Shoultz, Chair; Carter and Handorf.

Study Bill 19

Agriculture: Skow, Chair; Blanshan, Branstad, Muhlbauer and Stueland.

Study Bill 20

Transportation: Muhlbauer, Chair; Lageschulte and Woods.

Study Bill 26

Human Resources: Carl, Chair; Hermann, Shoning, Teaford, Torrence and Zimmerman.

Study Bill 27

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

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 HUMAN RESOURCES

House File 24, a bill for an act relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn; providing for revocations; providing a procedure in absence of a declaration; providing for patient transfers; providing immunity from liability; prohibiting destruction, concealment or forging of declarations or revocations; providing penalties; and providing other matters properly relating thereto.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H - 3018, January 23, 1985.

AMENDMENTS FILED

H - 3016	H.R.	4	Woods of Polk
H - 3017	H.R.	4	Corey of Louisa
H - 3018	H.F.	24	Committee on Human Resources

On motion by Norland of Worth, the House adjourned at 1:50 p.m., until 10:00 a.m., Monday, January 28, 1985.

JOURNAL OF THE HOUSE

Fifteenth Calendar Day—Ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 28, 1985

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

Prayer was offered by Father William Leonard, pastor of the Nativity Catholic Church, Dubuque.

The Journal of Thursday, January 24, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Jeffrey Lenz, Iowa Lutheran Hospital, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Clark of Cerro Gordo on request of De Groot of Lyon.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 23, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 15, a bill for an act relating to the designation of the Grand river.

Also: That the Senate has on January 23, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 78, a bill for an act requiring the state board of public instruction to adopt a five-year plan regarding education.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILLS

House File 100, by committee on education, a bill for an act relating to the determination of special education balances of school

districts by the state comptroller and providing that the Act is retroactive to June 30, 1984.

Read first time and placed on the calendar.

House File 101, by Cooper, a bill for an act to require that boards of school districts employ full-time aides for certain teachers.

Read first time and referred to committee on education.

House File 102, by Zimmerman, Fey, Sturgeon, Clark, Hester, Hermann, O'Kane, McKean, Osterberg, Groninga, Renken, Lageschulte, Stueland, Hatch, Carpenter, Hammond, Shoning, Johnson, Skow, Rensink, Corey and Metcalf, a bill for an act relating to smoking in public places and public meetings and applying penalties.

Read first time and referred to committee on state government.

House File 103, by Muhlbauer, a bill for an act to require class "C" beer permittees to furnish proof of financial responsibility by liability insurance or bond for the purpose of dram shop liability.

Read first time and referred to committee on state government.

House File 104, by Cochran, a bill for an act eliminating certain capital gains as tax preference items in computing the federal minimum tax for purposes of determining the state minimum tax for individuals, estates or trusts and making the provision retroactive.

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

House File 105, by Corey, a bill for an act requiring a seller to post a bond in certain door-to-door sales and applying a penalty.

Read first time and referred to committee on small business and commerce.

House File 106, by Rosenberg, Lloyd-Jones, Lageschulte, Varn, Hammond and Teaford, a bill for an act relating to programs administered by the Iowa college aid commission, to establish an Iowa college work-study program, to change the method of administering the state scholarship program, and to make an appropriation.

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

House File 107, by Schnekloth, a bill for an act relating to the membership of a county compensation board, the adoption of a biennial compensation schedule, and the record of actions taken by the board.

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

House File 108, by Sturgeon, a bill for an act relating to the code of ethics prepared by committees on ethics.

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

House File 109, by Sturgeon, a bill for an act relating to the rules on ethics and lobbying prepared by the committees on ethics.

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

House File 110, by Spear, a bill for an act relating to dissolution and annulment forms and records.

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

House File 111, by Hermann and Van Camp, a bill for an act to raise the legal age for consumption of alcoholic beverages and beer from nineteen to twenty-one years of age.

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

House File 112, by Carl, a bill for an act creating a revolving fund for the establishment of child day care programs in a local school district and making an appropriation.

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

House File 113, by Cochran, a bill for an act relating to contracts between landowners and utility companies for the placement of electric transmission lines.

Read first time and referred to committee on **energy and environmental protection**.

House File 114, by Schnekloth, a bill for an act appropriating funds for the relocation of the offices of the judicial department in the old state historical building.

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

House File 115, by Schnekloth, a bill for an act requiring a corporation organized in this state to provide a copy of the corporation's annual report containing certain financial information to a stockholder of the corporation upon receipt of a written request from the stockholder and providing for penalties.

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

SENATE MESSAGES CONSIDERED

Senate File 15, by Boswell, a bill for an act relating to the designation of the Grand River.

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

Senate File 78, by committee on education, a bill for an act requiring the state board of public instruction to adopt a five-year plan regarding education.

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

ADOPTION OF HOUSE MEMORIAL RESOLUTION 2

Bennett of Ida offered the following House Memorial Resolution 2 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 2

Whereas, The Honorable Elroy Maule of Monona County, Iowa, who was a member of the Fifty-seventh, Fifty-eighth, Fifty-ninth, Sixtieth, and Sixty-first General Assemblies, passed away on April 19, 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: Bennett of Ida, Muhlbauer of Crawford and O'Kane of Woodbury.

SPONSOR ADDED
(House File 52)

Peick of Linn requested to be added as a sponsor of House File 52.

CERTIFICATE OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that a certificate of recognition has been issued as follows:

1985-3 Jayne Danner, Carroll, Iowa's 1985 Junior Miss.

JOSEPH O'HERN
Chief Clerk of the House

COMMUNICATIONS RECEIVED

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

COMMISSION ON AGING

A report of the Commission on Aging and Elderly Services Interagency Coordinating Committee, pursuant to Section 249B.4(6), Code of Iowa.

STATE OF TEXAS

House Concurrent Resolution 12, requesting the Congress of the United States to defeat H.R. 5143 and H.R. 5144 relating to federal regulation of state and local pension systems.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 33 Natural Resources and Outdoor Recreation

Relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty.

S.B. 34 Natural Resources and Outdoor Recreation

Allowing a conservation officer to confiscate illegal rifles and ammunition in a hunting area before a kill is made, and providing for a penalty.

S.B. 35 Natural Resources and Outdoor Recreation

Relating to financial incentive payments for the protection of forests and forest soils from damage by grazing.

S.B. 36 Natural Resources and Outdoor Recreation

Relating to the inspection of fruit-tree or forest reservations and making the Act retroactive.

S.B. 37 Human Resources

Requiring certain persons to report suspected dependent adult abuse to the department of human services.

S.B. 38 Energy and Environmental Protection

Relating to the energy efficiency of major appliances including the display, advertisement, and sale at retail of major appliances and the establishment of minimum energy efficiency standards.

S.B. 39 Transportation

Relating to the jurisdiction and control of the great river road.

S.B. 40 Transportation

Relating to denial of dealers' licenses for odometer law violations.

S.B. 41 Transportation

Exempting road workers from the forty miles per hour minimum speed limit.

S.B. 42 Transportation

Relating to the fees for and duration of operator's and chauffeur's licenses.

S.B. 43 Energy and Environmental Protection

Providing an exemption from property taxation and use taxes for new hazardous waste treatment facilities.

S.B. 44 Energy and Environmental Protection

Relating to public utility energy conservation programs.

S.B. 45 Judiciary and Law Enforcement

Relating to arson by providing an inference of fraudulent intent.

S.B. 46 Small Business and Commerce

Regulating the business of vacation time-sharing and providing penalties.

S.B. 47 Small Business and Commerce

Relating to consumer fraud.

S.B. 48 Small Business and Commerce

Relating to the "Iowa Regulated Loan Act."

S.B. 49 Transportation

Relating to the establishment and the regulation of vehicular traffic within rural residence districts, making penalties applicable.

S.B. 50 Human Resources

Relating to the health data commission by delaying the termination of the commission, requiring certain members of the commission to implement common medical reimbursement reporting forms, and permitting the commission to initiate a review of collection of information relating to long-term care and home health care.

S.B. 51 Local Government

Requiring a separate award of real estate taxes, personal property taxes and special assessments to the county treasurer by the compensation commission as damages in condemnation.

S.B. 52 Local Government

Relating to the limitations of actions for claims against municipalities.

S.B. 53 Local Government

Authorizing a city to impose additional conditions on property owners as a condition to zoning changes.

APPOINTMENTS BY THE SPEAKER

The Speaker announced the following appointments:

**1985-1986 Legislative Council
(Section 2.41, Code of Iowa)**

Representative Robert Arnould
Representative Donald Avenson
Representative Dorothy Carpenter
Representative Dale Cochran
Representative John Connors
Representative William Harbor
Representative Thomas Jochum
Representative Lowell Norland
Representative Delwyn Stromer
Representative Richard Welden

**1985-1986 Legislative Fiscal Committee
(Section 2.45, Code of Iowa)**

Representative Gene Blanshan
Representative Minnette Doderer
Representative Thomas Jochum
Representative Hugo Schnekloth
Representative Richard Welden

RESOLUTION FILED

HCR 7, by Hummel, a concurrent resolution to provide for a study of teacher compensation.

Referred to committee on **education**.

AMENDMENTS FILED

H-3019	H.F.	24	Spear of Lee
H-3020	H.F.	88	McKean of Jones
H-3021	H.F.	24	Spear of Lee

On motion by Norland of Worth, the House adjourned at 10:31 a.m., until 9:00 a.m., Tuesday, January 29, 1985.

JOURNAL OF THE HOUSE

Sixteenth Calendar Day—Tenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 29, 1985

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

Prayer was offered by Reverend Stanley E. Jensen, pastor of the Monticello Baptist Church, Monticello.

The Journal of Monday, January 28, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Curtis Wuest, Marshalltown.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Clark of Cerro Gordo, for the remainder of the week, on request of Lageschulte of Bremer.

PETITION FILED

The following petition was received and placed on file:

By De Groot of Lyon, from seventy-two constituents of District 8 opposing lottery in any form.

INTRODUCTION OF BILLS

House File 116, , by Baxter, a bill for an act relating to leaves of absence for a public employee who is a candidate for elective public office.

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

House File 117, by Van Maanen, a bill for an act relating to the salaries of elected county officers.

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

House File 118, by Parker, a bill for an act relating to rules of boards of directors of school districts relating to the ability of school students to enter and leave the building grounds.

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

House File 119, by Pavich, a bill for an act relating to the control, distribution, taxation, and private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, declaring certain acts relating to wine to be unlawful and prescribing penalties.

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

House File 120, by Spear, a bill for an act relating to the property tax exemption for property of an association of war veterans and of literary, scientific, charitable, benevolent, agricultural, and religious institutions and societies and providing for an effective date.

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

House File 121, by Van Camp, a bill for an act relating to the use, possession, delivery, manufacture, or advertisement of objects commonly used in connection with an illegal use of controlled substances, and providing for civil forfeiture and criminal penalties.

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

House File 122, by Sturgeon, a bill for an act to require commercial establishments which hold a license or permit for the consumption of alcoholic beverages or beer on the premises to maintain a test machine for use by the establishment's patrons for breath analysis of blood alcohol content.

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

House File 123, by Carter, a bill for an act providing for the issuance and use of handicapped identification cards, making penalties applicable and providing effective dates.

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

House File 124, by Rosenberg, a bill for an act permitting the sentencing of juveniles at least twelve years old to community service work programs.

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

House File 125, by Hermann, a bill for an act relating to the release of a child by a day care facility at the end of the period of the day during which the child is under the facility's care.

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

House File 126, by Parker, a bill for an act relating to special industrial incentive rates for qualified customers of rate-regulated electric public utilities.

Read first time and referred to committee on **energy and environmental protection**.

House File 127, by Rosenberg, a bill for an act relating to the application for and issuance of search warrants.

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

House File 128, by Rosenberg, Groninga, Halvorson of Webster, Clark, Hammond, Jay and Lonergan, a bill for an act creating a program for the establishment and support of dispute resolution centers to provide informal procedures for the resolution of minor disputes, authorizing the imposition of an additional fee upon the filing of civil actions in counties served by such centers, and making an appropriation.

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

House File 129, by Rosenberg, a bill for an act relating to voluntary foster care placements by the department of human services and approval of the placements by the juvenile court.

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

House File 130, by Rosenberg, a bill for an act relating to community service by providing that the state assumes liability for injuries to persons performing unpaid community service.

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

On motion by Norland of Worth, the House was recessed at 9:17 a.m., until 11:45 a.m.

The House reconvened, Speaker Avenson in the chair.

Lonergan of Boone in the chair at 11:55 a.m.

SPONSORS ADDED (House File 70)

Rensink of Sioux requested to be added as a sponsor of House File 70.

(House File 92)

Ollie of Clinton requested to be added as a sponsor of House File 92.

(House File 103)

Swearingen of Keokuk requested to be added as a sponsor of House File 103.

COMMUNICATION RECEIVED

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

DEVELOPMENT COMMISSION

The Annual Report of the Small Business Division of the Iowa Development Commission, pursuant to Senate File 548, sec. 17, 1983 Acts of the Seventieth General Assembly.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 54 Education

To appropriate funds to the department of public instruction for educational excellence grants.

S.B. 55 Human Resources

Relating to the qualifications for the additional property tax relief for the elderly and disabled.

S.B. 56 Human Resources

Requiring the state board of regents to establish an area health education center program.

S.B. 57 Judiciary and Law Enforcement

Relating to the protection of victims and witnesses in judicial proceedings, and providing penalties.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

House File 38, a bill for an act providing that appraised value determines when a school board has the power to sell, lease or dispose of school property.

Fiscal Note is not required.

Recommended **Do Pass** January 28, 1985.

Senate File 78, a bill for an act requiring the state board of public instruction to adopt a five-year plan regarding education.

Fiscal Note is required.

Recommended **Do Pass** January 28, 1985.

House Concurrent Resolution, relating to a review of laws and administrative rules relating to education.

Fiscal Note is not required.

Recommended **Do Pass** January 28, 1985.

House Concurrent Resolution, relating to creating a research, dissemination, and development process for meeting certain educational needs.

Fiscal Note is not required.

Recommended **Do Pass** January 28, 1985.

COMMITTEE ON TRANSPORTATION

House Resolution, supporting the approval of the acquisition of the Milwaukee Road by the SOO Line Railroad.

Fiscal Note is not required.

Recommended **Do Pass** January 28, 1985.

RESOLUTION FILED

HR 5, by committee on transportation, a resolution supporting the approval of the acquisition of the Milwaukee Road by the SOO Line Railroad.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-3022	H.F.	35	Spear of Lee
H-3023	H.F.	88	Lageschulte of Bremer

On motion by Norland of Worth, the House adjourned at 12:03 p.m., until 9:00 a.m., Wednesday, January 30, 1985.

JOURNAL OF THE HOUSE

Seventeenth Calendar Day—Eleventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 30, 1985

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

Prayer was offered by the Reverend Bob Bruch, pastor of the Reorganized Church of the Latter Day Saints, Lamoni.

The Journal of Tuesday, January 29, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. George Kappos, Ankeny.

PETITION FILED

The following petition was received and placed on file:

By Van Camp of Scott, from one hundred thirty-seven constituents of District 58 favoring House File 111, an act to raise the legal drinking age to 21.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 16, a bill for an act to provide for publication of state salary lists, job titles, and expenses paid to state employees.

Also: That the Senate has on January 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 38, a bill for an act related to the testing and disposal of cattle for bovine brucellosis.

Also: That the Senate has on January 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 77, a bill for an act requiring that the first day of school not be sooner than the first day of September except under certain conditions.

Also: That the Senate has on January 28, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 7, providing for a study of the collective bargaining process as it relates to elementary and secondary school educators.

Also: That the Senate has on January 28, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 8, providing for a review of laws and administrative rules relating to education.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILLS

House File 131, by Schneklath, a bill for an act relating to the interest paid on the amount of overpayment of estimated tax under the state individual income tax and making the provision retroactive.

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

House File 132, by Van Maanen, a bill for an act relating to qualifying for the homestead tax credit.

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

House File 133, by Sturgeon, a bill for an act allowing employees to choose the medical care given for treatment of a job-related injury covered under the workers' compensation law.

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

House File 134, by Cooper, a bill for an act relating to voluntary employer contributions under the unemployment compensation law.

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

House File 135, by Diemer, Black, Corey, Renaud, Woods and Kremer, a bill for an act relating to the employment of inmates in public service.

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

House File 136, by Halvorson of Clayton, Skow and Hermann, a bill for an act relating to exclusivity of remedies in workers' compensation suits.

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

House File 137, by Corey and Skow, a bill for an act making the one-week waiting period before the receipt of unemployment compensation benefits permanent.

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

House File 138, by Rensink, a bill for an act relating to the qualifications of a county sheriff.

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

House File 139, by Brammer and Hummel, a bill for an act relating to the crime of lascivious acts with a child and providing a penalty.

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

House File 140, by Grandia, Skow, Muhlbauer, Renken and Parker, a bill for an act to prohibit the use of snares to take wildlife.

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

House File 141, by Rosenberg, a bill for an act amending the juvenile justice code relating to the content of delinquency petitions, notices of delinquency proceedings, recordings of delinquency hearings, mandatory minimum sentences of juveniles waived to adult court, waivers of the right to remain silent, and civil commitment procedures for allegedly delinquent juveniles, and relating to notices of child-in-need-of-assistance hearings, evidence required to remove alleged sexual offenders from the home, and the receipt of social investigation reports, and relating to the provision of services to correct abusive situations in termination-of-parental-rights cases.

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

House File 142, by Hammond, Holveck and McKean, a bill for an act relating to sexual abuse in the third degree and providing penalties.

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

House File 143, by Ollie, a bill for an act relating to the readability of coordination of benefits clauses in health insurance contracts.

Read first time and referred to committee on small business and commerce.

House File 144, by Swartz and Arnould, a bill for an act assessing a fee for certain certified copies of birth certificates.

Read first time and referred to committee on human resources.

House File 145, by Sturgeon, a bill for an act relating to the off-premises sale of wine by class "B" and "C" liquor control licensees and class "C" beer permittees.

Read first time and referred to committee on state government.

House File 146, by O'Kane, a bill for an act to provide a maximum statute of limitations for actions arising out of improvements to real property.

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

House File 147, by Parker, a bill for an act relating to tuition waivers for certain students attending a merged area school or an institution of higher education under the control of the state board of regents.

Read first time and referred to committee on education.

House File 148, by Schneklath, a bill for an act creating an agricultural land productivity board and specifying its duties.

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

House File 149, by Skow, a bill for an act to create a valuation review commission and to provide for its powers and duties.

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

House File 150, by Woods, a bill for an act relating to fees collected by the sheriff.

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

House File 151, by Running, a bill for an act relating to the abatement of noise on public waters within the corporate limits of a city.

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

On motion by Norland of Worth, the House was recessed at 9:22 a.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

REREFERRED TO COMMITTEE ON AGRICULTURE (House File 99)

The Speaker announced that House File 99, previously referred to the committee on **appropriations**, was rereferred to the committee on **agriculture**.

SENATE MESSAGES CONSIDERED

Senate File 16, by Holden, a bill for an act to provide for publication of state salary lists, job titles, and expenses paid to state employees.

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

Senate File 38, by Priebe, a bill for an act related to the testing and disposal of cattle for bovine brucellosis.

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

Senate File 77, by committee on education, a bill for an act requiring that the first day of school not be sooner than the first day of September except under certain conditions.

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

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 58 Small Business and Commerce

Permitting the use of deposit insurance obtained from a deposit insurance corporation to secure the deposit of public funds.

S.B. 59 Small Business and Commerce

Permitting a creditor who is authorized to make supervised loans pursuant to open end credit to contract for and receive a finance charge in any amount agreed to by the parties.

S.B. 60 Small Business and Commerce

Relating to the abandonment of funds or a deposit in a banking or financial organization.

S.B. 61 Ways and Means

Increasing the fee for the receipt of a copy of an officer's report of a motor vehicle accident or an abstract of a person's operating record.

S.B. 62 Education

Relating to the procedure for adding moneys in a school district's budget for moneys collected under section 302.3, Code 1981.

S.B. 63 Education

Relating to the weighting per pupil for shared programs of school districts.

S.B. 64 State Government

To prohibit the removal of beer from a licensed premise during hours when beer cannot be sold in the licensed premise.

S.B. 65 State Government

To require the director of the Iowa beer and liquor control department to suspend rather than dismiss vendors who are convicted of selling alcohol to minors.

S.B. 66 State Government

Relating to the provision of statewide library services by the reorganization of the state library of Iowa and the regional library system.

S.B. 67 State Government

Relating to the lease of computer services and facilities including the leasing of related real and personal properties and facilities by public bodies, including state boards, departments, agencies and authorities and cities and counties, and including the levy of taxes by participating cities and counties, taking effect upon publication.

S.B. 68 Labor and Industrial Relations

Relating to the ranking of certain expanding employers on the unemployment compensation contribution rate tables.

S.B. 69 Labor and Industrial Relations

Relating to the establishment of a special unemployment compensation contribution rate for certain expanding employers.

S.B. 70 Energy and Environmental Protection

Relating to special industrial incentive rates for qualified customers of rate-regulated electric public utilities.

S.B. 71 Energy and Environmental Protection

Relating to membership on the interagency coordinating council on radiation safety.

S.B. 72 Energy and Environmental Protection

Restricting the provision of certain services by public utilities.

S.B. 73 Energy and Environmental Protection

Relating to the lease by state agencies of real and personal properties and facilities for use as or in connection with any energy conservation measure.

S.B. 74 Education

Relating to the election of directors of a local school district, merged area, area education agency, and trustees of a regional library board, and providing an effective date.

S.B. 75 Judiciary and Law Enforcement

Relating to the imposition of mandatory minimum sentences.

S.B. 76 Judiciary and Law Enforcement

Relating to the confidentiality of Iowa board of parole records, and providing penalties.

S.B. 77 Judiciary and Law Enforcement

Reclassifying and adding certain controlled substances to the schedules in chapter 204.

S.B. 78 Judiciary and Law Enforcement

Reducing periods of limitation for claims and actions under the state tort claims Act.

S.B. 79 Human Resources

Relating to the rights of grandparents.

S.B. 80 State Government

To provide additional retirement benefits under the Iowa public employees' retirement system for department of transportation peace officers and to make an appropriation.

S.B. 81 State Government

To establish a program for the coordination of media services at the capitol complex in the department of general services.

S.B. 82 State Government

Relating to the licensing of real estate brokers and real estate salespersons and providing for an effective date.

S.B. 83 State Government

Relating to the duties of the secretary for the state board of engineering examiners.

S.B. 84 State Government

Relating to the eligibility of graduates of colleges of pharmacy located outside the United States to take the licensure exam in Iowa.

S.B. 85 State Government

To increase the face value of a class "A" beer permittee's bond.

S.B. 86 State Government

Relating to the establishment, relocation, or discontinuance of state liquor stores.

S.B. 87 State Government

Relating to the license fee for commercial explosives.

S.B. 88 State Government

Relating to the definition of licensed premises for the sale of alcoholic liquor and beer.

S.B. 89 State Government

To create temporary liquor licenses and beer permits to run from one to fourteen days.

S.B. 90 State Government

Relating to the reporting of fires and emergency responses to the state fire marshal and the payment of fees for the fire reports.

S.B. 91 Natural Resources and Outdoor Recreation

Relating to the payment of drainage assessments against lands under the jurisdiction of the state conservation commission.

S.B. 92 Energy and Environmental Protection

Relating to water wells by providing for regulation of water wells and the registration of water well contractors.

S.B. 93 Education

To provide for a transportation supplement to school districts with funds provided by both a property tax and an income surtax and to make an appropriation.

S.B. 94 Human Resources

Removing the exception which allows licensed practical nurses to staff an authorized ambulance service or rescue squad service.

S.B. 95 Human Resources

Relating to the issuance of warrants for persons absconding from work release facilities.

S.B. 96 Human Resources

Relating to the temporary confinement of alleged violators of work release conditions.

S.B. 97 Human Resources

Relating to inmate transfers.

S.B. 98 Human Resources

Repealing the time limitations on work release for inmates.

S.B. 99 Human Resources

Relating to the warrantless arrest of persons if there exists reasonable grounds to believe they have committed domestic abuse, and providing a penalty.

S.B. 100 Human Resources

Relating to certain requirements for the filling of prescriptions for controlled substances and poisons.

S.B. 101 Human Resources

Authorizing the expenditure of state disaster contingency funds for the emergency medical treatment of individuals under the supervision of the state adult corrections system.

S.B. 102 Judiciary and Law Enforcement

Relating to the accrual of prejudgment interest after a refusal to accept an offer to confess judgment.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly Study Bill 19), relating to the Iowa family farm development authority by revising definitions, amending requirements relating to the board, and imposing conditions on loans made by the authority to a beginning farmer.

Fiscal Note is not required.

Recommended **Do Pass** January 29, 1985.

COMMITTEE ON LOCAL GOVERNMENT

House File 30, a bill for an act relating to the appointment of chiefs of the police department and chiefs of the fire department in cities under civil service.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H — 3026, January 29, 1985.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

House File 70, a bill for an act relating to the conducting of going-out-of-business sales and providing for penalties.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H — 3029, January 30, 1985.

COMMITTEE ON STATE GOVERNMENT

House Joint Resolution 2, proposing an amendment to the Constitution of the State of Iowa to allow the general assembly to prescribe by law when a person who is convicted of a felony or who is mentally ill or mentally retarded shall be entitled to the privilege of an elector.

Fiscal Note is not required.

Committee Recommendation: Failed to Pass January 29, 1985.

RESOLUTIONS FILED

HR 6, by Diemer, McIntee and Shultz, a resolution paying tribute to Robert A. Case and his memory.

Laid over under Rule 25.

SCR 7, by committee on education, a concurrent resolution for a study of the collective bargaining process for educators.

Referred to committee on education.

SCR 8, by committee on education, a concurrent resolution relating to a review of laws and administrative rules relating to education.

Laid over under Rule 25.

AMENDMENTS FILED

H-3024	S.F.	77	McKean of Jones
H-3025	S.F.	77	Lageschulte of Bremer
H-3026	H.F.	30	Committee on Local Government

H-3027	H.F.	88	Shultz of Black Hawk
H-3028	S.F.	77	Shultz of Black Hawk
H-3029	H.F.	70	Committee on Small Business and Commerce
H-3030	H.F.	87	Groth of Buena Vista

On motion by Norland of Worth, the House adjourned at 3:13 p.m., until 9:00 a.m., Thursday, January 31, 1985.

JOURNAL OF THE HOUSE

Eighteenth Calendar Day — Twelfth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 31, 1985

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

Prayer was offered by Reverend Jerry Hambleton, pastor of the Chariton Christian Church Disciples of Christ, Chariton.

The Journal of Wednesday, January 30, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Lloyd Thurston, Marshalltown.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hermann of Scott on request of Renken of Grundy.

PETITION FILED

The following petition was received and placed on file:

By De Groot of Lyon, from sixty-five constituents opposing legalizing a state lottery.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 29, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 25, a bill for an act relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn.

Also: That the Senate has on January 29, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 97, a bill for an act to establish the legal age for the purpose of laws relating to beer and alcoholic beverages at twenty-one years.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILLS

House File 152, by Halvorson of Clayton, a bill for an act to require at least one well at each sanitary landfill to monitor ground water quality.

Read first time and referred to committee on **energy and environmental protection**.

House File 153, by Running, a bill for an act relating to the marking of new dentures and eyeglasses obtained for residents of health care facilities, and providing penalties.

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

House File 154, by Running, a bill for an act to increase the fine for a person other than a licensee or permittee who sells alcoholic liquor or beer to a minor.

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

House File 155, by Running, a bill for an act relating to the civil liability for losses caused by the distribution of beer or intoxicating liquor to a person while the person is intoxicated, or if the distribution results in intoxication.

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

House File 156, by Pavich, a bill for an act to allow cities and school districts to hold elections on Saturday or Sunday.

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

House File 157, by Oxley, Peick, Chapman and Brammer, a bill for an act permitting alternative methods of conducting a jackpot bingo game.

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

House File 158, by Chapman and Running, a bill for an act prohibiting parking in front of a curb cut or ramp and making penalties applicable.

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

House File 159, by O'Kane, a bill for an act relating to the phaseout of the state sales, services, and use tax on industrial and agricultural machinery and equipment.

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

House File 160, by Zimmerman, a bill for an act removing the exception which allows licensed practical nurses to staff an authorized ambulance service or rescue squad service.

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

House File 161, by Zimmerman, a bill for an act relating to the trustees of a county public hospital.

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

House File 162, by Arnould, a bill for an act relating to appeals from juvenile court orders terminating parental rights.

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

House File 163, by Corey, a bill for an act relating to the assignment of a percentage of fault for normal and obvious conditions.

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

House File 164, by Muhlbauer, a bill for an act relating to the payment of commissions to commission salespersons and providing a penalty.

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

House File 165, by Parker, a bill for an act to include a physician's assistant on the board of medical examiners.

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

House File 166, by McKean, a bill for an act requiring the Iowa development commission to collect information regarding farm tourism.

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

ADOPTION OF HOUSE RESOLUTION 6

Diemer of Black Hawk asked and received unanimous consent for the immediate consideration of House Resolution 6, paying tribute to Robert A. Case and his memory, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

Regular Calendar

House File 87, a bill for an act relating to the procedure for determining the one hundred two percent budget guarantee for school districts for the school year beginning July 1, 1985, was taken up for consideration.

Groth of Buena Vista offered the following amendment H-3030 filed by him:

H-3030

- 1 Amend House File 87 as follows:
- 2 1. Page 1, line 6, by inserting after the word
- 3 "year." the words "For the purpose of this section
- 4 "per pupil" means per pupil in budget enrollment."

Groth of Buena Vista offered the following amendment H-3031, to amendment H-3030, filed by him from the floor and moved its adoption:

H-3031

- 1 Amend H-3030 to House File 87 as follows:
- 2 1. Page 1, line 3, by inserting after the word
- 3 "of" the words "section 442.7, subsection 7, paragraph
- 4 "i" and".

Amendment H-3031 was adopted.

On motion by Groth of Buena Vista, amendment H-3030, as amended, was adopted.

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

On the question "Shall the bill pass?" (H.F. 87)

The ayes were, 90:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hester	Holveck
Hughes	Hummel	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonerган	Maulsby	McIntee	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Carter	Clark	Hatch	Hermann
Jay	Jochum	McKean	Sullivan
Swartz	Varn		

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 9:33 a.m., until 11:45 a.m.

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 167, by Koenigs, a bill for an act to establish the Iowa grain indemnity authority.

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

House File 168, by Arnould, a bill for an act relating to the detention of juveniles in adult jail facilities.

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

House File 169, by Daggett, a bill for an act providing a soil conservation tax credit for certain uses of agricultural land.

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

House File 170, by Rosenberg, a bill for an act relating to access by a noncustodial parent to information concerning the child.

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

House File 171, by Cochran, a bill for an act to establish a position of state drainage coordinator for drainage districts in the department of soil conservation.

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

House File 172, by Cochran, a bill for an act relating to the responsibility and liability for certain public places and providing penalties.

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

House File 173, by Pavich, Brammer and Varn, a bill for an act to protect city employees from personnel actions as reprisals for providing information to legislators or city officials or disclosing waste, mismanagement, or violations of law.

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

House File 174, by Gruhn, a bill for an act exempting preschool personnel from securing children with child restraint devices during certain activities.

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

House File 175, by Swartz, a bill for an act relating to child visitation rights.

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

House File 176, by Arnould, Fey and Sturgeon, a bill for an act relating to the commencement of a domestic abuse action.

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

House File 177, by Grandia, a bill for an act relating to the interconnection of private drainage ways.

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

House File 178, by Carl, a bill for an act relating to the certification and regulation of respiratory care practitioners and providing a penalty.

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

House File 179, by Rosenberg, a bill for an act to establish the Iowa main street program.

Read first time and referred to committee on **economic development**.

House File 180, by Fey, a bill for an act requiring the licensure of group and family day care homes, the annual inspection of all licensed day care facilities and the imposition of a licensing fee.

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

House File 181, by Torrence, a bill for an act to legalize proceedings taken by the city council of the city of Buffalo, Iowa relating to the compensation of the mayor.

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

MOTION TO RECONSIDER
(House File 87)

I move to reconsider the vote by which House File 87 passed the House on January 31, 1985.

DAGGETT of Taylor

SPONSOR ADDED
(House File 137)

Halvorson of Clayton requested to be added as a sponsor of House File 137.

PROOF OF PUBLICATION
(House File 181)

Published copy of House File 181 and verified proof of publication of said bill in The Quad-City Times, a daily newspaper printed and published in Davenport, Scott County, Iowa on January 22, 1985 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

COMMUNICATION RECEIVED

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

DEPARTMENT OF HEALTH

The 1985 State Radiation Safety Plan by the Interagency Coordinating Council of Radiation Safety, pursuant to Chapter 136B, Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 103 Ways and Means**

Exempting the amount of social security benefits received from the state individual income tax and making it retroactive.

S.B. 104 Human Resources

Expanding the medically needy program to cover those persons eligible, except for income, for federal supplemental security income benefits, and making an appropriation for the 1985-1986 fiscal year.

S.B. 105 Human Resources

To create a department of elder affairs and rename the commission on the aging as the commission on elder affairs.

S.B. 106 Human Resources

Repealing the hospital licensing chapter of the Code.

S.B. 107 Human Resources

Relating to the establishment, implementation, and enforcement of minimum hospital licensing standards, and providing civil and criminal penalties.

S.B. 108 Human Resources

Relating to the consolidation of language under which the state department of health charges for certain services rendered.

S.B. 109 Human Resources

Repealing the chapter relating to hospital survey and construction.

S.B. 110 Human Resources

Allowing the department of health to establish standards and inspection fees for swimming pools, spas, and bathing beaches, to enter into agreement with county boards of health for the inspection, enforcement, and fee collection, and establishing a penalty.

S.B. 111 Human Resources

Relating to the licensure of certain residential care facilities caring for certain children.

S.B. 112 Human Resources

Establishing a comprehensive long-term care program for the elderly within the commission on the aging, and making an appropriation.

S.B. 113 Judiciary and Law Enforcement

Relating to the filing of an affidavit prior to the taxing of attorney's fees for the recovery on a contract containing an agreement to pay an attorney's fee.

S.B. 114 Judiciary and Law Enforcement

Relating to modification of orders made in proceedings for dissolution of marriage, annulment or separate maintenance.

S.B. 115 Judiciary and Law Enforcement

Making appellate procedure in discretionary reviews, criminal appeals, postconviction relief appeals and civil appeals more uniform and consistent.

S.B. 116 Judiciary and Law Enforcement

To repeal the requirement that assignments, sales and transfers of real estate mortgages and notes secured by real estate mortgages be reported to the county auditor within thirty days unless recorded in the county recorder's office.

S.B. 117 Energy and Environmental Protection

Relating to the authority of the department of water, air and waste management over used oil.

S.B. 118 Energy and Environmental Protection

To create an Iowa commerce commission pilot program for energy conservation improvements.

S.B. 119 Small Business and Commerce

Relating to administrative penalties that the department of insurance may assess for engaging in prohibited insurance trade practices or for violations in the provision of mutual hospital services.

S.B. 120 Small Business and Commerce

Allowing the pension funds of the public safety police officers, Iowa public employees, and police officers and fire fighters, and assets of insurance companies, state banks, state savings banks, and state savings and loan associations to be invested in venture capital firms making investments in small businesses in the state.

S.B. 121 Small Business and Commerce

Relating to small business by providing for set-asides in state procurement contracts for small minority businesses and by adding to the small business loan program of the Iowa housing finance authority by establishing an export loan program as part of the 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 the small business loan program as a result of the export loan program.

S.B. 122 Energy and Environmental Protection

Establishing a superior claim and lien for unpaid costs and damages owed to the state by a person in regard to a hazardous condition.

SUBCOMMITTEE ASSIGNMENTS

House File 3

Ways and Means: Doderer, Chair; Osterberg and Siegrist.

House File 8 (Reassigned)

Small Business and Commerce: Skow, Chair; Baxter, Diemer, Oxley and Shoning.

House File 12

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

House File 14

Ways and Means: Cochran, Chair; Lageschulte and Parker.

House File 15

Ways and Means: Oxley, Chair; Bennett and Groth.

House File 16

Ways and Means: O'Kane, Chair; Holveck and Miller.

House File 17

Ways and Means: Brammer, Chair; Daggett and Rosenberg.

House File 22

Ways and Means: Parker, Chair; Arnould and Miller.

House File 23

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

House File 27

Ways and Means: Groninga, Chair; Hanson and Oxley.

House File 29

Judiciary and Law Enforcement: Haverland, Chair; Doderer, Hammond, Lageschulte and McKean.

House File 33

Ways and Means: Oxley, Chair; Bennett and Groth.

House File 34

Ways and Means: Groninga, Chair; Fey and Lageschulte.

House File 41

Small Business and Commerce: Oxley, Chair; Lonergan and Renken.

House File 44

Ways and Means: Chapman, Chair; Carpenter and O'Kane.

House File 46

Ways and Means: Tabor, Chair; Carpenter and Chapman.

House File 48

Transportation: Gruhn, Chair; Fey and Royer.

House File 49

Transportation: Pavich, Chair; Peterson and Platt.

House File 50

Ways and Means: Tabor, Chair; Connolly and Renken.

House File 53

Transportation: Woods, Chair; Sullivan and Van Camp.

House File 57

Ways and Means: Tabor, Chair; Hanson and Rosenberg.

House File 58

Ways and Means: Osterberg, Chair; Holveck and Siegrist.

House File 62

Ways and Means: Tabor, Chair; Arnould and Schneklath.

House File 65

Education: Running, Chair; Carpenter and Poncy.

House File 66

Natural Resources and Outdoor Recreation: Groth, Chair; Johnson and Welden.

House File 67

Judiciary and Law Enforcement: Tabor, Chair; Peterson and Shoning.

House File 68

Energy and Environmental Protection: Johnson, Chair; Lageschulte and Skow.

House File 70

Small Business and Commerce: Swartz, Chair; Rensink and Sturgeon.

House File 73

Natural Resources and Outdoor Recreation: Woods, Chair; Pellett and Varn.

House File 77

Judiciary and Law Enforcement: Brammer, Chair; Carl, Clark, Hammond, Running, Shoning and Siegrist.

House File 78

Transportation: Koenigs, Chair; Cooper and Harbor.

House File 79

Ways and Means: Tabor, Chair; Brammer and Daggett.

House File 80

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 81

Education: Shoultz, Chair; Carpenter and Connolly.

House File 86

Judiciary and Law Enforcement: Brammer, Chair; Carl, Clark, Hammond, Running, Shoning and Siegrist.

House File 89

State Government: Halvorson of Webster, Chair; Carter, Hammond, Siegrist and Van Maanen.

House File 90

State Government: Cochran, Chair; Pavich and Shoning.

House File 91

State Government: Halvorson of Webster, Chair; Carter, Hammond, Siegrist and Van Maanen.

House File 92

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 93

Human Resources: Carl, Chair; Hermann, Shoning, Teaford, Torrence and Zimmerman.

House File 94

Energy and Environmental Protection: Hughes, Chair; McIntee and Peterson.

House File 95

Judiciary and Law Enforcement: Jay, Chair; Halvorson of Clayton, Knapp, Lageschulte, McKean, Rosenberg and Tabor.

House File 96

Ways and Means: Tabor, Chair; De Groot and Fey.

House File 97

Labor and Industrial Relations: Sherzan, Chair; Bennett, Connors, Hermán and Running.

House File 98

Ways and Means: Tabor, Chair; Connolly and Renken.

House File 102

State Government: Hammond, Chair; Hanson and Spear.

House File 103

State Government: Bianshan, Chair; Cochran and Hanson.

House File 104

Ways and Means: Doderer, Chair; De Groot and Osterberg.

House File 107

Local Government: Torrence, Chair; Oxley and Renken.

House File 110

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 112

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 113

Energy and Environmental Protection: Sturgeon, Chair; Osterberg, Parker, Paulin and Van Camp.

House File 116

State Government: Arnould, Chair; Buhr and Renken.

House File 119

State Government: Buhr, Chair; Carter and Daggett.

House File 121

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

House File 122

State Government: Buhr, Chair; Carter and Daggett.

House File 124

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

House File 125

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 126

Energy and Environmental Protection: Osterberg, Chair; Parker, Paulin, Sturgeon and Van Camp.

House File 127

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

House File 128

Judiciary and Law Enforcement: Peterson, Chair; Clark and Siegrist.

House File 129

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 130

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schneklath and Tabor.

House File 135

Human Resources: Spear, Chair; Buhr, Corey, Shoning and Shultz.

House File 144

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS**Study Bill 5**

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 6

Judiciary and Law Enforcement: Chapman, Chair; Jay, Kremer, Maulsby and Peterson.

Study Bill 7

Judiciary and Law Enforcement: Jay, Chair; Halvorson of Clayton, Knapp, Lageschulte, McKean, Rosenberg and Tabor.

Study Bill 21

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

Study Bill 23

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schneklath and Tabor.

Study Bill 24

Judiciary and Law Enforcement: Brammer, Chair; Carl, Clark, Hammond, Running, Shoning and Siegrist.

Study Bill 25

Judiciary and Law Enforcement: Chapman, Chair; Jay, Kremer, Maulsby and Peterson.

Study Bill 28

Education: Tabor, Chair; Branstad and Zimmerman.

Study Bill 29

Education: Teaford, Chair; Hester and Johnson.

Study Bill 30

Education: Hughes, Chair; Miller and Tabor.

Study Bill 31

Education: Johnson, Chair; Branstad and McKean.

Study Bill 32

Education: Running, Chair; Carpenter and Poncy.

Study Bill 33

Natural Resources and Outdoor Recreation: Baxter, Chair; Diemer, Hanson, Haverland and Johnson.

Study Bill 34

Natural Resources and Outdoor Recreation: Woods, Chair; Pellett and Varn.

Study Bill 35

Natural Resources and Outdoor Recreation: Johnson, Chair; Fogarty and McKean.

Study Bill 36

Natural Resources and Outdoor Recreation: Johnson, Chair; Fogarty and McKean.

Study Bill 37

Human Resources: Sturgeon, Chair; Clark, Lonergan, Ollie and Torrence.

Study Bill 38

Energy and Environmental Protection: Hughes, Chair; Carl, De Groot, Mullins and Peterson.

Study Bill 39

Transportation: Sullivan, Chair; Corey and Woods.

Study Bill 40

Transportation: Renaud, Chair; Jay and Lageschulte.

Study Bill 41

Transportation: Cooper, Chair; De Groot and Fogarty.

Study Bill 42

Transportation: Peterson, Chair; Pellett and Woods.

Study Bill 43

Energy and Environmental Protection: Osterberg, Chair; Jay, Lageschulte, Royer and Shultz.

Study Bill 44

Energy and Environmental Protection: Hughes, Chair; Carl, De Groot, Mullins and Peterson.

Study Bill 45

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schneklath and Tabor.

Study Bill 46

Small Business and Commerce: Chapman, Chair; Beatty, Kremer, Renken and Sherzan.

Study Bill 47

Small Business and Commerce: Chapman, Chair; Beatty, Kremer, Renken and Sherzan.

Study Bill 49

Transportation: Muhlbauer, Chair; Cooper and De Groot.

Study Bill 50

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 51

Local Government: Black, Chair; Buhr and Torrence.

Study Bill 52

Local Government: Baxter, Chair; Connors and Diemer.

Study Bill 53

Local Government: Teaford, Chair; Cooper and Diemer.

Study Bill 54

Education: Poncy, Chair; Daggett and Ollie.

Study Bill 55

Human Resources: Sturgeon, Chair; Clark, Lonergan, Ollie and Torrence.

Study Bill 56

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 57

Judiciary and Law Enforcement: Brammer, Chair; Carl, Clark, Hammond, Running, Shoning and Siegrist.

Study Bill 70

Energy and Environmental Protection: Osterberg, Chair; Parker, Paulin, Sturgeon and Van Camp.

Study Bill 71

Energy and Environmental Protection: Mullins, Chair; Lonergan and McIntee.

Study Bill 72

Energy and Environmental Protection: Sturgeon, Chair; Parker and Welden.

Study Bill 73

Energy and Environmental Protection: Hatch, Chair; Lonergan and Torrence.

Study Bill 79

Human Resources: Sturgeon, Chair; Clark, Lonergan, Ollie and Torrence.

Study Bill 92

Energy and Environmental Protection: Johnson, Chair; Black, Mullins, Skow and Torrence.

Study Bill 94

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 95

Human Resources: Spear, Chair; Buhr, Corey, Shoning and Shultz.

Study Bill 96

Human Resources: Spear, Chair; Buhr, Corey, Shoning and Shultz.

Study Bill 97

Human Resources: Spear, Chair; Buhr, Corey, Shoning and Shultz.

Study Bill 98

Human Resources: Spear, Chair; Buhr, Corey, Shoning and Shultz.

Study Bill 99

Human Resources: Shultz, Chair; Buhr, Hammond, Hermann and Van Camp.

Study Bill 100

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 101

Human Resources: Spear, Chair; Buhr, Corey, Shoning and Shultz.

Study Bill 117

Energy and Environmental Protection: Hughes, Chair; McIntee and Peterson.

Study Bill 118

Energy and Environmental Protection: Hughes, Chair; Mullins, Osterberg, Paulin and Peterson.

Study Bill 122

Energy and Environmental Protection: Shultz, Chair; Jay, Lageschulte, Osterberg and Royer.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON NATURAL RESOURCES AND OUTDOOR RECREATION

House File 20, a bill for an act relating to penalties assessed on delinquent canoe renewal registrations.

Fiscal Note is not required.

Recommended **Do Pass** January 30, 1985.

Committee Bill (Formerly Study Bill 33), relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 30, 1985.

RESOLUTIONS FILED

HCR 8, by committee on education, a concurrent resolution relating to creating a research, dissemination, and development process for meeting certain educational needs.

Laid over under **Rule 25**.

HCR 9, by committee on education, a concurrent resolution relating to a review of laws and administrative rules relating to education.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-3032	H.F.	88	Corey of Louisa
H-3033	S.F.	77	Corey of Louisa

On motion by Norland of Worth, the House adjourned at 11:53 a.m., until 10:00 a.m., Monday, February 4, 1985.

JOURNAL OF THE HOUSE

Twenty-second Calendar Day—Thirteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 4, 1985

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

Prayer was offered by the Reverend Robert Bowers, pastor of the Independent Bible Church, Leon.

The Journal of Thursday, January 31, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Chung Hsu, Des Moines.

PETITION FILED

The following petition was received and placed on file:

By Fogarty of Palo Alto, from forty-four constituents opposing state lottery.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cochran of Webster, for the morning session, on request of Lloyd-Jones of Johnson; Branstad of Winnebago, for February 4 and 5, 1985, on request of Fogarty of Palo Alto; Sherzan of Polk, for February 4 and 5, 1985, and Running of Linn on request of Poney of Wapello; Fey of Scott, until his arrival, on request of Arnould of Scott; Clark of Cerro Gordo, until her arrival, on request of Torrence of Muscatine; Hummel of Benton, for February 4 and 5, 1985, on request of Stromer of Hancock.

INTRODUCTION OF BILLS

House File 182, by Fey, a bill for an act establishing a missing person information clearinghouse and providing procedures for the collection and dissemination of information received by the clearinghouse.

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

House File 183, by committee on natural resources and outdoor recreation, a bill for an act relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty.

Read first time and placed on the calendar.

House File 184, by Rosenberg, a bill for an act relating to physical and mental examinations of a child alleged to be a child in need of assistance.

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

House File 185, by Sturgeon, a bill for an act relating to the minimum jail term for a second offense under section 321.281.

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

House File 186, by Spear, a bill for an act amending the Code chapters relating to the Iowa department of corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with adult offenders, and modifying statutes relating to inmate work and work release, and to district court reports of criminal convictions.

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

House File 187, by Rosenberg, a bill for an act to prohibit retributive actions of employers against employees serving as jurors, and providing a penalty.

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

House File 188, by Welden, a bill for an act relating to the payment of funds from the additional personal property tax credit fund and making the Act retroactive.

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

House File 189, by Arnould, a bill for an act providing for an independent consultant report on long-term child protection initiatives in Iowa and making an appropriation.

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

House File 190, by Muhlbauer, a bill for an act relating to the agricultural land tax credit by limiting the number of acres on which the credit may be claimed and requiring the filing of a claim to receive the credit.

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

House File 191, by De Groot, a bill for an act relating to the qualifications of a county sheriff.

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

House File 192, by Sherzan, a bill for an act relating to eligibility of members of fire and police retirement systems and the peace officers' retirement system for the annual readjustment of pensions.

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

House File 193, by Van Maanen, a bill for an act authorizing the abatement of property taxes on homesteads and agricultural buildings destroyed by fire, flood, wind or other disaster.

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

House File 194, by Rosenberg, a bill for an act authorizing the use of the state training school as a juvenile detention home.

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

House File 195, by committee on agriculture, a bill for an act relating to the Iowa family farm development authority by revising definitions, amending requirements relating to the board, and imposing conditions on loans made by the authority to a beginning farmer.

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

House File 196, by Sherzan, a bill for an act relating to powers, organization, reserve requirements and other requirements of credit unions including a corporate central credit union.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 30, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 91, a bill for an act relating to the election of directors of a local school district, merged area, area education agency, and trustees of a regional library board, and providing an effective date.

Also: That the Senate has on January 31, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 10, a resolution to encourage and support the governor and the Iowa development commission in their efforts to convince the general motors corporation to locate the new saturn factory in Iowa.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS

Regular Calendar

House File 100, a bill for an act relating to the determination of special education balances of school districts by the state comptroller and providing that the Act is retroactive to June 30, 1984, was taken up for consideration.

Stromer of Hancock rose on a point of order and invoked House Rule 33 on House File 100.

Norland of Worth asked and received unanimous consent to suspend House Rule 33.

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

On the question "Shall the bill pass?" (H.F. 100)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulshy	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellet	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Schnekloth	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Branstad	Clark	Cochran	Doderer
Fey	Hummel	Jay	Running
Sherzan			

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

House File 38, a bill for an act providing that appraised value determines when a school board has the power to sell, lease or dispose of school property, with report of committee recommending passage was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 38).

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Schneklath	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Branstad	Clark	Cochran	Doderer
Fey	Hummel	Jay	Running
Sherzan			

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 4, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 163, a bill for an act relating to the authority of the department of water, air and waste management to regulate water use and embodying a general plan of water allocation priorities for this state.

K. MARIE THAYER, Secretary

COMMUNICATION RECEIVED

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

COMMISSION ON THE STATUS OF WOMEN

The Thirteenth Annual Report of the Commission's proceedings, pursuant to Section 601.8, Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 123 Natural Resources and Outdoor Recreation**

Relating to the authority of the department of water, air and waste management to regulate water use and embodying a general plan of water allocation priorities for this state.

S.B. 124 Human Resources

Relating to the release of information concerning a missing child.

S.B. 125 Human Resources

Striking the prospective repeal of the health data commission.

S.B. 126 Human Resources

Relating to the operation of family day care homes and providing penalties.

S.B. 127 Human Resources

Relating to the expunging of child abuse information.

S.B. 128 Human Resources

To provide that money collected by the state department of transportation from civil fines imposed on persons whose motor vehicle license was revoked for test results or implied consent violations shall be used to finance a missing persons center and other child assistance programs.

S.B. 129 Human Resources

Relating to the licensing and funding of substance abuse programs, the treatment of substance abusers and concerned persons, and requiring the state to assume one hundred percent of the cost of substance abuse treatment at certain programs.

S.B. 130 State Government

Relating to the license requirements for private investigative agencies and private security agencies.

S.B. 131 State Government

Relating to discrimination on the basis of gender and marital status.

S.B. 132 Local Government

Providing that the interest penalty on delinquent property taxes is tied to the prime rate.

S.B. 133 Local Government

To provide that demolition contracts are public improvements.

S.B. 134 Small Business and Commerce

Allowing the assets of insurance companies, state banks, state savings banks, and state savings and loan associations to be invested in venture capital firms making investments in small businesses in the state.

S.B. 135 Judiciary and Law Enforcement

Relating to the penalties for violations of chapter 728 involving the promotion of obscene material and the sexual exploitation of children.

S.B. 136 Judiciary and Law Enforcement

Relating to the time period in which a prosecution for sexual abuse of a child under the age of ten years may be sought and providing a penalty.

S.B. 137 Judiciary and Law Enforcement

Relating to the testimony and statements of child victims and witnesses.

S.B. 138 Judiciary and Law Enforcement

Prohibiting the use of good conduct time to reduce mandatory minimum sentences imposed by the court.

S.B. 139 Judiciary and Law Enforcement

Relating to the use of juvenile records in the sentencing of a person for an offense other than a simple misdemeanor.

S.B. 140 Judiciary and Law Enforcement

Relating to the return of juveniles alleged to be delinquent from another state under the interstate compact on juveniles.

S.B. 141 Judiciary and Law Enforcement

To replace mandatory reduction of sentences with mandatory parole dates.

S.B. 142 Judiciary and Law Enforcement

Relating to the offenses of lascivious acts with a child and indecent contact with a child, and providing penalties.

S.B. 143 Judiciary and Law Enforcement

Increasing the penalty for impersonating a public official.

S.B. 144 Judiciary and Law Enforcement

To repeal the sunset clause in 1981 Iowa Acts chapter 23 creating the office of state appellate defender.

S.B. 145 Judiciary and Law Enforcement

Relating to the operation of a motor vehicle while under the influence of alcohol or a drug.

S.B. 146 Energy and Environmental Protection

Relating to discount gas and electric utility rates, charges, schedules and regulations which are calculated to attract new business or expand existing production and employment.

S.B. 147 Education

Relating to the expenditure of moneys from the loan reserve account of the Iowa college aid commission.

S.B. 148 Education

Relating to the evaluation of educational programs.

S.B. 149 Education

Relating to policies for extracurricular activities of schools and school districts.

S.B. 150 Small Business and Commerce

To permit the superintendent of banking to establish a bank or a bank office in an unincorporated area if it is replacing a previously chartered bank.

S.B. 151 Small Business and Commerce

To permit any trust company existing and operating on January 1, 1970, which was authorized to act only as a trust company, to continue to act after January 1, 1970.

S.B. 152 Small Business and Commerce

Relating to state bank financial futures activities.

S.B. 153 Small Business and Commerce

Relating to mergers of state banks.

S.B. 154 Small Business and Commerce

Relating to the finance charges permitted in non-credit card open-end credit accounts.

S.B. 155 Small Business and Commerce

Relating to investment by state banks in small businesses.

S.B. 156 Small Business and Commerce

Relating to investment by state banks in venture capital firms.

S.B. 157 Small Business and Commerce

Relating to the consumer liability for unauthorized electronic fund transfers involving the consumer's account.

S.B. 158 Small Business and Commerce

To bring state banks into parity with banks governed by the Federal Reserve Act and the Federal Deposit Insurance Act with respect to transactions between bank affiliates.

S.B. 159 Human Resources

Requiring individual and group health insurance policies, hospital and medical service contracts, and health maintenance organizations to provide coverage for the care and treatment of chemical dependency.

S.B. 160 Small Business and Commerce

To permit the secured party to file an amendment to a financing statement showing a change of its name without obtaining the signature of the debtor.

S.B. 161 Judiciary and Law Enforcement

Relating to the psychological testing of law enforcement officers and candidates.

RESOLUTION FILED

SCR 10, by Junkins and Hultman, a concurrent resolution to encourage and support the governor and the Iowa development commission in their efforts to convince the general motors corporation to locate the new saturn factory in Iowa.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-3034	H.F.	139	Brammer of Linn
H-3035	S.F.	77	Zimmerman of Dallas
			Buhr of Polk
			Osterberg of Linn
H-3036	S.F.	25	Spear of Lee
H-3037	S.F.	25	Spear of Lee

On motion by Norland of Worth, the House adjourned at 10:31 a.m., until 9:00 a.m., Tuesday February 5, 1985.

JOURNAL OF THE HOUSE

Twenty-third Calendar Day—Fourteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 5, 1985

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

Prayer was offered by Father Gerald Stessman, pastor of St. Mary's Catholic Church, Guthrie Center and St. Cecelia's Catholic Church, Panora.

The Journal of Monday, February 4, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Jeffrey Jones, Des Moines.

INTRODUCTION OF BILLS

House File 197, by Platt, a bill for an act relating to civil actions for punitive damages by restricting the discovery and disclosure of financial documents.

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

House File 198, by O'Kane, a bill for an act relating to the expiration of a gift certificate, by making certain practices unlawful.

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

House File 199, by Corey, a bill for an act requiring a secured party to file a termination statement on a security interest with each officer with whom the secured party filed a financing statement, within ten days of final payment, unless the secured party has a continuing commitment to make an advance, incur an obligation or otherwise give value, and making penalties applicable.

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

House File 200, by McIntee, Platt and Black, a bill for an act relating to the sale, possession and use of certain weapons and devices which by electronic pulse or current or by chemical means are capable of immobilizing a victim temporarily, and providing penalties.

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

House File 201, by Parker, a bill for an act setting a maximum finance charge at eighteen percent per year on consumer credit sales pursuant to open-end credit and consumer loans pursuant to open-end credit.

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

House File 202, by Running, a bill for an act relating to the benefits paid to members of the fire and police retirement systems.

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

House File 203, by Diemer and Connors, a bill for an act providing for the issuance of in-transit plates and their use on repossessed vehicles and providing an effective date.

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

House File 204, by Rosenberg, a bill for an act relating to the waiver of the juvenile court's jurisdiction for the alleged commission of public offenses.

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

House File 205, by committee on education, a bill for an act to appropriate funds to the department of public instruction for educational excellence grants.

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

SENATE MESSAGES CONSIDERED

Senate File 91, by committee on education, a bill for an act relating to the election of directors of a local school district, merged area, area education agency, and trustees of a regional library board, and providing an effective date.

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

Senate File 97, by committee on judiciary, a bill for an act establishing the legal age for the purpose of laws relating to beer and alcoholic beverages at twenty-one years.

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

Senate File 163, by committee on natural resources, a bill for an act relating to the authority of the department of water, air and waste management to regulate water use and embodying a general plan of water allocation priorities for this state.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 57, a bill for an act relating to gaming by creating a state gaming commission, a state lottery agency, establishing a state lottery, providing for the reorganization of gaming regulation, and providing for a lottery director.

K. MARIE THAYER, Secretary

COMMITTEE SCHEDULE

Norland of Worth asked and received unanimous consent to suspend the rules to change the committee schedule for February 5, 1985.

COMMUNICATION RECEIVED

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

IOWA JOBS COMMISSION

A report on the progress of the Iowa Jobs Commission, pursuant to Senate File 548, Seventieth General Assembly, 1983 Session.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 162 Economic Development**

Relating to trade promotion and development for the state by creating an Iowa export services organization to facilitate trade and to serve as the focal point for services that will facilitate this trade, a trade consortium of universities and colleges to establish trade related guidelines and policies for institutions of higher education, the board of regents, and the department of public instruction, and a private sector advisory board to provide advice to the state export services organization.

S.B. 163 Economic Development

Relating to international trade and finance by providing for the creation of one or more international currency and barter exchanges for certain purposes, a committee to write a constitution and bylaws for an exchange, requirements with respect to the self-regulation of an exchange, application of the securities laws, and limitations on investments in exchange members.

S.B. 164 Economic Development

Relating to the involvement of the state in a world trade center.

S.B. 165 Economic Development

Relating to the creation of an Iowa export credit authority to aid in the financing of the exportation of goods, products, or services produced or assembled in the state.

S.B. 166 Economic Development

Relating to a state lottery by providing for a state lottery, a lottery commissioner, a state lottery board, and an agency to oversee lottery operations, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, providing penalties, providing that revenue generated shall be distributed to the general fund and that a portion shall be appropriated for the provision of medical care for the medically indigent, and providing for repeal of the Act.

S.B. 167 Human Resources

Relating to certain domestic abuse programs coordinated by the department of human services.

S.B. 168 Human Resources

To protect children, relating to child abuse in facilities, child abuse information, child abuse investigations, guardianship of unaccompanied minors and minors without parents or guardians, county responsibility for certain child treatment costs, foster parent training, and the interstate compact on the placement of children.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly Study Bill 28), relating to the use of certain funds for the elimination of asbestos from school buildings.

Fiscal Note is not required.

Recommended Do Pass February 4, 1985.

Committee Bill (Formerly Study Bill 54), to appropriate funds to the department of public instruction for educational excellence grants.

Fiscal Note is not required.

Recommended Do Pass February 4, 1985.

Committee Bill (Formerly Study Bill 63), relating to the weighting per pupil for shared programs of school districts.

Fiscal Note is required.

Recommended Do Pass February 4, 1985.

COMMITTEE ON NATURAL RESOURCES AND OUTDOOR RECREATION

House File 66, a bill for an act requiring state agencies to enter into agreements with soil conservation districts for the control of soil erosion on state land in cultivation under the agencies' control.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H — 3038, February 4, 1985.

Senate File 15, a bill for an act relating to the designation of the Grand river.

Fiscal Note is not required.

Recommended Do Pass February 4, 1985.

Senate File 163, a bill for an act relating to the authority of the department of water, air and waste management to regulate water use and embodying a general plan of water allocation priorities for this state.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H — 3041, February 5, 1985.

AMENDMENTS FILED

H — 3038	H.F.	66	Committee on Natural Resources
H — 3039	H.F.	181	Torrence of Muscatine
H — 3040	H.F.	41	Harbor of Mills
H — 3041	S.F.	163	Committee on Natural Resources

On motion by Norland of Worth, the House adjourned at 9:16 a.m., until 9:00 a.m., Wednesday, February 6, 1985.

JOURNAL OF THE HOUSE

Twenty-fourth Calendar Day — Fifteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 6, 1985

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

Prayer was offered by the Reverend Dick Krambeck, pastor of St. John's United Methodist Church, Mapleton.

The Journal of Tuesday, February 5, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. John Barnes, Missouri Valley.

INTRODUCTION OF BILLS

House File 206, by Hammond, Teaford, Handorf, Cooper, Renken, Royer, Torrence and Buhr, a bill for an act relating to the determination of salaries or compensation of elected county officers.

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

House File 207, by Skow, a bill for an act increasing the maximum amount of credit life insurance that may be written to insure the life of a debtor.

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

House File 208, by Cochran, a bill for an act to eliminate the authorization for deferred sentences and deferred judgments for driving while under the influence.

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

House File 209, by Corey, a bill for an act to repeal the chapter of the Code that provides for leaves of absence for persons elected to office.

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

House File 210, by committee on education, a bill for an act relating to the weighting per pupil for shared programs of school districts.

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

House File 211, by committee on education, a bill for an act relating to the use of certain funds for the elimination of asbestos from school buildings.

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

House File 212, by Arnould, a bill for an act relating to the employment of persons with records of founded child abuse by hospitals, health care facilities, child day care facilities, and public and nonpublic schools.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 4, 1985, passed the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution 1, proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and the lieutenant governor.

Also: That the Senate has on February 4, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 59, a bill for an act relating to the offense of using or exploding fireworks and providing a penalty.

Also: That the Senate has on February 4, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 79, a bill for an act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date.

Also: That the Senate has on February 4, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 98, a bill for an act to provide for the granting of certificates of excellence to certain school boards by the state board of public instruction.

Also: That the Senate has on February 4, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 117, a bill for an act relating to the Iowa family farm development authority by revising definitions, amending requirements relating to the board, and imposing conditions on loans made by the authority to a beginning farmer.

Also: That the Senate has on February 4, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 6, paying tribute to Robert A. Case.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 9:19 a.m., until 11:50 a.m.

The House reconvened, Halvorson of Webster in the chair.

SENATE MESSAGE CONSIDERED

Senate File 25, by Wells and Bruner, a bill for an act relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn; providing for revocations; providing a procedure in absence of a declaration; providing for patient transfers; providing immunity from liability; prohibiting destruction, concealment or forging of declarations or revocations; providing penalties; and providing other matters properly relating thereto.

Read first time and **passed on file**.

MOTION TO RECONSIDER WITHDRAWN (House File 87)

Daggett of Taylor asked and received unanimous consent to withdraw the motion to reconsider House File 87, a bill for an act relating to the procedure for determining the one hundred two percent budget guarantee for school districts for the school year beginning July 1, 1985, filed by him on January 31, 1985.

COMMUNICATION RECEIVED

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

DEPARTMENT OF TRANSPORTATION

The annual report (July 1, 1983, to July 1, 1984), pursuant to Chapter 310.36, Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 169 Judiciary and Law Enforcement**

Relating to procedures for determining ownership of certain vehicles and component parts seized by peace officers.

S.B. 170 Judiciary and Law Enforcement

Relating to custody of certain vehicles and component parts seized by peace officers.

S.B. 171 Judiciary and Law Enforcement

Relating to the removing, altering or changing of identification numbers and marks on vehicles and component parts, and providing penalties.

S.B. 172 Judiciary and Law Enforcement

Relating to the petition for a hearing on an offender's plan of restitution or restitution plan of payment.

S.B. 173 Ways and Means

Relating to the definitions of "retail sale" and "sale at retail" for purposes of the state sales, services and use tax by excluding from the definitions the sale of livestock or domesticated fowl for breeding purposes, and by reenacting those definitions so that the definitions do not include for purposes of the tax the sale of materials, other than tools and equipment, used in disease, weed and insect control or health promotion of plants or livestock produced as part of agricultural production for market, the sale of motor vehicle fuel consumed in implements of husbandry engaged in agricultural production, and the sale of fuel used in drying grain.

S.B. 174 Ways and Means

Relating to the state inheritance and fiduciary income tax by providing for an Iowa qualified terminable interest property election, for a six-month audit period after receipt of a federal audit, for the taxation of the possession of a general power of appointment, and for notice to the department of revenue prior to the discharge of the personal representative of an estate or trust and providing effective date provisions.

S.B. 175 Ways and Means

Relating to property tax relief for a surviving spouse sixty-two years and over.

S.B. 176 Ways and Means

Relating to the payment of property taxes.

S.B. 177 Human Resources

Relating to the confidentiality of the name of a complainant regarding a person in a long-term care facility.

S.B. 178 Human Resources

To protect children, relating to child abuse in facilities, child abuse information, child abuse investigations, guardianship of unaccompanied minors and minors without parents or guardians, county responsibility for certain child treatment costs, foster parent training, and the interstate compact on the placement of children.

S.B. 179 Human Resources

Relating to gratuitous allowances paid to inmates for work performed by the inmates.

S.B. 180 Local Government

To provide immunity from liability to a county, city, or employee of a county or city for self-inflicted injuries of a prisoner in a county or city jail.

S.B. 181 Judiciary and Law Enforcement

Relating to collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions.

S.B. 182 Judiciary and Law Enforcement

Relating to the collection of support obligations relating to identifying information in petitions for dissolution of marriage, the payment and distribution of support payments to and by the clerk of the district court, the modification of support orders, the recording of income tax refund or rebate payments by the clerk, and the use of worker's compensation payments to satisfy child support obligations.

S.B. 183 Judiciary and Law Enforcement

Relating to the protection of and information to be provided to victims of crime.

S.B. 184 Judiciary and Law Enforcement

Relating to interception of communications by electronic, mechanical or other devices and providing a penalty.

S.B. 185 Agriculture

Relating to the security interest in farm products purchased by a buyer in the ordinary course of business from a person engaged in farming operations and providing penalties.

S.B. 186 Human Resources

Establishing a court fee for the entering of a final decree of dissolution of marriage.

S.B. 187 Natural Resources and Outdoor Recreation

Relating to the sale of unused highway right-of-way by the department of transportation to county conservation boards.

S.B. 188 Natural Resources and Outdoor Recreation

Relating to complying with the hunter safety requirements in applying for a hunting license.

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 205, a bill for an act to appropriate funds to the department of public instruction for educational excellence grants.

Fiscal note is not required.

Recommended **Do Pass** February 6, 1985.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly Study Bill 50), relating to the health data commission by delaying the termination of the commission, requiring certain members of the commission to implement common medical reimbursement reporting forms, and permitting the commission to initiate a review of collection of information relating to long-term care and home health care.

Fiscal note is not required.

Recommended **Amend and Do Pass** February 4, 1985.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 139, a bill for an act relating to the crime of lascivious acts with a child and providing a penalty.

Fiscal note is not required.

Recommended **Amend and Do Pass with amendment H - 3044**, February 5, 1985.

RESOLUTION FILED

SCR 6, a concurrent resolution paying tribute to Robert A. Case and his memory.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-3042	H.F.	24	Zimmerman of Dallas
H-3043	H.F.	35	Spear of Lee
H-3044	H.F.	139	Committee on Judiciary and Law Enforcement
H-3045	S.F.	163	Harbor of Mills
H-3046	S.F.	163	Harbor of Mills
H-3047	S.F.	163	Harbor of Mills
H-3048	H.R.	4	Van Camp of Scott Platt of Muscatine
H-3049	H.F.	183	Van Camp of Scott
H-3050	H.F.	183	Van Camp of Scott
H-3051	S.F.	25	Lonergan of Boone

On motion by Norland of Worth, the House adjourned at 12:07 p.m., until 9:00 a.m., Thursday, February 7, 1985.

JOURNAL OF THE HOUSE

Twenty-fifth Calendar Day—Sixteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 7, 1985

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

Prayer was offered by Reverend Charles Klink, pastor of St. Mark's United Methodist Church, Camanche.

The Journal of Wednesday, February 6, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Donald Tesdall, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Chapman of Linn, for a portion of the day, on request of Running of Linn.

PETITION FILED

The following petition was received and placed on file:

By Royer of Page, from sixty-five employees of the Fremont County Court House opposing using the IPERS fund as a lending pool for public and private sources or investing unwisely in low interest loans.

INTRODUCTION OF BILLS

House File 213, by Knapp, a bill for an act relating to the authority of the state board of public instruction over extracurricular interscholastic activities of school districts.

Read first time and referred to committee on education.

House File 214, by Cooper, a bill for an act relating to the determination of the five-year average covered wage of a peace officer under the Iowa public employees' retirement system.

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

House File 215, by McIntee, a bill for an act relating to restitution by a child for attorneys' fees.

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

House File 216, by Corey and Skow, a bill for an act relating to the allocation of vacation pay for the purpose of reducing unemployment compensation benefits.

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

House File 217, by Schneklath, a bill for an act relating to the administration of property tax laws.

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

House File 218, by Peick, a bill for an act relating to pensions paid to spouses under the peace officers' retirement system and police and fire retirement systems.

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

House File 219, by Cochran, a bill for an act requiring mandatory liability insurance coverage for motor vehicles or the deposit of security with the director of transportation, and providing penalties.

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

House File 220, by Arnould, a bill for an act establishing a legislature on children's issues and providing an appropriation.

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

House File 221, by Fey, a bill for an act relating to the information and statistics on crime submitted to and held by the department of public safety.

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

House File 222, by Swearingen, a bill for an act authorizing a property tax levy for ambulance service.

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

House File 223, by Pavich and Woods, a bill for an act relating to lotteries by providing for a local option city lottery by majority vote of the eligible voters, a state director of lotteries, a city lottery commissioner, a city lottery fund for deposit of receipts and for payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary to carry out intent of the Act, making certain acts illegal, and providing a penalty for their commission.

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

House File 224, by committee on human resources, a bill for an act relating to the health data commission by delaying the termination of the commission, requiring certain members of the commission to implement common medical reimbursement reporting forms, and permitting the commission to initiate a review of collection of information relating to long-term care and home health care.

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

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 1, by committee on state government, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor.

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

Senate File 57, by Kinley and Rodgers, a bill for an act relating to gaming by creating a state gaming commission, a state lottery agency, establishing a state lottery, providing for the reorganization of gaming regulation, providing for a lottery director, a state lottery fund for the deposit of receipts and for the payment of prizes and expenses, licensing of lottery ticket sales agents, administrative procedures necessary in carrying out the intent of the Act, making certain acts illegal, providing penalties, providing that revenue generated shall be distributed to a specially created economic development fund, and providing for repeal of portions of the Act.

Read first time and referred to committee on **economic development**.

Senate File 59, by Ritsema, a bill for an act relating to the offense of using or exploding fireworks and providing a penalty.

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

Senate File 98, by committee on education, a bill for an act to provide for the granting of certificates of excellence to certain school boards by the state board of public instruction.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 19, a bill for an act to prohibit the recording of speeding tickets for violations ten miles per hour or less over the posted limit, subject to a penalty provided by law.

K. MARIE THAYER, Secretary

RULE 35 SUSPENDED

Norland of Worth asked for unanimous consent to suspend Rule 35 for the immediate consideration of Senate File 163.

Objection was raised.

Norland of Worth moved to suspend Rule 35, relating to the weekly debate calendar, for the immediate consideration of Senate File 163.

A non-record roll call was requested.

The ayes were 51, nays 39.

The motion prevailed and Rule 35 was suspended.

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 163, a bill for an act relating to the authority of the department of water, air and waste management to regulate water use and embodying a general plan of water allocation priorities for this state, with report of committee recommending amendment and passage was taken up for consideration.

Varn of Johnson offered the following amendment H—3041 filed by the committee on natural resources and outdoor recreation and moved its adoption:

H—3041

- 1 Amend Senate File 163 as passed by the Senate as
- 2 follows:
- 3 1. Page 3, by inserting after line 2 the
- 4 following: "455B.265 PERMITS FOR DIVERSION, STORAGE
- 5 AND WITHDRAWAL."
- 6 2. Page 4, line 16, by striking the figure "3"
- 7 and inserting the figure "4".

The committee amendment H—3041 was adopted.

(Senate File 163 pending at recess.)

On motion by Norland of Worth, the House was recessed at 9:32 a.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILL

House File 225, by committee on economic development, a bill for an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date.

Read first time and placed on the calendar.

SENATE MESSAGES CONSIDERED

Senate File 19, by Hutchins, a bill for an act which treats, in certain instances, a speeding violation of ten miles per hour or less over the legal speed limit as one-half of a violation in relation to certain motor vehicle license suspensions, revocations, and cancellations.

Read first time and referred to committee on transportation.

Senate File 79, by committee on education, a bill for an act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date.

Read first time and referred to committee on education.

Senate File 117, by committee on agriculture, a bill for an act relating to the Iowa family farm development authority by revising definitions, amending requirements relating to the board, and imposing conditions on loans made by the authority to a beginning farmer.

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

The House stood at ease at 3:05 p.m., until the fall of the gavel.

The House resumed session at 3:43 p.m., Speaker Avenson in the chair.

BUSINESS PENDING AT RECESS
Regular Calendar

The House resumed consideration of **Senate File 163**, a bill for an act relating to the authority of the department of water, air and waste management to regulate water use and embodying a general plan of water allocation priorities for this state.

Harbor of Mills asked and received unanimous consent to withdraw the following amendments filed by him on February 6, 1985: Amendments H—3045, H—3046 and H—3047.

Hanson of Delaware in the chair at 4:03 p.m.

Speaker Avenson in the chair at 4:22 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Daggett of Taylor, for the remainder of the day and February 8, 1985, on request of Bennett of Ida.

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

On the question "Shall the bill pass?" (S.F. 163)

The ayes were, 79:

Arnould

Baxter

Beatty

Black

Blanshan	Brammer	Buhr	Carl
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Hatch
Haverland	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Poncy	Renaud	Rensink	Rosenberg
Running	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swearingen
Tabor	Teaford	Torrence	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 18:

Bennett	Branstad	De Groot	Grandia
Harbor	Hermann	Hester	Hummel
Kremer	Maulsby	Platt	Renken
Royer	Schneklath	Swartz	Van Camp
Van Maanen	Welden		

Absent or not voting, 3:

Carter	Daggett	Handorf
--------	---------	---------

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

IMMEDIATE MESSAGE (Senate File 163)

Norland of Worth asked and received unanimous consent to immediately message Senate File 163 to the Senate.

Senate File 78, a bill for an act requiring the state board of public instruction to adopt a five-year plan regarding education, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 78)

The ayes were, 78:

Arnould	Beatty	Black	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	De Groot
Diemer	Doderer	Fey	Fogarty
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Lloyd-Jones	Loneragan
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Peterson	Platt
Poney	Renaud	Rosenberg	Running
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 19:

Bennett	Corey	Grandia	Groninga
Handorf	Hummel	Kremer	Lageschulte
Maulsby	Paulin	Pellet	Renken
Reasink	Royer	Schnekloth	Torrence
Van Camp	Van Maanen	Welden	

Absent or not voting, 3:

Baxter	Blanshan	Daggett
--------	----------	---------

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

Buhr of Polk in the chair at 5:07 p.m.

Speaker Avenson in the chair at 5:17 p.m.

PRESENTATION OF VISITORS

Fogarty of Palo Alto presented the Honorable John Kibbie, former member of the House representing Palo Alto County.

Carpenter of Polk presented the Honorable Richard Byerly, former member of the House representing Polk County.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 189 Education

Relating to the purposes for which the tax levied under section 297.5 may be used.

S.B. 190 Human Resources

Relating to clinical privileges of certain licensed practitioners.

S.B. 191 Labor and Industrial Relations

Relating to the establishment of a special unemployment compensation contribution rate for certain expanding employers.

S.B. 192 Labor and Industrial Relations

Providing for collective bargaining on a statewide basis with certified employee organizations representing employees of the judicial department.

S.B. 193 Labor and Industrial Relations

Making the one-week waiting period before the receipt of unemployment compensation benefits permanent.

S.B. 194 Local Government

Increasing the penalties for removal or defacing of traffic control devices.

S.B. 195 Local Government

Relating to the imposition of a local option income surtax, vehicle tax, and sales and services tax by a city or county and providing for penalties.

S.B. 196 Judiciary and Law Enforcement

Providing implied consent chemical testing for persons operating vessels on the waters of the state while intoxicated or operating snowmobiles while intoxicated and providing a penalty.

S.B. 197 Local Government

Relating to the deposit and investment of public funds.

S.B. 198 Judiciary and Law Enforcement

Relating to the custody of children by an abandoned spouse.

S.B. 199 Judiciary and Law Enforcement

Relating to parental responsibility for damage to persons or property by a child.

S.B. 200 Judiciary and Law Enforcement

Relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, delete redundancies, inaccuracies, and temporary and discriminatory language, remove inconsistencies, update ongoing provisions, remove ambiguities, improve syntax, correct references, and update provisions relating to court reorganization.

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 ECONOMIC DEVELOPMENT

Committee Bill (Formerly Study Bill 13 Revised), relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs

and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date.

Fiscal Note is required.

Recommended Amend and Do Pass February 6, 1985.

COMMITTEE ON EDUCATION

Senate Concurrent Resolution 7, a concurrent resolution for the study of the collective bargaining process for education.

Fiscal Note is not required.

Recommended Do Pass February 6, 1985.

Senate File 77, a bill for an act requiring that the first day of school not be sooner than the first day of September except under certain conditions.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H - 3052, February 6, 1985.

COMMITTEE ON NATURAL RESOURCES AND OUTDOOR RECREATION

Committee Bill (Formerly Study Bill 35), relating to financial incentive payments for the protection of forests and forest soils from damage by grazing.

Fiscal Note is required.

Recommended Amend and Do Pass February 6, 1985.

Committee Bill (Formerly Study Bill 36), relating to the inspection of fruit-tree or forest reservations and making the Act retroactive.

Fiscal Note is not required.

Recommended Amend and Do Pass February 6, 1985.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

House File 41, a bill for an act to make a provision relating to farm implement franchises retroactive to January 1, 1984.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-3053, February 6, 1985.

AMENDMENTS FILED

H-3052	S.F.	77	Committee on Education
H-3053	H.F.	41	Committee on Small Business and Commerce
H-3054	S.F.	59	Muhlbauer of Crawford
H-3055	H.F.	183	Varn of Johnson
H-3056	S.F.	25	Zimmerman of Dallas
H-3057	H.F.	70	Carpenter of Polk
			Carpenter of Polk
			Woods of Polk
			Swartz of Marshall
			Gruhn of Dickinson
			Rensink of Sioux
H-3058	H.F.	24	Zimmerman of Dallas
H-3059	H.F.	183	Osterberg of Linn
			Connolly of Dubuque
			Ollie of Clinton
			Van Camp of Scott
			Parker of Jasper
			Johnson of Winneshiek
			Fey of Scott
			Clark of Cerro Gordo
			McIntee of Black Hawk
			Arnould of Scott
			Chapman of Linn
			Jochum of Dubuque
			Jay of Appanoose
			Cochran of Webster
			O'Kane of Woodbury
H-3060	H.F.	183	O'Kane of Woodbury

On motion by Norland of Worth, the House adjourned at 5:20 p.m., until 9:00 a.m., Friday, February 8, 1985.

JOURNAL OF THE HOUSE

Twenty-sixth Calendar Day — Seventeenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 8, 1985

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

Prayer was offered by the Reverend James Leshner, pastor of the St. Mark Lutheran Church, West Des Moines.

The Journal of Thursday, February 7, 1985 was approved.

INTRODUCTION OF BILLS

House File 226, by Harbor, a bill for an act eliminating capital gains from bankruptcy, foreclosure and certain forced sales as a tax preference item in computing the federal minimum tax for purposes of determining the state minimum tax for individuals, estates or trusts and making the provision retroactive.

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

House File 227, by Pellett and Cooper, a bill for an act to allow funds from the soil conservation practices revolving loan fund to be used in combination with public cost-sharing funds.

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

House File 228, by Osterberg, a bill for an act requiring the department of water, air and waste management to initiate and conduct a pilot program to collect and dispose of small amounts of hazardous wastes that are being stored in residences and small businesses.

Read first time and referred to committee on **energy and environmental protection**.

House File 229, by Haverland, a bill for an act establishing a central registry of brain-injured persons within the department of human services.

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

House File 230, by Cochran, a bill for an act relating to expenditures for medical care of a prisoner confined in jail.

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

House File 231, by Harbor and Royer, a bill for an act relating to the establishment and maintenance of pumping stations in drainage districts.

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

House File 232, by Brammer, a bill for an act related to the licensure of mechanical and electrical amusement devices and applying to them penalty provisions already in effect.

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

House File 233, by Shoultz, Diemer, Teaford and McIntee, a bill for an act relating to pari-mutuel betting by providing that persons licensed to conduct dog races are eligible for the tax credit to assist in retiring the annual debt on the cost of construction of the licensed facility and providing that the state racing commission shall include a statement in its annual report describing the degree to which all segments of the Iowa economy and all geographic regions of the state have been served by the commission.

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

House File 234, by Grandia, McKean, Cooper, Platt, Van Camp, Rensink and Fogarty, a bill for an act which allows a surviving spouse to register a vehicle transferred from the deceased spouse through inheritance, devise or bequest without payment of registration fee.

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

House File 235, by Van Maanen, a bill for an act relating to the appeal to the Iowa beer and liquor control department by liquor control license or beer permit applicants, licensees, and permittees.

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

House File 236, by Rensink, a bill for an act relating to the egg excise tax, by defining terms and providing for payment of the tax by certain persons.

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

House File 237, by Welden, a bill for an act relating to budget reports and statements showing expenditures and receipts for a fiscal year and the condition of the treasury at the end of a fiscal year.

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

House File 238, by Running, a bill for an act requiring the licensure and bonding of health clubs and providing a penalty.

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

House File 239, by Fogarty, a bill for an act to make discretionary the assessment against annexed lands of original expenses of a drainage district.

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

House File 240, by Swartz, a bill for an act relating to interviews of certain patients before discharge from a hospital.

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

House File 241, by Arnould, a bill for an act authorizing the payment of foster parent salaries and appropriating state funds for the fiscal year beginning July 1, 1985, and ending June 30, 1986.

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

House File 242, by Black, a bill for an act to increase the biennial registration fee for snowmobiles from twelve dollars to twenty dollars.

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

House File 243, by Daggett, a bill for an act relating to the purchase of insurance by school corporations for employees.

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

House File 244, by Swartz, Lonergan, Buhr, Shoultz, Fey, Connors, Tabor, De Groot, Welden, Zimmerman, Sherzan, Harbor, Halvorson of Clayton, Pavich, Paulin, Lageschulte, Haverland, Ollie, Hughes, Stueland, Rensink, Carl, Jay, Groth, Knapp, Koenigs, Handorf, Diemer, Swearingen, Van Maanen, Arnould, Parker, Lloyd-Jones, Running, Renaud, Woods, Carpenter, Baxter, Groninga, Renken, Black, Cooper, Platt, Torrence, Van Camp, Sullivan, Oxley, Connolly, Hummel, Varn, Royer, Corey, Hanson, Daggett, McIntee, Poncy, Peick, Doderer, Sturgeon, Pellett, Fogarty, Branstad, Muhlbauer, Hermann, Kremer, Skow, Holveck, Grandia, Maulsby, Halvorson of Webster, O'Kane, Bennett, Schneklath, Cochran and Teaford, a bill for an act relating to programs relating to substance abuse.

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

House File 245, by Arnould, a bill for an act requiring foster parent training as a condition of licensure renewal and appropriating state funds for that purpose.

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

House File 246, by Miller, a bill for an act relating to the duties and liabilities of mental health advocates.

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

House File 247, by Arnould, a bill for an act relating to the violation of a custodial order and providing a penalty.

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

House File 248, by Zimmerman, a bill for an act providing for direct reimbursement for any service which is authorized within the practice of the profession of a registered nurse.

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

House File 249, by Hummel, a bill for an act prohibiting the sale or transfer of an item of personal property subject to a security interest granted by the seller or transferor unless the seller or transferor has notified the secured party and obtained permission for the sale or transfer, and making penalties applicable.

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

House File 250, by Rosenberg, a bill for an act relating to the acknowledgment of the existence of founded child abuse cases against employees or potential employees who are or would be employed in capacities dealing directly with children.

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

UNANIMOUS CONSENT

Norland of Worth asked and received unanimous consent to take up out of order House File 70.

CONSIDERATION OF BILLS Regular Calendar

House File 70, a bill for an act relating to the conducting of going-out-of-business sales and providing for penalties, with report of committee recommending amendment and passage was taken up for consideration.

Swartz of Marshall asked and received unanimous consent to temporarily defer action on the committee amendment H—3029.

Carpenter of Polk offered the following amendment H—3057 filed by Carpenter, et al., and moved its adoption.

H—3057

- 1 Amend House File 70 as follows:
- 2 1. Page 1, by striking line 12 and inserting the
- 3 following: "in the business either within sixty days
- 4 before the initial advertisement of the sale or at any
- 5 time after the initial advertisement of the sale. In
- 6 addition, a person acquiring an ownership interest
- 7 shall comply with paragraph "g" if the person adds

8 additional merchandise to the sale."

9 2. Page 1, by striking lines 26 and 27 and
10 inserting the following: "to hold the sale before
11 commencing the sale. If the sale is to be held in a
12 city which has an ordinance regulating going-out-of-
13 business sales, then the permit shall be obtained from
14 the city. If the sale is to be located outside of a
15 city or in a city which does not have an ordinance
16 regulating going-out-of-business sales, then the
17 permit shall be obtained from the county in which the
18 proposed sale is to be held. The county board of
19 supervisors shall prescribe the procedures necessary
20 to obtain the permit. The permit shall state the".

21 3. Page 2, by striking lines 3 and 4 and
22 inserting the following: "dollars for each day of
23 each violation. The civil penalties collected shall
24 be deposited in the general fund of the political
25 entity which prosecutes the violation. The"

26 4. Page 2, line 6, by inserting after the word
27 "penalty." the following: "A political entity
28 enforcing this paragraph may obtain a preliminary
29 injunction without posting a bond to enjoin a
30 violation of this Act pending a hearing.

31 This paragraph does not prohibit a city or county
32 from adopting an ordinance prohibiting the conducting
33 of a going-out-of-business sale in which additional
34 merchandise is added to the merchandise of the
35 liquidating business for the purposes of the sale."

Amendment H—3057 was adopted, placing out of order the committee amendment H—3029 filed by the committee on small business and commerce on January 30, 1985.

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

On the question "Shall the bill pass?" (H.F. 70)

The ayes were, 99:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Bahr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf

Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poney	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 1:

Daggett

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

RULE 35 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 35 for the immediate consideration of House File 183.

House File 183, a bill for an act relating to a user fee for certain state lands under the jurisdiction of the state conservation commission, writing fees, making an appropriation, and providing a penalty, was taken up for consideration.

O'Kane of Woodbury offered the following amendment H—3060 filed by him and moved its adoption:

H—3060

- 1 Amend House File 183 as follows:
- 2 1. Page 1, by inserting after line 21 the
- 3 following:
- 4 "e. A new car, used car, motorcycle, pickup, motor

5 home, or multipurpose vehicle as defined in section
6 321.1 registered in the state."

7 2. Page 3, by inserting after line 19 the
8 following:

9 "9. The owner of a new car, used car, motorcycle,
10 pickup, motor home, or multipurpose vehicle as defined
11 in section 321.1 shall be assessed a surcharge of one
12 dollar in addition to the normal registration to be
13 credited to the state park, forest and recreation area
14 facilities improvement trust fund. The county
15 treasurer of each county shall quarterly remit moneys
16 collected to the state treasurer for deposit in the
17 fund."

Amendment H—3060 lost.

Van Camp of Scott offered the following amendment H—3049
filed by him and moved its adoption:

H—3049

1 Amend House File 183 as follows:

2 1. Page 1, by inserting after line 29 the
3 following: "A user permit may be obtained by a person
4 older than fifty-five years of age without payment of
5 a fee by providing proof of age to a county recorder,
6 the commission or a depository."

Roll call was requested by Van Camp of Scott and Stromer of
Hancock.

On the question "Shall amendment H—3049 be adopted?"

The ayes were, 23:

Bennett	Branstad	Carter	Chapman
Halvorson, R. A.	Hermann	Koenigs	Maulsby
McIntee	McKean	Muhlbauer	Mullins
Oxley	Peick	Pellett	Platt
Schnekloth	Stromer	Sturgeon	Swearingen
Torrence	Van Camp	Van Maanen	

The nays were, 76:

Arnould	Baxter	Beatty	Black
Blaashan	Brammer	Buhr	Carl
Carpenter	Clark	Cochran	Connolly
Connors	Cooper	Corey	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn

Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Metcalf
Miller	Norland	O'Kane	Ollie
Osterberg	Parker	Paulin	Pavich
Peterson	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stueland	Sullivan
Swartz	Tabor	Teaford	Varn
Welden	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 1:

Daggett

Amendment H—3049 lost.

Van Camp of Scott asked and received unanimous consent to temporarily defer action on amendment H—3050.

Varn of Johnson offered the following amendment H—3055 filed by him and moved its adoption:

H—3055

- 1 Amend House File 183 as follows:
- 2 1. Page 1, by inserting after line 29 the
- 3 following: "A person who has more than one motor
- 4 vehicle registered in that person's name may purchase
- 5 calendar year permits for the second and subsequent
- 6 motor vehicles for a fee of five dollars each by
- 7 producing to the county recorder the registration
- 8 cards of the second and subsequent motor vehicles and
- 9 proof of purchase of a calendar year permit for the
- 10 first motor vehicle."
- 11 2. Page 2, by inserting after line 2 the
- 12 following: "The permit shall contain space upon which
- 13 the motor vehicle registration plate numbers and
- 14 letters shall be entered."

A non-record roll call was requested.

The ayes were 46, nays 46.

Amendment H—3055 lost.

Osterberg of Linn offered the following amendment H—3059 filed by Osterberg, et al., and moved its adoption:

H—3059

- 1 Amend House File 183 as follows:
- 2 1. Page 1, by inserting after line 29 the
- 3 following:
- 4 "_____. User permits shall be issued without the
- 5 permit fee by the county recorder to individuals who
- 6 present a current medical assistance or food stamp
- 7 identification card provided by the department of
- 8 social services."
- 9 2. By renumbering as necessary.

Amendment H—3059 was adopted, placing out of order amendment H—3050 filed by Van Camp of Scott on February 6, 1985.

Halvorson of Webster moved to reconsider the vote by which amendment H—3055 failed to be adopted by the House on February 8, 1985.

A non-record roll call was requested.

The ayes were 47, nays 43.

The motion prevailed and the House reconsidered amendment H—3055.

Varn of Johnson moved the adoption of amendment H—3055.

Roll call was requested by Varn of Johnson and Hughes of Union.

On the question "Shall amendment H—3055 be adopted?"

The ayes were, 47:

Arnould	Baxter	Blanshan	Carl
Carter	Chapman	Cochran	Connolly
Connors	Cooper	Corey	Fey
Fogarty	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Harbor	Hatch
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Kremer	Lageschulte
Lloyd-Jones	McIntee	Muhlbauer	O'Kane

Ollie	Oxley	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Shoultz	Spear	Stueland	Sullivan
Torrence	Varn	Woods	

The nays were, 51:

Beatty	Bennett	Black	Brammer
Branstad	Buhr	Carpenter	Clark
De Groot	Diemer	Doderer	Grandia
Groninga	Handorf	Hanson	Hermann
Hester	Hummel	Johnson	Koenigs
Lonergan	Maulsby	McKean	Metcalf
Miller	Mullins	Norland	Osterberg
Parker	Paulin	Pavich	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Siegrist
Skow	Stromer	Sturgeon	Swartz
Swearingen	Taber	Teaford	Van Camp
Van Maanen	Welden	Zimmerman	

Absent or not voting, 2:

Daggett Mr. Speaker

Amendment H—3055 lost.

RULE 32 SUSPENDED

Stromer of Hancock rose on a point of order and invoked Rule 32 to refer House File 183 to the committee on ways and means.

Arnould of Scott asked for unanimous consent to suspend Rule 32.

Objection was raised.

Arnould of Scott moved that Rule 32 be suspended.

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

On the question "Shall Rule 32 be suspended?"

The ayes were, 60:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl

Carter	Chapman	Cochran	Connolly
Connors	Cooper	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Lonergan	Muhlbauer	Norland	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Peterson	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoning
Shouttz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 39:

Bennett	Branstad	Carpenter	Clark
Corey	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hester	Hummel	Kremer
Lageschulte	Maulsby	McIntee	McKean
Metcalf	Miller	Mullins	O'Kane
Paulin	Pellett	Platt	Renken
Rensink	Royer	Schnekloth	Siegrist
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Welden	

Absent or not voting, 1:

Daggett

The motion prevailed and Rule 32 was suspended.

RULE 33 SUSPENDED

Stromer of Hancock rose on a point of order and invoked Rule 33 to refer House File 183 to the committee on finance.

Norland of Worth asked for unanimous consent to suspend Rule 33.

Objection was raised.

Norland of Worth moved that Rule 33 be suspended.

A non-record roll call was requested.

The ayes were 58, nays 36.

The motion prevailed and Rule 33 was suspended.

Sullivan of Van Buren in the chair at 10:22 a.m.

Speaker Avenson in the chair at 10:58 a.m.

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. 183)

The ayes were, 63:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Chapman	Clark
Cochran	Connolly	Connors	Diemer
Doderer	Fey	Groninga	Groth
Gruhn	Halvorson, R. A.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	McIntee	Metcalf
Miller	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Parker	Paulin
Pavich	Peick	Peterson	Platt
Renaud	Rensink	Rosenberg	Royer
Running	Shoultz	Siegrist	Stromer
Sullivan	Swartz	Tabor	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 36:

Bennett	Branstad	Buhr	Carl
Carpenter	Carter	Cooper	Corey
De Groot	Fogarty	Grandia	Halvorson, R. N.
Holveck	Hughes	Hummel	Jay
Maulsby	McKean	O'Kane	Oxley
Pellett	Poncy	Renken	Schnekloth
Sherzan	Shoning	Skow	Spear
Stueland	Sturgeon	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Varn

Absent or not voting, 1:

Daggett

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

ADOPTION OF SENATE CONCURRENT RESOLUTION 10

Chapman of Linn called up for consideration Senate Concurrent Resolution 10, to encourage and support the governor and the Iowa development commission in their efforts to convince the general motors corporation to locate the new saturn factory in Iowa.

Connors of Polk in the chair at 11:17 a.m.

Chapman of Linn moved the adoption of the resolution.

The motion prevailed and the resolution was adopted.

House File 24, a bill for an act relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn; providing for revocations; providing a procedure in absence of a declaration; providing for patient transfers; providing immunity from liability; prohibiting destruction, concealment or forging of declarations or revocations; providing penalties; and providing other matters properly relating thereto, with report of committee recommending amendment and passage was taken up for consideration.

Zimmerman of Dallas offered the following amendment H - 3018 filed by the committee on human resources:

H - 3018

1 Amend House File 24 as follows:

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

4 "Section 1. POLICY STATEMENT. The legislature
5 finds that all adults have the fundamental right to
6 control the decisions relating to their own medical
7 care, including the decision to have medical or
8 surgical means or procedures calculated to prolong
9 their lives provided, withheld or withdrawn. This
10 right is subject to certain interests of society, such
11 as the protection of human life and the preservation of
12 ethical standards in the medical profession. The
13 legislature further finds that the artificial
14 prolongation of life for persons with a terminal
15 condition may secure only a precarious and burdensome
16 existence, while providing nothing medically necessary

17 or beneficial to the patient. In order that the rights
 18 and intentions of persons with such conditions may be
 19 respected even after they are no longer able to
 20 participate actively in decisions concerning
 21 themselves, and to encourage communications between
 22 these patients, their families, and their physicians,
 23 the legislature declares that the laws of Iowa shall
 24 recognize the right of an adult to make a written
 25 declaration instructing the adult's physician to
 26 provide, withhold, or withdraw life-sustaining
 27 procedures or to designate another to make treatment
 28 decisions, in the event the person is diagnosed as
 29 suffering from a terminal condition."

30 2. Page 1, by striking lines 17 through 19 and
 31 inserting the following:

32 "5. "Life-sustaining procedure" means any medical
 33 procedure, treatment or intervention which meets both
 34 of the following requirements:

35 a. Utilizes mechanical or artificial means to
 36 sustain, restore, or supplant a spontaneous vital
 37 function.

38 b. When applied to a patient in a terminal
 39 condition, would serve only to prolong the dying
 40 process.

41 "Life-sustaining procedure" does not include the
 42 provision of sustenance or the administration of
 43 medication or performance of any medical procedure
 44 deemed necessary to provide comfort care or to
 45 alleviate pain."

46 3. Page 3, by striking lines 19 through 22.

47 4. Page 3, by striking lines 29 through 33.

48 5. Page 3, line 35, by inserting after the word
 49 "patient" the words "who is not known to the attending
 50 physician to be pregnant with a fetus that could

Page 2

1 develop to the point of live birth with the continued
 2 application of life-sustaining procedures,".

3 6. Page 4, by inserting after line 23 the
 4 following:

5 "f. An adult sibling."

6 7. Page 4, line 32, by inserting after the figure
 7 "144A.6" the words "or the provisions of section
 8 144A.7".

9 8. Page 5, line 1 by inserting after the word
 10 "chapter" the words "or the provisions of section
 11 144A.7".

12 9. Renumber sections and correct internal
 13 references as necessary in accordance with this
 14 amendment.

Zimmerman of Dallas offered the following amendment H-3058, to the committee amendment H-3018, filed by her and moved its adoption:

H-3058

- 1 Amend the Committee amendment, H-3018, to House
- 2 File 24 as follows:
- 3 1. Page 1, by striking lines 2 through 4 and
- 4 inserting the following:
- 5 "_____. Page 1, line 2, by striking the words
- 6 "Right to Decline Life" and inserting the following:
- 7 "Life".
- 8 _____. Page 1, by inserting after line 3 the
- 9 following:
- 10 Sec. 2. NEW SECTION. 144A.2. POLICY STATEMENT.
- 11 The legislature".
- 12 2. Page 1, by inserting after line 45 the
- 13 following:
- 14 "_____. Page 3, by striking line 10 and inserting
- 15 the words "condition, this decision must be confirmed
- 16 by another physician. The attending physician must
- 17 record that determination in the".
- 18 3. Page 1, by inserting after line 46 the
- 19 following:
- 20 "_____. Page 3, line 24, by striking the words
- 21 "shall be given no" and inserting the words "shall not
- 22 be in".
- 23 4. By renumbering and correcting internal
- 24 references as necessary.

Amendment H-3058 was adopted.

Spear of Lee asked and received unanimous consent to withdraw amendments H-3019 and H-3021, to the committee amendment H-3018, filed by him on January 28, 1985.

On motion by Zimmerman of Dallas, the committee amendment H-3018, as amended, was adopted.

Zimmerman of Dallas asked and received unanimous consent to withdraw amendment H-3042 filed by her on February 6, 1985.

SENATE FILE 25 SUBSTITUTED FOR HOUSE FILE 24

Norland of Worth asked and received unanimous consent to substitute Senate File 25 for House File 24.

Senate File 25, a bill for an act relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn; providing for revocations; providing a procedure in absence of a declaration; providing for patient transfers; providing immunity from liability; prohibiting destruction, concealment or forging of declarations or revocations; providing penalties; and providing other matters properly relating thereto, was taken up for consideration.

Spear of Lee offered the following amendment H—3037 filed by him and moved its adoption:

H—3037

- 1 Amend Senate File 25 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 1 through 4 and
- 4 inserting the following:
- 5 "Section 1. POLICY STATEMENT. The".
- 6 2. Page 1, after line 26, by inserting the
- 7 following:
- 8 "Sec. 2. NEW SECTION. 144A.1 SHORT TITLE.
- 9 This chapter may be cited as the "Life-Sustaining
- 10 Procedures Act." "
- 11 3. By renumbering and correcting internal
- 12 reference as necessary.

Amendment H—3037 was adopted.

Van Camp of Scott offered the following amendment H—3062 filed by him from the floor and moved its adoption:

H—3062

- 1 Amend Senate File 25 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by striking lines 24 through 26 and
- 4 inserting the words "condition in which, without the
- 5 administration of life-sustaining procedures, in the
- 6 opinion of the attending physician, death is
- 7 imminent."
- 8 2. Page 3, by striking line 11 and inserting the
- 9 words "in which my death is imminent, it is".

Amendment H—3062 lost.

Zimmerman of Dallas offered the following amendment H—3056 filed by her and Carpenter of Polk and moved its adoption:

H—3056

- 1 Amend Senate File 25 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, line 19, by inserting after the word
- 4 "procedures." the following: "However, the provisions
- 5 of this subsection do not impair any existing rights
- 6 or responsibilities that any person may have in regard
- 7 to the withholding or withdrawal of life-sustaining
- 8 procedures."
- 9 2. Page 4, by striking lines 23 through 26 and
- 10 inserting the following: "from a patient who is in a
- 11 terminal condition and who is".
- 12 3. Page 5, by inserting after line 19 the
- 13 following:
- 14 "3. Subsections 1 and 2 shall not be in effect for
- 15 a patient who is known to the attending physician to
- 16 be pregnant with a fetus that could develop to the
- 17 point of live birth with continued application of
- 18 life-sustaining procedures. However, the provisions
- 19 of this subsection do not impair any existing rights
- 20 or responsibilities that any person may have in regard
- 21 to the withholding or withdrawal of life-sustaining
- 22 procedures."

Amendment H—3056 was adopted.

Lonergan of Boone offered the following amendment H—3051 filed by her and moved its adoption:

H—3051

- 1 Amend Senate File 25 as amended, passed and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 4 line 20 through page 5 line
- 4 19.
- 5 2. Page 5, lines 24 and 25, by striking the words
- 6 "or the provisions of section 144A.8".
- 7 3. Page 5, by striking line 29 and inserting the
- 8 words "this chapter, the provider".
- 9 4. Title page, lines 4 and 5, by striking the
- 10 words "providing a procedure in absence of a
- 11 declaration;".
- 12 5. By renumbering sections and correcting
- 13 internal references as necessary.

Roll call was requested by Lonergan of Boone and Sherzan of Polk.

On the question "Shall amendment H—3051 be adopted?"

The ayes were, 36:

Avenson	Buhr	Carpenter	Carter
Dodérer	Fogarty	Grandia	Halvorson, R. A.
Hammond	Handorf	Hanson	Harbor
Hermann	Holveck	Hughes	Hummel
Knapp	Lonergan	Maulsby	McIntee
McKean	Muhlbauer	Norland	O'Kane
Pavich	Peick	Renaud	Renken
Rensink	Rosenberg	Royer	Schneklath
Sherzan	Skow	Van Camp	Van Maanen

The nays were, 61:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Carl	Chapman	Clark	Connolly
Cooper	Corey	De Groot	Diemer
Fey	Groninga	Groth	Gruhn
Halvorson, R. N.	Hatch	Haverland	Hester
Jay	Jochum	Johnson	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Metcalf
Miller	Mullins	Ollie	Osterberg
Oxley	Parker	Paulin	Pellett
Peterson	Platt	Poncy	Running
Shoning	Siegrist	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Connors)			

Absent or not voting, 3:

Cochran	Daggett	Shoultz
---------	---------	---------

Amendment H—3051 lost.

Spear of Lee offered the following amendment H—3036 filed by him:

H—3036

- 1 Amend Senate File 25 as amended, passed and
- 2 reprinted by the Senate, as follows:

- 3 1. Page 5, line 24, by inserting after the word
 4 "or" the words "who is unwilling to comply with".
 5 2. Page 5, line 29, by inserting after the word
 6 "or" the words "preclude compliance with".

Speaker Avenson in the chair at 12:17 p.m.

On motion by Spear of Lee, amendment H—3036 was adopted.

The following amendment H—3063 filed by Spear of Lee from the floor was adopted by unanimous consent:

H—3063

- 1 Amend Senate File 25 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 5, line 26, by striking the word "declarant"
 4 and inserting the word "patient".

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

On the question "Shall the bill pass?" (S.F. 25)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Jay	Jochum
Johnson	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Shoning	Shoultz	Siegrist	Skow
Spear	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford

Torrence
Woods

Van Maanen
Zimmerman

Varn
Mr. Speaker

Welden

The nays were, 6:

Doderer
Sherzan

Hummel
Van Camp

Knapp

Lonergan

Absent or not voting, 3:

Daggett

Halvorson, R. N.

Stromer

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

HOUSE FILE 24 WITHDRAWN

Zimmerman of Dallas asked and received unanimous consent to withdraw House File 24 from further consideration by the House.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills and resolution to the Senate: House Files 70 and 183, Senate File 25 and Senate Concurrent Resolution 10.

APPOINTMENT BY THE SPEAKER

The Speaker announced the following appointment:

1985-1986 Legislative Fiscal Committee
(Section 2.45, Code of Iowa)

Representative Robert Arnould
(Replacing Representative Minnette Doderer)

PRESENTATION OF VISITORS

Stueland of Clinton presented Miss Clinton County, Patti Rastrelli, her parents Jim and Karen, and her brother Steve, all from Clinton, Iowa.

Skow of Guthrie presented the Honorable Kenneth Robinson, former member of the House representing Guthrie County.

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

Forty-six fifth grade students from Granger Elementary School, Des Moines, accompanied by Joan Jamison and Mr. Johnson. By Woods of Polk.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 201 Human Resources

Relating to the financial responsibility of parents for the support of children.

S.B. 202 Local Government

Providing that county zoning regulations or county building codes may apply to farm houses.

S.B. 203 Ways and Means

Authorizing a capitol restoration checkoff and a state historical building checkoff from individual or joint income tax returns, and providing an effective date.

S.B. 204 Ways and Means

Relating to the increase in the personal property tax credit.

S.B. 205 Natural Resources and Outdoor Recreation

Relating to hunting upon property belonging to another person and subjecting violators to a penalty.

S.B. 206 Natural Resources and Outdoor Recreation

Relating to the fitness of certain applicants for employment by the conservation commission and employment of assessors by county or city conference boards.

S.B. 207 State Government

Relating to games of skills, chance and raffles.

S.B. 208 State Government

Relating to federal disaster assistance to state and local governments and providing an effective date.

S.B. 209 State Government

To provide the same remedy to men and women against a libel or defamatory statement imputing sexual misconduct.

S.B. 210 State Government

Relating to the receipt of retirement compensation by a surviving spouse of a judge.

S.B. 211 State Government

Relating to the licensure of dietitians and nutritionists.

S.B. 212 Transportation

Exempting correction employees from being required to have chauffeur licenses while transporting certain individuals.

S.B. 213 Transportation

Relating to the registration of motor vehicles including the credit and refund of unexpired registration fees and the assignment of registration plates.

S.B. 214 Transportation

Relating to motor vehicle and mobile home dealer purchase receipts.

S.B. 215 Transportation

To clarify an ambiguity as to whether a person must have a motor vehicle under control at all times.

SUBCOMMITTEE ASSIGNMENTS**House Concurrent Resolution 7**

Education: Hughes, Chair; Hester and Running.

House File 47

Small Business and Commerce: Holveck, Chair; Brammer, Halvorson of Clayton, Shoning and Skow.

House File 52

Appropriations: Lonergan, Chair; Buhr, Gruhn, Hermann, Ollie, Royer, Sturgeon and Welden.

House File 99

Agriculture: Cochran, Chair; Hatch, Handorf, Skow and Stueland.

House File 105

Small Business and Commerce: Kremer, Chair; Beatty and Diemer.

House File 106

Appropriations: Poncy, Chair; Beatty, Hughes, Mullins, Rensink, Running, Swearingen and Varn.

House File 111

State Government: Lloyd-Jones, Chair; Arnould and Daggett.

House File 114

Appropriations: Blanshan, Chair; Maulsby and Sullivan.

House File 115

Small Business and Commerce: Schnekloth, Chair; Lonergan and Sherzan.

House File 117

Local Government: Torrence, Chair; Oxley and Renken.

House File 133

Labor and Industrial Relations: Running, Chair; Bennett and Fey.

House File 134

Labor and Industrial Relations: Renaud, Chair; Hermann and Running.

House File 136

Labor and Industrial Relations: Peick, Chair; Metcalf and Renaud.

House File 137

Labor and Industrial Relations: Peick, Chair; Grandia and Renaud.

House File 138

Local Government: Black, Chair; Grandia and Poncy.

House File 139

Judiciary and Law Enforcement: Brammer, Chair; Carl, Clark, Hammond, Running, Shoning and Siegrist.

House File 140

Natural Resources and Outdoor Recreation: Woods, Chair; Pellett and Varn.

House File 141

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

House File 142

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 145

State Government: Buhr, Chair; Carter and Daggett.

House File 146

Judiciary and Law Enforcement: Running, Chair; Brammer and McKean.

House File 147

Education: Groth, Chair; Branstad, Daggett, Ollie and Shultz.

House File 150

Local Government: Black, Chair; Grandia and Poncy.

House File 151

Local Government: Sullivan, Chair; Hester and Peick.

House File 152

Energy and Environmental Protection: Johnson, Chair; Black, Mullins, Skow and Torrence.

House File 153

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 154

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

House File 155

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 156

State Government: Arnould, Chair; Buhr and Renken.

House File 157

State Government: Teaford, Chair; Carter and Shoning.

House File 160

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 161

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 162

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

House File 163

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 164

Labor and Industrial Relations: Poney, Chair; Hummel and Running.

House File 165

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

House File 167

Agriculture: Koenigs, Chair; Branstad, De Groot, Gruhn and Hatch.

House File 168

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

House File 169

Agriculture: Hughes, Chair; Muhlbauer and Rensink.

House File 170

Judiciary and Law Enforcement: Clark, Chair; Carl and Haverland.

House File 173

Labor and Industrial Relations: Chapman, Chair; Brammer and Hester.

House File 173 (Reassigned)

Labor and Industrial Relations: Connors, Chair; Haverland and Kremer.

House File 175

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 176

Judiciary and Law Enforcement: Clark, Chair; Carl and Haverland.

House File 178

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

House File 179

Economic Development: Groninga, Chair; McIntee and Parker.

House File 180

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 181

Judiciary and Law Enforcement: McIntee, Chair; Holveck, Maulsby, Renaud, Running, Schneklath and Woods.

House File 182

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 184

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 185

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

House File 186

Human Resources: Spear, Chair; Buhr, Corey, Shoning and Shoultz.

House File 187

Labor and Industrial Relations: Chapman, Chair; Brammer and Hester.

House File 189

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 191

Local Government: Black, Chair; Grandia and Poney.

House File 192

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 194

Human Resources: Spear, Chair; Buhr, Corey, Shoning and Shoultz.

House File 196

Small Business and Commerce: McIntee, Chair; Hatch and Kremer.

House File 197

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 200

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

House File 202

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 204

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

House File 206

Local Government: Torrence, Chair; Oxley and Renken.

House File 208

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

House File 215

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning, and Siegrist.

House File 221

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Ha' rson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

House File 222

Local Government: Buhr, Chair; Royer and Sullivan.

House File 223

Local Government: Hester, Chair; Beatty and Spear.

Senate File 15

Natural Resources and Outdoor Recreation: Black, Chair; Cooper and Pellett.

Senate File 16

State Government: Swearingen, Chair; Cochran and Spear.

Senate File 38

Agriculture: Zimmerman, Chair; Blanshan and Van ' rnanen.

Senate File 59

Judiciary and Law Enforcement: Tabor, Chair; Peterson and S. aing.

Senate File 77

Education: Groth, Chair; Maulsby and Teaford.

Senate File 97

State Government: Lloyd-Jones, Chair; Arnould and Daggett.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 22

Small Business and Commerce: Baxter, Chair; McIntee, Schneklath, Sherzan and Swartz.

Study Bill 58

Small Business and Commerce: McIntee, Chair; Hatch and Kremer.

Study Bill 60

Small Business and Commerce: McIntee, Chair; Hatch and Kremer.

Study Bill 64

State Government: Pavich, Chair; Beatty and Van Maanen.

Study Bill 65

State Government: Pavich, Chair; Beatty and Van Maanen.

Study Bill 66

State Government: Carter, Chair; Siegrist and Teaford.

Study Bill 67

State Government: Lloyd-Jones, Chair; Arnould and Daggett.

Study Bill 68

Labor and Industrial Relations: Ollie, Chair; Hummel and Running.

Study Bill 69

Labor and Industrial Relations: Ollie, Chair; Hummel and Running.

Study Bill 75

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schneklath and Tabor.

Study Bill 76

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schneklath and Tabor.

Study Bill 77

Judiciary and Law Enforcement: Knapp, Chair; Kremer and Renaud.

Study Bill 78

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 80

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

Study Bill 81

State Government: Carter, Chair; Buhr and Shoning.

Study Bill 82

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

Study Bill 83

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

Study Bill 84

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

Study Bill 85

State Government: Pavich, Chair; Beatty and Van Maanen.

Study Bill 86

State Government: Pavich, Chair; Beatty and Van Maanen.

Study Bill 87

State Government: Teaford, Chair; Carter and Shoning.

Study Bill 88

State Government: Pavich, Chair; Beatty and Van Maanen.

Study Bill 89

State Government: Pavich, Chair; Beatty and Van Maanen.

Study Bill 90

State Government: Pavich, Chair; Doderer and Siegrist.

Study Bill 91

Natural Resources and Outdoor Recreation: O'Kane, Chair; Pavich and Stueland.

Study Bill 102

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 104

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 105

Human Resources: Sturgeon, Chair; Clark, Lonergan, Ollie and Torrence.

Study Bill 106

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 107

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 108

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 109

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 110

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 111

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

Study Bill 112

Human Resources: Sturgeon, Chair; Clark, Lonergan, Ollie and Torrence.

Study Bill 113

Judiciary and Law Enforcement: McIntee, Chair; Holveck, Maulsby, Renaud, Running, Schnekloth and Woods.

Study Bill 114

Judiciary and Law Enforcement: Clark, Chair; Doderer and Lageschulte.

Study Bill 115

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schneklath and Tabor.

Study Bill 116

Judiciary and Law Enforcement: Running, Chair; Brammer and McKean.

Study Bill 119

Small Business and Commerce: Holveck, Chair; Brammer, Halvorson of Clayton, Shoning and Skow.

Study Bill 120

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklath.

Study Bill 121

Small Business and Commerce: Groninga, Chair; Hatch, McIntee, Metcalf and Sturgeon.

Study Bill 124

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

Study Bill 125

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 126

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

Study Bill 127

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

Study Bill 128

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

Study Bill 129

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 130

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

Study Bill 131

State Government: Hammond, Chair; Halvorson of Webster and Siegrist.

Study Bill 132

Local Government: Platt, Chair; Connors and Teaford.

Study Bill 133

Local Government: Teaford, Chair; Diemer and O'Kane.

Study Bill 134

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklath.

Study Bill 135

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 136

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 137

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 138

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 139

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 140

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 141

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 142

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 143

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 144

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 145

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 146

Energy and Environmental Protection: Osterberg, Chair; Parker, Paulin, Sturgeon and Van Camp.

Study Bill 147

Education: Groth, Chair; Branstad, Daggett, Ollie and Shoultz.

Study Bill 148

Education: Varn, Chair; Daggett, Groth, McKean and Shoultz.

Study Bill 149

Education: Groth, Chair; Connolly and Miller.

Study Bill 150

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

Study Bill 151

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

Study Bill 152

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

Study Bill 153

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklöth.

Study Bill 154

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklöth.

Study Bill 155

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklöth.

Study Bill 156

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklöth.

Study Bill 157

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklöth.

Study Bill 158

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklöth.

Study Bill 159

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 160

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklöth.

Study Bill 161

Judiciary and Law Enforcement: Brammer, Chair; Knapp and Siegrist.

Study Bill 162

Economic Development: Parker, Chair; Groninga and McIntee.

Study Bill 163

Economic Development: Parker, Chair; Baxter and McIntee.

Study Bill 164

Economic Development: Baxter, Chair; Branstad and Groninga.

Study Bill 165

Economic Development: Baxter, Chair; McIntee and Parker.

Study Bill 166

Economic Development: Arnould, Chair; Halvorson of Webster and Paulin.

Study Bill 167

Human Resources: Shoultz, Chair; Buhr, Hammond, Hermann and Van Camp.

Study Bill 168

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

Study Bill 169

Judiciary and Law Enforcement: Woods, Chair; Jay, McIntee, Knapp, Kremer, Maulsby and Renaud.

Study Bill 170

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

Study Bill 171

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

Study Bill 172

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

Study Bill 177

Human Resources: Sturgeon, Chair; Clark, Lonergan, Ollie and Torrence.

Study Bill 179

Human Resources: Spear, Chair; Buhr, Corey, Shoning and Shoultz.

Study Bill 180

Local Government: Buhr, Chair; and Renken.

Study Bill 181

Judiciary and Law Enforcement: Clark, Chair; Carl and Haverland.

Study Bill 182

Judiciary and Law Enforcement: Clark, Chair; Carl and Haverland.

Study Bill 183

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 184

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

Study Bill 185

Agriculture: Fogarty, Chair; Carter, Halvorsop of Webster, Pellett and Van Maanen.

Study Bill 186

Human Resources: Shoultz, Chair; Buhr, Hammond, Hermann and Van Camp.

Study Bill 187

Natural Resources and Outdoor Recreation: Black, Chair; Diemer and O'Kane.

Study Bill 188

Natural Resources and Outdoor Recreation: Haverland, Chair; Cooper and Rensink.

Study Bill 189

Education: Groth, Chair; Branstad, Daggett, Ollie and Shoultz.

Study Bill 190

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 191

Labor and Industrial Relations: Peick, Chair; Grandia and Running.

Study Bill 192

Labor and Industrial Relations: Connors, Chair; Hermann and Running.

Study Bill 193

Labor and Industrial Relations: Peick, Chair; Hester and Renaud.

Study Bill 196

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

Study Bill 197

Local Government: O'Kane, Chair; Groninga and Platt.

Study Bill 198

Judiciary and Law Enforcement: Clark, Chair; Carl and Haverland.

Study Bill 199

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

Study Bill 200

Judiciary and Law Enforcement: Chapman, Chair; Jay, Kremer, Maulsby and Peterson.

Study Bill 202

Local Government: Diemer, Chair; Poncey and Teaford.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 29, a bill for an act relating to qualification of nonprofit corporations as guardians.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-3061, February 7, 1985.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly Study Bill 53), authorizing a city to impose additional conditions on property owners as a condition to zoning changes.

Fiscal Note is not required.

Recommended Do Pass February 7, 1985.

AMENDMENTS FILED

H-3061	H.F.	29	Committee on Judiciary and Law Enforcement
H-3064	H.F.	225	Schnekloth of Scott Black of Jasper
H-3065	S.F.	77	McKean of Jones
H-3066	S.F.	77	McKean of Jones

On motion by Norland of Worth, the House adjourned at 12:28 p.m., until 10:00 a.m., Monday, February 11, 1985.

JOURNAL OF THE HOUSE

Twenty-ninth Calendar Day—Eighteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 11, 1985

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

Prayer was offered by Reverend Peter Boe, pastor of the Skien Lutheran Church, Sloan.

The Journal of Friday, February 8, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Robert Gardner, M.D., Des Moines.

PETITIONS FILED

The following petitions were received and placed on file:

By Renaud of Polk, from nineteen constituents opposing House File 11, relating to mandatory seatbelts.

By Renaud of Polk, from twenty-three constituents favoring Senate File 77, an act requiring that the first day of school not be sooner than the first day of September except under certain conditions.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Royer of Page on request of Harbor of Mills; Black of Jasper on request of Osterberg of Linn; Fey of Scott on request of Halvorson of Webster; Parker of Jasper on request of Groninga of Cerro Gordo; Lonergan of Boone on request of Arnould of Scott, all until their arrival.

INTRODUCTION OF BILLS

House File 251, by Carl, a bill for an act relating to intestate shares when a decedent leaves a surviving spouse or a surviving spouse and issue.

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

House File 252, by Running, a bill for an act to establish an Iowa small and high risk business new jobs training program, authorizing an area school to levy a tax to provide matching funds, and making an appropriation.

Read first time and referred to committee on **economic development**.

House File 253, by Shoning, McIntee, Hester, Miller, Lageschulte, Renken, Bennett, Schneklath, Rensink, Halvorson of Clayton, Clark, Metcalf and Handorf, a bill for an act to replace mandatory reduction of sentences with mandatory parole dates.

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

House File 254, by Varn, a bill for an act allowing public school districts to charge a fee for driver education courses.

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

House File 255, by Hammond and Zimmerman, a bill for an act relating to the election of hospital trustees.

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

House File 256, by Torrence, a bill for an act relating to the annexation by a city of land which includes a secondary or farm-to-market road.

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

House File 257, by Renken, Shoning, Diemer, Miller, Rensink, Halvorson of Clayton, Metcalf, Handorf and Grandia, a bill for an act relating to the return of juveniles alleged to be delinquent from another state under the interstate compact on juveniles.

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

House File 258, by Lageschulte, a bill for an act relating to the mileage reimbursement rate for public employees who use a privately-owned motor vehicle for public business.

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

House File 259, by Fogarty, a bill for an act to limit the penalty fee that may be imposed for renewal of expired real estate licenses.

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

House File 260, by Miller, McIntee, Shoning, Rensink and Halvorson of Clayton, a bill for an act to repeal the sunset clause in 1981 Iowa Acts chapter 23 creating the office of state appellate defender.

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

House File 261, by Woods, a bill for an act relating to the satisfaction of judgments and providing penalties.

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

House File 262, by Hermann, Maulsby, Shoning, Pellett, Miller, Van Camp, Clark, Hummel and Kremer, a bill for an act relating to parental responsibility for damage to persons or property by a child.

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

House File 263, by Stueland, Diemer, Harbor, Welden, Halvorson of Clayton and Mullins, a bill for an act relating to the authority of the department of water, air and waste management to regulate water use and embodying a general plan of water allocation priorities for this state.

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

House File 264, by committee on natural resources and outdoor recreation, a bill for an act relating to the inspection of fruit-tree or forest reservations and making the Act retroactive.

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

House File 265, by committee on local government, a bill for an act authorizing a city to impose additional conditions on property owners as a condition to zoning changes.

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

House File 266, by committee on natural resources and outdoor recreation, a bill for an act relating to financial incentive payments for the protection of forests and forest soils from damage by grazing.

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

House File 267, by Peick, a bill for an act relating to the official language of the state of Iowa.

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

House File 268, by Rosenberg, a bill for an act relating to escapees from community-based correctional programs, and adopting penalties.

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

House File 269, by Black, a bill for an act relating to the taking of wildlife near buildings.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 7, 1985, passed the following bill in which the concurrence of the House is asked.

Senate File 113, a bill for an act relating to the health data commission by delaying the termination of the commission and permitting the commission to initiate a review of collection of information relating to long term care and home health care.

K. MARIE THAYER, Secretary

The House stood at ease at 10:18 a.m., until the fall of the gavel.

The House resumed session at 11:00 a.m., Speaker Avenson in the chair.

CONSIDERATION OF BILLS Regular Calendar

Senate File 77, a bill for an act requiring that the first day of school not be sooner than the first day of September except under certain conditions, with report of committee recommending amendment and passage, was taken up for consideration.

Groth of Buena Vista offered the following amendment H-3052 filed by the committee on education:

H-3052

- 1 Amend Senate File 77 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, by inserting after line 11, the
- 4 following:
- 5 "Sec. _____. Section 279.10, Code 1985, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 4. The state board of public
- 8 instruction may grant a request made by a board of
- 9 directors of a school district stating its desire to
- 10 commence classes for regularly established elementary
- 11 and secondary schools before the first day of
- 12 September. Such request shall be based upon the
- 13 determination that a starting date on or after the
- 14 first day of September would have a significant
- 15 negative educational impact."
- 16 2. Page 1, line 18, by striking the word "with"
- 17 and inserting the following: "with no sooner than".
- 18 3. Page 1, by inserting before line 22, the
- 19 following:
- 20 "Sec. _____. This Act takes effect July 1, 1986."
- 21 4. Title page, line 2, by inserting after the
- 22 word "conditions" the following: "and providing an
- 23 effective date".
- 24 5. By renumbering as necessary.

McKean of Jones offered the following amendment H—3066, to the committee amendment H—3052, filed by him:

H—3066

- 1 Amend amendment H—3052 to Senate File 77 as passed
- 2 by the Senate as follows:
- 3 1. Page 1, line 8, by striking the word "may" and
- 4 inserting the following: "shall".
- 5 2. Page 1, by striking lines 12 through 15 and
- 6 inserting the following: "September." "

Swartz of Marshall in the chair at 11:20 a.m.

McKean of Jones moved the adoption of amendment H—3066, to the committee amendment H—3052.

Roll call was requested by McKean of Jones and Mullins of Kossuth.

On the question "Shall amendment H—3066, to the committee amendment H—3052, be adopted?"

The ayes were, 41:

Branstad	Buhr	Carl	Carpenter
Clark	Corey	De Groot	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hester	Hughes	Hummel
Knapp	Koenigs	Lageschulte	Lloyd-Jones
McKean	Metcalf	Miller	Muhlbauer
Mullins	Osterberg	Oxley	Paulin
Pellett	Renken	Rensink	Rosenberg
Schnekloth	Shoning	Shoultz	Skow
Stueland	Swearingen	Teaford	Van Maanen
Zimmerman			

The nays were, 53:

Arnould	Avenson	Baxter	Beatty
Bennett	Blanshan	Brammer	Carter
Chapman	Cochran	Connors	Cooper
Daggett	Diemer	Doderer	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. N.
Hammond	Hatch	Haverland	Holveck
Jay	Jochum	Johnson	Kremer
Maulsby	McIntee	Norland	O'Kane
Ollie	Pavich	Peick	Peterson
Platt	Poney	Renaud	Running

Sherzan	Siegrist	Spear	Stromer
Sturgeon	Sullivan	Tabor	Torrence
Van Camp	Varn	Welden	Woods
Mr. Speaker (Swartz)			

Absent or not voting, 6:

Black	Connolly	Fey	Lonergan
Parker	Royer		

Amendment H—3066 lost.

McKean of Jones asked and received unanimous consent to withdraw amendment H—3065, to the committee amendment H—3052, filed by him on February 8, 1985.

On motion by Groth of Buena Vista, the committee amendment H—3052 was adopted, placing out of order amendment H—3028 filed by Shoultz of Black Hawk on January 30, 1985.

Zimmerman of Dallas offered the following amendment H—3035 filed by Zimmerman, et al. Division was requested as follows:

H—3035

- 1 Amend Senate File 77 as passed by the Senate as
- 2 follows:

H—3035A

- 3 1. Page 1, by inserting before line 1, the
- 4 following:
- 5 "Section 1. Section 28.7, Code 1985, is amended by
- 6 adding the following new subsection:
- 7 **NEW SUBSECTION. 5A.** Conduct a comprehensive study
- 8 of the effect of the requirement that schools not
- 9 commence prior to the first day of September on the
- 10 Iowa tourism industry. The study shall consider all
- 11 factors which may affect income earned by the tourism
- 12 industry including, but not limited to the following:
- 13 Economic indicators, such as employment and disposable
- 14 income, aggregate attendance figures for the
- 15 recreation and tourism industry, and daily attendance
- 16 data which considers variables such as days which are
- 17 on weekends, attendance by nonresidents of Iowa, the
- 18 weather, and revenue and attendance data for the
- 19 tourism industry during the period of the year

20 unaffected by the statutory school starting date. To
21 the extent possible, data relating to attendance and
22 revenue generated at tourist attractions shall be
23 obtained from independent sources."

H-3035B

24 2. Page 1, by inserting before line 22, the
25 following:
26 "Sec. _____. This Act takes effect July 1, 1986."
27 3. Title page, line 2, by inserting after the
28 word "conditions" the following: "and providing an
29 effective date".

H-3035A

30 4. By renumbering as necessary.

Zimmerman of Dallas asked and received unanimous consent to withdraw amendment H-3035B.

Zimmerman of Dallas moved the adoption of amendment H-3035A.

A non-record roll call was requested.

The ayes were 34, nays 57.

Amendment H-3035A lost.

Lageschulte of Bremer offered the following amendment H-3025 filed by him and moved its adoption:

H-3025

1 Amend Senate File 77 as passed by the Senate as
2 follows:
3 1. Page 1, line 5, by striking the words "first
4 day of September" and inserting in lieu thereof the
5 words "Monday preceding Labor Day".

Amendment H-3025 lost.

Corey of Louisiana offered the following amendment H-3033 filed by him and moved its adoption:

H—3033

- 1 Amend Senate File 77 as follows:
- 2 1. Page 1, by striking line 5, and inserting in
- 3 lieu thereof the following: "school shall begin on
- 4 the first available school day in September".

Amendment H—3033 lost.

McKean of Jones asked and received unanimous consent to withdraw amendment H—3024 filed by him on January 30, 1985.

Norland of Worth asked and received unanimous consent that Senate File 77 be deferred and that the bill retain its place on the calendar.

SPECIAL PRESENTATION

Connors of Polk escorted to the front of the Speaker's station and presented to the House, Jennifer Mahoney, 1985 Iowa Muscular Dystrophy Poster Child from Nashua, Iowa. Jennifer, who is six years old, was accompanied by her parents Pat and Judy and her three brothers.

The House rose and welcomed Jennifer who responded with brief remarks.

On motion by Norland of Worth, the House was recessed at 12:34 p.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened, Connors of Polk in the chair.

REGULAR CALENDAR

The House resumed consideration of **Senate File 77**, a bill for an act requiring that the first day of school not be sooner than the first day of September except under certain conditions.

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

On the question "Shall the bill pass?" (S.F. 77)

The ayes were, 53:

Arnould	Avenson	Baxter	Bennett
Blanshan	Brammer	Carter	Chapman
Cochran	Connolly	Cooper	Daggett
Fey	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hatch
Haverland	Holveck	Jay	Jochum
Johnson	Kremer	Loneragan	Maulsby
McIntee	Muhlbauer	Norland	O'Kane
Ollie	Parker	Pavich	Peick
Platt	Renaud	Running	Sherzan
Shoultz	Siegrist	Skow	Stromer
Sullivan	Swartz	Tabor	Torrence
Van Camp	Varn	Welden	Woods
Mr. Speaker (Connors)			

The nays were, 47:

Beatty	Black	Branstad	Buhr
Carl	Carpenter	Clark	Corey
De Groot	Diemer	Doderer	Fogarty
Grandia	Handorf	Hanson	Harbor
Hermann	Hester	Hughes	Hummel
Knapp	Koenigs	Lageschulte	Lloyd-Jones
McKean	Metcalf	Miller	Mullins
Osterberg	Oxley	Paulin	Pellett
Peterson	Poncy	Renken	Rensink
Rosenberg	Royer	Schnekloth	Shoning
Spear	Stueland	Sturgeon	Swearingen
Teaford	Van Maanen	Zimmerman	

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Knapp of Dubuque, for the remainder of the day, on request of Osterberg of Linn.

House File 139, a bill for an act relating to the crime of lascivious acts with a child and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Brammer of Linn offered the following amendment H—3044 filed by the committee on judiciary and law enforcement and moved its adoption:

H—3044

- 1 Amend House File 139 as follows:
- 2, 1. Page 1, line 3, by inserting after the word
- 3 "Permit" the words "cause".

The committee amendment H—3044 was adopted, placing out of order amendment H—3034 filed by Brammer of Linn on February 4, 1985.

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. 139)

The ayes were, 98:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker (Connors)		

The nays were, none.

Absent or not voting, 2:

Connoily Knapp

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

**SPONSOR ADDED
(House File 229)**

Hermann of Scott requested to be added as a sponsor of House File 229.

PRESENTATION OF VISITORS

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

Twenty-five fifth grade students from Western Hills Elementary School, West Des Moines, accompanied by Mary Huggins. By Carpenter of Polk.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 216 Agriculture

Creating an Iowa economic protective authority and making an appropriation.

S.B. 217 Energy and Environmental Protection

Relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products, and subjecting violators to civil and criminal penalties.

S.B. 218 Judiciary and Law Enforcement

To eliminate deferred judgments on offenses punishable as simple misdemeanors.

S.B. 219 Energy and Environmental Protection

Creating an industrial materials recycling corporation and specifying its powers and duties.

S.B. 220 Human Resources

Relating to funding of approved juvenile detention and shelter care homes and to the exemptions from the foster care licensing requirements of chapter 237.

S.B. 221 Local Government

Relating to the apportionment of property tax revenue by the county treasurer.

S.B. 222 Ways and Means

Relating to taxation by updating references to the internal revenue code; providing for a refund of individual income tax for the 1979 tax year resulting from the inclusion of unemployment benefits; providing a due date of corporate income tax and franchise tax returns under certain conditions; allowing for the destruction of all useless records and reports and other papers filed by taxpayers after certain periods of time after the filing of these reports with the department of revenue; providing for a refund of individual income tax where the taxpayer died after November 17, 1978 as a result of wounds or injury incurred due to military or terroristic action outside the United States; making technical corrections to the inheritance tax concerning the taxation of gifts made within three years of death; and providing effective dates.

S.B. 223 Ways and Means

Relating to the assessment of computers and industrial equipment.

S.B. 224 Ways and Means

Relating to the payment of fuel taxes and sales, services, and use taxes and to the filing of sales, services, and use tax returns, and subjecting violators to a penalty.

S.B. 225 Judiciary and Law Enforcement

To establish the penalty for transporting an open container of alcoholic liquor or beer in a motor vehicle as a simple misdemeanor.

S.B. 226 Education

To establish a board of educational examiners, to prescribe its duties, and to make an appropriation.

S.B. 227 Small Business and Commerce

Relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties.

S.B. 228 Energy and Environmental Protection

Relating to ads which are published, broadcast, displayed or disseminated to the public by a public utility and making civil penalties applicable.

AMENDMENTS FILED

H-3067	H.F.	225	Schneklöth of Scott
H-3068	H.F.	225	Varn of Johnson

On motion by Norland of Worth, the House adjourned at 4:21 p.m., until 9:00 a.m., Tuesday, February 12, 1985.

JOURNAL OF THE HOUSE

Thirtieth Calendar Day—Nineteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 12, 1985

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

Prayer was offered by Reverend Carl Riggs, pastor of the First United Presbyterian Church, Fairfield.

The Journal of Monday, February 11, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Curtis Wuest, M.D., Marshalltown.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Stueland of Clinton, for February 12 and 13, on request of Maulsby of Calhoun; Parker of Jasper, O'Kane of Woodbury and Clark of Cerro Gordo, until their arrival, on request of Bennett of Ida.

INTRODUCTION OF BILLS

House Joint Resolution 3, by Clark, Hanson, McKean and Hammond, a joint resolution proposing an amendment to the Constitution of the State of Iowa to change the legislative branch of state government to a unicameral system.

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

House File 270, by Bennett, Shoning, Paulin, Miller, Maulsby, McIntee, Lageschulte, Renken, Diemer, Rensink, Halvorson of Clayton, Clark, Stromer, Metcalf, Branstad, Hummel and Handorf, a bill for an act relating to the use of juvenile records in the sentencing of a person for an offense other than a simple misdemeanor.

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

House File 271, by Schnecloth, Branstad, Stueland, Rensink, Handorf, Pellett, Maulsby, Hanson, Lageschulte, Renken, Hummel, Bennett, Daggett and Miller, a bill for an act relating to the deferral of property tax installments on property used for farming.

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

House File 272, by Osterberg and Holveck, a bill for an act relating to the regulation of telecommunication services and providing a penalty.

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

House File 273, by Paulin, McIntee, Miller, Rensink, Halvorson of Clayton, Metcalf and Grandia, a bill for an act prohibiting the use of good conduct time to reduce mandatory minimum sentences imposed by the court.

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

House File 274, by Haverland and Carpenter, a bill for an act relating to the modification of boundary lines of a proposed school corporation and to the hearing schedule, the notice of an election and the election ballot for reorganization of school corporations and the division of assets and liabilities after reorganization.

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

House File 275, by Platt, Lageschulte, Maulsby, Hermann, Shoning, Stueland, McIntee, Hanson, McKean, Pellett, Bennett, Hester, Torrence, Miller, Van Camp, Rensink, Halvorson of Clayton, Clark, Stromer, Metcalf, Branstad and Grandia, a bill for an act relating to the penalties for violations of chapter 728 involving the promotion of obscene material and the sexual exploitation of children.

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

House File 276, by Schneklath, Platt, Paulin, Maulsby, Renken, Shoning, McIntee, Hanson, Pellett, Bennett, Diemer, Hester, Torrence, Miller, Van Camp, Rensink, Halvorson of Clayton, Clark, Stromer, Metcalf, Branstad, Hummel, Handorf, Mullins, Kremer, De Groot and Carpenter, a bill for an act relating to the increase in the personal property tax credit.

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

House File 277, by McKean, Lageschulte, Paulin, Shoning, Stueland, McIntee, Hanson, Bennett, Torrence, Miller, Rensink, Clark, Metcalf and Hummel, a bill for an act relating to the release of information concerning a missing child.

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

House File 278, by Renken, a bill for an act relating to posting of employee rights and subjecting violators to a penalty.

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

House File 279, by Van Camp, Shoning, Hermann, Royer, Harbor, Miller, Stueland, Stromer, Metcalf, Branstad, Handorf, Grandia, Mullins, Kremer and De Groot, a bill for an act relating to the registration of motor vehicles including the credit and refund of unexpired registration fees and the assignment of registration plates.

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

House File 280, by Lageschulte, Shoning, Stueland, McKean, Pellett, Miller, Van Camp, Rensink, Clark, Stromer, Metcalf and Grandia, a bill for an act relating to the offenses of lascivious acts with a child and indecent contact with a child, and providing penalties.

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

House File 281, by Rensink, Daggett, Hermann, McIntee, Torrence, Swearingen, Branstad and Grandia, a bill for an act relating to the evaluation of educational programs.

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

House File 282, by Carpenter, Shoning, Lageschulte, Maulsby, Stueland, McIntee, McKean, Hester, Torrence, Miller, Rensink, Halvorson of Clayton, Clark, Metcalf, Grandia and Mullins, a bill for an act for the collection of support obligations relating to identifying information in petitions for dissolution of marriage, the payment and distribution of support payments to and by the clerk of the district court, the modification of support orders, the recording of income tax refund or rebate payments by the clerk, and the use of workers' compensation payments to satisfy child support obligations.

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

House File 283, by Halvorson of Clayton, Platt, Lageschulte, Paulin, Maulsby, Hermann, Harbor, Renken, McIntee, Bennett, Royer, Schneklath, Diemer, Hester, Welden, Swearingen, Miller, Rensink, Pellett, Stromer, Carpenter, Metcalf, Branstad, Hummel, Handorf, Grandia and Kremer, a bill for an act making the one-week waiting period before the receipt of unemployment compensation benefits permanent.

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

House File 284, by Maulsby, Daggett, Royer, Harbor, Lageschulte, McIntee, Hanson, McKean, Pellett, Bennett, Diemer, Swearingen, Miller, Halvorson of Clayton, Clark, Stromer, Metcalf, Branstad, Handorf, Kremer and De Groot, a bill for an act relating to the Iowa family farm development authority by revising definitions.

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

House File 285, by Clark, McIntee, Paulin, Van Camp, Hermann, Platt, Lageschulte, Maulsby, Shoning, Stueland, Hanson, McKean, Bennett, Torrence, Miller, Rensink, Stromer, Metcalf, Branstad, Hummel, Handorf, Grandia and Mullins, a bill for an act relating to the testimony and statements of child victims and witnesses.

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

House File 286, by Corey, Halvorson of Clayton and Harbor, a bill for an act defining misconduct in the unemployment compensation law.

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

House File 287, by Kremer, Van Camp, Hester, Shoning, Swearingen, Miller, Maulsby, Halvorson of Clayton, Metcalf, Branstad, Hummel and Grandia, a bill for an act relating to the financial responsibility of parents for the support of children.

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

House File 288, by Harbor, a bill for an act relating to agricultural commerce by providing license fee and bond requirements for grain dealers and by providing a receiver for warehouses.

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

House File 289, by Grandia and Halvorson of Clayton, a bill for an act relating to the fitness of certain applicants for employment by the conservation commission and employment of assessors by county or city conference boards.

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

House File 290, by Hester, Hanson, Shoning, Miller, Maulsby, Platt, Halvorson of Clayton, Clark, Branstad and Kremer, a bill for an act relating to the custody of children by an abandoned spouse.

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

House File 291, by Maulsby, a bill for an act relating to the selection of official newspapers.

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

House File 292, by Welden and Jochum, a bill for an act relating to the requirements that must be met for self-liquidating and revenue producing buildings and facilities to be constructed at board of regents institutions.

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

SENATE MESSAGE CONSIDERED

Senate File 113, by committee on human resources, a bill for an act relating to the health data commission by delaying the termination of the commission, requiring certain members of the commission to implement common medical reimbursement reporting forms, and permitting the commission to initiate a review of collection of information relating to long term care and home health care.

Read first time and **passed on file**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 7, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 90, a bill for an act to prohibit adverse personnel actions against state employees based upon the employees' declining to participate in contributions or donations to charitable or community organizations.

Also: That the Senate has on February 7, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 112, a bill for an act to allow a person who is an instructor or proprietor at a licensed school of cosmetology to serve on the board of cosmetology examiners.

Also: That the Senate has on February 7, 1985, passed (with amendment S-3120 adopted) the following bill in which the concurrence of the House is asked:

Senate File 121, a bill for an act relating to nonsubstantive Code corrections.

Also: That the Senate has on February 7, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 128, a bill for an act relating to the use of certain funds for the elimination of asbestos from school buildings.

Also: That the Senate has on February 7, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 130, a bill for an act relating to the health and physical education requirements in grades one through twelve.

Also: That the Senate has on February 7, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 149, a bill for an act relating to the acceptance of the federal rehabilitation Acts.

Also: That the Senate has on February 7, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 150, a bill for an act relating to the appointment date for a secretary of a school board.

Also: That the Senate has on February 7, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 154, a bill for an act relating to the duties of the secretary for the state board of engineering examiners.

Also: That the Senate has on February 7, 1985, 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 relating to the authority of the department of water, air and waste management to regulate water use and embodying a general plan of water allocation priorities for this state.

K. MARIE THAYER, Secretary

PRESENTATION OF 1985 IOWA EASTER SEAL AMBASSADOR

Cochran of Webster escorted to the front of the Speaker's station and presented to the House Jamie Barker of Gowrie, 1985 Iowa Easter Seal Ambassador. Jamie, who is a third grade student at Prairie Community School, was accompanied by her parents, Gus and Linda; her principal, Dennis Tucker; her superintendent, Mike Book; and Senator Joe Coleman. She enjoys art, reading and music and is a member of the Camp Fire Blue Birds and is in the youth choir at her church. She is also an avid fan of the Kansas City Royals.

Jamie, who is afflicted with cerebral palsy and currently uses a wheelchair provided by Easter Seals, stated that her aim is to be able to walk. She attends Camp Sunnyside during the summer and

is learning to use a typewriter. She urged everyone to support Easter Seals and to help all disabled people to lead a better life.

The House rose and expressed its welcome.

HOUSE FILE 88 WITHDRAWN

Groth of Buena Vista asked and received unanimous consent to withdraw House File 88 from further consideration by the House.

REFERRED TO COMMITTEE ON WAYS AND MEANS (House File 264)

The Speaker announced that House File 264, presently on the regular calendar, was referred to the committee on ways and means.

On motion by Norland of Worth, the House was recessed at 9:35 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

RULE 35 SUSPENDED

Norland of Worth asked for unanimous consent to suspend Rule 35 for the immediate consideration of House File 205.

Objection was raised.

Norland of Worth moved to suspend Rule 35, relating to the weekly debate calendar, for the immediate consideration of House File 205.

Roll call was requested by Stromer of Hancock and Halvorson of Clayton.

On the question "Shall Rule 35 be suspended?"

The ayes were, 57:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Connors	Cooper	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Hughes	Jay	Johnson	Knapp
Koenigs	Lloyd-Jones	Loneragan	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Teaford	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 40:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hester	Hummel
Kremer	Lageschulte	Maulsby	McIntee
McKean	Metcalf	Miller	Mullins
Paulin	Pellett	Platt	Renken
Rensink	Royer	Schnekloth	Shoning
Siegrist	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Welden

Absent or not voting, 3:

Holveck	Jochum	Tabor
---------	--------	-------

The motion prevailed and Rule 35 was suspended.

CONSIDERATION OF BILLS Appropriations Calendar

House File 205, a bill for an act to appropriate funds to the department of public instruction for educational excellence grants, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 205)

The ayes were, 97:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorsen, R. A.	Halvorsen, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Loneragan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Sherzan
Shoning	Shultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman

Mr. Speaker

The nays were, 1:

Schneklath

Absent or not voting, 2:

Branstad

Jochum

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

IMMEDIATE MESSAGE
(House File 205)

Norland of Worth asked and received unanimous consent to immediately message House File 205 to the Senate.

The House stood at ease at 4:28 p.m., until the fall of the gavel.

The House resumed session at 5:54 p.m., Connors of Polk in the chair.

RULE 31.8 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 31.8 (relating to the filing of amendments on February 12, 1985) on House File 225.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday afternoon, February 7, 1985 and Friday morning, February 8, 1985. Had I been present, I would have voted "aye" on House File 70 and Senate Files 25 and 78; and "nay" on House File 183 and Senate File 163.

DAGGETT of Taylor

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 229 Ways and Means

Relating to the purchase of motor fuel by a regional transit system, providing for a tax refund, and providing penalties.

S.B. 230 State Government

Relating to the use of motor vehicle parking facilities at the state capitol complex.

S.B. 231 Local Government

Authorizing the imposition of a tax to provide self-insurance for a city.

S.B. 232 Judiciary and Law Enforcement

Relating to the theft of cable television services and providing civil and criminal penalties.

S.B. 233 Judiciary and Law Enforcement

Relating to the redemption periods to redeem certain types of real property after a foreclosure.

S.B. 234 Small Business and Commerce

To prohibit discrimination in payment or reimbursement to a person defined as a physician for services provided or a condition treated within the lawful scope of practice and making corporations organized by chiropractors for establishing, maintaining and operating a medical and surgical service plan subject to chapter 514.

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 ETHICS

House Resolution, a resolution relating to the code of ethics of the house of representatives.

Fiscal Note is not required.

Recommended **Do Pass**, February 6, 1985.

House Resolution, a resolution relating to the rules for lobbyists in the house of representatives.

Fiscal Note is not required.

Recommended **Do Pass**, February 6, 1985.

COMMITTEE ON HUMAN RESOURCES

House File 160, a bill for an act removing the exception which allows licensed practical nurses to staff an authorized ambulance service or rescue squad service.

Fiscal Note is not required.

Recommended **Do Pass**, February 11, 1985.

House File 186, a bill for an act amending the Code chapters relating to the Iowa department of corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with adult offenders, and modifying statutes relating to inmate work and work release, and to district court reports of criminal convictions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3072**, February 11, 1985.

Committee Bill (Formerly Study Bill 37), requiring certain persons to report suspected dependent adult abuse to the department of human services.

Fiscal Note is required.

Recommended **Do Pass**, February 11, 1985.

Committee Bill (Formerly Study Bill 99), relating to the warrantless arrest of persons if there exists reasonable grounds to believe they have committed domestic abuse, and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass**, February 11, 1985.

Committee Bill (Formerly Study Bill 190), relating to clinical privileges of certain licensed practitioners.

Fiscal Note is not required.

Recommended **Do Pass**, February 11, 1985.

COMMITTEE ON NATURAL RESOURCES AND OUTDOOR RECREATION

House Resolution, a resolution to request the Iowa Congressional Delegation to provide wildlife food plots under the federal 1985 Farm Act.

Fiscal Note is not required.

Recommended **Do Pass**, February 11, 1985.

COMMITTEE ON TRANSPORTATION

Senate File 19, a bill for an act which treats, in certain instances, a speeding violation of ten miles per hour or less over the legal speed limit as one-half of a violation in relation to certain motor vehicle license suspensions, revocations, and cancellations.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3069**, February 11, 1985.

Committee Bill (Formerly House File 25), prohibiting a motor vehicle from blocking access to a handicapped parking space, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass**, February 11, 1985.

AMENDMENTS FILED

H-3069	S.F.	19	Committee on Transportation
H-3070	H.F.	225	Haverland of Polk
H-3071	H.F.	225	Connolly of Dubuque
H-3072	H.F.	186	Committee on Human Resources

H-3073	H.F.	225	Parker of Jasper
H-3074	H.F.	225	De Groot of Lyon
H-3075	H.F.	225	Rosenberg of Story
H-3076	H.F.	225	Connolly of Dubuque
H-3077	H.F.	225	Hammond of Story
H-3078	H.F.	225	Doderer of Johnson
H-3079	H.F.	225	Swartz of Marshall
H-3080	H.F.	225	Woods of Polk
H-3081	H.F.	225	Harbor of Mills
			Royer of Page
			Diemer of Black Hawk
			Torrence of Muscatine
			Clark of Cerro Gordo
			Swearingen of Keokuk
			Kremer of Buchanan
			Hermann of Scott
			Schneklath of Scott
			Bennett of Ida
H-3082	H.F.	225	Baxter of Des Moines
H-3083	H.F.	225	Carter of Henry
			Osterberg of Linn
			Gruhn of Dickinson
			Mullins of Kossuth
			McKean of Jones
H-3084	H.F.	225	Harbor of Mills
			McKean of Jones
			Torrence of Muscatine
			De Groot of Lyon
			Royer of Page
			Miller of Cherokee
			Stueland of Clinton
			Kremer of Buchanan
			Hermann of Scott
			Halvorson of Clayton
H-3085	H.F.	225	Connolly of Dubuque
H-3086	H.F.	225	Groninga of Cerro Gordo
H-3087	H.F.	225	Hummel of Benton
			Siegrist of Pottawattamie
H-3088	H.F.	225	Hummel of Benton
			Siegrist of Pottawattamie
			Van Maanen of Mahaska
H-3089	H.F.	225	Hummel of Benton

H-3090 H.F. 225
 Carpenter of Polk
 McKean of Jones
 Torrence of Muscatine
 Mullins of Kossuth
 De Groot of Lyon
 Miller of Cherokee
 Stueland of Clinton
 Corey of Louisa
 Welden of Hardin
 Hester of Pottawattamie
 Handorf of Marshall
 Maulsby of Calhoun

H-3091 H.F. 225
 H-3092 H.F. 225

H-3093 H.F. 225
 H-3094 H.F. 225
 H-3095 H.F. 225
 Branstad of Winnebago
 Holveck of Polk
 Teaford of Black Hawk

H-3096 H.F. 225
 H-3097 H.F. 225
 H-3098 H.F. 225
 H-3099 H.F. 225
 H-3100 H.F. 225
 H-3101 H.F. 225
 Branstad of Winnebago
 Holveck of Polk
 Carl of Poweshiek
 Clark of Cerro Gordo
 H-3102 H.F. 225

Hanson of Delaware
 Halvorson of Clayton
 Lageschulte of Bremer
 Metcalf of Polk
 Clark of Cerro Gordo
 Van Maanen of Mahaska
 Grandia of Marion
 Swearingen of Keokuk
 Pellett of Cass
 Shoning of Woodbury
 Hermann of Scott
 Schnekloth of Scott
 Bennett of Ida
 Harbor of Mills
 Hanson of Delaware
 Van Maanen of Mahaska
 Hummel of Benton
 Carpenter of Polk
 Hummel of Benton
 Corey of Louisa
 Osterberg of Linn
 Carpenter of Polk
 Carl of Poweshiek
 Clark of Cerro Gordo
 McKean of Jones
 Carl of Poweshiek
 Swartz of Marshall
 Woods of Polk
 Woods of Polk
 Haverland of Polk
 Osterberg of Linn
 Johnson of Winneshiek
 Black of Jasper
 Teaford of Black Hawk
 McKean of Jones
 Osterberg of Linn
 Branstad of Winnebago
 Johnson of Winneshiek
 Holveck of Polk
 Carl of Poweshiek
 Teaford of Black Hawk
 McKean of Jones

H-3103	H.F.	225	Corey of Louisa
			Hermann of Scott
H-3104	H.F.	225	Corey of Louisa
H-3105	H.F.	225	McKean of Jones
			Mullins of Kossuth
			Skow of Guthrie
H-3106	H.F.	225	Varn of Johnson
			Running of Linn
H-3107	H.F.	225	Halvorson of Clayton
H-3108	H.F.	225	Halvorson of Clayton
H-3109	H.F.	210	Groth of Buena Vista
H-3110	H.F.	225	Skow of Guthrie
H-3111	H.F.	225	Hummel of Benton
H-3112	H.F.	225	Baxter of Des Moines
H-3113	H.F.	225	Skow of Guthrie
H-3114	H.F.	225	Hanson of Delaware
			Carpenter of Polk
			Harbor of Mills
			Diemer of Black Hawk
			Lageschulte of Bremer
			Torrence of Muscatine
			McKean of Jones
			Mullins of Kossuth
			De Groot of Lyon
			Clark of Cerro Gordo
			Van Maanen of Mahaska
			Royer of Page
			McIntee of Black Hawk
			Rensink of Sioux
			Miller of Cherokee
			Grandia of Marion
			Stueland of Clinton
			Swearingen of Keokuk
			Corey of Louisa
			Hummel of Benton
			Kremer of Buchanan
			Pellett of Cass
			Welden of Hardin
			Renken of Grundy
			Shoning of Woodbury
			Hester of Pottawattamie
			Hermann of Scott
			Handorf of Marshall
			Schneklath of Scott
			Maulsby of Calhoun
			Bennett of Ida
			Stromer of Hancock
			Daggett of Taylor
			Van Camp of Scott
H-3115	H.F.	225	Corey of Louisa
H-3116	H.F.	225	Baxter of Des Moines

On motion by Norland of Worth, the House adjourned at 5:57 p.m., until 9:00 a.m., Wednesday, February 13, 1985.

JOURNAL OF THE HOUSE

Thirty-first Calendar Day – Twentieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 13, 1985

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

Prayer was offered by Father Eugene Kutsch, pastor of St. Jude's Catholic Church, Cedar Rapids.

The Journal of Tuesday, February 12, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Charles W. Beckman, M.D., Kalona.

INTRODUCTION OF BILLS

House File 293, by De Groot, Maulsby, Shoning, Bennett, Swearingen, Halvorson of Clayton, Branstad and Hummel, a bill for an act to eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund.

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

House File 294, by Pavich, a bill for an act relating to tuition rates set by the state board of regents for certain nonresident students.

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

House File 295, by Pavich, a bill for an act changing the terms of office of members of school district boards of directors, area education agency boards of directors, and the governing boards of merged areas.

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

House File 296, by Teaford, Spear and Hammond, a bill for an act to provide that the secretary of agriculture serve at the pleasure of the governor.

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

House File 297, by Connolly, a bill for an act relating to the actual, assessed and taxable value of property for property tax purposes and providing an effective date.

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

House File 298, by Connolly, a bill for an act relating to the acquisition of legal settlement on the basis of a time period for which a person receives county general relief or certain county residential support.

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

House File 299, by Connolly, a bill for an act relating to the liability of persons having control over a hazardous substance.

Read first time and referred to committee on **energy and environmental protection**.

House File 300, by Miller, Hanson and Shoning, a bill for an act to provide the same remedy to men and women against a libel or defamatory statement imputing sexual misconduct.

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

House File 301, by Swearingen, a bill for an act relating to and appropriating from the general fund of the state to the state department of agriculture for the reimbursement of multiflora rose eradication costs.

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

House File 302, by Handorf, Platt, Hanson, Paulin, Shoning, Lageschulte, Maulsby, Stueland, McKean, Pellett, Bennett, Van Maanen, Miller, Rensink, Halvorson of Clayton, Stromer, Metcalf, Branstad and Grandia, a bill for an act providing implied consent chemical testing for persons operating vessels on the waters of the state while intoxicated or operating snowmobiles while intoxicated and providing a penalty.

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

House File 303, by Arnould, a bill for an act defining moped and requiring the use of protective headgear by moped operators under sixteen years of age and making penalties applicable.

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

House File 304, by Diemer, Miller, Lageschulte, Maulsby, Shoning, Stueland, McKean, Rensink, Clark, Metcalf and Handorf, a bill for an act increasing the penalty for impersonating a public official.

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

House File 305, by Stromer, a bill for an act relating to the acceptance of suitable work and the qualification for temporary partial benefits under the workers' compensation law.

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

House File 306, by committee on human resources, a bill for an act relating to the warrantless arrest of persons if there exists reasonable grounds to believe they have committed domestic abuse, and providing a penalty.

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

House File 307, by committee on agriculture, a bill for an act creating an Iowa economic protective authority and making an appropriation.

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

SENATE MESSAGES CONSIDERED

Senate File 121, by committee on judiciary, a bill for an act relating to nonsubstantive Code corrections.

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

Senate File 128, by committee on education, a bill for an act relating to the use of certain funds for the elimination of asbestos from school buildings.

Read first time and **passed on file**.

Senate File 130, by committee on education, a bill for an act relating to the health and physical education requirements in grades one through twelve.

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

Senate File 149, by committee on education, a bill for an act relating to the acceptance of the federal rehabilitation Acts.

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

Senate File 150, committee on education, a bill for an act relating to the appointment date for a secretary of a school board.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 11, 1985, passed (with amendment S-3128 adopted) the following bill in which the concurrence of the House is asked:

Senate File 35, a bill for an act relating to animal waste water pollution by providing for an animal waste grant program, and requiring certain earthen manure storage facilities to meet technical standards.

Also: That the Senate has on February 11, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 55, a bill for an act relating to fur harvester and hunting licenses and providing an effective date by publication.

Also: That the Senate has on February 11, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 103, a bill for an act authorizing the board of supervisors to sell or lease a county hospital for use as a private hospital with voter approval.

Also: That the Senate has on February 11, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 11, relating to public transportation.

Also: That the Senate has on February 11, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 12, creating a research, dissemination, and development process for meeting certain educational needs.

K. MARIE THAYER, Secretary

SPECIAL PRESENTATION

Arnould of Scott and Mullins of Kossuth introduced to the House the Amazing Spider-Man who is in Des Moines in cooperation with the "Des Moines Register" to draw attention to the problem of child sexual abuse. A special comic supplement of Spider-Man will appear in the "Des Moines Register" Sunday, February 17. The supplement is a reprint of a comic book that tells children what to do if someone tries to abuse them sexually and was developed by the National Committee for Prevention of Child Abuse in cooperation with Marvel Comics.

Spider-Man stated that "With the help of good people of this state, someday we will find the solution to the problem of sexual child abuse and make this place, this city and the world a safer place for kids."

On motion by Norland of Worth, the House was recessed at 9:31 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

QUORUM CALL

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

HOUSE FILE 211 DEFERRED

Norland of Worth asked and received unanimous consent that House File 211 be deferred and that the bill retain its place on the calendar.

**CONSIDERATION OF BILLS
Regular Calendar**

House File 225, a bill for an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date, was taken up for consideration.

Hughes of Union in the chair at 1:18 p.m.

Halvorson of Clayton offered the following amendment H—3107 filed by him:

H-3107

1 Amend House File 225 as follows:

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

3 following:

4 "_____. "Administrator" means the administrator of a
5 city lottery operated pursuant to this chapter."

6 2. Page 7, by inserting after line 30 the

7 following:

8 "_____. Standards for the operation of a city
9 lottery operated pursuant to this chapter."

10 3. Page 18, by inserting after line 19 the
11 following:

12 "Sec._____. NEW SECTION. 99E.51 LOCAL OPTION CITY
13 LOTTERY - AUTHORIZATION - IMPLEMENTATION.

14 1. A city may authorize by ordinance of the city
15 council a local option lottery subject to the
16 restrictions of this chapter.

17 2. A lottery which has been authorized by
18 ordinance shall be implemented only after an election
19 at which a majority of those voting on the question
20 favors implementation. Upon its own motion or upon
21 receipt of a petition signed by eligible electors of
22 the city equal in number to five percent of the
23 persons of the city who voted in the last preceding
24 state general election requesting implementation of a
25 lottery, the city council, within sixty days of its
26 motion or receipt of the petition, shall direct the
27 county commissioner of elections to submit the
28 question of implementation of a lottery to the
29 qualified electors of the city.

30 3. The county commissioner of elections shall
31 submit the question of implementation of a lottery at
32 a state general election or at a special election as
33 requested by the city council, neither of which may be
34 held sooner than sixty days after publication of
35 notice of the ballot proposition. The ballot
36 proposition shall ask the question "Should
37 _____ (name of city) conduct a
38 lottery?"

39 4. If a majority of those voting on the question
40 of implementation of a lottery favor implementation,
41 the city council shall conduct a lottery subject to
42 this chapter and under the supervision of the state
43 lottery agency. The authority to conduct a lottery
44 shall extend for two years and may be continued for
45 additional two-year periods by a majority vote of the
46 city council.

47 5. If a lottery is implemented, it shall be
48 limited to the corporate boundaries of that city and
49 lottery tickets shall not be offered for sale outside
50 the corporate boundaries of the city.

Page 2

1 Sec._____. NEW SECTION. 99E.52 PLAN OF
2 IMPLEMENTATION.

3 1. The commissioner shall oversee the operation of
4 lotteries by cities in this state.

5 2. A city which has been authorized by the
6 electors to implement a lottery shall submit a plan of
7 implementation to the commissioner and the auditor of
8 state, both of whom shall approve the plan, recommend
9 changes in the plan, or reject the plan within thirty
10 days of the plan's submission to them.

11 3. The plan submitted shall include the following:

12 a. A detailed description of the security measures
13 to be employed by the city to ensure the integrity of
14 the lottery.

15 b. The proposed auditing procedures to be
16 implemented to guarantee the fiscal integrity of the
17 lottery.

18 c. The proposed types and frequency of games to be
19 held under the lottery.

20 d. The proposed method of prize determination and
21 the proposed percentage of gross revenues to be
22 distributed as prizes.

23 4. A lottery shall not be conducted without prior
24 approval of the implementation plan by the
25 commissioner and the auditor of state.

26 5. A change in the plan must be approved by the
27 commissioner and the auditor of state prior to the
28 implementation of the change.

29 Sec._____. NEW SECTION. 99E.53 ADMINISTRATOR OF
30 LOTTERY.

31 1. A city which implements a lottery shall hire a
32 lottery administrator.

33 2. The administrator shall be qualified by
34 training and experience to direct the lottery. The
35 administrator shall receive a salary determined by the
36 city council and may be a full-time employee of the
37 city. The cost of the salary shall come from the
38 general funds of the city.

39 3. Before taking office the administrator shall
40 take an oath to faithfully execute the duties of the
41 office according to the laws of the state and city,
42 and shall give bond with sufficient surety to be
43 approved by the city council in the sum of five
44 thousand dollars, conditioned upon the faithful execu-
45 tion and performance of the duties of the office.
46 Each bond, when fully executed and approved, shall be
47 filed in the office of the city clerk. When in the
48 opinion of the council the bond has become or is
49 likely to become invalid or insufficient, the city
50 council shall require the administrator to renew the

Page 3

1 bond in an amount approved by the council but not less
2 than five thousand dollars. The cost of a bond given
3 shall come from the general fund of the city.

4 4. The city council and the administrator shall
5 employ personnel necessary to conduct a lottery. All
6 personnel shall be fingerprinted.

7 5. The city council may require lottery employees
8 to give bond in amounts the city council determines.
9 Each bond when executed and approved shall be filed in
10 the office of city clerk and the cost shall come from
11 the general fund of the city.

12 Sec. _____ NEW SECTION. 99E.54 RULES FOR CONDUCT
13 OF THE LOTTERY.

14 1. The city council and the administrator shall
15 administer the lottery in order to produce the maximum
16 amount of net revenues for the city consistent with
17 the general welfare of the people.

18 2. The city council may enter into contracts for
19 the operation and promotion of the lottery, including
20 contracts with business organizations or individuals
21 experienced in the design and operation of lotteries
22 in other states or cities.

23 3. The city council shall enact an ordinance
24 specifying the rules for the conduct of the lottery.
25 The ordinance rules shall include but not be limited
26 to the following:

27 a. The types of lottery games to be conducted.
28 However, in a game utilizing tickets or other tangible
29 evidence of participation each ticket in the game
30 shall bear a consecutive serial number distinguishing
31 it from each other ticket in the game, and each
32 lottery number or symbol shall be accompanied by a
33 confirming caption consisting of a representation of a
34 symbol or a description of the symbol in words.

35 b. The price of the tickets or shares in the
36 lottery, including but not limited to authorization of
37 sales of tickets or shares at a discount for
38 promotional purposes.

39 c. The number and size of the prizes on the
40 winning tickets or shares, including but not limited
41 to prizes of free tickets in lottery games conducted
42 and merchandise prizes. However, the administrator
43 shall maintain and make available for public
44 inspection at city hall during regular business hours
45 a detailed listing of the estimated number of prizes
46 of each particular denomination that are expected to
47 be awarded in any game that is on sale, and after the
48 end of the claim period, shall maintain and make
49 available a listing of the total number of tickets or
50 shares sold in a game and the number of prizes of each

Page 4

- 1 denomination which were awarded.
- 2 d. The method of selecting the winning tickets and
3 the manner of payment of prizes to the holders of
4 winning tickets. The rules may provide for payment by
5 the purchase of annuities in the case of prizes
6 payable in installments. Persons working in
7 connection with the lottery shall examine claims and
8 shall not pay a prize for altered, stolen, or
9 counterfeit tickets nor tickets which fail to meet
10 validation rules established for a lottery game. A
11 prize shall not be paid more than once. If it is
12 determined that more than one person is entitled to a
13 prize, the sole remedy of the claimants is to receive
14 an equal share in the single prize. The rules may
15 provide for payment of prizes up to twenty-five
16 dollars directly by licensed agents.
- 17 e. The frequency of selection of winning tickets.
18 However, the drawings shall be held in public, and the
19 actual selection of winning tickets shall not be
20 performed by an individual who is a lottery employee.
21 Drawings shall be witnessed by an independent
22 certified public accountant. Equipment used to select
23 winning prizes or participants for prizes shall be
24 examined prior to and after each drawing by lottery
25 employees and independent certified public
26 accountants.
- 27 f. Requirements for eligibility for participation
28 in runoff drawings, including but not limited to
29 requirements for submission of evidence of
30 eligibility.
- 31 g. The locations at which tickets may be sold.
32 However, tickets shall not be sold outside the
33 corporate boundaries of the city.
- 34 h. The method used for printing and selling
35 tickets. An elected official's name shall not be
36 printed on the tickets. The overall estimated odds of
37 winning a prize in a given game shall be printed on
38 each ticket.
- 39 i. The licensing of agents to sell tickets or
40 shares. A person under the age of eighteen shall not
41 be licensed as an agent.
- 42 j. The compensation paid to licensed sales agents
43 including but not limited to a provision for variable
44 compensation based on sales volume or incentive
45 considerations.
- 46 k. Subject to section 99E.55, the apportionment of
47 the annual revenues accruing from the sale of lottery
48 tickets and from other sources for the payment of
49 prizes to the holders of winning tickets and for the
50 following:

Page 5

1 (1) The payment of costs incurred in the operation
2 and administration of the lottery, including the
3 expenses of the lottery and the cost resulting from
4 contracts entered into for the consulting or
5 operational services, or for promotional and
6 advertising services.

7 (2) Independent audits which shall be performed
8 annually, in addition to the audits required by
9 section 99E.62, subsection 3.

10 (3) Incentive programs for lottery sales agents
11 and lottery employees.

12 (4) Payment of compensation to agents necessary to
13 provide adequate availability of tickets or services
14 to prospective buyers and for the convenience of the
15 public.

16 (5) The purchase or lease of lottery equipment,
17 tickets, and materials.

18 (6) The repayment of money budgeted to the
19 lottery.

20 (7) Transfers to the lottery income fund of the
21 city.

22 Sec. _____. NEW SECTION. 99E.55 ALLOCATION OF
23 FUNDS GENERATED.

24 1. As nearly as is practicable, not less than
25 forty-five percent of the annual revenue, computed on
26 a year-round average basis for each type of lottery
27 game, accruing from the sale of lottery tickets shall
28 be apportioned for payment of prizes to the holders of
29 winning tickets. However, the prizes shall not be
30 paid out in a particular lottery game in excess of the
31 total revenue from sales of that game. After payment
32 of prizes, the reasonable expenses of conducting the
33 lottery shall be paid. Revenue remaining after
34 expenses are paid shall be transferred to a special
35 lottery income fund of the city. Revenue transferred
36 to the lottery income fund shall not be less than
37 thirty percent of the total revenues accruing from the
38 sale of lottery tickets.

39 2. Moneys received by the city from a lottery may
40 be expended for any lawful purpose except the moneys
41 shall not be used for regular ongoing expenses of the
42 city.

43 Sec. _____. NEW SECTION. 99E.56 REPORTS.

44 1. The administrator in each city shall report
45 quarterly to the commissioner. The quarterly report
46 shall include the total lottery revenue, prize
47 disbursements, and other expenses for the preceding
48 quarter.

49 2. The lottery administrator shall also submit an
50 annual report to the commissioner. The annual report

Page 6

1 shall include a complete statement of lottery
2 revenues, prize disbursements, and other expenses.
3 The annual report shall be submitted within thirty
4 days after the close of the lottery year.

5 3. The commissioner shall submit an annual report
6 on local lotteries to the governor, the general
7 assembly, the auditor of state, and the board. The
8 report shall include total lottery revenues, prize
9 disbursements, and other expenses, and recommendations
10 for changes in the law which the commissioner finds
11 necessary or desirable. The annual report shall be
12 submitted within thirty days from the convening of
13 each regular session of the general assembly.

14 Sec. _____. NEW SECTION. 99E.57 POWER TO
15 ADMINISTER OATHS AND TAKE TESTIMONY - SUBPOENA.

16 The commissioner or the commissioner's designee is
17 authorized to conduct an inquiry, investigation, or
18 hearing on a local lottery conducted under this
19 chapter. The commissioner or the commissioner's
20 designee may administer oaths and take testimony under
21 oath relative to the matter of inquiry or
22 investigation. At a hearing ordered by the
23 commissioner, the commissioner or the authorized
24 designee may subpoena witnesses and require the
25 production of records, papers, and documents pertinent
26 to the inquiry. A witness under subpoena authorized
27 by this section shall not be excused from testifying
28 or from producing records, papers, or documents on the
29 ground that the testimony or the production of
30 evidence would tend to incriminate the witness, but
31 the evidence produced shall not be used in a criminal
32 proceeding against the witness. If a person disobeys
33 process or, having appeared, refuses to answer a
34 pertinent question put to the person by the
35 commissioner or an authorized designee or to produce a
36 subpoenaed document, the commissioner or the
37 authorized designee may apply to the district court
38 setting forth the disobedience to process or refusal
39 to answer, and the court shall cite the person to
40 appear before the court to answer the question or to
41 produce the documents and, upon the person's refusal,
42 shall commit the person to jail until the person
43 testifies, but not for a longer period than sixty
44 days. Notwithstanding the serving of a term of
45 commitment by a witness, the commissioner may proceed
46 with the inquiry and examination as if the witness had
47 not previously been called upon to testify.

48 Sec. _____. NEW SECTION. 99E.58 LICENSING -
49 BONDS.

50 1. The city council shall license persons to sell

Page 7

1 lottery tickets to best serve public convenience. A
 2 licensee shall not engage in business exclusively to
 3 sell lottery tickets. Before issuing a license the
 4 council shall consider the financial responsibility
 5 and security of the applicant, the applicant's
 6 business or activity, the accessibility of the
 7 applicant's place of business or activity to the
 8 public, the sufficiency of existing licensees to serve
 9 the public convenience, and the volume of expected
 10 sales.

11 2. The city council may require a bond from a
 12 licensee in an amount as provided by ordinance, and
 13 may purchase a blanket bond covering the activities of
 14 all licensees.

15 3. The city council may authorize compensation to
 16 licensees if the city council finds that compensation
 17 is necessary to assure adequate availability of
 18 lottery tickets.

19 4. A licensee shall not sell a lottery ticket
 20 outside the corporate boundaries of the city which
 21 granted the license.

22 Sec. _____. NEW SECTION. 99E.59 LICENSE REVOCA-
 23 TION.

24 1. The commissioner or the city council which
 25 issued the license may suspend or revoke the license
 26 of a licensee who violates a provision of this chapter
 27 or of the city ordinance establishing the rules for
 28 conducting the lottery. If the license is suspended
 29 or revoked by the commissioner the aggrieved party is
 30 entitled to a hearing by filing a written request with
 31 the commissioner. Upon receipt of the request for
 32 hearing, the commissioner shall set a hearing date
 33 within thirty days of receipt of the request, and
 34 shall notify the aggrieved party, in writing, at least
 35 seven days in advance of the hearing date. The
 36 commissioner may stay the revocation or suspension of
 37 a license pending the outcome of the hearing, when a
 38 stay is requested with the request for hearing.

39 2. The hearing shall be held pursuant to section
 40 99E.17, subsection 2.

41 Sec. _____. NEW SECTION. 99E.60 PROHIBITED SALES
 42 OF TICKETS -- PENALTY.

43 1. A ticket shall not be sold at a price greater
 44 than that fixed by the city council and a sale shall
 45 only be made by a licensee. A person who violates
 46 this subsection is guilty of a simple misdemeanor.

47 2. A ticket shall not be sold to a person under
 48 the age of eighteen. A ticket may be purchased for
 49 the purpose of making a gift by a person eighteen,
 50 years of age or older to a person less than eighteen.

Page 8

1 A licensee who knowingly sells or offers to sell a
2 lottery ticket or share to a person under the age of
3 eighteen is guilty of a simple misdemeanor. A prize
4 won by a person under age eighteen who purchased a
5 ticket in violation of this subsection shall be
6 forfeited.

7 3. A ticket shall not be purchased by and a prize
8 shall not be paid to a lottery employee or to a
9 spouse, child, stepchild, brother-in-law, sister-in-
10 law, stepbrother, stepsister, parent, parent-in-law,
11 stepparent, brother, or sister of a lottery employee
12 residing in the principal residence of the employee.

13 4. A person who, with intent to defraud, falsely
14 makes, alters, forges, utters, passes, or counterfeits
15 a lottery ticket or share is guilty of a class D
16 felony.

17 5. A person shall not sell or attempt to sell a
18 lottery ticket outside the corporate limits of a city
19 which issued the person a license to sell lottery
20 tickets. Violation of this subsection is a class D
21 felony.

22 Sec. _____, NEW SECTION. 99E.61 DISTRIBUTION OF
23 PRIZES - UNCLAIMED PRIZES - PRIZES OF MINORS -
24 NONASSIGNABILITY OF PRIZE RIGHTS.

25 1. The administrator shall award the designated
26 prize to the ticket holder upon presentation of the
27 winning ticket. Unclaimed prize money for the prize
28 on a winning ticket or share shall be retained by the
29 city for ninety days after the drawing in which the
30 prize was won in the case of a drawing prize and for
31 ninety days after the announced end of the game in the
32 case of a prize determined in a manner other than by
33 drawing. If a claim is not made for the money within
34 the applicable period, the prize money shall be added
35 to future prize pools and given to holders of winning
36 tickets in addition to amounts already allocated.

37 2. If the person entitled to a prize is under the
38 age of eighteen, and the prize is more than one
39 thousand dollars, the administrator shall direct
40 payment of the prize by transfer to the guardian of
41 the minor of a check payable to the order of the
42 guardian. If less than one thousand dollars, the
43 administrator may direct payment of the prize to the
44 adult member of the minor's family who is legally
45 responsible for the care and custody of the minor.
46 The administrator is discharged of all further
47 liability upon payment of a prize to a minor pursuant
48 to this subsection.

49 3. The right of a person to a prize drawn is not
50 assignable, except that payment of a prize may be made

Page 9

1 to the estate of a deceased prize winner or to another
 2 person pursuant to an appropriate judicial order. The
 3 administrator is discharged of all further liability
 4 upon payment of a prize pursuant to this subsection.
 5 Sec._____. NEW SECTION. 99E.62 DEPOSIT OF
 6 RECEIPTS FROM TICKET SALES – LOTTERY FUND –
 7 QUARTERLY AUDITS.

8 1. The administrator may require agents to
 9 deposit, to the credit of the lottery in institutions
 10 designated by the city council, money received by
 11 agents from sale of tickets, less the amount of
 12 compensation, if any, authorized under section 99E.58,
 13 subsection 3, and to file with the lottery
 14 commissioner reports of receipts and transactions in
 15 the sale of tickets in the form and containing the
 16 information the administrator requires.

17 2. A lottery fund shall be created by a city which
 18 conducts a lottery. The fund shall consist of all
 19 revenues received from the sale of lottery tickets and
 20 all other moneys lawfully credited or transferred to
 21 the fund. Interest earnings of the fund shall be
 22 considered additional profits of a lottery. The
 23 administrator shall certify quarterly that portion of
 24 the fund that is apportioned to the general fund and
 25 shall cause that portion to be transferred to the
 26 lottery income fund of the city. Moneys transferred
 27 to the lottery income fund shall include moneys
 28 necessary for repayment of moneys budgeted as initial
 29 funding of a lottery.

30 3. The auditor of state or a certified public
 31 accountant firm appointed by the auditor shall conduct
 32 quarterly audits of all accounts and transactions of a
 33 lottery and other special audits as a city council may
 34 require. The auditor or a designee conducting an
 35 audit under this chapter shall have access and au-
 36 thority to examine any and all records of agents and
 37 licensees."

38 4. Title page, line 2, by inserting after the
 39 word "lottery," the following: "permitting a city
 40 lottery to be conducted on a local option basis."

Halvorson of Clayton offered the following amendment
 H-3120, to amendment H-3107, filed by him from the floor and
 moved its adoption:

H-3120

1 Amend House amendment H-3107 to House File 225 as
 2 follows:

3 1. Page 9, by inserting after line 37 the
4 following:
5 "Sec. _____. Section 422.43, subsection 3, Code
6 1985, is amended to read as follows:
7 3. The tax thus imposed shall cover all receipts
8 from the operation of games of skill, games of chance,
9 raffles and bingo games as defined in chapter 99B,
10 city lottery tickets authorized pursuant to chapter
11 99E and musical devices, weighing machines, shooting
12 galleries, billiard and pool tables, bowling alleys,
13 pinball machines, slot-operated devices selling
14 merchandise not subject to the general sales taxes and
15 on all receipts from devices or systems where prizes
16 are in any manner awarded to patrons and upon the
17 receipts from fees charged for participation in any
18 game or other form of amusement, and generally upon
19 the gross receipts from any source of amusement
20 operated for profit not specified herein, and upon the
21 gross receipts from which no tax is collected for
22 tickets or admission, but no tax shall be imposed upon
23 any activity exempt from sales tax under the provision
24 of section 422.45, subsection 4. Every person
25 receiving gross receipts from the sources as defined
26 in this section shall be subject to all provisions of
27 this division relating to retail sales tax and such
28 other provisions of this chapter as may be applicable.
29 _____ Page 18, by striking lines 23 and 24 and
30 inserting the following: "lottery tickets or shares
31 in state conducted lottery games conducted pursuant to
32 chapter 99E but excluding city conducted lottery
33 tickets or shares." "
34 2. Renumber as necessary.

Amendment H—3120 was adopted.

Connolly of Dubuque rose on a point of order that amendment H—3107 was not germane.

The Speaker ruled the point not well taken and amendment H—3107 germane.

Halvorson of Clayton moved the adoption of amendment H—3107, as amended.

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

On the question "Shall amendment H—3107, as amended, be adopted?"

The ayes were, 29:

Bennett	Branstad	Carpenter	Corey
Daggett	Diemer	Halvorson, R. A.	Handorf
Hanson	Harbor	Hester	Hummel
Kremer	Lageschulte	Maulsby	Metcalf
O'Kane	Paulin	Pavich	Peick
Pellett	Renaud	Rensink	Royer
Shoning	Siegrist	Swearingen	Welden
Woods			

The nays were, 70:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
De Groot	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Hermann	Holveck	Jay	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Loneragan	McIntee	McKean	Miller
Muhlbauer	Mullins	Norland	Ollie
Osterberg	Oxley	Parker	Peterson
Platt	Poncy	Renken	Rosenberg
Running	Schneklath	Sherzan	Shoultz
Skow	Spear	Stueland	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Zimmerman	Mr. Speaker (Hughes)		

Absent or not voting, 1:

Stromer

Amendment H—3107, as amended, lost.

Connolly of Dubuque offered the following amendment H—3071 filed by him:

H—3071

- 1 Amend House File 225 as follows:
- 2 1. Page 2, line 34, by striking the word "shall"

3 and inserting the word "may".

4 2. Page 3, line 4, by inserting after the word
5 "lottery." the following: "The commissioner may
6 obtain a blanket bond to cover personnel of the
7 lottery agency for which the commissioner requires a
8 bond."

9 3. Page 4, line 16, by inserting after the word
10 "board." the following: "The board may by rule
11 determine categories of contracts which do not require
12 board approval."

13 4. Page 4, by striking lines 22 through 25 and
14 inserting the following: "or shares. Revenue
15 received by the lottery".

16 5. Page 6, line 12, by striking the words "not to
17 exceed five hundred dollars".

18 6. Page 8, line 5, by inserting after the word
19 "the" the following: "projected".

20 7. Page 12, by striking line 9 and inserting the
21 following:

22 "b. An administrative division."

23 8. Page 12, line 32, by inserting after the word
24 "shares." the following: "However, the board may
25 approve a special license to permit a licensee or the
26 lottery agency itself to sell lottery tickets or
27 shares to the public at special events approved by the
28 board."

29 9. Page 13, line 22, by striking the word "shall"
30 and inserting the following: "may".

31 10. Page 16, by striking lines 25 through 32 and
32 inserting the following:

33 "All prizes awarded are Iowa earned income. All
34 lottery winnings are subject to state and federal
35 income tax laws. An amount deducted from the prize
36 for".

Harbor of Mills offered the following amendment H-3123, to amendment H-3071, filed by him and Connolly of Dubuque from the floor and moved its adoption:

H-3123

1 Amend amendment H-3071 to House File 225 as
2 follows:

3 1. Page 1, line 12, by striking the word
4 "approval." and inserting the following: "approval.
5 Before awarding a contract, the commissioner shall
6 contact lottery agencies in all other states which
7 conduct statewide lotteries to ascertain names of
8 reputable suppliers of goods and services necessary to
9 conduct a lottery. The commissioner shall conduct
10 this investigation in a manner which ensures the
11 integrity of the Iowa lottery."

Amendment H—3123 was adopted.

Swartz of Marshall offered the following amendment H—3124, to amendment H—3071, filed by him and Connolly of Dubuque from the floor and moved its adoption:

H—3124

- 1 Amend the Connolly amendment H—3071 to House File
- 2 225, as follows:
- 3 1. Page 1, line 12, by inserting after the word
- 4 "approval." the following: "A contract awarded or
- 5 entered into by the commissioner with any individual
- 6 or business organization to operate or market the
- 7 lottery shall require that individual or business
- 8 organization to establish a permanent office in this
- 9 state."

Amendment H—3124 was adopted.

On motion by Connolly of Dubuque, amendment H—3071, as amended, was adopted.

Doderer of Johnson asked and received unanimous consent to temporarily defer action on amendment H—3078.

Woods of Polk asked and received unanimous consent to temporarily defer action on amendments H—3080 and H—3099.

Swartz of Marshall asked and received unanimous consent to temporarily defer action on amendment H—3079.

Harbor of Mills asked and received unanimous consent to withdraw amendment H—3084 filed by Harbor, et al., on February 12, 1985.

Woods of Polk asked and received unanimous consent to temporarily defer action on amendment H—3098.

Halvorson of Clayton asked and received unanimous consent to temporarily defer action on amendment H—3108.

Hanson of Delaware offered the following amendment H—3090 filed by Hanson, et al., and moved its adoption:

H-3090

- 1 Amend House File 225 as follows:
- 2 1. Page 4, line 29, by inserting after the word
- 3 "conducted." the following: "The board or
- 4 commissioner shall not authorize a video lottery game.
- 5 As used in this paragraph, "video lottery game" means
- 6 a lottery game involving a machine designed similar to
- 7 a video amusement game except that prizes are awarded
- 8 at random by the lottery agency at the conclusion of
- 9 the game."

Roll call was requested by Hanson of Delaware and Halvorson of Clayton.

On the question "Shall amendment H-3090 be adopted?"

The ayes were, 44:

Bennett	Carpenter	Clark	Corey
Daggett	De Groot	Doderer	Grandia
Halvorson, R. A.	Hammond	Handorf	Hanson
Harbor	Haverland	Hermann	Hester
Holveck	Hummel	Kremmer	Lageschulte
Maulsby	McKean	Metcalf	Miller
Mullins	Osterberg	Paulin	Pellett
Platt	Renken	Rensink	Royer
Schneklloth	Shoning	Shoultz	Siegrist
Stromer	Stueland	Swearingen	Tabor
Teaford	Torrence	Van Maanen	Welden

The nays were, 55:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carter	Chapman
Cochran	Connolly	Connors	Cooper
Diemer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. N.	Hatch
Jay	Jochum	Johnson	Knapp
Koenigs	Lloyd-Jones	Loneragan	McIntee
Muhlbauer	Norland	O'Kane	Ollie
Oxley	Parker	Pavich	Peick
Peterson	Poncy	Renaud	Rosenberg
Running	Sherzan	Skow	Spear
Sturgeon	Sullivan	Swartz	Van Camp
Varn	Zimmerman	Mr. Speaker (Hughes)	

Absent or not voting, 1:

Woods

Amendment H-3090 lost.

Speaker Avenson in the chair at 2:52 p.m.

Osterberg of Linn offered the following amendment, H-3095 filed by Osterberg, et al., and moved its adoption:

H-3095

- 1 Amend House File 225 as follows:
- 2 1. Page 6, line 26, by inserting after the word
- 3 "sold." the following: "Tickets or shares shall not
- 4 be sold in establishments that serve alcoholic
- 5 beverages as defined in section 321.1, subsection 85,
- 6 for on-premise consumption."

A non-record roll call was requested.

The ayes were 45, nays 50.

Amendment H-3095 lost.

Corey of Louisa offered the following amendment H-3103 filed by him and Hermann of Scott and moved its adoption:

H-3103

- 1 Amend House File 225 as follows:
- 2 1. Page 7, line 9, by inserting after the word
- 3 "considerations." the following: "Lottery tickets
- 4 or shares shall not be offered as inducements
- 5 to purchase goods or services from the licensee."

Amendment H-3103 lost.

Rosenberg of Story offered amendment H-3075 filed by him and requested division as follows:

H-3075

- 1 Amend House File 225 as follows:

H-3075A

- 2 1. Page 7, line 11, by inserting after the word
- 3 "permitted." the following: "Marketing material and
- 4 campaigns shall include the concept of investing in
- 5 Iowa's economic development and show the economic
- 6 development initiatives funded from lottery revenue."

H-3075B

7 2. Page 9, line 13, by inserting after the word
8 "solid" the words "or hazardous".

H-3075C

9 3. Page 11, by striking lines 4 through 6 and
10 inserting the following: "interest in dealing in a
11 lottery or in the ownership or leasing of property
12 used by or for a lottery."

H-3075B

13 4. Page 11, lines 31 and 32, by striking the
14 words "residing as a member of the same household in
15 the principal residence".

H-3075D

16 5. Page 12, line 32, by inserting after the word
17 "shares." the following: "A licensee's gross receipts
18 from the sale of lottery tickets or shares shall not
19 exceed ten percent of the gross receipts of the
20 licensee's overall business operations."

21 6. Page 14, line 25, by striking the words "at
22 least a ten percent" and inserting in lieu thereof the
23 following: "an".

24 7. Page 14, line 26, by striking the word "has"
25 and inserting the word "have".

26 8. Page 16, lines 13 and 14, by striking the
27 words "residing as a member of the same household in
28 the principal residence".

On motion by Rosenberg of Story, amendment H-3075A was adopted.

Rosenberg of Story asked and received unanimous consent to withdraw amendment H-3075D.

Osterberg of Linn offered the following amendment H-3102 filed by Osterberg, et al.:

H-3102

1 Amend House File 225 as follows:

2 1. Page 7, line 11, by inserting after the word
3 "permitted." the following: "Educational and
4 marketing material shall not be designed or
5 distributed in a manner which attempts to entice
6 economically disadvantaged persons to participate in a
7 lottery game."

Chapman of Linn in the chair at 3:13 p.m.

Peterson of Carroll offered the following amendment H—3122, to amendment H—3102, filed by him and Carl of Poweshiek from the floor and moved its adoption:

H—3122

- 1 Amend House amendment H—3102 to House File 225 as
- 2 follows:
- 3 1. Page 1, line 6, by striking the words
- 4 "economically disadvantaged".

Amendment H—3122 was adopted.

Osterberg of Linn moved the adoption of amendment H—3102, as amended.

A non-record roll call was requested.

The ayes were 45, nays 49.

Amendment H—3102, as amended, lost.

De Groot of Lyon offered the following amendment H—3074 filed by him and moved its adoption:

H—3074

- 1 Amend House File 225 as follows:
- 2 1. Page 7, by striking lines 31 through 34.

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

On the question "Shall amendment H—3074 be adopted?"

The ayes were, 45:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Gruhn	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Haverland
Hermann	Hester	Holveck	Hummel
Kremer	Lageschulte	Maulsby	McIntee
McKean	Metcalf	Miller	Mullins
Osterberg	Paulin	Pellett	Platt

Renken	Rensink	Royer	Schnekloth
Shoning	Siegrist	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Maanen
Welden			

The nays were, 54:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carter	Cochran	Connolly
Connors	Cooper	Doderer	Fey
Fogarty	Groninga	Groth	Halvorson, R. N.
Hatch	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Lonergan	Muhlbauer	Norland	Ollie
Oxley	Parker	Pavich	Peick
Peterson	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Varn	Woods
Zimmerman	Madam Speaker (Chapman)		

Absent or not voting, 1:

O'Kane

Amendment H—3074 lost.

Hummel of Benton offered the following amendment H—3089 filed by him and moved its adoption:

H—3089

- 1 Amend House File 225 as follows:
- 2 1. Page 8, line 8, by inserting after the word
- 3 "tickets." the following: "Savings resulting from the
- 4 purchase of an annuity for the payment of a prize
- 5 shall be used for payment of prizes to comply with
- 6 this subsection."

Roll call was requested by Hummel of Benton and Hanson of Delaware.

On the question "Shall amendment H—3089 be adopted?"

The ayes were, 37:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor *
Hermann	Hester	Hummel	Kremer
Lageschulte	Maulsby	McKean	Miller
Mullins	Pellett	Platt	Renken
Rensink	Royer	Schneklath	Shoning
Siegrist	Stromer	Stueland	Swartz
Swearingen	Torrence	Van Camp	Van Maanen
Welden			

The nays were, 61:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carter	Connolly	Connors
Cooper	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Lonergan	McIntee	Metcalf	Muhlbauer
Norland	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Tabor
Teaford	Varn	Woods	Zimmerman
Madam Speaker (Chapman)			

Absent or not voting, 2:

Cochran O'Kane

Amendment H—3089 lost.

Hammond of Story offered the following amendment H—3077 filed by her and moved its adoption:

H—3077

- 1 Amend House File 225 as follows:
- 2 1. Page 8, by striking lines 8 through 12 and
- 3 inserting the following: "holders of winning tickets.
- 4 After the payment of prizes, all of the following
- 5 shall be deducted from lottery revenue prior to
- 6 disbursement:

- 7 a. An amount equal to one half of one percent of
 8 the gross lottery revenue shall be deposited in a
 9 gamblers assistance fund in the office of the
 10 treasurer of state. Moneys in the fund shall be
 11 administered by the commissioner of human services and
 12 used to provide assistance and counseling to
 13 individuals and families experiencing difficulty as a
 14 result of gambling losses and to promote awareness of
 15 gamblers anonymous and similar assistance programs.
 16 b. The expenses of conducting the lottery
 17 including the reasonable expenses incurred by the
 18 attorney general's office in enforcing this chapter.
 19 Lottery agency".

Roll call was requested by Hammond of Story and Hermann of Scott.

On the question "Shall amendment H-3077 be adopted?"

The ayes were, 57:

Bennett	Black	Brammer	Branstad
Carl	Carpenter	Carter	Clark
Cochran	Corey	Daggett	De Groot
Doderer	Grandia	Gruhn	Halvorson, R. A.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hermann	Hester
Holveck	Hughes	Hummel	Johnson
Kremer	Lageschulte	Loneragan	Maulsby
McIntee	McKean	Miller	Mullins
Osterberg	Oxley	Paulin	Pellett
Platt	Renken	Rensink	Royer
Schnekloth	Shoning	Siegrist	Stromer
Stueland	Swartz	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Welden
Zimmerman			

The nays were, 41:

Arnould	Avenson	Baxter	Beatty
Blanshan	Buhr	Connolly	Connors
Cooper	Diemer	Fey	Fogarty
Groninga	Groth	Halvorson, R. N.	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Metcalf	Muhlbauer	Norland	Ollie
Parker	Pavich	Peick	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Skow	Spear	Sturgeon
Sullivan	Tabor	Varn	Woods
Madam Speaker (Chapman)			

Absent or not voting, 2:

O'Kane

Shoultz

Amendment H—3077 was adopted.

Hummel of Benton offered the following amendment H—3088 filed by Hummel, et al., and moved its adoption:

H—3088

- 1 Amend House File 225 as follows:
- 2 1. Page 8, line 14, by striking the word "four"
- 3 and inserting the following: "two".

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 47, nays 51.

Amendment H—3088 lost.

Speaker Avenson in the chair at 4:02 p.m.

The House resumed consideration of amendment H—3075B.

Rosenberg of Story moved the adoption of amendment H—3075B.

Amendment H—3075B was adopted.

Corey of Louisa offered the following amendment H—3115 filed by him and moved its adoption:

H—3115

- 1 Amend House File 225 as follows:
- 2 1. Page 9, line 22, by inserting after the word
- 3 "lottery" the following: "plus interest at fourteen
- 4 percent per annum".

Amendment H—3115 lost.

Haverland of Polk offered the following amendment H-3070 filed by him and moved its adoption:

H-3070

1 Amend House File 225 as follows:

2 1. Page 10, by striking lines 30 through 32 and
3 inserting the following:

4 "4. The Commissioner shall contract with the
5 department of human services to conduct annual studies
6 of the extent to which the lottery creates a
7 compulsive gambling problem among lottery players and
8 the impact of gambling on affected families."

Amendment H-3070 lost.

The House resumed consideration of amendment H-3075C.

Rosenberg of Story moved the adoption of amendment H-3075C.

Amendment H-3075C lost.

Osterberg of Linn offered the following amendment H-3101 filed by Osterberg, et al., and moved its adoption:

H-3101

1 Amend House File 225 as follows:

2 1. Page 12, line 32, by inserting after the word
3 "shares." the following: "A licensee's gross receipts
4 from the sale of lottery tickets or shares shall not
5 exceed fifteen percent of the gross receipts of the
6 licensee's overall business operations."

Amendment H-3101 lost.

Corey of Louisa offered the following amendment H-3104 filed by him and moved its adoption:

H-3104

1 Amend House File 225 as follows:

2 1. Page 14, line 10, by striking the word
3 "eighteen" and inserting in lieu thereof the word
4 "twenty-one."

- 5 2. Page 15, line 34, by striking the word
 6 "eighteen" and inserting in lieu thereof the word
 7 "twenty-one."
 8 3. Page 16, line 4 by striking the word
 9 "eighteen" and inserting in lieu thereof the word
 10 "twenty-one."

A non-record roll call was requested.

The ayes were 35, nays 56.

Amendment H—3104 lost.

Blanshan of Greene in the chair at 4:24 p.m.

Carter of Henry offered the following amendment H—3083 filed by Carter, et al., and moved its adoption:

H—3083

- 1 Amend House File 225 as follows:
 2 1. Page 14, by inserting after line 29 the
 3 following:
 4 "_____. The owner of the majority interest in the
 5 proposed lottery business is an Iowa resident."

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

On the question "Shall amendment H—3083 be adopted?"

The ayes were, 46:

Bennett	Branstad	Carl	Carpenter
Carter	Clark	Cochran	Corey
Daggett	De Groot	Grandia	Gruhn
Halvorson, R. A.	Hammond	Handorf	Hanson
Harbor	Hermann	Hester	Holveck
Hummel	Kremer	Lageschulte	Maulsby
McKean	Metcalf	Miller	Mullins
Osterberg	Paulin	Pellett	Platt
Renken	Rensink	Royer	Schneklath
Sherzan	Shoning	Stromer	Stueland
Swartz	Swearingen	Teaford	Torrence
Van Maanen	Welden		

The nays were, 54:

Arnould	Avenson	Baxter	Beatty
Black	Brammer	Buhr	Chapman
Connolly	Connors	Cooper	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Halvorson, R. N.	Hatch	Haverland
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Lloyd-Jones	Loneragan
McIntee	Muhlbauer	Norland	O'Kane
Ollie	Oxley	Parker	Pavich
Peick	Peterson	Poncy	Renaud
Rosenberg	Running	Shoultz	Siegrist
Skow	Spear	Sturgeon	Sullivan
Tabor	Van Camp	Varn	Woods
Zimmerman	Mr. Speaker (Blanshan)		

Absent or not voting, none.

Amendment H—3083 lost.

Hummel of Benton offered the following amendment H—3111 filed by him and moved its adoption:

H—3111

- 1 Amend House File 225 as follows:
- 2 1. Page 15, line 31, by inserting after the
- 3 word "shares." the following: "A licensee shall not
- 4 permit a person who has not yet reached eighteen
- 5 years of age to sell a lottery ticket."

Roll call was requested by Hummel of Benton and Lageschulte of Bremer.

On the question "Shall amendment H—3111 be adopted?"

The ayes were, 46:

Bennett	Brammer	Branstad	Carl
Carpenter	Clark	Corey	Daggett
De Groot	Grandia	Gruhn	Halvorson, R. A.
Hammond	Handorf	Hanson	Harbor
Hermann	Hester	Holveck	Hummel
Kremer	Lageschulte	Maulsby	McKean
Metcalf	Miller	Mullins	Paulin
Pellett	Platt	Renken	Rensink
Rosenberg	Royer	Schneklloth	Shoning
Siegrist	Spear	Stromer	Stueland
Swearingen	Teaford	Torrence	Van Camp
Van Maanen	Welden		

The nays were, 52:

Arnould	Avenson	Baxter	Beatty
Black	Buhr	Carter	Chapman
Cochran	Connolly	Connors	Cooper
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Halvorson, R. N.	Hatch
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Lloyd-Jones	Lonergan
McIntee	Muhlbauer	Norland	O'Kane
Ollie	Oxley	Parker	Pavich
Peick	Peterson	Poncy	Renaud
Running	Sherzan	Shoultz	Skow
Sturgeon	Sullivan	Swartz	Tabor
Varn	Woods	Zimmerman	Mr. Speaker (Blanshan)

Absent or not voting, 2:

Haverland Osterberg

Amendment H—3111 lost.

Van Maanen of Mahaska offered the following amendment H—3092 filed by Van Maanen, et al., and moved its adoption:

H—3092

- 1 Amend House File 225 as follows:
- 2 1. By striking page 15, line 34 through page 16,
- 3 line 1 and inserting the following: "not reached the
- 4 age of eighteen. A".
- 5 2. Page 16, by striking lines 6 and 7 and
- 6 inserting the following: "age of eighteen shall be
- 7 forfeited."
- 8 3. Page 17, line 16, by inserting after the word
- 9 "person" the following: "unless the person has not
- 10 reached the age of eighteen".

Roll call was requested by Carpenter of Polk and De Groot of Lyon.

On the question "Shall amendment H—3092 be adopted?"

The ayes were, 48:

Bennett	Branstad	Carl	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Groninga	Gruhn
Halvorson, R. A.	Hammond	Handorf	Hanson

Harbor	Haverland	Hermann	Hester
Holveck	Hummel	Kremer	Lageschulte
Maulsby	McKean	Metcalf	Miller
Mullins	Osterberg	Paulin	Pellett
Platt	Renken	Rensink	Royer
Schnekloth	Shoning	Siegrist	Spear
Stromer	Stueland	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Welden

The nays were, 51:

Arnould	Avenson	Baxter	Beatty
Black	Brammer	Buhr	Carter
Chapman	Connolly	Connors	Cooper
Doderer	Fey	Fogarty	Groth
Halvorson, R. N.	Hatch	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Loneragan	McIntee	Muhlbauer
Norland	O'Kane	Ollie	Oxley
Parker	Pavich	Peick	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Sturgeon
Sullivan	Swartz	Tabor	Varn
Woods	Zimmerman	Mr. Speaker (Blanshan)	

Absent or not voting, 1:

Cochran

Amendment H—3092 lost.

Speaker Avenson in the chair at 4:53 p.m.

Haverland of Polk asked and received unanimous consent to withdraw amendment H—3100 filed by him on February 12, 1985.

Hummel of Benton offered the following amendment H—3087 filed by him and Siegrist of Pottawattamie and moved its adoption:

H—3087

- 1 Amend House File 225 as follows:
- 2 1. Page 16, line 5, by inserting after the word
- 3 "misdemeanor." the following: "In addition the
- 4 license of a licensee shall be suspended."

Amendment H—3087 was adopted.

Swartz of Marshall offered the following amendment H—3097 filed by him:

H—3097

1 Amend House File 225 as follows:
 2 1. Page 18, by inserting after line 24 the
 3 following:
 4 "Sec._____. Chapter 422, Code 1985, is amended by
 5 adding the following new sections as a separate
 6 division:
 7 NEW SECTION. TAX IMPOSED. In addition to the tax,
 8 if any, imposed under division IV, a ten percent Iowa
 9 lottery ticket tax is imposed on the gross receipts
 10 from the sale of an Iowa lottery ticket, as defined in
 11 section 99E.2. The gross receipts, for purposes of
 12 determining the amount of the tax, do not include the
 13 amount of the tax, if any, imposed under division IV.
 14 NEW SECTION. ADMINISTRATION. The director of
 15 revenue shall administer the Iowa lottery ticket tax
 16 as nearly as possible in conjunction with the
 17 administration of the state retail sales tax under
 18 division IV. The director shall provide appropriate
 19 forms, or provide on the regular state tax forms, for
 20 reporting the tax liability. The director shall
 21 collect and account for the tax and shall credit all
 22 revenues, including penalty and interest, to the Iowa
 23 general fund. No tax permit other than the state tax
 24 permit under section 422.53 is required.
 25 The tax is in addition to any state retail sales
 26 tax imposed under division IV. The provisions of
 27 sections 422.25, subsection 4, 422.30, 422.48 to
 28 422.52, 422.54 to 422.58, 422.67, 422.68, 422.69,
 29 subsection 1, and 422.70 to 422.75, consistent with
 30 this division, apply with respect to the taxes
 31 authorized under this division, in the same manner and
 32 with the same effect as if the taxes were retail sales
 33 taxes within the meaning of those statutes."
 34 2. Title page, line 2, by inserting after the
 35 word "penalties," the following: "imposing a tax on
 36 the gross receipts from sale of lottery tickets,"

Connolly of Dubuque rose on a point of order that amendment H—3097 was not germane.

The Speaker ruled the point well taken and amendment H—3097 not germane.

Hummel of Benton asked and received unanimous consent to withdraw amendment H—3093 filed by him on February 12, 1985.

Corey of Louisa offered the following amendment H-3094 filed by him and moved its adoption:

H-3094

- 1 Amend House File 225 as follows:
- 2 1. Page 19, line 34, by striking the word
- 3 "board," and inserting in lieu thereof the following:
- 4 "board, unless the lottery is continued by a majority
- 5 vote of the people in a statewide referendum."

Amendment H-3094 lost.

Varn of Johnson asked and received unanimous consent to temporarily defer action on amendment H-3106.

Norland of Worth asked and received unanimous consent to take up out of order for immediate consideration amendment H-3108.

Halvorson of Clayton offered the following amendment H-3108 filed by him:

H-3108

- 1 Amend House File 225 as follows:
- 2 1. Page 4, by striking lines 10 through 16 and
- 3 inserting the following:
- 4 "2. Subject to the approval of the board, the
- 5 commissioner may directly solicit proposals or enter
- 6 into contracts for the purchase, lease or other
- 7 procurements of goods and services necessary to
- 8 conduct complete lottery operations. The commissioner
- 9 may not contract with any private party or
- 10 nongovernmental entity for the operation and
- 11 administration of the lottery. However, this
- 12 subsection does not preclude procurements which
- 13 integrate functions such as lottery game design,
- 14 supplies of goods and services, and advertising. In
- 15 awarding contracts in response to the solicitation for
- 16 proposals, the commissioner shall award the contracts
- 17 to the responsible vendor submitting the lowest and
- 18 best proposal which maximizes the revenues to the
- 19 state in relation to cost in the areas of security,
- 20 competence, quality of product, experience, timely
- 21 performance, and maximization of net revenues to the
- 22 state. The commissioner may engage an independent
- 23 firm experienced in evaluating government procurement
- 24 proposals to aid in the evaluation of proposals

25 submitted to the commissioner. Before awarding a
 26 contract the board shall require the following
 27 disclosures and authorizations:

28 a. A disclosure consisting of financial statements
 29 and verified statements of sources of income in excess
 30 of one thousand dollars for each person exercising
 31 control over the person who is expected to be awarded
 32 the contract.

33 b. A disclosure consisting of the individual
 34 federal and state income tax returns for the past
 35 three years for each person exercising control over
 36 the person who is expected to be awarded the contract.

37 c. A signed authorization by each person
 38 exercising control over the person who is expected to
 39 be awarded the contract permitting the director of the
 40 security and licensing division of the lottery agency
 41 to conduct a background investigation of the person.

42 Paragraphs "a", "b", and "c" shall not apply to
 43 outside directors of publicly-traded corporations with
 44 revenues in excess of one billion dollars. The
 45 information obtained pursuant to paragraphs "a", "b",
 46 and "c" shall be confidential.

47 A contract awarded or entered into by the
 48 commissioner shall not be assigned by the contract
 49 holder except upon the written approval of the board."

Woods of Polk offered the following amendment H-3129, to amendment H-3108, filed from the floor by Woods, Doderer, McIntee and Swartz and moved its adoption:

H-3129

1 Amend House amendment H-3108 to House File 225 as
 2 follows:

3 1. Page 1, by striking lines 8 through 49 and
 4 inserting the following: "conduct complete lottery
 5 operations. All contracts, except those for goods,
 6 equipment, materials and services common to the
 7 operation of any state agency, entered into by the
 8 commissioner shall be as the result of competitive
 9 bidding with the contract being awarded to the
 10 responsible vendor submitting the lowest and best
 11 proposal. However, before a contract is awarded, the
 12 division of criminal investigation of the department
 13 of public safety shall conduct a thorough background
 14 investigation of the vendor, any parent or subsidiary
 15 corporation of the vendor, all shareholders of five
 16 percent or more interest of the vendor or parent or
 17 subsidiary corporation of the vendor, and all officers
 18 and directors of the vendor or parent or subsidiary

19 corporation of the vendor to whom the contract is to
20 be awarded. The vendor shall submit to the division
21 of criminal investigation appropriate investigation
22 authorizations to facilitate this investigation.
23 _____. Page 18, by inserting after line 34 the
24 following:
25 "Sec. _____. Section 692.2, subsection 1, Code 1985,
26 is amended by adding the following new lettered
27 paragraph:
28 NEW LETTERED PARAGRAPH. e. The state lottery
29 agency for purposes of section 99E.9, subsection 2."
30 2. Renumber as necessary.

Amendment H-3129 was adopted.

On motion by Halvorson of Clayton amendment H-3108, as amended, was adopted, placing out of order amendments H-3123 and H-3124 (both to amendment H-3071) and lines 9 through 12 of amendment H-3071, all previously adopted.

Norland of Worth asked and received unanimous consent to take up out of order for their immediate consideration the following amendments: H-3078, H-3080, H-3099, H-3079 and H-3098.

The following amendments were withdrawn by unanimous consent:

H-3078 filed by Doderer of Johnson on February 12, 1985.
H-3080 filed by Woods of Polk on February 12, 1985.
H-3099 filed by Woods of Polk on February 12, 1985.
H-3098 filed by Woods of Polk on February 12, 1985.
H-3079 filed by Swartz of Marshall on February 12, 1985.

Hanson of Delaware asked and received unanimous consent to withdraw amendment H-3091 filed by him on February 12, 1985.

Renaud of Polk in the chair at 5:19 p.m.

Harbor of Mills offered the following amendment H-3081 filed by Harbor, et al.:

H-3081

- 1 Amend House File 225 as follows:
- 2 1. Page 20, by striking lines 30 through 33.
- 3 2. Page 29, by striking lines 4 through 7.
- 4 3. By renumbering as necessary.

Speaker Avenson in the chair at 5:22 p.m.

Harbor of Mills moved the adoption of amendment H—3081.

Amendment H—3081 lost.

Schneklath of Scott offered the following amendment H—3067 filed by him:

H—3067

- 1 Amend House File 225 as follows:
- 2 1. Page 21, by inserting after line 2 the
- 3 following:
- 4 "f. SBA loan participation program."
- 5 2. Page 21, line 3, by striking the word "Only"
- 6 and inserting the following: "Except for paragraph
- 7 "f", only".
- 8 3. Page 21, by inserting after line 20, the
- 9 following:
- 10 "The commission shall establish an SBA loan
- 11 participation program. This program shall allow for
- 12 the purchase by the commission of up to ninety percent
- 13 participation in loans made by financial institutions
- 14 in this state to small businesses which loans have
- 15 been guaranteed by the United States small business
- 16 administration. Before participating in any loan, the
- 17 commission shall enter into an agreement with the
- 18 financial institution on the interest rate that will
- 19 be applied to the state's participation and that this
- 20 rate will be passed on to the borrower. The
- 21 commission shall establish rules for the program which
- 22 may include, but not be limited to, the amount in
- 23 dollars of the state's participation in any loan, the
- 24 type and size of the small business eligible, the
- 25 number of new jobs as a result of a loan, and a risk
- 26 rating system which, if set up, shall be done so in
- 27 conjunction with banks familiar with these types of
- 28 loans."
- 29 4. Page 29, by inserting after line 11, the
- 30 following:
- 31 "f. SBA loan participation program."

The following amendment H—3130, to amendment H—3067, filed by Schneklath of Scott from the floor, was adopted by unanimous consent:

H-3130.

- 1 Amend amendment H-3067 to page 21 of House File
- 2 225 as follows:
- 3 1. Page 1, line 10, by striking the word "shall"
- 4 and inserting the word "may".
- 5 2. Page 1, line 17, by striking the word "shall"
- 6 and inserting the word "may".
- 7 3. Page 1, line 21, by striking the word "shall"
- 8 and inserting the word "may".

On motion by Schneklath of Scott, amendment H-3067, as amended, was adopted.

Connolly of Dubuque offered the following amendment H-3076 filed by him and moved its adoption:

H-3076

- 1 Amend House File 225 as follows:
- 2 1. Page 21, lines 27 and 28, by striking the
- 3 words "four million two hundred fifty thousand
- 4 (4,250,000)" and inserting the following: "three
- 5 million seven hundred fifty thousand (3,750,000)".
- 6 2. Page 22, line 20, by striking the words "five
- 7 hundred thousand (500,000)" and inserting the
- 8 following: "one million (1,000,000)".

A non-record roll call was requested.

The ayes were 62, nays 29.

Amendment H-3076 was adopted.

Schneklath of Scott offered the following amendment H-3064 filed by him and Black of Jasper and moved its adoption:

H-3064

- 1 Amend House File 225 as follows:
- 2 1. Page 22, lines 7 and 8, by striking the words
- 3 "or local funds" and inserting the following: "funds
- 4 or with any available federal or local funds in the
- 5 case of grants-in-aid to county conservation boards."

Amendment H-3064 was adopted.

Norland of Worth asked and received unanimous consent that House File 225 be deferred and that the bill retain its place on the calendar.

REREFERRED TO COMMITTEE ON AGRICULTURE
(House File 171)

The Speaker announced that House File 171, previously referred to, the committee on **natural resources and outdoor recreation**, was rereferred to the committee on **agriculture**.

SPONSOR ADDED
(House File 275)

Van Maanen of Mahaska requested to be added as a sponsor of House File 275.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 235 Human Resources

Creating the elderly housing program within the commission on the aging, requiring the commission to establish certain housing pilot projects and social and health services programs, amending certain zoning ordinances in counties and cities, and making an appropriation.

S.B. 236 Economic Development

To establish the Iowa community cultural grants program within the office for planning and programming.

S.B. 237 Judiciary and Law Enforcement

Relating to the authority of the court to issue administrative search warrants to government agencies having the statutory authority to conduct inspections.

S.B. 238 Judiciary and Law Enforcement

Relating to the use of intoxicating beverages and providing penalties.

S.B. 239 Judiciary and Law Enforcement

Making corrections and other changes relating to court reorganization, court fees, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures.

S.B. 240 State Government

Relating to the financing of political campaigns and the reporting of that financing.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly Study Bill 216), creating an Iowa economic protective authority and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 12, 1985.

COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Committee Bill (Formerly Study Bill 12), requiring the state building code commissioner to adopt a minimum energy consumption standard for new residential construction and requiring periodic updating of the standard.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 12, 1985.

Committee Bill (Formerly Study Bill 71), relating to membership on the interagency coordinating council on radiation safety.

Fiscal Note is not required.

Recommended **Do Pass** February 12, 1985.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly Study Bill 133), to provide that demolition contracts are public improvements.

Fiscal Note is not required.

Recommended **Do Pass** February 12, 1985.

Committee Bill (Formerly Study Bill 195), relating to the imposition of a local option income surtax, vehicle tax, and sales and services tax by a city or county and providing for penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 12, 1985.

COMMITTEE ON STATE GOVERNMENT

House Joint Resolution 1, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to members of congress until an intervening election of representatives has occurred.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3119**, February 12, 1985.

House File 63, a bill for an act striking the requirement that notaries public be bonded.

Fiscal Note is not required.

Recommended **Do Pass** February 12, 1985.

House File 102, a bill for an act relating to smoking in public places and public meetings and applying penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3118**, February 12, 1985.

RESOLUTIONS FILED

HCR 10, by Baxter and Diemer, a resolution emphasizing the importance of the arts to a complete education.

Referred to committee on **education**.

HCR 11, by Poncey, Renken, Sherzan, Running, Sullivan, Van Camp, Groninga and Connolly, a concurrent resolution relating to American POW's and MIA's.

Laid over under **Rule 25**.

HR 7, by committee on ethics, a resolution relating to the code of ethics of the house of representatives.

Laid over under **Rule 25**.

HR 8, by committee on ethics, a resolution relating to the rules for lobbyists in the house of representatives.

Laid over under **Rule 25**.

HR 9, by Teaford, Peick, Clark, Brammer, Buhr, Carpenter, Shoultz, Spear, Mullins, Doderer, Carl, Lloyd-Jones, Chapman, Hammond and Connolly, a resolution commemorating the anniversary of the founding of the League of Women Voters.

Laid over under **Rule 25**.

HR 10, by committee on natural resources and outdoor recreation, a resolution to request the Iowa Congressional Delegation to provide wildlife food plots under the federal 1985 farm program.

Laid over under **Rule 25**.

SCR 11, by committee on transportation, a concurrent resolution relating to public transportation.

Referred to committee on **transportation**.

SCR 12, by committee on education, a concurrent resolution relating to creating a research, dissemination, and development process for meeting certain educational needs.

Referred to committee on **education**.

AMENDMENTS FILED

H-3117

H.F. 265

Renken of Grundy

H-3118	H.F.	102	Committee on State Government
H-3119	H.J.R.	1	Committee on State Government
H-3121	H.F.	225	Varn of Johnson
H-3125	H.F.	225	Bennett of Ida De Groot of Lyon Pellett of Cass
H-3126	H.F.	30	Hatch of Polk
H-3127	H.F.	210	Groth of Buena Vista
H-3128	H.F.	266	Paulin of Plymouth
H-3131	H.F.	225	Rosenberg of Story
H-3132	H.F.	225	Hanson of Delaware
H-3133	H.F.	225	Swartz of Marshall Connolly of Dubuque
H-3134	H.F.	225	Rosenberg of Story
H-3135	H.F.	225	Hanson of Delaware
H-3136	H.F.	225	Hanson of Delaware

On motion by Norland of Worth, the House adjourned at 5:42 p.m., until 9:00 a.m., Thursday, February 14, 1985.

JOURNAL OF THE HOUSE

Thirty-second Calendar Day—Twenty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 14, 1985

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

Prayer was offered by Reverend Earl Deugan, pastor of the First Baptist Church, Eldora.

The Journal of Wednesday, February 13, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Stanton Danielson, M.D., Des Moines.

PETITIONS FILED

The following petitions were received and placed on file opposing House File 225, regarding the state lottery:

By Beatty of Warren, from one hundred fifteen constituents of District 68:

By Corey of Louisa, from one hundred twenty-eight constituents of the 55th District.

By Grandia of Marion, from seven thousand six hundred ninety-five constituents of the 69th District.

By Kremer of Buchanan, from sixty-four constituents.

By Rensink of Sioux, from two hundred seventy-four constituents of the 6th District.

By Royer of Page, from twenty constituents of the 93rd District.

The following petitions were received and placed on file:

By Shoning of Woodbury, from eighteen residents favoring Study Bill 26, supporting the efforts to update Iowa adoption laws.

By Sullivan of Van Buren, from fifty-two citizens of Keokuk opposing the use of the IPERS Funds for funding any other project but the pension for which it was intended.

INTRODUCTION OF BILLS

House File 308, by committee on human resources, a bill for an act relating to clinical privileges of certain licensed practitioners.

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

House File 309, by committee on transportation, a bill for an act prohibiting a motor vehicle from blocking access to a handicapped parking space or from parking in front of a curb cut or ramp and providing penalties.

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

House File 310, by committee on human resources, a bill for an act requiring certain persons to report suspected dependent adult abuse to the department of human services.

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

House File 311, by committee on local government, a bill for an act to provide that demolition contracts are public improvements.

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

House File 312, by Torrence, a bill for an act relating to registration plates for antiquated motorcycles.

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

House File 313, by Baxter, a bill for an act relating to locations where fur dealers may conduct business.

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

House File 314, by Parker, a bill for an act increasing the time a state bank may hold repossessed real property and relating to the holding and valuation of repossessed real property by a state bank.

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

House File 315, by Arnould, a bill for an act relating to drug product selection.

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

House File 316, by Hester, a bill for an act relating to the political party registration of a candidate nominated by petition.

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

House File 317, by Hanson, Miller, Harbor, McIntee, Renken, Bennett, Diemer, Halvorson of Clayton, Stromer, Metcalf, Branstad and Handorf, a bill for an act allowing the assets of insurance companies, state banks, state savings banks, and state savings and loan associations to be invested in venture capital firms making investments in small businesses in the state.

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

House File 318, by Hanson, a bill for an act prohibiting the possession or use of the explosive nitroglycerin and providing a penalty.

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

House File 319, by Holveck and Clark, a bill for an act relating to accrued interest from certain gifts received by the commission for the blind.

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

House File 320, by McKean, a bill for an act to establish the Iowa community cultural grants program within the office for planning and programming.

Read first time and referred to committee on **economic development**.

House File 321, by Connolly, a bill for an act prohibiting the treasurer of state from purchasing a security issued by or depositing money in a financial institution participating in loans to

the Republic of South Africa, prohibiting funds of the Iowa public employees' retirement system or institutions controlled by the state board of regents from being invested or deposited in financial institutions or companies which invest in or do business in or with the Republic of South Africa, providing for divesture of the investments, providing for civil penalties, and providing an effective date.

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

SENATE MESSAGES CONSIDERED

Senate File 35, by Priebe, a bill for an act relating to animal waste water pollution by providing for an animal waste grant program, and requiring certain earthen manure storage facilities to meet technical standards.

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

Senate File 55, by Tieden and Priebe, a bill for an act relating to fur harvester and hunting licenses and providing an effective date by publication.

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

Senate File 90, by Lind, a bill for an act to prohibit adverse personnel actions against state employees based upon the employees' declining to participate in contributions or donations to charitable or community organizations.

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

Senate File 103, by Hultman, a bill for an act authorizing the board of supervisors to sell or lease a county hospital for use as a private hospital with voter approval.

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

Senate File 112, by committee on state government, a bill for an act to allow a person who is an instructor or proprietor at a licensed school of cosmetology to serve on the board of cosmetology examiners.

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

Senate File 154, by committee on state government, a bill for an act relating to the duties of the secretary for the state board of engineering examiners.

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

On motion by Norland of Worth, the House was recessed at 9:21 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-two members present, twenty-eight absent.

ADOPTION OF HOUSE RESOLUTION 9

Norland of Worth asked and received unanimous consent for the immediate consideration of House Resolution 9, commemorating the anniversary of the founding of the League of Women Voters.

Teaford of Black Hawk moved the adoption of the resolution.

The motion prevailed and the resolution was adopted.

HOUSE FILE 210 DEFERRED

Norland of Worth asked and received unanimous consent that House File 210 be deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS

Regular Calendar

The House resumed consideration of **House File 225**, a bill for an act relating to economic development by creating a five-year

state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date.

Swartz of Marshall offered the following amendment H—3133 filed by him and Connolly of Dubuque and moved its adoption:

H—3133

- 1 Amend House File 225, as follows:
- 2 1. Page 4, by inserting before line 17 the
- 3 following: "A contract awarded or entered into by the
- 4 commissioner with any individual or business
- 5 organization to operate or market the lottery shall
- 6 require that individual or business organization to
- 7 establish a permanent office in this state."

Amendment H—3133 was adopted.

The House stood at ease at 1:14 p.m., until the fall of the gavel.

The House resumed session and consideration of **House File 225** at 2:35 p.m., Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Miller of Cherokee, for the remainder of the day and February 15, on request of De Groot of Lyon.

Hanson of Delaware asked and received unanimous consent to withdraw amendment H-3132 filed by him on February 13, 1985.

McKean of Jones offered the following amendment H-3105 filed by McKean, et al.:

H-3105

- 1 Amend House File 225 as follows:
- 2 1. Page 22, by striking lines 9 through 15 and
- 3 inserting the following:
- 4 "b. To the surplus account the sum of nine million
- 5 two hundred fifty thousand (9,250,000) dollars."
- 6 2. Page 29, by striking lines 24 through 26.
- 7 3. By striking page 36, line 20 through page 39,
- 8 line 17.
- 9 4. Title page, by striking lines 13 through 17.

Tabor of Jackson in the chair at 2:50 p.m.

Speaker Avenson in the chair at 3:03 p.m.

McKean of Jones moved the adoption of amendment H-3105.

Roll call was requested by McKean of Jones and Halvorson of Clayton.

On the question "Shall amendment H-3105 be adopted?"

The ayes were, 40:

Brammer	Chapman	Clark	Cooper
Corey	Daggett	De Groot	Fogarty
Grandia	Handorf	Hanson	Hermann
Hummel	Johnson	Knapp	Kremer
Lageschulte	Loneragan	McKean	Muhlbauer
Mullins	Ollie	Osterberg	Oxley
Peick	Platt	Poncy	Renken
Rosenberg	Running	Schneklath	Skow

Spear	Stueland	Sturgeon	Swearingen
Torrence	Van Camp	Van Maanen	Welden

The nays were, 58:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Cochran
Connolly	Connors	Diemer	Doderer
Fey	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Jay	Jochum	Koenigs
Lloyd-Jones	Maulsby	McIntee	Metcalf
Norland	Parker	Paulin	Pavich
Pellet	Peterson	Renaud	Rensink
Royer	Sherzan	Shoning	Shoultz
Siegrist	Stromer	Sullivan	Swartz
Tabor	Teafor	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 2:

Miller	O'Kane
--------	--------

Amendment H — 3105 lost.

Skow of Guthrie offered the following amendment H — 3110 filed by him:

H—3110

1 Amend House File 225 as follows:

2 1. Page 22, by striking lines 9 through 15 and
3 inserting the following:

4 "b. To the state general fund the sum of nine
5 million two hundred fifty thousand (9,250,000) dollars
6 to fund the repeal of the state sales tax on the
7 purchase and repair of new and used farm machinery and
8 equipment pursuant to division X of this Act."

9 2. Page 29, by striking lines 24 through 26 and
10 inserting the following:

11 "b. To the state general fund to fund the repeal
12 of the state sales tax on the purchase and repair of
13 new and used farm machinery and equipment pursuant to
14 division X of this Act."

15 3. Page 48, by inserting after line 15 the
16 following:

17 "DIVISION X

18 Sec. 1001. Section 422.45, Code 1985, is amended

19 by adding the following new subsection:

20 NEW SUBSECTION. Effective July 1, 1985, the gross
21 receipts from the sale or repair of new and used farm
22 machinery and equipment, including replaceable parts,
23 all of which are depreciable for state and federal
24 income tax purposes."

25 4. Title page, line 23, by inserting after the \\
26 word "circumstances;" the following: "providing for
27 the repeal of the state sales tax on the purchase and
28 repair of new and used farm machinery and equipment;".

Skow of Guthrie offered the following amendment H-3144, to amendment H-3110, filed by him from the floor and moved its adoption:

H-3144

1. Amend amendment H-3110 to House File 225 as
2 follows:

3 1. Page 1, by striking lines 18 through 28 and
4 inserting the following:

5 "Sec. 1001. Chapter 422, division IV, Code 1985,
6 is amended by adding the following new sections.

7 NEW SECTION. 422.47A

8 Sales, services, and use tax paid on purchases of
9 farm machinery and equipment, including replacement
10 parts which are depreciable for state and federal
11 income tax purposes, shall be refunded to the
12 purchaser provided all of the following conditions are
13 met:

14 a. The tax shall have been collected and timely
15 paid by the retailer, or timely paid to the department
16 by the user if section 423.14, is applicable.

17 b. The farm machinery and equipment shall be
18 directly and primarily used in production of
19 agricultural products.

20 c. The farm machinery and equipment shall
21 constitute self-propelled implements or implements
22 customarily drawn or attached to self-propelled
23 implements.

24 Any use tax paid on vehicles subject to
25 registration, as defined in section 423.1, or sales or
26 use tax paid on purchases of replacement parts for
27 such vehicles, shall not be eligible for refund.

28 NEW SECTION. 422.47B

29 Annual claims for refund of taxes made pursuant to
30 section 422.47A shall be filed with the department
31 within three months following the end of the prior
32 fiscal year ending June 30. The claim is limited to
33 tax collected during the prior fiscal year by the

34 retailer, or if the provisions of section 423.14 are
35 applicable, to tax timely paid during the prior fiscal
36 year to the department. The claim shall be considered
37 a return.

38 Refunds made pursuant to section 422.47A shall be
39 paid from the Iowa plan fund for economic development
40 created in section 99E.10. There is appropriated from
41 that fund for the fiscal year beginning July 1, 1985
42 and ending June 30, 1986 and each year thereafter to
43 the office of the state comptroller moneys not
44 otherwise appropriated to carry out this section. If,
45 for any fiscal year the amount is insufficient to pay
46 in full the amounts claimed for refund of sales,
47 services, and use taxes paid during a fiscal year,
48 then the amount of each claim for refund shall be
49 reduced by the same percentage, so that the aggregate
50 amount of all claims for refund so reduced shall be

Page 2

1 equal to the amount appropriated in the fund for
2 payment.

3 Annually, the director of revenue shall certify and
4 forward to the state comptroller the amount of refund
5 which each taxpayer is entitled to receive under this
6 section.

7 Sec. 1002. This division is effective July 1, 1985
8 for purchases made on or after that date."

9 2. Title page, line 23, by inserting after the
10 word "circumstances;" the following: "providing for
11 the refund of the sales, services, and use tax paid on
12 the purchase of farm machinery and equipment;"

Amendment H—3144 was adopted.

Skow of Guthrie moved the adoption of amendment H—3110, as amended.

A non-record roll call was requested.

Rule 76 was invoked.

The ayes were 42, nays 56.

Amendment H—3110, as amended, lost.

Skow of Guthrie offered the following amendment H—3113 filed by him:

H-3113

1 Amend House File 225 as follows:

2 1. Page 22, by striking lines 9 through 15 and
3 inserting the following:

4 "b. To the Iowa economic protective authority as
5 identified in division VIII of this Act the sum of
6 nine million two hundred fifty thousand (9,250,000)
7 dollars to fund the program outlined in division
8 VIII."

9 2. Page 29, by striking lines 24 through 26 and
10 inserting the following:

11 "b. To the Iowa economic protective authority as
12 identified in division VIII of this Act for the
13 purposes specified in section 201, subsection 3,
14 paragraph "b" of this Act."

15 3. Page 48, by inserting after line 15 the
16 following:

17 "DIVISION VIII

18 "Sec. 801. NEW SECTION. 175A.1 LEGISLATIVE
19 FINDINGS - PURPOSE.

20 The general assembly finds and declares as follows:

21 1. The establishment of the authority is in all
22 respects for the benefit of the people of the state of
23 Iowa, for the improvement of their health and welfare
24 and for the promotion of the economy, which are public
25 purposes.

26 2. The authority will be performing an essential
27 governmental function in the exercise of the powers
28 and duties conferred upon it by this chapter.

29 3. There exists a serious problem in this state
30 regarding the ability of farmers to obtain adequate
31 affordable farm operating loans.

32 4. A principal pursuit of the inhabitants of this
33 state is agricultural production. Many other indus-
34 tries and pursuits are wholly dependent upon
35 agricultural production. The state is one vast
36 fertile plain, with the majority of its land
37 susceptible of successful and profitable cultivation
38 and livestock production.

39 5. The inability of farmers to obtain adequate af-
40 fordable farm operating loans is conducive to economic
41 decline and poverty and impairs the economic value of
42 vast areas of the state, which are characterized by
43 depreciated values, impaired investments, and reduced
44 capacity to pay taxes.

45 6. These conditions result in a loss of population
46 and further economic deterioration, accompanied by
47 added costs to communities for creation of new public
48 facilities and services.

49 7. A major cause of the unavailability of adequate
50 affordable farm operating loans is the unstable

Page 2

1 economic condition of the state, due in part to
2 unanticipated high interest rates.

3 8. A stable economic condition is necessary to
4 encourage and facilitate the availability of adequate
5 affordable farm operating loans, and it is necessary
6 to create a state economic protective authority to
7 administer programs to stabilize the economic
8 condition.

9 9. The public purpose of this chapter is to
10 maximize the agricultural economic potential of the
11 state and to thereby stabilize the economic condition
12 of the state.

13 Sec. 802. NEW SECTION. 175A.2 DEFINITIONS.

14 As used in this chapter, unless the context
15 otherwise requires:

16 1. "Authority" means the Iowa economic protective
17 authority established in section 175A.3.

18 2. "Lending institution" means a bank, trust
19 company, mortgage company, national banking
20 association, production credit association, savings
21 and loan association, or other financial institutions
22 or entities authorized to make farm operating loans.

23 3. "Farm operating loan" means a loan made after
24 the effective date of this Act by a lending
25 institution to a borrower in an amount sufficient to
26 enable the borrower to pay the reasonably necessary
27 expenses and cash flow requirements of agricultural
28 production.

29 4. "Agricultural production" includes the
30 planting, cultivation, harvesting, and marketing of
31 agricultural crops, the feeding, sheltering, provision
32 of veterinary care, and marketing of livestock, and
33 other activities designated by the authority by rules
34 subject to chapter 17A.

35 5. "Cash flow requirements" include but is not
36 limited to the availability of money adequate to
37 provide for obligations which become due during the
38 term of the farm operating loan for operating
39 expenses, family living expenses, principal and
40 interest installments on agricultural loans, and rent.

41 Sec. 803. NEW SECTION. 175A.3 ESTABLISHMENT OF
42 AUTHORITY.

43 1. The Iowa economic protective authority is
44 established and constituted a public instrumentality
45 and agency of the state exercising public and
46 essential governmental functions. The authority is
47 established to undertake programs which provide
48 assistance for agricultural production and other
49 programs the authority deems necessary to carry out
50 the purpose identified in section 175A.1. The powers

Page 3

1 of the authority are vested in and exercised by a
2 board of seven members consisting of the executive
3 director, appointed pursuant to section 175A.4, and
4 six members appointed pursuant to this subsection by
5 the governor subject to confirmation by the senate.
6 The governor shall appoint one member from each Iowa
7 congressional district. No more than three members
8 appointed pursuant to this subsection shall belong to
9 the same political party. As far as possible the
10 governor shall include within the membership persons
11 who represent lending institutions experienced in
12 agricultural lending, agricultural suppliers, farmers,
13 average citizens, and other persons specially
14 interested in the availability of funds for farm
15 operating loans.

16 2. The members of the authority appointed pursuant
17 to subsection 1 shall serve terms of six years, except
18 that, of first appointments, two members shall be
19 appointed for terms of two years and three membrs
20 shall be appointed for terms of four years. A person
21 appointed to fill a vacancy shall serve only for the
22 unexpired portion of the term. A member is eligible
23 for reappointment. A member of the authority
24 appointed pursuant to subsection 1 may be removed from
25 office by the governor for misfeasance, malfeasance or
26 willful neglect of duty or other just cause, after
27 notice and hearing, unless the notice and hearing is
28 expressly waived in writing. A member of the
29 authority appointed pursuant to subsection 1 may also
30 serve as a member of the Iowa housing finance
31 authority or the Iowa family farm development
32 authority.

33 3. Four members of the authority constitute a
34 quorum and the affirmative vote of a majority of the
35 members is necessary for substantive action to be
36 taken by the authority. The majority shall not
37 include a member who has a conflict of interest and a
38 statement by a member of a conflict of interest is
39 conclusive for this purpose. A vacancy in the
40 membership does not impair the right of a quorum to
41 exercise all rights and perform all duties of the
42 authority.

43 4. The members of the authority appointed pursuant
44 to subsection 1 are entitled to receive forty dollars
45 per diem for each day spent in performance of duties
46 as members, and shall be reimbursed for all actual and
47 necessary expenses incurred in the performance of
48 duties as members.

49 5. The members of the authority appointed pursuant
50 to subsection 1 and the executive director shall give

Page 4

1 bond as required for public officers in chapter 64.

2 6. Meetings of the authority shall be held at the
3 call of the chairperson or when two members so
4 request.

5 7. The members appointed pursuant to subsection 1
6 shall elect a chairperson and vice chairperson
7 annually, and other officers as they determine, but
8 the executive director, appointed pursuant to section
9 175A.5, is a member of the board and shall serve as
10 secretary to the authority.

11 8. The net earnings of the authority, beyond those
12 necessary to implement the public purposes and
13 programs authorized, shall not inure to the benefit of
14 a person other than the state. Upon termination of
15 the existence of the authority, title to all property
16 owned by the authority including any net earnings
17 shall vest in the state.

18 Sec. 804. NEW SECTION. 175A.4 ADVISORY PANEL.

19 The state comptroller or the comptroller's
20 designee, the treasurer of state or the treasurer's
21 designee, the executive director of the family farm
22 development authority or the director's designee, and
23 the superintendent of banking or the superintendent's
24 designee are constituted as an advisory panel to the
25 authority. The panel shall provide advice and
26 assistance to the authority in the performance of the
27 authority's functions, but shall not vote in board
28 decisions.

29 Sec. 805. NEW SECTION. 175A.5 EXECUTIVE DIRECTOR
30 — STAFF.

31 1. The governor, subject to confirmation by the
32 senate, shall appoint an executive director of the
33 authority, who shall serve at the pleasure of the
34 governor. The executive director shall be selected
35 primarily for administrative ability and knowledge in
36 the field, without regard to political affiliation.
37 The executive director shall not, directly or
38 indirectly, exert influence to induce other officers
39 or employees of the state to adopt a political view,
40 or to favor a political candidate for office.

41 2. The executive director is a voting member of
42 the board, and shall also advise the authority on
43 matters relating to agricultural finance, carry out
44 all directives from the authority, and hire and
45 supervise the authority's staff pursuant to its
46 directions and under chapter 19A, except that
47 principal administrative assistants with
48 responsibilities in farm operating loan programs,
49 accounting, and processing of applications for
50 interest reduction are exempt from that chapter.

Page 5

1 3. The executive director, as secretary of the
2 authority, shall be custodian of all books, documents
3 and papers filed with the authority and of its minute
4 book and seal. The executive director may cause to be
5 made copies of all minutes and other records and
6 documents of the authority and give certificates under
7 the seal of the authority to the effect that the
8 copies are true copies and all persons dealing with
9 the authority may rely upon the certificates.

10 Sec. 806. NEW SECTION. 175A.6 GENERAL POWERS.

11 The authority has all of the general powers needed
12 to carry out its purposes and duties, and to exercise
13 its specific powers, including but not limited to the
14 power to:

15 1. Sue and be sued in its own name.

16 2. Have and alter a corporate seal.

17 3. Make and alter bylaws for its management
18 consistent with this chapter.

19 4. Make and execute agreements, contracts and
20 other instruments, with any public or private entity,
21 including but not limited to, any federal governmental
22 agency or instrumentality. The authority may make and
23 execute contracts with a firm of independent certified
24 public accountants to prepare an annual report on
25 behalf of the authority. All political subdivisions,
26 other public agencies and state agencies may enter
27 into contracts and otherwise cooperate with the
28 authority.

29 5. Procure insurance against any loss in
30 connection with its operations.

31 6. Accept appropriations, gifts, grants, loans, or
32 other aid from public or private entities. A record
33 of all gifts or grants, stating the type, amount and
34 donor, shall be clearly set out in the authority's
35 annual report along with the record of other receipts.

36 7. Provide to public and private entities
37 technical assistance and counseling related to the
38 authority's purposes.

39 8. In cooperation with other local, state or
40 federal governmental agencies or instrumentalities,
41 conduct studies of farm operational expense needs, and
42 gather and compile data useful to facilitate decision
43 making.

44 9. Facilitate and encourage the maximized use of
45 available federal farm aid.

46 10. Contract with attorneys, accountants, finance
47 experts, and other advisors or enter into contracts or
48 agreements for these services with local, state or
49 federal governmental agencies.

50 11. Make, alter and repeal rules consistent with

Page 6

1 this chapter and subject to chapter 17A.

2 Sec. 807. NEW SECTION. 175A.7 ANNUAL REPORT.

3 1. The authority shall submit to the governor and
4 to the members of the general assembly who request it,
5 not later than January 15 of each year, a complete and
6 economically designed and reproduced report setting
7 forth:

8 a. Its operations and accomplishments.

9 b. Its receipts and expenditures during the fiscal
10 year, in accordance with the classifications it
11 establishes for its operating and capital accounts.

12 c. Its assets and liabilities at the end of its
13 fiscal year and the status of reserve, special and
14 other funds.

15 d. A statement of its proposed and projected
16 activities.

17 e. Recommendations to the general assembly, as it
18 deems necessary.

19 f. An analysis of farm operating loan needs in the
20 state.

21 2. The annual report shall identify performance
22 goals of the authority, and clearly indicate the
23 extent of progress during the reporting period, in
24 attaining the goals. Where possible, results shall be
25 expressed in terms of number of farm units assisted.
26 The report shall state the average, mean, range, and
27 total of the size of farm units assisted in number of
28 acres, the dollar amount of the individual grants, the
29 debt-to-asset ratio of borrowers assisted, and the
30 resulting interest rates on farm operating loans.

31 Sec. 808. NEW SECTION. 175A.8 FARM OPERATING
32 ASSISTANCE PROGRAM.

33 1. The authority shall establish and develop a
34 farm operating assistance program to facilitate the
35 availability of affordable operating capital to as
36 many farmers as possible by providing grants to
37 lending institutions.

38 2. Lending institutions shall make available to
39 borrowers a lender-borrower eligibility application
40 form approved by the authority for the farm operating
41 assistance program. Application to the authority for
42 assistance under this section shall be executed
43 jointly by the lending institution and the borrower
44 upon an approved form.

45 3. The authority shall provide in the farm
46 operating assistance program that the grant will be
47 provided in conjunction with a borrower's farm
48 operating loan only if the following criteria are
49 satisfied as evidenced on a lender-borrower
50 eligibility application:

Page 7

- 1 a. The borrower is a resident of the state.
- 2 b. The farm operation for which the borrower seeks
- 3 the farm operating assistance is located in the state.
- 4 c. The farm operating loan will be used by the
- 5 borrower for the reasonably necessary expenses and
- 6 cash flow requirements of agricultural production.
- 7 d. The borrower has made full disclosure of the
- 8 borrower's farm finances to the lending institution.
- 9 e. Requirements prescribed by the authority by
- 10 rule, which may include but are not limited to
- 11 participation in federal crop insurance programs,
- 12 where available, a consideration of the borrower's
- 13 agreement to maintain farm management techniques and
- 14 standards established by the authority, participation
- 15 in federal farm programs, where applicable, and the
- 16 maximized use of available loan guarantees including
- 17 small business administration programs, where
- 18 applicable.
- 19 4. The authority shall provide in the farm
- 20 operating assistance program that the authority may,
- 21 upon approval by the board of an application, enter
- 22 into an agreement with the lending institution in
- 23 which the lending institution shall agree to reduce
- 24 for one year the interest rate on the borrower's farm
- 25 operating loan to a rate at least three percent below
- 26 the maximum lawful rate of interest as determined by
- 27 the superintendent of banking pursuant to section
- 28 535.2 for the calendar month in which the application
- 29 was approved by the authority. However, the authority
- 30 may adjust the rate if necessary to accommodate
- 31 regional financial conditions. The authority shall
- 32 agree to pay to the lending institution a grant in an
- 33 amount, determined by the authority, to reduce the
- 34 interest rate by an additional two percent for one
- 35 year. The grant shall be paid to the lending
- 36 institution within one hundred twenty days after the
- 37 date the application is approved.
- 38 5. The authority shall require each lending in-
- 39 stitution to which the authority has approved an
- 40 application for a grant on a farm operating loan to
- 41 submit to the authority evidence satisfactory to the
- 42 authority of a reduction in the interest rate as
- 43 required by an agreement pursuant to subsection 3, and
- 44 in that connection, the board members, employees or
- 45 agents of the authority may inspect the books and
- 46 records of a lending institution.
- 47 6. Compliance by a lending institution with the
- 48 terms of an agreement with the authority pursuant to
- 49 subsection 3 may be enforced by decree of a district
- 50 court of this state. The authority may require, as a

Page 8

1 condition of a payment to a national banking
2 association or a federally chartered savings and loan
3 association on a farm operating loan, the consent of
4 the association to the jurisdiction of courts of this
5 state over an enforcement proceeding. The authority
6 may also require, as a condition for approval of an
7 application for a grant to a lending institution on a
8 farm operating loan, that the lending institute agree
9 to the payment of penalties to the authority for
10 violation by the lending institution of its agreement
11 with the authority pursuant to subsection 8, and the
12 penalties are recoverable at the suit of the
13 authority.

14 7. If a lending institution refuses a borrower's
15 request to apply for a farm operating assistance grant
16 under this section, the borrower may provide the
17 authority with a written statement regarding the
18 lending institution's refusal. A borrower who has
19 provided the authority with a written statement may be
20 provided with an opportunity for a hearing on the
21 refusal before the board or persons designated by the
22 authority. The procedure established in this
23 subsection is not a contested case under chapter 17A.

24 8. Funds appropriated for the farm operating
25 assistance program which have not been committed for
26 grants for interest rate reduction on farm operating
27 loans by the end of the fiscal year, may be used for
28 economic assistance programs, as provided by the
29 authority by rule, for agriculture related small
30 businesses. However, applications for grants for
31 interest rate reduction on farm operating loans made
32 after the close of the fiscal year are given first
33 priority in the use of the uncommitted funds.

34 Sec. 809. NEW SECTION. 175A.9 MONEYS OF THE
35 AUTHORITY.

36 1. Moneys of the authority shall be paid to the
37 authority and shall be deposited in a bank or other
38 financial institution designated by the authority.
39 The moneys shall be withdrawn on the order of the
40 person authorized by the authority. Deposits shall be
41 secured in the manner determined by the authority.
42 The auditor of state or the auditor's legally
43 authorized representatives may periodically examine
44 the accounts and books of the authority, including its
45 receipts, disbursements, contracts, leases,
46 investments and other records and papers relating to
47 its financial standing, and the authority shall not be
48 required to pay a fee for the examination.

49 2. The authority shall submit to the governor, the
50 auditor of state and the state comptroller, within

Page 9

1 thirty days of its receipt, a copy of the report of
2 every external examination of the books and accounts
3 of the authority other than copies of the reports of
4 examinations made by the auditor of state.

5 Sec. 810. NEW SECTION. 175A.10 LIMITATION OF
6 LIABILITY.

7 1. Members of the authority and persons acting in
8 its behalf, while acting within the scope of their
9 employment or agency, are not subject to personal
10 liability resulting from carrying out the powers and
11 duties given in this chapter.

12 2. The obligations of the authority are not
13 obligations of this state or any political subdivision
14 of this state other than the authority within the
15 meaning of any constitutional or statutory debt
16 limitations, but are obligations of the authority
17 payable solely and only from the authority's funds,
18 and the authority shall not pledge the credit or
19 taxing power of this state or any political
20 subdivision of this state other than the authority or
21 make its debts payable out of any moneys except for
22 those of the authority.

23 Sec. 811. NEW SECTION. 175A.11 ASSISTANCE BY
24 STATE OFFICERS, AGENCIES AND DEPARTMENTS.

25 State officers and state departments and agencies
26 may render services to the authority within their
27 respective functions as requested by the authority.

28 Sec. 812. NEW SECTION. 175A.12 CONFLICTS OF
29 INTEREST.

30 1. If a member or employee other than the
31 executive director of the authority has an interest,
32 either direct or indirect, in a contract to which the
33 authority is or is to be a party or in a lending
34 institution which is seeking a payment for a reduction
35 in the interest rate on a borrower's farm operating
36 loan, the interest shall be disclosed to the authority
37 in writing and shall be set forth in the minutes of
38 the authority. The member or employee having the
39 interest shall not participate in action by the
40 authority with respect to that contract or lending
41 institution.

42 2. This section does not limit the right of a
43 member, officer or employee of the authority other
44 than the executive director to have an interest in a
45 bank or other financial institution in which the funds
46 of the authority are deposited.

47 3. The executive director shall not have an
48 interest in a bank or other financial institution in
49 which the funds of the authority are deposited. The
50 executive director shall not receive, in addition to

Page 10

1 fixed salary or compensation, money or anything
 2 valuable, either directly or indirectly, or through a
 3 substantial interest in another corporation or
 4 business unit, for negotiating, procuring,
 5 recommending or aiding in a payment made by the
 6 authority under section 175A.8, subsection 3, nor
 7 shall the executive director be pecuniarily
 8 interested, either as principal, coprincipal, agent or
 9 beneficiary, either directly or indirectly or through
 10 any substantial interest in another corporation or
 11 business unit, in a payment made by the authority
 12 under section 175A.8, subsection 3.

13 Sec. 813. NEW SECTION. 175A.13 EXEMPTION FROM
 14 COMPETITIVE BID LAWS.

15 The authority and contracts made by it in carrying
 16 out its public and essential governmental functions
 17 are exempt from the laws of the state which provide
 18 for competitive bids in connection with the contracts.

19 Sec. 814. NEW SECTION. 175A.14 LIBERAL
 20 INTERPRETATION.

21 This chapter, being necessary for the welfare of
 22 this state and its inhabitants, shall be liberally
 23 construed to effect its purposes.

24 Sec. 815. Pending the appointment and approval of
 25 a permanent board pursuant to section 803 of this Act,
 26 there shall be a temporary board of the authority
 27 consisting of the state comptroller or the
 28 comptroller's designee, the treasurer of state or the
 29 treasurer's designee, and the superintendent of
 30 banking or the superintendent's designee. The
 31 temporary board may perform all functions and have all
 32 powers provided the authority in this Act. The
 33 affirmative vote of two of the temporary board members
 34 is necessary for substantive action to be taken by the
 35 authority. The temporary board shall be dissolved
 36 when all of the members of the permanent board have
 37 been appointed and have been approved by the senate.
 38 The powers of the authority vest in the members of the
 39 permanent board upon the dissolution of the temporary
 40 board. All rules, forms, orders, and directives
 41 adopted by and in effect for the temporary board shall
 42 continue to be valid and enforceable as rules, forms,
 43 orders, and directives of the permanent board until
 44 amended, supplemented, or repealed by affirmative
 45 action of the board provided for in section 803 of
 46 this Act.

47 Sec. 816. Division VIII of this Act is repealed
 48 effective June 30, 1990."

49 4. Title page, line 24, by inserting after the
 50 word "activities;" the following: "creating an Iowa

Page 11

- 1 economic protective authority and making an
- 2 appropriation."

Bennett of Ida offered the following amendment H—3125, to amendment H—3113, filed by Bennett, et al., and moved its adoption:

H—3125

- 1 Amend House amendment H—3113 to House File 225 as
- 2 follows:
- 3 1. Page 4, line 20, by inserting after the word
- 4 "designee," the following: "the state secretary of
- 5 agriculture or the secretary's designee,"
- 6 2. Page 10, line 28, by inserting after the word
- 7 "designee," the following: "the state secretary of
- 8 agriculture or the secretary's designee,"

Amendment H—3125 was adopted.

Skow of Guthrie moved the adoption of amendment H—3113, as amended.

Roll call was requested by McKean of Jones and Daggett of Taylor.

On the question "Shall amendment H—3113, as amended, be adopted?"

The ayes were, 46:

Bennett	Branstad	Clark	Cochran
Cooper	Corey	Daggett	De Groot
Fogarty	Grandia	Halvorson, R. A.	Handorf
Hanson	Harbor	Hermann	Hummel
Johnson	Koenigs	Kremer	Lageschulte
Lonergan	Maulsby	McKean	Muhlbauer
Mullins	Osterberg	Peick	Pellett
Platt	Renken	Rensink	Royer
Running	Schnekieth	Shoning	Skow
Spear	Stromer	Stueland	Sturgeon
Swearingen	Torrénce	Van Camp	Van Maanen
Varn	Welden		

The nays were, 51:

Arnould	Baxter	Beatty	Black
---------	--------	--------	-------

Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Connolly
Connors	Diemer	Doderer	Fey
Groninga	Groth	Gruhn	Halvorson, R. N.
Hammond	Hatch	Haverland	Hester
Holveck	Hughes	Jay	Jochum
Knapp	Lloyd-Jones	McIntee	Metcalf
Norland	O'Kane	Ollie	Parker
Paulin	Pavich	Peterson	Poncy
Renaud	Rosenberg	Sherzan	Shoultz
Siegrist	Sullivan	Swartz	Tabor
Teaford	Woods	Mr. Speaker	

Absent or not voting, 3:

Miller Oxley Zimmerman

Amendment H—3113, as amended, lost.

Arnould of Scott in the chair at 3:36 p.m.

Carl of Poweshiek offered the following amendment H—3096 filed by her and moved its adoption:

H—3096

- 1 Amend House File 225 as follows:
- 2 1. Page 22, line 21, by striking the words "day
- 3 care services" and inserting the following: "the
- 4 child care services program and the displaced
- 5 homemakers program".
- 6 2. Page 22, line 23, by inserting after the
- 7 figure "1982" the following: "and funding for a child
- 8 care grants program to provide grants of up to ten
- 9 thousand dollars for start-up funding for before and
- 10 after school programs using school facilities, infant
- 11 care programs, child care information and referral
- 12 centers, and on-site employer day care. An
- 13 application for a grant under the child care grants
- 14 program shall include a study documenting a need for
- 15 the service or program for which the grant is sought
- 16 and a plan for implementation of the service or
- 17 program which plan includes a listing of other sources
- 18 of income, the staff to be employed, and the method to
- 19 make the service or program self supporting within
- 20 three years".

Amendment H—3096 was adopted.

Baxter of Des Moines asked and received unanimous consent to temporarily defer action on amendment H—3116.

Baxter of Des Moines offered the following amendment H—3112 filed by her:

H—3112

1 Amend House File 225 as follows:

2 1. Page 24, line 1, by inserting after the word
3 "trade," the following: "The export network of Iowa
4 colleges and universities established in division X of
5 this Act shall make recommendations to the Iowa
6 development commission on the programs that shall
7 receive moneys under this section."

8 2. Page 24, line 7, by inserting after the word
9 "programs" the following: "that may be recommended".

10 3. Page 25, by inserting after line 13 the
11 following:

12 "(8) To establish any other program devised by the
13 export network of Iowa colleges and universities that
14 will encourage foreign trade and exports."

15 4. Page 48, by inserting after line 15 the fol-
16 lowing:

17 "DIVISION X

18 Sec. 1001. NEW SECTION. 281.1 EXPORT NETWORK
19 ESTABLISHED.

20 An export network of Iowa colleges and universities
21 is created for the purpose of establishing trade-
22 related guidelines and policies for the board of
23 regents, the department of public instruction, and
24 representatives of Iowa's private colleges and
25 universities. However, the export network has no
26 direct control over programs and activities in the
27 universities and colleges, and no control over the
28 curricula or program development of private colleges
29 and universities.

30 Sec. 1002. NEW SECTION. 281.2 COMPOSITION OF
31 EXPORT NETWORK.

32 The export network is nonpartisan and composed of
33 the following members appointed by the legislative
34 council:

35 1. Three persons representing the state's major
36 institutions of higher education, not more than one
37 each from the university of Iowa, university of
38 northern Iowa, and Iowa state university.

39 2. Three persons representing the state's private
40 colleges and universities, not more than one from any
41 one institution.

42 3. One person representing the state's community
43 colleges.

44 4. One person representing the state board of
45 regents.

46 5. One person representing the department of
47 public instruction.

48 Representatives of the academic community as chosen
49 by the export network will serve on an advisory board
50 to the export network.

Page 2

1 Appointment shall be for three-year terms beginning
2 July 1 in the year of appointment. Vacancies shall be
3 filled for an unexpired term by appointment of the
4 legislative council. Members shall serve no more than
5 three terms or nine years, whichever is least.

6 The export network shall organize annually and
7 elect a chairperson. At least one meeting per year
8 shall be held at the seat of government. The members
9 shall be paid forty dollars per diem and actual and
10 necessary expenses from funds appropriated by the
11 general assembly.

12 Sec. 1003. NEW SECTION. 28I.3 DUTIES.

13 The objectives of the export network of Iowa
14 colleges and universities are to coordinate trade-
15 related resources already available in Iowa higher
16 education institutions, serve as a focal point for the
17 educational community for trade-related topics and
18 courses, initiate the development of trade-related
19 curricula and curricula to support potential growth
20 sectors, develop new programs providing trade
21 assistance to small and medium-sized businesses, and
22 serve as a point of contact for coordinating trade
23 activities among itself, the Iowa development
24 commission or the central department of economic
25 development when established, and the private sector.

26 The export network's major activities shall be in
27 the areas of education, training, marketing, and
28 promotion, and working with the Iowa development
29 commission or the central department of economic
30 development when established in expanding trade
31 marketing assistance and in promoting Iowa's products.
32 Specifically, the export network shall:

33 1. Work through the small business development
34 centers at the state and private universities to
35 facilitate outreach to potential exporters in Iowa who
36 would benefit from the counseling services offered by
37 the centers.

38 2. Work with the Iowa development commission or
39 the central department of economic development when
40 established in preparing and presenting export-related
41 seminars and workshops on pertinent and timely export
42 trade topics.

- 43 3. Prepare documents summarizing different trade
44 programs at educational institutions across Iowa, and
45 prepare periodic reports on potential markets and
46 industry analysis.
- 47 4. Review the trade curricula in the various state
48 academic institutions, as well as training materials
49 as they relate to potential growth sectors.
- 50 5. Coordinate market research concerning the

Page 3

- 1 promotion of trade at the state's universities and
2 colleges.
- 3 6. Facilitate the penetration of foreign markets
4 by establishing an "alumni ambassador" program and
5 capitalizing on the network of the state's higher
6 education alumni who are situated around the world."
- 7 4. Title page, line 23, by inserting after the
8 word "circumstances;" the following: "creating an
9 export network of Iowa colleges and universities to
10 establish trade related guidelines and policies for
11 institutions of higher education, the board of
12 regents, and the department of public instruction;"

Baxter of Des Moines offered the following amendment H-3142, to amendment H-3112, filed by her from the floor and moved its adoption:

H-3142

- 1 Amend amendment H-3112 to House File 225 as
2 follows:
- 3 1. By striking everything after the amending
4 clause and inserting the following:
- 5 "_____. Page 24, line 1, by inserting after the
6 word "trade." the following: "Prior to providing
7 funds for any activity under this paragraph the Iowa
8 development commission shall seek the input of public
9 and private institutions of higher education, relevant
10 government agencies, boards and departments, and
11 private sector businesses involved in foreign trade
12 for the purpose of coordinating trade related
13 resources already available and those created pursuant
14 to this Act in Iowa higher education institutions.
15 The commission shall also, after seeking input from
16 these entities, initiate the development of trade
17 related curricula and curricula to support potential
18 growth sectors and develop new programs to provide
19 trade assistance to small and medium-sized Iowa
20 businesses including, but not limited to, those

21 created under this paragraph. The commission shall
 22 work with Iowa businesses engaged in foreign trade and
 23 public and private institutions of higher education to
 24 create a comprehensive plan designed to promote and
 25 develop the trade of Iowa's agricultural and
 26 manufactured products and services in foreign markets
 27 and shall coordinate the plan with other public and
 28 private foreign trade efforts including those created
 29 pursuant to this Act." "

Amendment H—3142 was adopted.

On motion by Baxter of Des Moines, amendment H—3112, as amended, was adopted.

Connolly of Dubuque offered the following amendment H—3085 filed by him and moved its adoption:

H—3085

1 Amend House File 225 as follows:
 2 1. Page 25, lines 25 and 26, by striking the
 3 words "two hundred sixty thousand (260,000)" and
 4 inserting the following: "one hundred thirty thousand
 5 (130,000)".

Amendment H—3085 was adopted.

Rosenberg of Story asked and received unanimous consent to temporarily defer action on amendments H—3131 and H-3134.

Parker of Jasper asked and received unanimous consent to withdraw amendment H—3073 filed by him on February 12, 1985.

Groninga of Cerro Gordo offered the following amendment H—3086 filed by him and moved its adoption:

H—3086

1 Amend House File 225 as follows:
 2 1. Page 42, by inserting after line 18 the
 3 following:
 4 "A regional coordinating council may enter into an
 5 agreement under chapter 28E with other regional
 6 coordinating councils for the purpose of fostering
 7 tourism within their areas. Regional coordinating
 8 councils shall be considered public agencies for
 9 purposes of chapter 28E."

Amendment H—3086 was adopted.

Varn of Johnson offered the following amendment H-3068 filed by him and moved its adoption:

H-3068

- 1 Amend House File 225 as follows:
- 2 1. Page 47, by striking lines 12 and 13 and
- 3 inserting the following:
- 4 "3. Meets the requirements for a tuition grant."
- 5 2. Page 47, line 21, by inserting after the word
- 6 "year." the following: "A student is eligible to
- 7 receive both a tuition grant and a forgivable loan."

Amendment H-3068 was adopted.

Hanson of Delaware offered the following amendment H-3114 filed by him:

H-3114

- 1 Amend House File 225 as follows:
- 2 1. By striking page 20, line 2 through page 48,
- 3 line 15 and inserting the following:
- 4 "Sec. 201. Chapter 422, division IV, Code 1985, is
- 5 amended by adding the following new sections.
- 6 NEW SECTION. 422.47A
- 7 Sales, services, and use tax paid on purchases of
- 8 farm machinery and equipment, including replacement
- 9 parts which are depreciable for state and federal
- 10 income tax purposes, shall be refunded to the
- 11 purchaser provided all of the following conditions are
- 12 met:
- 13 a. The tax shall have been collected and timely
- 14 paid by the retailer, or timely paid to the department
- 15 by the user if section 423.14, is applicable.
- 16 b. The farm machinery and equipment shall be
- 17 directly and primarily used in production of
- 18 agricultural products.
- 19 c. The farm machinery and equipment shall
- 20 constitute self-propelled implements or implements
- 21 customarily drawn or attached to self-propelled
- 22 implements.
- 23 Any use tax paid on vehicles subject to
- 24 registration, as defined in section 423.1, or sales or
- 25 use tax paid on purchases of replacement parts for
- 26 such vehicles, shall not be eligible for refund.
- 27 NEW SECTION. 422.47B
- 28 Sales, services, and use taxes paid on purchases of
- 29 industrial machinery, equipment and computers,

30 including replacement parts which are depreciable for
31 state and federal income tax purposes, shall be
32 refunded to the purchaser provided all of the
33 following conditions are met:

34 a. The tax must have been collected and timely
35 paid by the retailer or timely paid to the department
36 by the user if section 423.14, is applicable.

37 b. The industrial machinery and equipment and
38 computers shall be directly and primarily used in the
39 manner described in section 428.20, in processing
40 tangible personal property.

41 c. The industrial machinery, equipment or any
42 computer must be real property within the scope of
43 section 427A.1 subsection one, (1), paragraphs "e" or
44 "j", and must be subject to taxation as real property.

45 However, the provisions of chapters 404 and 427B
46 which result in the exemption from taxation of
47 property for property tax purposes shall not preclude
48 the property from receiving the benefits of this
49 section if the property otherwise qualifies for this
50 exemption.

Page 2

1 Any tax paid on hand tools shall not be eligible
2 for a refund. Any tax paid on pollution control
3 equipment qualifying under paragraphs "a" and "b" of
4 this subsection shall be eligible for a refund. Any
5 tax paid on industrial machinery, equipment or
6 computers, including pollution control equipment,
7 within the scope of section 427A.1, subsection 1,
8 paragraphs "h" and "i", shall not be eligible for
9 refund.

10 NEW SECTION. 422.47C

11 Annual claims for refund of taxes made pursuant to
12 sections 422.47A and 422.47B shall be filed with the
13 department within three months following the end of
14 the prior fiscal year ending June 30. The claim is
15 limited to tax collected during the prior fiscal year
16 by the retailer, or if the provisions of section
17 423.14 are applicable, to tax timely paid during the
18 prior fiscal year to the department. The claim shall
19 be considered a return.

20 Refunds made pursuant to sections 422.47A and
21 422.47B shall be paid from the Iowa plan fund for
22 economic development created in section 99E.10. There
23 is appropriated from that fund for the fiscal year
24 beginning July 1, 1985 and ending June 30, 1986 and
25 each year thereafter to the office of the state
26 comptroller a sum sufficient to carry out this
27 section. If, for any fiscal year the amount in the

28 fund is insufficient to pay in full the amounts
29 claimed for refund of sales, services, and use taxes
30 paid during a fiscal year, then the amount of each
31 claim for refund shall be reduced by the same
32 percentage, so that the aggregate amount of all claims
33 for refund so reduced shall be equal to the amount
34 appropriated in the fund for payment.

35 Annually, the director of revenue shall certify and
36 forward to the state comptroller the amount of refund
37 which each taxpayer is entitled to receive under this
38 section.

39 Sec. 202. This division is effective July 1, 1985
40 for purchases made on or after that date.

41 DIVISION III

42 Sec. 301. Section 98.6, subsection 2, Code 1985,
43 is amended to read as follows:

44 2. Notwithstanding subsection 1, there is imposed
45 beginning July 1, 1981 and shall be collected and paid
46 to the department a tax on all cigarettes used or
47 otherwise disposed of in this state for any purpose at
48 the rate of nine mills on each cigarette.

49 Notwithstanding the provisions of this subsection
50 there is imposed beginning October 1, 1985 and shall

Page 3

1 be collected and paid to the department an additional
2 tax on all cigarettes used or otherwise disposed of in
3 this state for any purpose at a rate equal to the
4 amount the tax imposed on each item pursuant to United
5 States Code Title 26, section 5701 after December 31,
6 1982, and before October 1, 1985 is greater than the
7 amount of the tax imposed on each similar item
8 pursuant to that law after September 30, 1985.

9 Sec. 302. Section 98.35, Code 1985, is amended to
10 read as follows:

11 98.35 TAX AND FEES PAID TO GENERAL FUND.

12 The proceeds derived from the sale of stamps and
13 the payment of taxes, fees and penalties provided for
14 under this chapter, and the permit fees received from
15 all permits issued by the department, shall be
16 credited to the general fund of the state. However,
17 the revenue arising from the additional tax imposed by
18 this division shall be credited to the Iowa plan fund
19 for economic development created in section 99E.10.
20 All permit fees provided for in this chapter and
21 collected by cities in the issuance of permits granted
22 by the cities shall be paid to the treasurer of the
23 city where the permit is effective, or to another city
24 officer as designated by the council, and credited to
25 the general fund of the city. Permit fees so

26 collected by counties shall be paid to the county
27 treasurer.

28 Sec. 303.

29 1. All persons required to be licensed under
30 section 98.13 as distributors having in their
31 possession prior to delivery for resale as of the
32 close of business on September 30, 1985 cigarettes or
33 little cigars upon which the tax under section 98.6 or
34 98.43 has been paid, unused cigarette and little cigar
35 tax stamps which have been paid for under section
36 98.8, or unused metered imprints which have been paid
37 for under section 98.12 shall be subject to an
38 inventory tax on such items as provided in this
39 section.

40 2. Persons subject to the inventory tax imposed
41 under this section shall take an inventory as of the
42 close of business on September 30, 1985 of those items
43 subject to the inventory tax for the purpose of
44 determining the tax due. These persons shall report
45 the tax on forms provided by the department of revenue
46 and remit the tax due with the forms by October 31,
47 1985. The department of revenue shall adopt rules as
48 are necessary to carry out this section.

49 3. The rate of the inventory tax on each item
50 subject to the tax as specified in subsection 1 is

Page 4

1 equal to the difference between the amount paid on
2 each item under section 98.6, 98.8, 98.12, or 98.43
3 prior to October 1, 1985 and the amount that is to be
4 paid on each similar item under section 98.6, 98.8,
5 98.12, or 98.43 on or after October 1, 1985 except
6 that in computing the rate of the inventory tax any
7 discount allowed or allowable under section 98.8 shall
8 not be considered.

9 DIVISION IV

10 Sec. 401. There is appropriated from the moneys in
11 the Iowa plan fund for economic development created in
12 section 99E.10 for each of the fiscal years beginning
13 July 1, 1985, July 1, 1986, July 1, 1987, July 1,
14 1988, and July 1, 1989 to the Iowa development
15 commission the sum of ten million (10,000,000)
16 dollars, or so much thereof as may be necessary, to be
17 used for the following purposes:

- 18 a. Principal buy-down program to reduce the
19 principal of a business loan.
- 20 b. Interest buy-down program to reduce the
21 interest on a business loan.
- 22 c. Business equity investments.
- 23 d. Grants and loans to aid in economic

24 development.

25 e. Site development or infrastructure costs
26 directly related to a project resulting in new
27 employment.

28 Only a political subdivision of the state may apply
29 to receive funds for any of the above purposes. The
30 political subdivision shall make application to the
31 commission specifying the purpose for which the funds
32 will be used. In ranking applications for funds, the
33 commission shall consider the proportion of political
34 subdivision match to be provided, the proportion of
35 private contributions to be provided, the total number
36 of jobs to be created, the recapture, if any, of these
37 funds by the political subdivision that will occur,
38 level of need in the political subdivision, and impact
39 of proposed project on the economy of the political
40 subdivision. The commission shall not provide more
41 than one million dollars for any project.

42 Notwithstanding section 8.33, moneys remaining of
43 the appropriations made in this section shall not
44 revert to the Iowa plan fund but shall be used for the
45 purposes for which they were appropriated.

46 DIVISION V

47 Sec. 501. NEW SECTION. INCUBATOR PROGRAM.

48 1. There is established the "Iowa business
49 incubator program" to assist innovative new businesses
50 through the small business development centers. The

Page 5

1 program shall be administered by the small business
2 division of the Iowa development commission.

3 2. The money appropriated for this program shall
4 be used to fund programs through the small business
5 development centers to provide innovative new
6 businesses with low cost physical facilities,
7 equipment and support staff, business consultation, or
8 other assistance that the center deems appropriate.
9 Selection of business enterprises to be assisted shall
10 be made by the small business development centers.

11 Sec. 502. NEW SECTION. MAIN STREET PROGRAM.

12 1. There is established the "Iowa main street
13 program" to assist Iowa communities in revitalizing,
14 preserving and restoring older downtown and central
15 business districts. The program will be administered
16 by the Iowa development commission.

17 2. The program shall advise local governments
18 about the potential for and benefits of revitalizing
19 older central business districts, provide technical
20 assistance and implementing such programs, creating
21 "main street" models in selected cities, encouraging

22 historic preservation in central business districts,
 23 and helping local communities to stimulate economic
 24 growth and diversification in such areas.

25 3. All Iowa cities are eligible to receive
 26 assistance. The Iowa development commission will be
 27 responsible for selecting cities to be assisted.

28 Sec. 503. NEW SECTION. ENTREPRENEUR PROGRAM.

29 There is established the "entrepreneur, and
 30 research program" to assist entrepreneurs in
 31 evaluating their current resources and the development
 32 of their business. This program shall be administered
 33 by the Iowa development commission.

34 Sec. 504. There is appropriated from the Iowa plan
 35 fund for economic development created in section
 36 99E.10 for the fiscal year beginning July 1, 1985 to
 37 the Iowa development commission the sum of two million
 38 five hundred thousand (2,500,000) dollars, or so much
 39 thereof as is necessary, and for the fiscal year
 40 beginning July 1, 1986 to the Iowa development
 41 commission the sum of two million (2,000,000) dollars,
 42 or so much thereof as is necessary, to be used to
 43 carry out the provisions of the division. Any portion
 44 used for research must be matched.

45 DIVISION VI

46 Sec. 601. There is appropriated from the Iowa plan
 47 fund for economic development created in section
 48 99E.10 to the following state agencies for each fiscal
 49 year of the fiscal biennium beginning July 1, 1985,
 50 and ending June 30, 1987, the following amounts, or so

Page 6

1 much thereof as is necessary, to be used in the manner
 2 designated:

	<u>1985-1986-</u>	<u>1986-1987</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
3		
4		
5 1. BOARD OF REGENTS:		
6 a. For allocation to the Iowa		
7 state university of science and tech-		
8 nology for construction of a home		
9 economics building		
	\$ 3,500,000	\$
10 b. For allocation to the Iowa		
11 state university of science and		
12 technology for remodeling Gillman		
13 Hall		
	\$	\$ 1,000,000
14 c. For allocation to the Iowa		
15 state university of science and		
16 technology for remodeling of the		
17 agriculture diversification center		
	\$ 45,000	\$
18 d. For allocation to the Iowa		
19 state university of science and		

20	technology for remodeling of the food			
21	crop research center	\$	350,000	\$
22	e. For allocation to the state			
23	university of Iowa for chemistry/botany			
24	remodeling	\$		\$ 1,250,000
25	f. For allocation to the			
26	university of northern Iowa for			
27	remodeling of Latham Hall	\$		\$ 750,000
28	2. DEPARTMENT OF PUBLIC DEFENSE:			
29	a. For construction of an			
30	armory at Carroll, Iowa	\$	245,000	\$
31	b. For construction of an			
32	addition to the armory facility at			
33	Cedar Rapids, Iowa	\$	265,000	\$
34	c. For construction of an			
35	armory & maintenance shop at			
36	Mason City, Iowa	\$		\$ 425,000
37	3. STATE CONSERVATION COMMISSION:			
38	For construction, replacement,			
39	development and alterations to state			
40	parks and preserves, state forest			
41	facilities and state waters including			
42	artificial lake development; shoreline			
43	erosion and siltation control; river,			
44	stream and lake access; and engineer-			
45	ing and planning services or to supplement			
46	any prior appropriation for such			
47	purpose	\$	1,000,000	\$ 750,000
48	4. DEPARTMENT OF GENERAL			
49	SERVICES:			
50	For capital improvements on			

Page 7

1	buildings in the capital complex			
2	including the Lucas state office			
3	building	\$	750,000	\$ 475,000
4	5. COMMISSION FOR THE BLIND:			
5	To correct code and life safety			
6	deficiencies, correct inefficient			
7	building utilization and incorporate			
8	energy conservation practices	\$	345,000	\$ 350,000
9	6. DEPARTMENT OF CORRECTIONS:			
10	For capital maintenance projects			
11	at institutions under the control of			
12	the department	\$	500,000	\$
13	Sec. 13. Unobligated or unencumbered funds			
14	remaining on June 30, 1988 from funds appropriated by			
15	section 601 shall revert to the Iowa plan fund for			
16	economic development on September 30, 1988.			
17	DIVISION VII			
18	Sec. 701. Divisions III, IV, V and VI of this Act			

19 are effective only if the federal cigarette tax
 20 increase for the period after December 31, 1982 and
 21 before October 1, 1985 is sunsetted as provided in the
 22 United States Code Title 26, section 5701."

23 2. Title page, by striking lines 3 through 25 and
 24 inserting the following: "revenues from the state
 25 lottery to be used to refund the sales, services, and
 26 use tax paid for industrial and farm machinery,
 27 equipment, computers and replacement parts, increasing
 28 the cigarette and tobacco tax, imposing an inventory
 29 tax on cigarettes and tobacco products and providing
 30 appropriations for certain economic development
 31 programs, projects and activities and providing for
 32 effective dates.

Swartz of Marshall asked and received unanimous consent to temporarily defer on amendment H—3143, to amendment H—3114, for the consideration of amendment H—3141.

Speaker Avenson in the chair at 3:53 p.m.

Hanson of Delaware offered the following amendment H—3141, to amendment H—3114, filed by him from the floor and moved its adoption:

H—3141

- 1 Amend amendment H—3114 to page 20 of House File
- 2 225 as follows:
- 3 1. By striking page 2, line 41 through page 7,
- 4 line 32.

Amendment H—3141 was adopted.

Swartz of Marshall offered the following amendment H—3143, to amendment H—3114, filed by him from the floor and moved its adoption:

H—3143

- 1 Amend amendment H—3114 to House File 225 as
- 2 follows:
- 3 1. By striking page 1, line 2 through page 2,
- 4 line 40 and inserting the following:
- 5 "_____. Page 48, by inserting after line 15 the
- 6 following:
- 7 "DIVISION IX
- 8 Sec. 901. Section 98.6, subsection 2, Code 1985,

9 is amended to read as follows:

10 2. Notwithstanding subsection 1, there is imposed
 11 beginning July 1, ~~1981~~ 1985 and shall be collected and
 12 paid to the department a tax on all cigarettes used or
 13 otherwise disposed of in this state for any purpose at
 14 the rate of nine seventeen mills on each class A
 15 cigarette and twenty-five and eight tenths mills on
 16 each class B cigarette. Notwithstanding the
 17 provisions of this subsection there is imposed
 18 beginning October 1, 1985 and shall be collected and
 19 paid to the department an additional tax on all
 20 cigarettes used or otherwise disposed of in this state
 21 for any purpose at a rate equal to the amount the tax
 22 imposed on each item pursuant to United States Code
 23 Title 26, section 5701 after December 31, 1982, and
 24 before October 1, 1985 is greater than the amount of
 25 the tax imposed on each similar item pursuant to that
 26 law after September 30, 1985.

27 Sec. 902. Section 98.35, Code 1985, is amended to
 28 read as follows:

29 98.35 TAX AND FEES PAID TO GENERAL FUND.

30 The proceeds derived from the sale of stamps and
 31 the payment of taxes, fees and penalties provided for
 32 under this chapter, and the permit fees received from
 33 all permits issued by the department, shall be
 34 credited to the general fund of the state. However,
 35 the revenue arising from the additional tax imposed
 36 beginning July 1, 1985 shall be credited to a separate
 37 industrial machinery and equipment account in the
 38 state general fund and the revenue arising from any
 39 additional tax imposed beginning October 1, 1985 shall
 40 be credited to a separate farm machinery and equipment
 41 account in the state general fund. All permit fees
 42 provided for in this chapter and collected by cities
 43 in the issuance of permits granted by the cities shall
 44 be paid to the treasurer of the city where the permit
 45 is effective, or to another city officer as designated
 46 by the council, and credited to the general fund of
 47 the city. Permit fees so collected by counties shall
 48 be paid to the county treasurer.

49 Sec. 903. Chapter 422, Division IV, Code 1985, is
 50 amended by adding the following new sections.

Page 2

1 NEW SECTION. 422.47A

2 Sales, services, and use tax paid on purchases of
 3 farm machinery and equipment, including replacement
 4 parts which are depreciable for state and federal
 5 income tax purposes, shall be refunded to the
 6 purchaser provided all of the following conditions are

7 met:

8 a. The tax shall have been collected and timely
9 paid by the retailer, or timely paid to the department
10 by the user if section 423.14, is applicable.

11 b. The farm machinery and equipment shall be
12 directly and primarily used in production of
13 agricultural products.

14 c. The farm machinery and equipment shall
15 constitute self-propelled implements or implements
16 customarily drawn or attached to self-propelled
17 implements.

18 Any use tax paid on vehicles subject to
19 registration, as defined in section 423.1, or sales or
20 use tax paid on purchases of replacement parts for
21 such vehicles, shall not be eligible for refund.

22 **NEW SECTION. 422.47B**

23 Sales, services, and use taxes paid on purchases of
24 industrial machinery, equipment and computers,
25 including replacement parts which are depreciable for
26 state and federal income tax purposes, shall be
27 refunded to the purchaser provided all of the
28 following conditions are met:

29 a. The tax must have been collected and timely
30 paid by the retailer or timely paid to the department
31 by the user if section 423.14, is applicable.

32 b. The industrial machinery and equipment and
33 computers shall be directly and primarily used in the
34 manner described in section 428.20, in processing
35 tangible personal property.

36 c. The industrial machinery, equipment or any
37 computer must be real property within the scope of
38 section 427A.1 subsection one, (1), paragraphs "e" or
39 "j", and must be subject to taxation as real property.

40 However, the provisions of chapters 404 and 427B
41 which result in the exemption from taxation of
42 property for property tax purposes shall not preclude
43 the property from receiving the benefits of this
44 section if the property otherwise qualifies for this
45 exemption.

46 **NEW SECTION. 422.47C**

47 Annual claims for refund of taxes made pursuant to
48 sections 422.47A and 422.47B shall be filed with the
49 department of revenue within three months following
50 the end of the prior fiscal year ending June 30. The

Page 3

1 claim is limited to tax collected during the prior
2 fiscal year by the retailer, or if section 423.14 is
3 applicable, to tax timely paid during the prior fiscal
4 year to the department. The claim shall be considered

5 a return.

6 Refunds made pursuant to section 422.47A shall be
7 paid from the special account in the general fund
8 known as the farm machinery and equipment account.
9 Refunds made pursuant to section 422.47B shall be paid
10 from the special account in the general fund known as
11 the industrial machinery and equipment account. If,
12 for any fiscal year the amount in the fund is
13 insufficient to pay in full the amounts claimed for
14 refund of sales, services, and use taxes paid during a
15 fiscal year, then the amount of each claim for refund
16 shall be reduced by the same percentage, so that the
17 aggregate amount of all claims for refund so reduced
18 shall be equal to the amount appropriated in the fund
19 for payment.

20 Annually, the director of revenue shall certify and
21 forward to the state comptroller the amount of refund
22 which each taxpayer is entitled to receive under this
23 section.

24 Sec. 904.

25 1. All persons required to be licensed under
26 section 98.13 as distributors having in their
27 possession prior to delivery for resale as of the
28 close of business on June 30, 1985 and September 30,
29 1985 cigarettes or little cigars upon which the tax
30 under section 98.6 or 98.43 has been paid, unused
31 cigarette and little cigar tax stamps which have been
32 paid for under section 98.8, or unused metered
33 imprints which have been paid for under section 98.12
34 shall be subject to an inventory tax on such items as
35 provided in this section.

36 2. Persons subject to the inventory tax imposed
37 under this section shall take an inventory as of the
38 close of business on June 30, 1985 and September 30,
39 1985 of those items subject to the inventory tax for
40 the purpose of determining the tax due. These persons
41 shall report the tax on forms provided by the
42 department of revenue and remit the tax due with the
43 forms by the end of the following month. The
44 department of revenue shall adopt rules as are
45 necessary to carry out this section.

46 3. The rate of the inventory tax on each item
47 subject to the tax as specified in subsection 1 is
48 equal to the difference between the amount paid on
49 each item under section 98.6, 98.8, 98.12, or 98.43
50 prior to July 1, 1985 or October 1, 1985, as

Page 4

1 appropriate, and the amount that is to be paid on each
2 similar item under section 98.6, 98.8, 98.12, or 98.43

3 on or after July 1, 1985 or October 1, 1985, as
 4 appropriate, except that in computing the rate of the
 5 inventory tax any discount allowed or allowable under
 6 section 98.8 shall not be considered.

7 Sec. 905. Section 903 of this division is
 8 effective October 1, 1985 for purchases made on or
 9 after that date."

10 _____. Title page, line 23, by inserting after the
 11 word "circumstances;" the following: "providing for
 12 an increase in the state cigarette and tobacco tax and
 13 allowing refunds for sales, services, and use tax paid
 14 on sales of farm and industrial machinery, equipment
 15 and computers;".

Hanson of Delaware rose on a point of order that amendment
 H-3143 was not germane.

The Speaker ruled the point well taken and amendment
 H-3143 not germane.

Shoultz of Black Hawk in the chair at 4:40 p.m.

Hanson of Delaware moved the adoption of amendment
 H-3114, as amended.

Roll call was requested by Hanson of Delaware and Hummel of
 Benton.

Rule 76 was invoked.

On the question "Shall amendment H-3114, as amended, be
 adopted?"

The ayes were, 40:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hester	Hummel
Kremer	Lageschulte	Maulsby	McIntee
McKean	Metcalf	Mullins	Paulin
Pellett	Platt	Renken	Rensink
Royer	Schnekloth	Shoning	Siegrist
Skow	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Welden

The nays were, 59:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carter	Chapman	Cochran
Connolly	Connors	Cooper	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Hatch
Haverland	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Loneragan	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Spear	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Varn
Woods	Zimmerman	Mr. Speaker (Shoultz)	

Absent or not voting, 1:

Miller

Amendment H—3114, as amended, lost.

Hanson of Delaware asked and received unanimous consent to withdraw amendment H—3135 filed by him on February 13, 1985.

Baxter of Des Moines asked and received unanimous consent to withdraw amendment H—3116 filed by her on February 12, 1985.

Speaker Avenson in the chair at 5:13 p.m.

Rosenberg of Story offered the following amendment H—3131 filed by him:

H—3131

- 1 Amend House File 225 as follows:
- 2 1. Page 27, line 9, by inserting after the word
- 3 "used" the following: "to research and develop
- 4 alternative and renewable resources of energy and".

Rosenberg of Story offered the following amendment H—3147, to amendment H—3131, filed by him from the floor and moved its adoption:

H-3147

- 1 Amend House Amendment H-3131 to House File 225 as
- 2 follows:
- 3 1. Page 1, line 4, by inserting after the word
- 4 "renewable" the word "Iowa-based".

Amendment H-3147 was adopted.

On motion by Rosenberg of Story, amendment H-3131, as amended, was adopted.

Rosenberg of Story offered the following amendment H-3134 filed by him:

H-3134

- 1 Amend House File 225 as follows:
- 2 1. Page 30, by striking lines 29 through 31 and
- 3 inserting the following:
- 4 "c. It is the intent of the general assembly that
- 5 one million five hundred thousand (1,500,000) dollars
- 6 be appropriated under this paragraph for each of the
- 7 fiscal years beginning July 1, 1986 through the fiscal
- 8 year beginning July 1, 1989. It is the intent of the
- 9 general assembly that one half of the funds be
- 10 distributed under the conditions specified in section
- 11 201, subsection 4, paragraph "c" of this Act and one
- 12 half of the funds be distributed for the forgivable
- 13 loan program established in division VII of this Act
- 14 for Iowa resident students enrolled at an institution
- 15 of higher education under the control of the state
- 16 board of regents. It is the intent of the general
- 17 assembly that the college aid commission shall certify
- 18 to the treasurer of state that the state board of
- 19 regents will provide an equivalent amount of seven
- 20 hundred fifty thousand (750,000) dollars for the
- 21 forgivable loan program for each year before the money
- 22 for the forgivable loan program for the state board of
- 23 regents institutions is transferred to the college aid
- 24 commission."

Rosenberg of Story offered the following amendment H-3146, to amendment H-3134, filed by him and Ollie of Clinton from the floor and moved its adoption:

H-3146

- 1 Amend House amendment H-3134 to House File 225 as
- 2 follows:
- 3 1. Page 1, by striking line 4 and inserting the
- 4 following:
- 5 "c. To the Iowa college aid commission for the
- 6 forgivable loan program established in division VII of
- 7 this Act. However, it is the intent of the general
- 8 assembly that for the named fiscal years the
- 9 forgivable loan program be expanded to apply also to
- 10 students-enrolled in institutions of higher education
- 11 under the control of the state board of regents and to
- 12 students enrolled in area schools as defined in
- 13 section 280A.2, subsection 10, and that".
- 14 2. Page 1, line 16, by inserting after the word
- 15 "regents" the following: "and for Iowa resident
- 16 students enrolled at an area school".
- 17 3. Page 1, line 19, by inserting after the word
- 18 "regents" the following: "and the Iowa association of
- 19 community college trustees".
- 20 4. Page 1, line 23, by inserting after the word
- 21 "institutions" the following: "and the area schools".

Amendment H-3146 was adopted.

Rosenberg of Story moved the adoption of amendment H-3134, as amended.

Amendment H-3134, as amended, was adopted.

The following amendments were withdrawn by unanimous consent:

H-3082 filed by Baxter of Des Moines on February 12, 1985:

H-3106 filed by Varn of Johnson on February 12, 1985, placing out of order amendment H-3121, to amendment H-3106, filed by him on February 13, 1985.

H-3136 filed by Hanson of Delaware on February 13, 1985.

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

Rule 76 was invoked.

On the question "Shall the bill pass?" (H.F. 225)

The ayes were, 52:

Arnould	Baxter	Beatty	Black
Blanshan	Buhr	Carl	Carter
Chapman	Cochran	Connolly	Connors
Cooper	Diemer	Fey	Fogarty
Groninga	Groth	Halvorson, R. N.	Hammond
Hatch	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	McIntee
Muhlbauer	Norland	O'Kane	Ollie
Parker	Pavich	Peterson	Poncy
Renaud	Rosenberg	Sherzan	Shoultz
Siegrist	Skow	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Van Camp
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 45:

Bennett	Brammer	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Doderer	Grandia	Gruhn	Halvorson, R. A.
Handorf	Hanson	Haverland	Hermann
Hester	Holveck	Hummel	Johnson
Kremer	Lageschulte	Loneragan	Maulsby
McKean	Metcalf	Mullins	Osterberg
Oxley	Paulin	Peick	Pellett
Platt	Renken	Rensink	Royer
Schnekloth	Shoning	Spear	Stromer
Stueland	Swearingen	Torrence	Van Maanen
Welden			

Absent or not voting, 3:

Harbor	Miller	Running
--------	--------	---------

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

IMMEDIATE MESSAGE
(House File 225)

Norland of Worth asked and received unanimous consent to immediately message House File 225 to the Senate.

REPORT OF HOUSE RULES AND ADMINISTRATION COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 2, your committee on rules and administration submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Clerk to Chief Clerk	Suzanne Spenser		PT-SO	01/14/85
Recording Clerk	Laurie J. Ward		SO	01/25/85
Secretary II	Kathleen Beckman	15-2 + 2	SO	01/28/85
Secretary II	LuAnn K. Creek	13-1 + 1 to 15-1 + 2	SO	01/25/85
Secretary II	Marcia L. Kephart	15-1 to 15-1 + 2	SO	02/04/85
Secretary II	JoAnn M. Leachman	13-1 + 1 to 15-1 + 1	SO	01/25/85
Secretary II	Prudence A. Leachman	15-1 + 1	SO	01/14/85
Secretary II	Betty Lou Lundy	13-1 + 1 to 15-1 + 2	SO	01/25/85
Administrative Assistant II	Carol A. Owen	15-1	SO	02/01/85
Secretary II	Marilyn Rensink	13-1 + 1 to 15-1 + 1	SO	01/25/85
Secretary II	Mary E. Shandley	13-1 to 15-1	SO	01/25/85
Secretary II	Jane M. Wallerstedt	15-1	SO	01/14/85
Research Analyst	Timothy C. Dunbar	24-1 to 24-2	P-FT	04/19/85
Research Analyst	Mary E. O'Connor	28-1 to 28-2	P-FT	04/19/85
Research Analyst	Allen J. Welsh	24-1 to 24-2	P-FT	04/19/85
Research Analyst	David Werning	24-1 to 24-2	P-FT	02/22/85
Executive Secretary to Caucus	E. Marie Callas	19-1 to 19-2	P-FT	04/19/85

The following are resignations from the officers and employees of the House:

<u>Name</u>	<u>Position</u>	<u>Date</u>
Penny L. Brown	Administrative Assistant II	01/31/85

TOM FEY, Chair

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on February 14, 1985. Had I been present, I would have voted "nay" on House File 225.

MILLER of Cherokee

PRESENTATION OF VISITORS

Halvorson of Clayton presented to the House the Honorable Walter Hagen, former member of the House representing Allamakee County.

McKean of Jones presented to the House Tim Heckstall-Smith of Devon, England. He is working on the farm of Everett and Dorothy Russell, Morley, Iowa.

Zimmerman of Dallas presented to the House Charles and Ruth Wright of Hampton-on-Lucy near Warwick, England.

COMMUNICATION RECEIVED

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

COMMISSION ON COMPENSATION EXPENSES AND SALARIES OF THE ELECTED STATE OFFICIALS

The report and recommendations of the commission, pursuant to Chapter 2A.4, Code of Iowa, received February 13, 1985.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 241 Local Government

Relating to fees collected by county officers.

S.B. 242 Local Government

Relating to the publication of notices of public hearings, adopted regulations, and elections.

S.B. 243 Local Government

Transferring administrative duties for homestead tax credits and military service tax exemption from the appropriate assessor to the county recorders.

S.B. 244 Local Government

Relating to qualifying for office.

S.B. 245 Local Government

Relating to the self-inflicted injury or death of persons being held in a city or county jail or detention facility.

S.B. 246 Local Government

Relating to the publication of notice of a hearing on an amendment to an urban revitalization plan.

S.B. 247 Local Government

To increase the tax levy for a municipal transit system.

S.B. 248 Labor and Industrial Relations

Relating to the exception of a fellow employee's gross negligence to the exclusive remedy rule under the workers' compensation law.

S.B. 249 Judiciary and Law Enforcement

Relating to the duty of a liquor control licensee to break empty liquor bottles.

AMENDMENTS FILED

H-3139	H.F.	210	Hummel of Benton
H-3145	S.F.	15	Blanshan of Greene

On motion by Norland of Worth, the House adjourned at 5:50 p.m., until 9:00 a.m., Friday, February 15, 1985.

JOURNAL OF THE HOUSE

Thirty-third Calendar Day—Twenty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 15, 1985

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

Prayer was offered by the Honorable Horace Daggett, state representative from Taylor County.

The Journal of Thursday, February 14, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mullins of Kossuth on request of Platt of Muscatine; McKean of Jones on request of Grandia of Marion; Brammer of Linn and Osterberg of Linn, both on request of Norland of Worth; Maulsby of Calhoun on request of Stromer of Hancock.

PETITION FILED

The following petition was received and placed on file:

By Pavich of Pottawattamie, from one hundred sixty-five residents of Pottawattamie County opposing a state lottery bill.

INTRODUCTION OF BILLS

House File 322, by Royer, Maulsby, Torrence, Van Camp, Halvorson of Clayton, Handorf and De Groot, a bill for an act relating to the licensing and funding of substance abuse programs, the treatment of substance abusers and concerned persons, and requiring the state to assume one hundred percent of the cost of substance abuse treatment at certain programs.

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

House File 323, by committee on local government, a bill for an act relating to the imposition of a local option income surtax, vehicle tax, and sales and services tax by a city or county and providing for penalties.

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

House File 324, by O'Kane, a bill for an act providing for the adjudication of a truant or runaway as a child in need of assistance under the juvenile justice code.

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

House File 325, by Blanshan, a bill for an act relating to the expunction of arrest records and files and providing penalties.

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

House File 326, by Beatty, a bill for an act relating to the expenditure of moneys school districts receive for enrollment of students in first-year foreign language courses.

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

House File 327, by Oxley, a bill for an act relating to the appointment of a clerk to the board of supervisors.

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

House File 328, by Holveck, Hammond and McKean, a bill for an act limiting the amount of federal income taxes deductible for purposes of determining Iowa income taxes, making the Act retroactive to January 1, 1985.

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

House File 329, by Beatty and Cooper, a bill for an act relating to the residence of township officers.

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

House File 330, by Peick, a bill for an act relating to the provision of podiatry care and treatment by health maintenance organizations.

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

House File 331, by Metcalf, Lageschulte, Shoning, Miller, Mullins and Kremer, a bill for an act authorizing a capitol restoration checkoff and a state historical building checkoff from individual or joint income tax returns, and providing an effective date.

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

House File 332, by Torrence, Maulsby, Shoning, McIntee, Hanson, Metcalf, Branstad and Mullins, a bill for an act relating to discrimination on the basis of gender and martial status.

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

House File 333, by Siegrist, Lageschulte, Shoning, Stueland, McIntee, Hanson, McKean, Torrence, Miller, Rensink, Halvorson of Clayton, Clark, Stromer, Metcalf, Branstad, Hummel and Grandia, a bill for an act relating to the expunging of child abuse information.

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

House File 334, by Maulsby, a bill for an act relating to the negotiation of collective bargaining agreements by representatives of teacher organizations and the boards of directors of school districts.

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

House File 335, by Miller, a bill for an act imposing a mineral severance tax and providing a penalty.

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

House File 336, by Renaud, a bill for an act relating to the preference given to parents in awarding sole custody or physical care of a child pursuant to a dissolution of marriage

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

House File 337, by Arnould, a bill for an act requiring the Iowa merit employment department to develop a model state employment policy for state employees who are parents of young children.

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

House File 338, by Peick, a bill for an act relating to the term of office of the labor commissioner.

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

House File 339, by Swearingen, Daggett, McIntee, Torrence, Rensink and Branstad, a bill for an act to establish advisory committees for the board of educational examiners and to prescribe their duties.

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

House File 340, by Johnson, a bill for an act relating to the operation of bed and breakfast homes.

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

ADOPTION OF HOUSE RESOLUTION 4

Fey of Scott called up for consideration House Resolution 4 as follows:

HOUSE RESOLUTION 4

By Rules and Administration Committee

1 *Be It Resolved By The House Of Representatives, That the*
2 permanent rules of the House for the seventy-first general
3 assembly be as follows:

4 **DIVISION I—GENERAL RULES**

5 **Rule 1**

6 **Call to Order and Order of Business**

7 The speaker shall take the chair at the hour to which the
8 house has adjourned, and shall immediately call the members to
9 order, correct the journal of the previous day's proceedings,
10 and proceed to other business, including introduction of
11 bills, reports, messages, communications, business pending at
12 adjournment, resolutions and bills on their passage.

13 **Rule 2**

14 **Quorum Call and Time of Convening**

15 The house shall convene each Monday at 10:00 a.m. and at
16 9:00 a.m. on all other legislative days, unless otherwise

17 ordered.

18 The speaker or a member may request a roll call to
19 determine if a quorum is present.

20 **Rule 3**

21 **Absences from the House**

22 No member shall be absent without leave while the house is
23 in session unless the member is sick or unable to attend.

24 **Rule 4**

25 **Preservation of Order**

26 The speaker shall preserve order and decorum and speak to
27 points of order in preference to other members. Subject to an
28 appeal to the house by any member, the speaker shall decide
29 questions of order which shall not be debated.

30 The speaker may have the chamber of the house cleared in
31 case of any disturbance or disorderly conduct.

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

Page 2

1 the house.

2

Rule 5

Rules of Parliamentary Practice

4 The rules of parliamentary practice in Mason's Manual of
5 Legislative Procedure shall govern the house in all cases
6 where they are not inconsistent with the standing rules of the
7 house or the joint rules of the senate and house.

8

Rule 6

The Speaker Pro Tempore

10 The house shall, at its pleasure, elect a speaker pro
11 tempore. When the speaker shall for any cause be absent, the
12 speaker pro tempore shall preside, except when the chair is
13 filled by appointment by either the speaker or the speaker pro
14 tempore. The speaker or the speaker pro tempore shall have
15 the right to name any member to perform the duties of speaker,
16 but such substitution shall not extend beyond the adjournment.
17 The acts of the speaker pro tempore shall have the same
18 validity as those of the speaker. In the absence of both the
19 speaker and the speaker pro tempore, the house shall name a
20 speaker who shall preside over it and perform all the duties
21 of the speaker with the exception of signing bills, until such
22 time as the speaker or speaker pro tempore shall be present,
23 and the person's acts shall have the same force and validity
24 as those of the regularly elected speaker.

25

Rule 7

Amendment and Suspension of Rules

27 A motion to change or rescind a standing rule or order of
28 the house requires one day's notice. A motion to suspend a
29 rule, or to table or take from the table a matter, requires an

30 affirmative vote of a constitutional majority. Postponing or
31 changing the order of business requires an affirmative vote of
32 a constitutional majority.

33 **Rule 8**

34 **Violation of House Rules**

35 The speaker shall, or any member may, call to order a

Page 3

1 member who transgresses the rules of the house. With leave of
2 the house, the member called to order may be permitted to
3 explain. If the case requires it, the member shall be subject
4 to censure of the house.

5 **Rule 9**

6 **Referral of Rule Violations**

7 The speaker shall, upon complaint of a member, or upon the
8 speaker's own motion, refer any alleged violation of house or
9 joint rules by house members, employees or staff to the house
10 ethics committee upon an initial finding that an investigation
11 is warranted.

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

14 **Rule 10**

15 **Recognition and Decorum in Debate**

16 A member who wishes to speak in debate or deliver any
17 matter to the house, shall raise the microphone and, after
18 recognition by the chair, shall respectfully address the
19 presiding officer by saying "Mr. or Madam Speaker", shall
20 confine all remarks to the question under debate and shall
21 avoid personalities.

22 **Rule 11**

23 **Limit on Debate**

24 No member shall speak more than once on the same question,
25 without leave of the speaker, nor more than twice until every
26 member choosing to speak has spoken, except as provided in
27 Rule 82. A member shall be limited to ten minutes debate on a
28 bill being considered prior to its last reading, but may be
29 granted an extension of time by consent of the house.

30 **Rule 12**

31 **Decorum During Debate**

32 No member shall leave the house while the speaker is
33 putting a question. No one shall pass between the speaker and
34 a member who is speaking.

35 **Rule 13**

Page 4

1 **Stating the Question**

2 When a motion is made, it shall be stated by the speaker.
3 A motion made in writing shall be passed to the desk before it
4 is debated.

5

Rule 14

6

Putting the Question

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

DIVISION II—EMPLOYEES OF THE HOUSE**Rule 15****Chief Clerk of the House**

The chief clerk of the house shall serve as parliamentarian and chief administrative officer of the house under the direction of the speaker of the house. The chief clerk shall supervise the chief clerk's office; be responsible for the custody and safekeeping of all bills, resolutions, and amendments filed, except when they are in the custody of a committee; have charge of the daily journal; have control of all rooms assigned for the use of the house; attest to the accuracy and correctness of text and action on bills and resolutions; process the handling of amendments when filed and during the floor consideration of bills; insert adopted amendments into bills before transmittal to the senate and prior to final enrollment; supervise legislative printing and the distribution of printed material; and perform all other duties pertaining to the office of the chief clerk.

Rule 16**Legal Counsel**

The legal counsel shall be a house employee under the direction of the speaker of the house. The legal counsel shall serve as chief legal officer of the house; supervise the

Page 5

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

legal counsel's office; approve all bills, resolutions, and amendments as to proper form prior to introduction; and provide assistance to house committees.

Rule 17**Sergeant-At-Arms**

The sergeant-at-arms shall execute all orders of the house and the presiding officer; perform all assigned duties related to the policing and good order of the house; supervise the entrance and exit of all persons to and from the chamber; promptly execute all messages, etc.; provide that the chamber is properly ventilated and open for the use of the members; and perform all other services pertaining to the office of sergeant-at-arms.

Rule 18**Secretaries**

All secretaries of the house shall be under the general direction of the speaker and the chief clerk. Secretaries

18 shall be on duty at the house from 8:30 a.m. to 4:30 p.m.
19 except when excused by the member to whom the secretary is
20 assigned. Secretaries shall perform such additional duties as
21 may be assigned to them by the chief clerk.

22 Rule 19

23 Extra Compensation of Employees

24 No employee shall receive any extra compensation, except as
25 provided by the house, or tips for services performed while on
26 duty. Any violation of this rule shall be grounds for
27 removal.

28 DIVISION III—VISITORS AND LOBBYISTS

29 Rule 20

30 Admission to the House; Lobbying

31 The chamber of the house shall include the vestibule,
32 restrooms, cloak room, lounge, visitors' galleries, and floor
33 of the house.

34 The floor of the house shall consist of that area between
35 the press box, speaker's station, and the south wall behind

Page 6

1 the last row of desks occupied by representatives, excluding
2 the visitors' galleries.

3 During a legislative day while the house is in session, and
4 one-half hour before the house convenes and one-half hour
5 after the house recesses or adjourns, no person shall be
6 admitted to the floor of the house except:

7 1. Members of the general assembly and authorized house
8 employees in the performance of their duties.

9 2. Former members of the general assembly who are not
10 registered lobbyists.

11 3. A general assembly member's family who shall be
12 restricted to the perimeter seating area only while the house
13 is in session.

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

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

20 6. Chair, co-chair, and the executive secretary of a
21 political party having members serving in the general
22 assembly.

23 7. Personnel of the code editor's office, legislative
24 service bureau, legislative fiscal bureau, and administrative
25 rules review committee staff.

26 8. The governor's executive assistants and administrative
27 assistants, members of the state executive council, the
28 lieutenant governor, the attorney general, the citizens'
29 aide/ombudsman, and the administrative rules coordinator, all
30 of whom shall be confined to the perimeter area.

31 No other persons shall be allowed on the house floor
 32 without permission of the presiding officer of the house.
 33 No person admitted to the floor of the house, except
 34 members of the general assembly, shall, while the house is in
 35 session, lobby or attempt to exercise any influence with any

Page 7

1 member for or against any matter then pending or that may
 2 thereafter be considered by the house.

3 Notwithstanding the provisions of this rule regarding
 4 admission to the floor of the house, a registered lobbyist
 5 shall not be admitted to the floor of the house on any day
 6 when the house is in session or committees are scheduled to
 7 meet from one-half hour before the house convenes or 9:00
 8 a.m., whichever is earlier, until one-half hour after the
 9 house adjourns or until 4:30 p.m., whichever is later. A
 10 registered lobbyist or other person may be admitted to the
 11 house when the house is not in session to gain access to a
 12 committee room or upon the invitation of a member or members
 13 of the house for the purpose of visiting only with that member
 14 or members of the house.

15 Each lobbyist shall be given a copy of this rule when the
 16 lobbyist registers.

17 Each member, employee of the house, and registered lobbyist
 18 shall report violations of this rule immediately to the
 19 sergeant-at-arms.

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

Rule 21

Distribution of Literature

25 No person not a member of the house of representatives
 26 shall generally distribute or cause to be distributed any
 27 pamphlets, material, or other printed literature in the house
 28 without the express permission of the chief clerk. Each piece
 29 of literature shall bear its source of distribution.

30 All copies of pamphlets, material, or printed literature
 31 distributed by a member of the general assembly shall bear the
 32 name of the member and a copy shall be left with the sergeant-
 33 at-arms.

Rule 22

Distribution of Materials

Page 8

Printed by the State

1 A member of the house shall not distribute maps, books, and
 2 pamphlets such as, but not limited to Golden Dome, How a Bill
 3 Becomes Law, etc., which have been printed by the state of
 4 Iowa and upon which the name of the member of the house has

6 been affixed unless the member has purchased the materials or
 7 unless the member has affixed the words "Paid for by the
 8 citizens of Iowa and distributed by representative (member's
 9 name)."

10 **DIVISION IV – FORMS AND PROCEDURES**
 11 **FOR BILLS AND OTHER DOCUMENTS**

12 **Rule 23**

13 **Documents signed by the Speaker**

14 All acts and joint resolutions shall be signed by the
 15 speaker, and all writs, warrants, and subpoenas issued by
 16 order of the house, shall be signed by the speaker and
 17 attested by the chief clerk.

18 **Rule 24**

19 **Presentation of Petitions**

20 All petitions, memorials and other papers addressed to the
 21 house shall be signed by the member and filed with the chief
 22 clerk or the chief clerk's staff.

23 **Rule 25**

24 **Consideration of Resolutions**

25 Action on a resolution, except a memorial resolution, or a
 26 proposition requesting information from a state official shall
 27 not be taken until one day after the resolution has been
 28 placed on the members' desks. After the resolution is
 29 adopted, the chief clerk shall transmit certified copies and
 30 have the resolution printed in the bound journal. A
 31 resolution may be printed in the daily journal upon the
 32 approval of the speaker after consultation with the minority
 33 leader.

34 **Rule 26**

35 **Unanimous Consent Calendar**

Page 9

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

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

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

11 If the resolution is removed from the unanimous consent
 12 calendar, the speaker may again lay the resolution over under
 13 Rule 25, place it on a different calendar, or refer the
 14 resolution to any of the standing committees of the house.

15 **Rule 27**

16 **Forms of Bills and Joint Resolutions**

17 Every house bill shall be introduced by one or more members
 18 or by any standing or specially authorized committee of the

19 house, the administrative rules review committee or interim
 20 study committee. All bills and joint resolutions introduced
 21 shall be prepared by the legislative service bureau with
 22 title, enacting clause, text and explanation as directed by
 23 the chief clerk of the house. One copy of each bill shall be
 24 presented in a bill cover with the number of copies of the
 25 bill and the title as directed by the chief clerk.

26 **Rule 28**

27 **Joint Resolutions**

28 Joint resolutions shall be framed and treated as bills.

29 **Rule 29**

30 **Time of Introduction of Bills**

31 No bill or joint resolution under individual sponsorship
 32 shall be read for the first time after 4:00 p.m. on Friday of
 33 the 7th week of the first regular session of the general
 34 assembly unless a written request for drafting the bill has
 35 been filed with the legislative service bureau before that

Page 10

1 time.

2 After adjournment of the first regular session, bills may
 3 be prefiled at any time before the convening of the second
 4 regular session. No bill or joint resolution under individual
 5 sponsorship shall be read for the first time after 4:00 p.m.
 6 on Friday of the 2nd week of the second regular session of the
 7 general assembly unless a written request for drafting the
 8 bill has been filed with the legislative service bureau before
 9 that time.

10 However, bills or joint resolutions sponsored by standing
 11 committees or the administrative rules review committee, co-
 12 sponsored by the majority and minority floor leaders, or
 13 companion bills sponsored by the house majority leader and the
 14 senate majority leader may be drafted and introduced at any
 15 time permissible under Joint Rule 20. House, concurrent and
 16 nullification resolutions may be introduced at any time.

17 **Rule 30**

18 **Introduction and Reading of Bills**

19 All bills and resolutions to be introduced in the house
 20 shall be typed in proper form and filed with the chief clerk
 21 no later than 4:30 p.m. on the legislative day preceding its
 22 introduction.

23 Every bill shall receive two readings but no bill shall
 24 receive its first and last readings on the same day.

25 A "reading of a bill" as required by these rules shall
 26 consist of a reading of the title and enacting clause unless
 27 otherwise demanded by a house member.

28 **Rule 31**

29 **First Reading, Commitment and Amendment**

30 31.1. A bill is introduced into the house by an initial or
 31 "first reading of the bill".

32 31.2. When the house is in session the first reading shall
33 consist of a "reading" as provided in Rule 30.
34 31.3. Upon a first reading of the bill, the speaker shall
35 state that it is ready for commitment or amendment; and the

Page 11

1 speaker shall commit it to the standing or select committee,
2 or to a committee of the whole house. If to a committee of
3 the whole house, the house shall determine on what day.

4 31.4. On a day when the house is not in session, the
5 speaker shall cause a statement, which shall consist of the
6 title, enacting clause, bill number and committee to which the
7 bill is referred to be published in the house journal. This
8 publication shall constitute a first reading and commitment
9 and shall contain the notation "read and committed under Rule
10 31.4".

11 31.5. All amendments offered to bills on file or on the
12 regular calendar shall be accompanied by such copies as the
13 chief clerk shall direct.

14 31.6. Such amendments shall give the number of the bill
15 sought to amend and the chief clerk shall designate each such
16 amendment thus: Amendment to House File _____, or Senate
17 File _____, by _____.

18 31.7. A bill reported out by committee shall go to the
19 speaker who shall direct that the bill be placed on the
20 regular calendar unless it covers subject matter more properly
21 within the jurisdiction of some other standing committee, in
22 which case the speaker shall refer the bill to the proper
23 standing committee.

24 31.8 No amendment to the rules of the house, to any
25 resolution or bill, except technical amendments and amendments
26 to bills substituted for by Senate Files containing
27 substantially identical title, language, subject matter,
28 purpose and intrasectional arrangement, shall be considered by
29 the membership of the house without a copy of the amendment
30 having been filed with the chief clerk by 4:00 p.m. or within
31 one-half hour of adjournment, whichever is later, on the day
32 preceding floor debate on the amendment. This provision shall
33 not apply to any proposal debated on the floor of the house
34 after the fourteenth week of the first session and the twelfth
35 week of the second session. No amendment or amendment to an

Page 12

1 amendment to a bill, rule of the house, or resolution shall be
2 considered by the membership of the house without a copy of
3 the amendment being on the desks of the entire membership of
4 the house prior to consideration.

Rule 32**Commitment of Appropriation and Revenue Bills**

7 All bills to appropriate money shall be referred to the
 8 appropriations committee, and all bills pertaining to the levy,
 9 assessment or collection of taxes shall be referred to the
 10 committee on ways and means.

11 **Rule 33**

12 **Regular Calendar**

13 Bills, nullification resolutions and joint resolutions
 14 reported out for passage, or amendment and passage, or without
 15 recommendation, by a committee, shall be arranged on a regular
 16 calendar by the chief clerk each day at 4:30 p.m. in the
 17 order of the file number of the bills and following the
 18 preceding legislative day's regular calendar. Priority shall
 19 be given to house over senate file numbers and to joint
 20 resolutions over bills in the arrangement of the regular
 21 calendar.

22 **Rule 34**

23 **Debate Calendars**

24 The majority floor leadership shall cause a weekly debate
 25 calendar to be prepared and distributed to the house members
 26 by the chief clerk. The weekly debate calendar shall be the
 27 last regular calendar of the preceding week with an addendum
 28 by noon of that day consisting of bills that are read in on
 29 that day as reported out of committee and provided that copies
 30 of the bills on the addendum are available by 4:00 p.m. or by
 31 adjournment of that day, whichever is later. Any bill, except
 32 an appropriations or ways and means committee bill not listed
 33 on the weekly debate calendar shall not be considered by the
 34 house during the week covered by the weekly debate calendar.
 35 The majority floor leadership shall cause to be prepared

Page 13

1 and distributed to the members at the opening of each session
 2 day when floor action is scheduled, a daily debate calendar
 3 consisting of bills, nullification resolutions and joint
 4 resolutions from the weekly debate calendar setting forth the
 5 number, title, and order of consideration of bills,
 6 nullification resolutions and joint resolutions for the next
 7 session day that floor action is scheduled.

8 **Rule 35**

9 **Noncontroversial Calendar**

10 The majority floor leadership may cause to be prepared a
 11 noncontroversial calendar consisting of bills and joint
 12 resolutions from the regular calendar. The noncontroversial
 13 calendar shall appear under separate heading on the regular
 14 calendar.

15 Notwithstanding Rule 35, a bill or joint resolution on the
 16 noncontroversial calendar may be called up for debate at any
 17 time by the majority leader beginning the third legislative
 18 day after it appears on the noncontroversial calendar. A bill
 19 or joint resolution shall be stricken from the

20 noncontroversial calendar if a written objection to the bill
 21 or joint resolution is filed with the chief clerk prior to the
 22 time the bill or joint resolution is called up by the majority
 23 leader.

24 Debate on a bill or joint resolution from the
 25 noncontroversial calendar shall be limited to ten minutes. If
 26 debate exceeds ten minutes, the bill or joint resolution shall
 27 be stricken from the noncontroversial calendar.

28 Rule 36

29 Consideration of Committee Amendments

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

33 Rule 37

34 Amendments to Special Order Bills

35 All amendments, except corrective amendments, to bills

Page 14

1 special ordered more than five session days in advance of the
 2 date set for debate shall be filed at least two session days
 3 prior to the date set for debate.

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

6 The time limits set for the filing of amendments on
 7 specially ordered bills shall not apply to bills special
 8 ordered for less than five session days.

9 Rule 38

10 Irrelevant Amendments

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

14 Rule 39

15 Consideration of Bills

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

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

26 The reports of the committees shall not be read while the
 27 house is in session except as herein provided. The reports
 28 shall be printed in the journal immediately after they are
 29 filed with the chief clerk. Reports recommending bills for
 30 passage, for amendment and passage, or without recommendation
 31 shall stand approved unless written objections are filed
 32 during the first legislative day following their printing in

33 the journal. If objections are filed, they shall be disposed
 34 of as soon as possible. Reports recommending indefinite
 35 postponement shall be governed by Rule 45.

Page 15

1 Upon an affirmative vote of at least a constitutional
 2 majority of the members, a report may be read before it is
 3 printed in the journal and while the house is in session, and
 4 acted upon at once.

Rule 40

Consideration of Bills Upon Last Reading

7 No amendment, unless by way of correcting an error or
 8 omission, shall be received to any bill on its last reading,
 9 and no debate shall be allowed on it.

Rule 41

Printing of Bills and Joint Resolutions

11 Bills and joint resolutions shall be printed in form as
 12 provided by law and by rule. Each house may direct the
 13 printing of an additional number of its own bills.

15 Legalizing bills of a local or private nature shall be
 16 printed in bill form and placed in the files of the members,
 17 the same as other bills, in the order of their introduction.
 18 The cost of printing shall be deposited with the treasurer of
 19 state in advance at a rate to be fixed, and the newspaper
 20 publication of the bill shall be without cost to the state.
 21 No legalizing act may be introduced until all provisions of
 22 law have been complied with.

Rule 42

Certification of Bills

25 The chief clerk shall certify the passage of each bill and
 26 note the date of its passage.

Rule 43

Rereferral

29 A bill may be rereferred at any time before its passage and
 30 after the report of its referral to committee.

Rule 44

Effect of Indefinite Postponement

33 When a question is indefinitely postponed, it shall not be
 34 acted upon again during that session. Any bill which receives
 35 a committee recommendation of indefinite postponement shall be

Page 16

1 disposed of within three legislative days after the printed
 2 journal containing the report has been placed upon the desks
 3 of the members of the house, or the committee recommendation
 4 will be considered adopted.

Rule 45

**Status of Bills Following
 First Regular Session**

8 Except as provided in Rule 3 of the joint rules all bills
9 introduced during the first regular session of a general
10 assembly which have not been withdrawn, defeated or
11 indefinitely postponed, shall be rereferred to committee at
12 the opening of the second regular session. Within seven days
13 after the first committee meeting following convening of the
14 second regular session, committees shall either authorize the
15 chair to refer such bills and resolutions to a subcommittee
16 for consideration or report them to the floor and place them
17 on the calendar.

18 DIVISION V — COMMITTEE PROCEDURES

19 Rule 46

20 Appointment of Committees

21 All committees shall be appointed by the speaker, unless
22 otherwise especially directed by the house.

23 Rule 47

24 Order on Question of Commitment

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

29 Rule 48

30 Study Bills and Nullification Resolutions

31 A study bill is any matter which a member of the house
32 wishes to have considered by a standing committee, other than
33 appropriations, and which has not been included in a
34 previously introduced bill. A member may submit a
35 nullification resolution for consideration by a standing

Page 17

1 committee in the same manner as a study bill. Upon taking
2 possession of a study bill or nullification resolution, the
3 committee chair shall notify the speaker and then submit
4 fifteen copies of the bill or resolution to the legal
5 counsel's office for numbering.

6 A study bill or nullification resolution shall bear the
7 name of the member who wishes to have the bill or resolution
8 considered. A study bill submitted by a state agency or board
9 for consideration shall bear the name of the state agency or
10 board. A committee chair may submit a study bill or
11 nullification resolution in the name of that committee.

12 Final committee action on a study bill or nullification
13 resolution shall not be taken until one day following the
14 notation of the study bill or nullification resolution
15 assignment in the house journal.

16 A study bill or nullification resolution not prepared by
17 the legislative service bureau may be submitted to a standing
18 committee or the administrative rules review committee, but
19 shall not be considered by the full committee unless reviewed
20 and typed in proper form by the legislative service bureau.

21

Rule 49

22

Committee Meetings.

23

24

25

No committee, except a conference committee or the administrative rules review committee, shall meet while the house is in session without special leave.

26

Rule 50

27

Smoking

28

29

30

Smoking shall not be permitted in the house committee rooms while a committee is meeting or on the floor of the house while the house is in session.

31

Rule 51

32

Assignments to Subcommittee

33

34

35

The chair of the committee shall report to the house the bill number of each bill assigned to subcommittee and the names of the subcommittee members. The report shall be

Page 18

1 printed in the journal of the last legislative day of the week
2 in which the bill is assigned.

3 All bills, prior to consideration by the committee, shall
4 be referred by the chair to a subcommittee, unless acted upon
5 by a committee of the whole.

6 The chair may assign bills to subcommittees without a
7 meeting of the committee, but the membership of the
8 subcommittee so appointed shall be reported at the next
9 meeting of the committee.

10

Rule 52

11

Open Meetings

12

13

14

15

16

17

18

Standing committee meetings shall be open, and voting by secret ballot is prohibited. The rules and administration committee may close its meetings to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation on the request of the affected individual.

19

Rule 53

20

Quorum and Vote Requirements

21

22

23

24

25

26

The committee roll shall be taken at the convening of each meeting to determine the presence of a quorum. A majority of the committee membership shall constitute a quorum.

An affirmative vote of a majority of the committee membership is required to report a bill out of committee or to suspend a committee rule.

27

Rule 54

28

Committee Attendance Record and Report of Committee Form

29

30

31

32

33

34

35

A committee attendance record shall be filed with the chief clerk no later than 10:00 a.m. of the legislative day immediately following the day of the committee meeting. The committee attendance record is a public record and may be published in the journal. The committee attendance record shall include the following information:

Page 19

- 1 a. The time the meeting convened.
- 2 b. The members present at the meeting.
- 3 c. The time the meeting adjourned.
- 4 d. A list of bills receiving final committee disposition.
- 5 A report of committee form shall be filed with the chief
- 6 clerk no later than 10:00 a.m. of the legislative day
- 7 immediately following the day of the committee meeting for
- 8 each study bill, numbered bill or resolution receiving final
- 9 committee disposition. The report of committee form is a
- 10 public record and shall be printed in the journal. The report
- 11 of committee form shall include the following information:
- 12 a. The committee action taken.
- 13 b. The committee amendment number, if any.
- 14 c. The roll call vote of the committee on final
- 15 disposition.
- 16 d. The minority recommendation, if any.
- 17 Upon final adjournment of the first session and final
- 18 adjournment of the second session of the general assembly, the
- 19 chair of each committee shall have placed the committee's book
- 20 of record containing minutes, roll calls, rules, etc., with
- 21 the chief clerk for access of any interested person.

Rule 55**Minority Recommendation**

24 The minority of the members of a committee may present its
 25 recommendations on the final disposition of a bill to the
 26 house by attaching its recommendation to the committee report
 27 and the same shall be printed in the journal with the
 28 committee report.

Rule 56**Committee Amendment**

31 Whenever a committee amendment is proposed which would
 32 amend another committee amendment, the amendment shall be
 33 drafted in the form of a substitute amendment and shall be
 34 considered as such.

Rule 57

Page 20

Committee Notice and Agenda

- 2 Each committee shall prepare and publish a notice and
- 3 agenda of each committee meeting at least one legislative day
- 4 prior to the meeting.
- 5 The notice shall contain the committee name, the date, time
- 6 and location of the meeting.
- 7 The agenda shall contain the matters to be discussed,
- 8 including a list of bills, joint resolutions, nullification
- 9 resolutions and study bills by number. The agenda should
- 10 contain the names of individuals who are scheduled to appear
- 11 before the committee and the organization which they

12 represent.

13 A bill, joint resolution, nullification resolution or
14 study bill shall not be reported out of committee if the bill
15 was not included in the published notice and agenda unless
16 this rule is suspended by a majority of the total membership
17 of the committee.

18 A committee chair may call a meeting without providing the
19 required notice and agenda upon leave of the house if a notice
20 is placed on the desks of committee members and on the
21 bulletin board.

22 **Rule 58**

23 **Clearing of Committee Room**

24 The chair of a committee may clear the committee room in
25 case of any disturbance or disorderly conduct.

26 **Rule 59**

27 **Committee Amendments**

28 All amendments to a bill or resolution adopted in committee
29 shall be incorporated in a single committee amendment or
30 incorporated in a new committee bill.

31 **Rule 60**

32 **Withdrawal of Bills**
33 **or Nullification Resolutions**
34 **From Committee**

35 A bill or nullification resolution which has been in

Page 21

1 committee for eighteen legislative days following notation of
2 such referral in the journal may be withdrawn from the
3 committee and placed on the calendar by an affirmative vote of
4 not less than fifty-one members of the house. This rule shall
5 not apply to the committees on appropriations and ways and
6 means.

7 **Rule 61**

8 **Committee Hearings**

9 The chair of a committee may call a hearing for the purpose
10 of receiving public comment on any matter within the purview
11 of the committee.

12 The chair shall call a hearing upon the written request of
13 committee members according to committee rules, but no more
14 than one-third of the committee members shall be required.

15 The chair shall designate a time and place for a hearing
16 and provide public notice at least five days prior to a
17 hearing.

18 **Rule 62**

19 **Limitation on Filing of Claims**

20 A claim or claim bill, the subject matter of which has been
21 considered or filed for consideration in the house or any of
22 its committees, in two or more prior sessions of the general
23 assembly, shall not be considered by any committee or by the
24 house unless it has been specifically referred to this session

25 by a prior general assembly. The committee on claims is
 26 authorized to set a definite date after which it will not
 27 receive claims or claim bills for consideration.

28 **DIVISION VI—COMMITTEE OF THE WHOLE**

29 **Rule 63**

30 **Organization of Committee of the Whole**

31 In forming the committee of the whole house, the speaker
 32 shall appoint a member to preside in committee and then leave
 33 the chair.

34 **Rule 64**

35 **Rules in Committee of the Whole**

Page 22

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

3 **Rule 65**

4 **Bills in Committee of the Whole**

5 Bills committed to the committee of the whole house shall
 6 first be read in their entirety by the chief clerk or chair
 7 and then read again or debated by section, leaving the
 8 preamble to be considered last. After report, the bill shall
 9 again be subject to debate and amendment before a vote is had
 10 on its last reading and passage.

11 **Rule 66**

12 **Amendments by Committee of the Whole**

13 All amendments made to a report committed to a committee of
 14 the whole house shall be noted and reported as in the case of
 15 bills.

16 **DIVISION VII—MOTIONS**

17 **Rule 67**

18 **Order and Precedence of Motions**

19 The following order and precedence of motions shall govern
 20 when a question is under debate:

- 21 11. Adjourn.
- 22 10. Recess.
- 23 9. Questions of privilege.
- 24 8. Lay on the table.
- 25 7. Previous question.
- 26 6. Postpone definitely or to a certain time.
- 27 5. Refer or commit.
- 28 4. Defer.
- 29 3. Amend an amendment.
- 30 2. Amend.
- 31 1. Postpone indefinitely.

32 These motions are listed in descending order of
 33 precedence.

34 A motion to postpone definitely or to a certain time, to
 35 refer or commit, or to postpone indefinitely a particular

Page 23

1 question shall not be considered more than once on the same day.
 2 Adoption of a motion to strike the enacting words is equivalent
 3 to rejection of the question.

Rule 68**Order of Consideration of Amendments**

6 Amendments shall be considered by earliest position in the
 7 bill. Amendments to the same place in the bill shall be
 8 considered by the lowest amendment number. An amendment which
 9 inserts language after a line and an amendment which inserts
 10 language before the succeeding line shall be considered
 11 amendments to the same place in the bill.

12 However, an amendment to strike the enacting clause shall
 13 always be considered first. An amendment filed by a committee
 14 shall have the next highest order of priority, followed by an
 15 amendment to strike everything after the enacting clause and
 16 insert new language. An amendment to strike language or to
 17 strike and insert new language, except an amendment to strike
 18 everything after the enacting clause and insert new language,
 19 shall not be considered before amendments to perfect all or
 20 part of the same portion of the bill.

Rule 69**Motions Not Debatable**

23 The motions to lay on the table, to adjourn, for the
 24 previous question, and appeals of a ruling of the presiding
 25 officer shall be decided without debate.

Rule 70**Motion to Adjourn**

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

Rule 71**Withdrawal of Motions**

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

Rule 72

Page 24

Referral and Rereferral

2 Motions and reports may be referred and rereferred at the
 3 pleasure of the house.

Rule 73**Reconsideration**

6 a. A motion to reconsider may be made only by a member who
 7 voted on the prevailing side of the question sought to be
 8 reconsidered.

9 b. A motion to reconsider may be made not later than
 10 adjournment on the day following the day of the action sought

11 to be reconsidered. Where the floor manager voted on the
12 prevailing side, he or she has the prior right to make the
13 motion, until adjournment on the day of the action sought to
14 be reconsidered.

15 c. A motion to reconsider made following the one hundred
16 fourth calendar day of the first regular session, or the
17 ninety-fourth calendar day of the second regular session,
18 shall be taken up when made. A motion made at any other time
19 may be taken up prior to the third day succeeding the day of
20 the action sought to be reconsidered only if called up by the
21 mover, and after the second day succeeding the day of the
22 action sought to be reconsidered if called up by any member.

23 d. The making of a motion to reconsider takes precedence
24 over all other questions.

25 e. No motion to reconsider passage, adoption or failure of
26 any bill, nullification resolution or joint resolution shall
27 prevail unless it obtains a constitutional majority. When
28 passage, adoption or failure is reconsidered, questions on
29 amendments may also be reconsidered and shall be disposed of
30 immediately.

31 f. A motion that the motion to reconsider be laid on the
32 table is in order. The effect of laying the motion to
33 reconsider on the table is to cause the bill or joint
34 resolution to proceed on its regular course immediately.

35 g. In the event that a motion to reconsider is pending at

Page 25

1 the end of the first session or any extraordinary session of
2 any general assembly, or the general assembly adjourns sine
3 die, and the motion to reconsider has not been voted upon by
4 the house, the motion shall be determined to have failed.

DIVISION VIII - VOTING

Rule 74

Manner of Voting

8 Upon direction of the speaker or upon request of two
9 members during the taking of the vote of the house on any
10 question, only those members at their desks and voting shall
11 be counted except:

12 a. Members who have not voted may record their votes on
13 any record roll call vote except quorum calls within ten
14 minutes after the vote has been announced, providing the vote
15 does not change the outcome of the vote on that question. A
16 member may request announcement of the names of members so
17 recorded after the ten-minute period.

18 b. Members meeting in a conference committee or in
19 administrative rules review committee at the time a vote is
20 taken on a question may have their vote recorded within 30
21 minutes or adjournment, whichever is first of that same
22 legislative day, providing the vote does not change the
23 outcome of the vote on that question.

24

Rule 75

25

Duty of Voting

26

27

28

29

30

31

Rule 76

32

Limitation on Right to Vote

33

34

35

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

Rule 77**Page 26**

1

Call of the House

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

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

A call of the house shall specify the propositions to which it is to apply, and must be put into effect before roll call is taken on the proposition. The request may be filed at any time before final action upon the propositions with the chief clerk, who shall notify the house immediately.

Rule 78**Method of Calling the House**

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

Rule 79**Method of Calling the Roll**

The electrical voting machine shall be used for a call of the house, a quorum call or a roll call vote on any question. If the electrical voting machine is not in operating order when it is necessary to take a record roll call vote, the presiding officer shall order the vote to be taken by calling the roll in alphabetical order, except the name of the presiding officer shall be called last.

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

Rule 80

Page 27

1 Quorum and Record Roll Call Votes

2 A majority of the members shall constitute a quorum.

3 A record roll call vote shall be ordered upon request of
4 any two members. The names of the members requesting the
5 record roll call shall be entered in the journal.

6 Rule 81**7 Previous Question**

8 When a member moves for a previous question, that member
9 shall state whether the motion will apply to the main
10 question, to all the amendments, or to particular amendments.

11 The motion requires an affirmative vote of at least a
12 constitutional majority of the members. If the motion for a
13 previous question is not adopted, the house shall proceed in
14 the same manner as before the motion was made.

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

17 1. If the motion applies to the main question, the member
18 in charge of the measure will have ten minutes to speak for
19 the purpose of closing discussion before the vote on the
20 measure is taken.

21 2. If the motion applies to an amendment, the member
22 proposing the amendment will have five minutes to speak for
23 the purpose of closing discussion before the vote on the
24 amendment is taken.

25 3. If a member has filed a written request with the chief
26 clerk of the house indicating his or her desire to speak on a
27 particular question. The request must be filed before the
28 motion is made by the movant. The request allows a member to
29 speak on a particular question before the closing discussion
30 by the member who is in charge of the measure or who is
31 proposing the amendment.

32 Rule 82**33 Division of the Question**

34 Any member may call for a division of the question, which
35 shall be divided if it comprehends questions so distinct that

Page 28

1 one being taken away, the remainder may stand separately for
2 discussion by the house. A motion to strike out being lost
3 shall not preclude either an amendment or a motion to strike
4 out and insert. A motion to strike out and insert shall be
5 deemed indivisible.

Lloyd-Jones of Johnson in the chair at 9:22 a.m.

Harbor of Mills offered the following amendment H-3011 filed
by Harbor, et al., and moved its adoption:

H-3011

- 1 Amend House Resolution 4 as follows:
 2 1. Page 1, by inserting after line 23 the fol-
 3 lowing:
 4 **"Rule _____**
 5 **Time of Adjournment**
 6 The house shall adjourn no later than 6:00 p.m.
 7 each day without the consent of a constitutional
 8 majority of the members of the House."
 9 2. By renumbering as necessary.

Amendment H-3011 lost.

Carpenter of Polk offered the following amendment H-3008 filed by Carpenter, et al., and moved its adoption:

H-3008

- 1 Amend House Resolution 4 as follows:
 2 1. Page 3, by inserting after line 34 the
 3 following:
 4 **"Rule 13**
 5 **Food**
 6 When practical, food, with the exception of
 7 beverages, shall not be consumed on the floor
 8 of the house when the house is in session. Any
 9 consumption of food on the house floor shall be
 10 done with decorum."
 11 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 39, nays 49.

Amendment H-3008 lost.

Fey of Scott offered the following amendment H-3015 filed by him and moved its adoption:

H-3015

- 1 Amend House Resolution 4 as follows:
 2 1. Page 6, lines 16 and 17, by striking the words
 3 "assigned by the joint legislative intern committee or".

Amendment H-3015 was adopted.

Harbor of Mills offered the following amendment H—3010 filed by Harbor, et al., and moved its adoption:

H—3010

- 1 Amend House Resolution 4 as follows:
- 2 1. Page 15, by inserting after line 4 the fol-
- 3 lowing:
- 4 "Rule 40
- 5 Substitution of Bills
- 6 No bill shall be substituted for another until
- 7 such bills are identical."
- 8 2. By renumbering as necessary.

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

On the question "Shall amendment H—3010 be adopted?"

The ayes were, 36:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hermann	Hester	Hummel
Kremer	Lageschulte	McIntee	Metcaif
Paulin	Pellet	Platt	Renken
Rensink	Royer	Schneklath	Shoning
Siegrist	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Welden

The nays were, 55:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Buhr	Carl
Carter	Chapman	Cooper	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Hatch
Haverland	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lonergan	Muhlbauer	Norland	O'Kane
Ollie	Oxley	Parker	Pavich
Peick	Peterson	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Varn
Woods	Zimmerman	Madam Speaker	
		(Lloyd-Jones)	

Absent or not voting, 9:

Brammer
Maulsby
Osterberg

Cochran
McKean

Connolly
Miller

Connors
Mullins

Amendment H—3010 lost. .

The House stood at ease at 10:03 a.m., until the fall of the gavel.

The House resumed session and consideration of **House Resolution 4** at 11:28 a.m., Halvorson of Webster in the chair.

Fey of Scott offered the following amendment H—3012 filed by him and Harbor of Mills:

H—3012

1 Amend House Resolution 4 as follows:

2 1. Page 16, by striking line 30 through page 17, line
3 20, and inserting in lieu thereof the following:

4 "Study Bills

5 A study bill is any matter which a member of the house
6 wishes to have considered by a standing committee, other
7 than appropriations, and which has not been included in a
8 previously introduced bill. Upon taking possession of a
9 study bill, the committee chair shall notify the speaker
10 and then submit fifteen copies of the bill to the legal
11 counsel's office for numbering.

12 A study bill shall bear the name of the member who
13 wishes to have the bill considered. A study bill
14 submitted by a state agency or board for consideration
15 shall bear the name of the state agency or board. A
16 committee chair may submit a study bill in the name of
17 that committee.

18 Final committee action on a study bill shall not be
19 taken until one day following the notation of the study
20 bill assignment in the house journal.

21 A study bill not prepared by the legislative service
22 bureau may be submitted to a standing committee, but
23 shall not be considered by the full committee unless
24 reviewed and typed in proper form by the legislative
25 service bureau."

26 2. Page 17, by inserting after line 20 the following:

27 "Rule _____
28 Nullification Resolutions

29 A "nullification resolution" is a joint resolution
30 which nullifies all or part of an administrative rule
31 adopted pursuant to chapter 17A of the Code. A

- 32 nullification resolution shall not amend an
33 administrative rule by adding language or by inserting
34 new language in lieu of existing language.
35 A nullification resolution may be introduced by an
36 individual, a standing committee or the administrative
37 rules review committee, and may be referred to a standing
38 committee.
39 A nullification resolution is debatable, but cannot
40 be amended on the floor of the house."
41 3. Page 19, line 10, by inserting after the word
42 "and" the words "a report of committee action".
43 4. By correcting internal references as necessary.

Fey of Scott offered the following amendment H-3148, to amendment H-3012, filed by him from the floor and moved its adoption:

H-3148

- 1 Amend amendment H-3012 to House Resolution 4 as
2 follows:
3 1. Page 1, by striking lines 26 through 28 and
4 inserting in lieu thereof the following:
5 "2. Page 9, by striking lines 27 and 28 and
6 inserting in lieu thereof the following:
7 "Joint and Nullification Resolutions
8 Joint resolutions shall be framed and treated as
9 bills." "

Amendment H-3148 was adopted.

On motion by Fey of Scott, amendment H-3012, as amended, was adopted.

Spear of Lee asked and received unanimous consent to temporarily defer action on amendment H-3005 for the consideration of amendments H-3016 and H-3013.

Woods of Polk offered the following amendment H-3016 filed by him and moved its adoption:

H-3016

- 1 Amend House Resolution 4 as follows:
2 1. Page 17, line 29, by inserting after the word
3 "house" the words ", except in the perimeter area."

A non-record roll call was requested.

The ayes were 34, nays 48.

Amendment H—3016 lost.

Jochum of Dubuque offered the following amendment H—3013 filed by him and moved its adoption:

H—3013

- 1 Amend House Resolution 4 as follows:
- 2 1. Page 17, by striking lines 29 and 30 and
- 3 inserting in lieu thereof the following:
- 4 "while a committee is meeting. Smoking shall only be
- 5 permitted on benches along the south walls while the
- 6 house is in session."

Amendment H—3013 lost.

Spear of Lee offered the following amendment H—3005 filed by him:

H—3005

- 1 Amend House Resolution 4 as follows:
- 2 1. Page 17, line 29, by inserting after the word
- 3 "house" the words "and the speaker's station".

Spear of Lee offered the following amendment H—3007, to amendment H—3005, filed by him and moved its adoption:

H—3007

- 1 Amend amendment H—3005 to House Resolution 4 as
- 2 follows:
- 3 1. Page 1 by striking line 3 and inserting in lieu
- 4 thereof the words " "house" the words ", at the speaker's
- 5 station and in the press boxes" ".

Amendment H—3007 was adopted.

On motion by Spear of Lee, amendment H—3005, as amended, was adopted.

Speaker Avenson in the chair at 11:55 a.m.

Halvorson of Clayton offered the following amendment H—3009 filed by Halvorson of Clayton, et al., and moved its adoption:

H—3009

- 1 Amend House Resolution 4 as follows:
- 2 1. Page 21, by striking lines 12 through 14 and
- 3 inserting in lieu thereof the following:
- 4 "Upon written request of any ten members of the
- 5 house, the chair shall call a hearing to be held
- 6 prior to the subject bill appearing on the daily
- 7 debate calendar if said request is made prior to
- 8 the subject bill appearing on that calendar."

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

On the question "Shall amendment H—3009 be adopted?"

The ayes were, 36:

Bennett	Branstad	Carpenter	Clark
Corey	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hester	Hummel	Kremer
Lageschulte	McIntee	Metcalf	Paulin
Pellett	Platt	Renken	Rensink
Royer	Schneklath	Shoning	Shoultz
Siegrist	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Welden

The nays were, 55:

Arnould	Baxter	Beatty	Black
Blanshan	Buhr	Carl	Carter
Chapman	Cochran	Connolly	Connors
Cooper	Doderer	Fey	Fogarty
Groninga	Gruhn	Halvorson, R. N.	Hammond
Hatch	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Loneragan	Muhlbauer	Norland
O'Kane	Ollie	Oxley	Parker
Pavich	Peick	Peterson	Poncy
Renaud	Rosenberg	Running	Sherzan
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 9:

Brammer	Daggett	Groth	Haverland
Maulsby	McKean	Miller	Mullins
Osterberg			

Amendment H—3009 lost.

Stromer of Hancock offered the following amendment H—3004 filed by Stromer, et al., and moved its adoption:

H—3004

- 1 Amend House Resolution 4 as follows:
- 2 1. Page 25, line 15, by inserting after the word
- 3 "question." the following: "Any member so voting
- 4 shall have his/her name asterisked when the record
- 5 roll call is printed in the house journal."

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

On the question "Shall amendment H—3004 be adopted?"

The ayes were, 37:

Bennett	Branstad	Carpenter	Clark
Corey	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hester	Hummel	Kremer
Lageschulte	McIntee	Metcalf	O'Kane
Paulin	Pellett	Platt	Renken
Rensink	Royer	Schnekloth	Shoning
Shoultz	Siegrist	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Maanen
Welden			

The nays were, 53:

Arnould	Baxter	Beatty	Black
Blanshan	Buhr	Carl	Carter
Chapman	Cochran	Connolly	Connors
Cooper	Doderer	Fey	Fogarty
Groninga	Gruhn	Halvorson, R. N.	Hammond
Hatch	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Muhlbauer	Norland	Ollie
Oxley	Parker	Pavich	Peick
Peterson	Poncy	Renaud	Rosenberg

Running	Sherzan	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 10:

Brammer	Daggett	Groth	Haverland
Loneragan	Maulsby	McKean	Miller
Mullins	Osterberg		

Amendment H—3004 lost.

Van Camp of Scott asked and received unanimous consent to withdraw amendment H—3048 filed by him on February 6, 1985.

Corey of Louisa offered the following amendment H—3017 filed by him and moved its adoption:

H—3017

- 1 Amend House Resolution 4 as follows:
- 2 1. Page 26, line 17, by striking the words "that
- 3 person's" and inserting in lieu thereof the words
- 4 "his or her".
- 5 2. Page 26, lines 19 and 20, by striking the words
- 6 "but not voting".

Amendment H—3017 was adopted.

Fey of Scott moved the adoption of House Resolution 4.

A non-record roll call was requested.

The ayes were 59, nays 19.

The motion prevailed and the resolution was adopted.

MOTION TO RECONSIDER (House Resolution 4)

I move to reconsider the vote by which House Resolution 4 was adopted by the House on February 15, 1985.

PAVICH of Pottawattamie

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 250 Judiciary and Law Enforcement**

Creating the offense of child endangerment and providing penalties.

S.B. 251 Judiciary and Law Enforcement

Relating to the joint trial of defendants charged in the same indictment or information.

S.B. 252 State Government

Relating to archaeological remains and native American holy places and providing a penalty.

S.B. 253 Transportation

Requiring political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices.

S.B. 254 Transportation

Requiring the operator and passengers of a motorcycle and the operator of a motorized bicycle to wear head and eye protection and making penalties applicable.

S.B. 255 Small Business and Commerce

Prohibiting certain practices by a financial institution which makes or offers to make a real estate mortgage loan requiring certain disclosures, and providing penalties.

S.B. 256 State Government

Relating to the establishment of 911 service and creating a temporary commission to study implementation and financing alternatives for emergency telephone service and requiring recommendations to the general assembly, and including an appropriation.

S.B. 257 Human Resources

Relating to the regulation, licensing, and funding of certain substance abuse programs.

S.B. 258 Human Resources

Providing coverage under individual and group policies of accident and health insurance for the treatment of chemical dependency on substantially the same basis as other physical health care coverages, with certain limitations.

SUBCOMMITTEE ASSIGNMENTS

House File 120

Ways and Means: Parker, Chair; De Groot and Holveck.

House File 123

Transportation: Gruhn, Chair; Fey and Pellett.

House File 131

Ways and Means: Rosenberg, Chair; Fey and Siegrist.

House File 132

Ways and Means: Groth, Chair; Brammer and Hanson.

House File 148

Ways and Means: Arnould, Chair; Carpenter and Cochran.

House File 149

Ways and Means: Fey, Chair; Daggett and Groninga.

House File 158

Transportation: Renaud, Chair; Jay and Royer.

House File 159

Ways and Means: Doderer, Chair; Arnould and Bennett.

House File 174

Transportation: Pavich, Chair; Corey and Gruhn.

House File 188

Ways and Means: O'Kane, Chair; Connolly and Lageschulte.

House File 190

Ways and Means: Chapman, Chair; Osterberg and Renken.

House File 193

Ways and Means: Groth, Chair; Brammer and Hanson.

House File 198

Small Business and Commerce: Beatty, Chair; Lonergan and Metcalf.

House File 203

Transportation: Harbor, Chair; Pavich and Peterson.

House File 209

State Government: Arnould, Chair; Buhr and Renken.

House File 212

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 213

Education: Miller, Chair; Connolly and Groth.

House File 214

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 217

Ways and Means: Carpenter, Chair; Oxley and Parker.

House File 218

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 219

Small Business and Commerce: Holveck, Chair; Halvorson of Clayton and Swartz.

House File 220

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 226

Ways and Means: Doderer, Chair; Osterberg and Schneklath.

House File 227

Agriculture: Halvorson of Webster, Chair; Gruhn, Handorf, Hughes and Pellett.

House File 228

Energy and Environmental Protection: Osterberg, Chair; Jay, Lageschulte, Royer and Shoultz.

House File 229

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 230

Human Resources: Spear, Chair; Buhr, Corey, Shoning and Shoultz.

House File 231

Local Government: Royer, Chair; Oxley and Sullivan.

House File 232

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

House File 233

Ways and Means: Brammer, Chair; De Groot and Tabor.

House File 235

State Government: Pavich, Chair; Beatty and Van Maanen.

House File 238

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

House File 239

Ways and Means: Chapman, Chair; Lageschulte and Siegrist.

House File 240

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 241

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 242

Natural Resources and Outdoor Recreation: Rensink, Chair; Diemer and Fogarty.

House File 244

Human Resources: Lonergan, Chair; Peick, Spear, Torrence and Van Camp.

House File 245

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 246

Judiciary and Law Enforcement: Haverland, Chair; Doderer, Hammond, Lageschulte and McKean.

House File 247

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 249

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

House File 250

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 251

Judiciary and Law Enforcement: Haverland, Chair; Doderer, Hammond, Lageschulte and McKean.

House File 253

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

House File 255

Local Government: Buhr, Chair; Royer and Sullivan.

House File 257

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

House File 258

State Government: Teaford, Chair; Pavich and Shoning.

House File 259

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

House File 260

Judiciary and Law Enforcement: Running, Chair; Lageschulte and Peterson.

House File 261

Judiciary and Law Enforcement: McIntee, Chair; Holveck, Maulsby, Renaud, Running, Schnekloth and Woods.

House File 262

Judiciary and Law Enforcement: Chapman, Chair; Doderer, Haverland, Holveck, Shoning and Siegrist.

House File 263

Natural Resources and Outdoor Recreation: Varn, Chair; Groth, Johnson, Paulin and Welden.

House File 267

State Government: Carter, Chair; Halvorson of Webster and Siegrist.

House File 268

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

House File 269

Natural Resources and Outdoor Recreation: Grandia, Chair; Black and Pellett.

House File 270

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 273

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 275

Judiciary and Law Enforcement: Brammer, Chair; Carl, Clark, Hammond, Running, Shoning and Siegrist.

House File 278

Labor and Industrial Relations: Haverland, Chair; Fey and Hester.

House File 280

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 282

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 285

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 289

Natural Resources and Outdoor Recreation: Black, Chair; Diemer and Stueland.

House File 290

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 291

Local Government: Miller, Chair; Beatty and Grandia.

House File 313

Natural Resources and Outdoor Recreation: Diemer, Chair; Baxter and Gruhn.

House Joint Resolution 3

State Government: Spear, Chair; Beatty and Daggett.

Senate File 19

Transportation: Muhlbauer, Chair; Lageschulte and Woods.

Senate File 55

Natural Resources and Outdoor Recreation: Hanson, Chair; Cooper and Pavich.

Senate File 79

Education: Carter, Chair; Shoultz and Siegrist.

Senate File 117

Agriculture: Skow, Chair; Blanshan, Branstad, Muhlbauer and Stueland.

Senate Joint Resolution 1

State Government: Spear, Chair; Beatty and Daggett.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 38 (Reassigned)

Energy and Environmental Protection: Hughes, Chair; Black, Carl, De Groot, Mullins and Peterson.

Study Bill 61

Ways and Means: O'Kane, Chair; Cochran and Schnekloth.

Study Bill 75

Judiciary and Law Enforcement: Jay, Chair; Knapp, Rosenberg and Tabor.

Study Bill 76

Judiciary and Law Enforcement: Jay, Chair; Knapp, Rosenberg and Tabor.

Study Bill 103

Ways and Means: Groninga, Chair; Miller and Rosenberg.

Study Bill 174

Ways and Means: Rosenberg, Chair; Holveck and Miller.

Study Bill 176

Ways and Means: Parker, Chair; Cochran and Renken.

Study Bill 201

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

Study Bill 205

Natural Resources and Outdoor Recreation: Black, Chair; Fogarty and Grandia.

Study Bill 206

Natural Resources and Outdoor Recreation: Black, Chair; Diemer and Stueland.

Study Bill 207

State Government: Pavich, Chair; Beatty and Van Maanen.

Study Bill 208

State Government: Buhr, Chair; Carter and Renken.

Study Bill 209

State Government: Hammond, Chair; Carpenter and Halvorson of Webster.

Study Bill 210

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

Study Bill 211

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

Study Bill 212

Transportation: Platt, Chair; Cooper and Fogarty.

Study Bill 213

Transportation: Woods, Chair; De Groot and Renaud.

Study Bill 214

Transportation: Muhlbauer, Chair; Corey and Sullivan.

Study Bill 215

Transportation: Jay, Chair; Pavich and Van Camp.

Study Bill 216

Agriculture: Cochran, Chair; Bennett, Blanshan, Branstad, Carter, De Groot, Fogarty and Osterberg.

Study Bill 217

Energy and Environmental Protection: Osterberg, Chair; Black, Jay, Lageschulte, Royer and Shoultz.

Study Bill 218

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schneklath and Tabor.

Study Bill 219

Energy and Environmental Protection: Hatch, Chair; Shoultz and Welden.

Study Bill 221

Local Government: Platt, Chair; Connors and Teaford.

Study Bill 222

Ways and Means: Doderer, Chair; De Groot, Osterberg, Rosenberg and Schnekloth.

Study Bill 224

Ways and Means: Holveck, Chair; Bennett and Connolly.

Study Bill 225

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

Study Bill 226

Education: Groth, Chair; Haverland, Hughes, Siegrist and Swearingen.

Study Bill 228

Energy and Environmental Protection: Parker, Chair; Osterberg, Paulin, Sturgeon and Van Camp.

Study Bill 230

State Government: Teaford, Chair; Pavich and Shoning.

Study Bill 231

Local Government: Platt, Chair; Connors and Teaford.

Study Bill 232

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

Study Bill 233

Judiciary and Law Enforcement: Running, Chair; Brammer and McKean.

On motion by Norland of Worth, the House adjourned at 12:32 p.m., until 10:00 a.m., Monday, February 18, 1985.

JOURNAL OF THE HOUSE

Thirty-sixth Calendar Day — Twenty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 18, 1985

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

Prayer was offered by Reverend Chester Davis, pastor of the United Methodist Church, Toledo.

The Journal of Friday, February 15, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Harold Moessner, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hermann of Scott on request of Renken of Grundy; Lonergan of Boone, for the morning session, on request of Connors of Polk; Welden of Hardin and Van Camp of Scott, both for the morning session, on request of Stromer of Hancock; Jay of Appanoose, until his arrival, on request of Sullivan of Van Buren; Skow of Guthrie, until his arrival, on request of Hughes of Union.

PETITION FILED

The following petition was received and placed on file:

By Groninga of Cerro Gordo, from one hundred twenty-six constituents of District 20 opposing House File 225, an act relating to the establishment of a state lottery.

INTRODUCTION OF BILLS

House File 341, by committee on energy and environmental protection, a bill for an act requiring the state building code commissioner to adopt a minimum energy efficiency standard for new single-family or two-family residential construction.

Read first time and placed on the calendar.

House File 342, by Sherzan, a bill for an act requiring a certain number of fire fighters to respond to a call under certain conditions.

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

House File 343, by Black, a bill for an act exempting the position of superintendent of schools from the veterans preference requirements.

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

House File 344, by Sherzan, a bill for an act relating to the establishment of the Iowa correctional release centers authority and providing procedures, financing, and powers for the authority in the establishment, operation and leasing of correctional release facilities for the state including an appropriation.

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

House File 345, by Blanshan, Swearingen, Pavich and Carpenter, a bill for an act relating to the payment of life or health insurance premiums for certain employees of the department of public safety and the state conservation commission.

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

House File 346, by Varn, a bill for an act relating to the licensing and regulation of mobile homes and mobile home parks.

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

House File 347, by Blanshan, a bill for an act to allow school districts to raise a transportation assistance amount for the school year beginning July 1, 1986.

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

House File 348, by Rosenberg, a bill for an act relating to distribution and collection of interest on tax revenue collected by the county treasurer.

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

House File 349, by Van Camp, a bill for an act relating to the purchase price of a vehicle subject to registration for the purpose of imposing the use tax and providing an effective date.

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

House File 350, by Daggett, a bill for an act relating to the state foundation base by imposing an income surtax and increasing the percent of the state cost per pupil in the state foundation base and providing an effective date.

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

House File 351, by Mullins, Van Camp, Miller, Rensink, Clark, Stromer and Hummel, a bill for an act striking the prospective repeal of the health data commission.

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

House File 352, by Lageschulte, a bill for an act to increase the time of suspension of a liquor control license or beer permit on conviction for selling alcoholic beverages or beer to a minor.

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

House File 353, by Diemer, Cooper, Welden, Muhlbauer, Cochran, Kremer, Skow and Renaud, a bill for an act relating to certain modifications of the law with respect to civil actions predicated upon products liability.

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

House File 354, by Stueland, Torrence, Shoning, Miller, Lageschulte, McIntee, McKean, Rensink, Clark, Stromer and Mullins, a bill for an act to provide that money collected by the state department of transportation from civil fines imposed on persons whose motor vehicle license was revoked for test results or implied consent violations shall be used to finance a missing persons center and other child assistance programs.

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

House File 355, by Stromer, a bill for an act relating to the operation of a fire service institute by Iowa state university of science and technology.

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

House File 356, by Swartz, a bill for an act prohibiting the sale of blood and blood products by correctional inmates and offenders under the supervision of a community-based correctional program.

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

House File 357, by Daggett, Bennett, Branstad, Fogarty, Maulsby, Cooper, Schneklath, Hughes, Lageschulte, Harbor and Tabor, a bill for an act to provide for the imposition of an income surtax for payment of one half the principal and interest due on bonds issued by a school district.

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

House File 358, by Carl, a bill for an act relating to negotiations between school districts and certified teacher employee organizations.

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

House File 359, by Peick, a bill for an act relating to fees for boiler inspections.

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

House File 360, by Mullins, a bill for an act to include group homes for children in need of assistance as a residential use of property for zoning purposes.

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

House File 361, by Halvorson of Clayton, Harbor and Woods, a bill for an act relating to the use of property for recreational activities.

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

House File 362, by Halvorson of Clayton, a bill for an act imposing a tonnage fee and groundwater fee on solid waste deposited in sanitary landfills to provide for the long-term care of closed sanitary landfills and the administration of groundwater monitoring and quality programs, and subjecting violators to a penalty.

Read first time and referred to committee on **energy and environmental protection**.

House File 363, by Bennett, a bill for an act authorizing cities, counties, and school districts to impose an income surtax and to pledge the tax for the payment of bonds issued by the jurisdiction imposing the tax.

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

House File 364, by Connolly, a bill for an act relating to the authorization of the Iowa department of transportation to issue and become obligated for road use tax revenue bonds; to the creation of a highway bond fund in the office of the treasurer of state to be used to pay principal of and interest on the bonds; to the allocation of revenues in the road use tax fund to the highway bond fund, for the annual appropriation of the funds allocated to the highway bond fund for the payment of principal of and interest on the bonds; and to the deposit of the proceeds of the bonds in a separate account within the primary road fund and to the appropriation of the funds to the department of transportation for its use in funding road construction, reconstruction, and improvements, and related costs.

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

House File 365, by Hummel, a bill for an act providing that in the event of a loss of public funds deposited pursuant to chapter 453, the auditor of state shall assess all public bodies with public deposits on a pro rata basis to cover the loss.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on

February 13, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 25, a bill for an act relating to the life-sustaining procedures by providing a procedure for declaration by certain competent adults that life-sustaining procedures may be withheld or withdrawn.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS Regular Calendar

House File 211, a bill for an act relating to the use of certain funds for the elimination of asbestos from school buildings, was taken up for consideration.

SENATE FILE 128 SUBSTITUTED FOR HOUSE FILE 211

Tabor of Jackson asked and received unanimous consent to substitute Senate File 128 for House File 211.

Senate File 128, a bill for an act relating to the use of certain funds for the elimination of asbestos from school buildings, 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?" (S.F. 128)

The ayes were, 90:

Arnould	Baxter	Beatty	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Hester	Holveck
Hughes	Hummel	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan

Shoning	Shultz	Siegrist	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Blanshan	Carter	Haverland	Hermann
Jay	Jochum	Loneragan	Skow
Van Camp	Welden		

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

House File 41, a bill for an act to make a provision relating to farm implement franchises retroactive to January 1, 1984, with report of committee recommending amendment and passage, was taken up for consideration.

Oxley of Linn offered the following amendment H — 3053 filed by the committee on small business and commerce and moved its adoption:

H — 3053

1 Amend House File 41 as follows:

2 1. Page 1, by striking lines 2 through 10 and
3 inserting the following: "amended by striking the
4 subsection.

5 Sec. 2. NEW SECTION. 322D.7. APPLICATION.

6 This chapter applies to all agreements now in
7 effect which have no expiration date and all other
8 agreements entered into or renewed after the effective
9 date of this Act. Any agreement in effect on the
10 effective date of this Act which by its own terms will
11 terminate on a subsequent date shall be governed by
12 the law as it existed prior to the effective date of
13 this Act.

14 Sec. 3. This Act, being deemed of immediate
15 importance, takes effect from and after its
16 publication in the Marshalltown Times-Republican, a
17 newspaper published in Marshalltown, Iowa, and in The
18 Malvern Leader, a newspaper published in Malvern,
19 Iowa."

20 2. Title page, line 2, by inserting after the
21 figure "1984" the words "and providing an effective
22 date by publication".

The committee amendment H—3053 was adopted, placing out of order amendment H—3040 filed by Harbor of Mills on February 5, 1985.

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

On the question "Shall the bill pass?" (H.F. 41)

The ayes were, 90:

Arnould	Baxter	Beatty	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Hammond	Handorf	Hanson
Harbor	Hatch	Hester	Holveck
Hughes	Hummel	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poney
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shultz	Siegrist	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Blanshan	Halvorson, R. N.	Haverland	Hermann
Jay	Jochum	Lonergan	Skow
Van Camp	Welden		

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

House File 66, a bill for an act requiring state agencies to enter into agreements with soil conservation districts for the control of soil erosion on state land in cultivation under the agencies' control, with report of committee recommending amendment and passage, was taken up for consideration.

Groth of Buena Vista offered the following amendment H—3038 filed by the committee on natural resources and outdoor recreation and moved its adoption:

H—3038

- 1 Amend House File 66 as follows:
- 2 1. Page 1, lines 9 and 10, by striking the words
- 3 "purposes, except experimental farms." and inserting
- 4 the following: "purposes."
- 5 2. Page 1, line 10, by striking the word "Soil"
- 6 and inserting the words "State soil".

The committee amendment H—3038 was adopted.

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

On the question "Shall the bill pass?" (H.F. 66)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Hester
Holveck	Hughes	Hummel	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poney	Renaud	Renken
Rensink	Rosenberg	Running	Schneklloth
Sherzan	Shoning	Shoultz	Siegrist
Spear	Stromer	Stueland	Sturgeon

Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Blanshan	Haverland	Hermann	Jay
Loneragan	Royer	Skow	Van Camp
Welden			

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

HOUSE FILE 36 WITHDRAWN

Harbor of Mills asked and received unanimous consent to withdraw House File 36 from further consideration by the House.

SENATE FILE 15 AND HOUSE FILE 29 DEFERRED

Norland of Worth asked and received unanimous consent that Senate File 15 and House File 29 be deferred and that the bills retain their place on the calendar.

House File 265, a bill for an act authorizing a city to impose additional conditions on property owners as a condition to zoning changes, was taken up for consideration.

Renken of Grundy offered the following amendment H-3117 filed by him and moved its adoption:

H-3117

- 1 Amend House File 265 as follows:
- 2 1. Page 1, by striking line 1 and inserting the
- 3 following:
- 4 "Section 1. Section 358A.7, Code 1985, is amended
- 5 to read as follows:
- 6 358A.7 CHANGES AND AMENDMENTS.
- 7 Such The regulations, restrictions, and boundaries
- 8 may, ~~from time to time~~, be amended, supplemented,
- 9 changed, modified, or repealed. Notwithstanding
- 10 section 358A.4, as a part of an ordinance changing
- 11 land from one zoning district to another zoning

12 district or an ordinance approving a site development
 13 plan, a board of supervisors may impose conditions on
 14 a property owner which are in addition to existing
 15 regulations if the additional conditions have been
 16 agreed to in writing by the property owner before the
 17 public hearing required under this section or any
 18 adjournment of the hearing. The conditions must be
 19 reasonable and imposed to satisfy public needs which
 20 are directly caused by the requested change. In case,
 21 however, of a protest against such the change signed
 22 by the owners of twenty percent or more either of the
 23 area included in such the proposed change, or of the
 24 area immediately adjacent thereto to the proposed
 25 change and within five hundred feet of the boundaries
 26 thereof of the proposed change, such the amendment
 27 shall not become effective except by the favorable
 28 vote of at least sixty percent of all of the members
 29 of the board of supervisors. The provisions of
 30 section 358A.6 relative to public hearings and
 31 official notice shall apply equally to all changes or
 32 amendments.

33 Sec. 2 Section 414.5, Code 1985, is amended to
 34 read as".

35 2. Amend the title, line 1, by inserting after
 36 the word "city" the following: "or a county".

Amendment H—3117 was adopted.

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

On the question "Shall the bill pass?" (H.F. 265)

The ayes were, 90:

Arnould	Baxter	Beatty	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hester	Holveck	Hughes
Hummel	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland

O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Blanshan	Connors	Hatch	Haverland
Hermann	Jay	Loneragan	Skow
Van Camp	Weiden		

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

House File 210, a bill for an act relating to the weighting per pupil for shared programs of school districts, was taken up for consideration.

De Groot of Lyon in the chair at 10:40 a.m.

Groth of Buena Vista asked and received unanimous consent to withdraw amendment H—3109 filed by him on February 12, 1985.

Groth of Buena Vista offered the following amendment H—3127 filed by him:

H—3127

- 1 Amend House File 210 as follows:
- 2 1. Page 1, line 12, by inserting after the word
- 3 "district." the following: "However, a pupil
- 4 attending school in another school district under
- 5 section 282.7, subsection 1, is assigned a weighting
- 6 of one plus one-tenth."

Hummel of Benton offered the following amendment H—3139, to amendment H—3127, filed by him and moved its adoption:

H-3139

- 1 Amend House amendment H-3127 to House File 210 as
- 2 follows:
- 3 1. Page 1, lines 5 and 6, by striking the words
- 4 "a weighting of one plus" and inserting the words "an
- 5 additional weighting of".

Amendment H-3139 was adopted.

On motion by Groth of Buena Vista amendment H-3127, as amended, was adopted.

Carpenter of Polk asked for unanimous consent to defer action on House File 210.

Objection was raised.

Carpenter of Polk moved that House File 210 be deferred and that the bill retain its place on the calendar.

A non-record roll call was requested.

The ayes were 40, nays 44.

The motion lost.

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

On the question "Shall the bill pass?" (H.F. 210)

The ayes were, 83:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Brammer	Buhr
Carl	Carpenter	Carter	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	Diemer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Harbor	Hester	Holveck
Hughes	Hummel	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean

Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Peick
Pellett	Peterson	Platt	Renaud
Renken	Rensink	Rosenberg	Royer
Sherzan	Shoning	Shoultz	Siegrist
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker (De Groot)	

The nays were, 8:

Branstad	Chapman	Doderer	Handorf
Pavich	Poney	Running	Schnekloth

Absent or not voting, 9:

Blanshan	Hatch	Haverland	Hermann
Jay	Lonerган	Skow	Van Camp
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 11:05 a.m.

IMMEDIATE MESSAGES (House Files 41, 66 and 265)

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 41, 66 and 265.

On motion by Norland of Worth, the House was recessed at 11:08 a.m., until 3:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Kremer of Buchanan, for the remainder of the day, on request of Swearingen of Keokuk.

CONSIDERATION OF BILLS
Regular Calendar

Senate File 15, a bill for an act relating to the designation of the Grand River, with report of committee recommending passage, was taken up for consideration.

Blanshan of Greene asked and received unanimous consent to withdraw amendment H—3145 filed by him on February 14, 1985.

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?" (S.F. 15)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jochum	Johnson
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shultz	Siegrist	Skow
Spear	Stromer	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Maanen	Varn	Weiden
Woods	Zimmerman	Mr. Speaker	

The nays were, 4:

Hammond	Jay	Paulin	Teaford
---------	-----	--------	---------

Absent or not voting, 5:

Connolly
Stueland

Doderer

Hermann

Kremer

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

House File 29, a bill for an act relating to qualification of non-profit corporations as guardians, with report of committee recommending amendment and passage was taken up for consideration.

Haverland of Polk offered the following amendment H-3061 filed by the committee on judiciary and law enforcement and moved its adoption:

H-3061

- 1 Amend House File 29 as follows:
- 2 1. Page 1, line 3, by inserting after the word
- 3 "A" the word "private".
- 4 2. Page 1, by striking lines 4 through 6, and
- 5 inserting in lieu thereof the following: "under
- 6 chapter 504 or 504A is qualified to act as a guardian,
- 7 as defined in section 633.3, subsection 19, if the
- 8 department of human".
- 9 3. Page 1, line 8, by inserting after the word
- 10 "duties" the words "and determines that the
- 11 corporation does not possess a proprietary or legal
- 12 interest in an organization which provides direct
- 13 services to the individual".

The committee amendment H-3061 was adopted.

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

On the question "Shall the bill pass?" (H.F. 29)

The ayes were, 96:

Arnould
Black
Buhr
Chapman
Connors
De Groot

Baxter
Blanshan
Carl
Clark
Cooper
Diemer

Beatty
Brammer
Carpenter
Cochran
Corey
Doderer

Bennett
Branstad
Carter
Connolly
Daggett
Fey

Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellet	Peterson	Platt	Poney
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 2:

Grandia Van Maanen

Absent or not voting, 2:

Hermann Kremer

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

IMMEDIATE MESSAGE (House File 29)

Norland of Worth asked and received unanimous consent to immediately message House File 29 to the Senate.

MOTION TO RECONSIDER (House File 210)

I move to reconsider the vote by which House File 210 passed the House on February 18, 1985.

DAGGETT of Taylor

APPOINTMENT BY THE SPEAKER

The Speaker announced the following appointment:

**Administrative Rules Review Committee
(Section 17A.8, Code of Iowa)**

**Representative Betty Jean Clark
To fill an unexpired term ending April 30, 1987
(Replacing Laverne Schroeder)**

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Monday morning, February 18, 1985. Had I been present, I would have voted "aye" on House Files 41, 66, 265, and Senate File 128; "nay" on House File 210.

VAN CAMP of Scott

I was necessarily absent from the House chamber on Monday morning, February 18, 1985. Had I been present, I would have voted "aye" on House Files 41, 66, 210, and 265 and Senate File 128.

LONERGAN of Boone

PRESENTATION OF VISITORS

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

One hundred eighth grade students from Callanan Transitional School, Des Moines, accompanied by Diane Finley. By Hatch and Holveck of Polk.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 259 Education

To allow school districts to raise a transportation assistance amount beginning with the school year beginning July 1, 1986.

S.B. 260 Local Government

Relating to the operation and funding of emergency services telephone networks.

S.B. 261 Energy and Environmental Protection

Requiring the adoption of insulation standards as part of the state energy code.

S.B. 262 Human Resources

Relating to domestic abuse information compiled, maintained, and disseminated by the department of public safety.

S.B. 263 State Government

Providing for a model procurement code for the state and its agencies, making coordinating amendments, and providing penalties.

S.B. 264 Human Resources

Providing standards and regulating the delivery of home care services, establishing licensure procedures, and providing penalties for violations.

S.B. 265 State Government

Relating to the duties of custodians of government records.

AMENDMENTS FILED

H-3149	H.F.	30	Hatch of Polk
H-3150	H.F.	186	Spear of Lee
			Shoultz of Black Hawk
			Shoning of Woodbury
			Buhr of Polk
			Corey of Louisa
			Zimmerman of Dallas
H-3151	H.F.	266	Paulin of Plymouth
H-3152	H.F.	30	Carpenter of Polk

On motion by Norland of Worth, the House adjourned at 4:07 p.m., until 9:00 a.m., Tuesday, February 19, 1985.

JOURNAL OF THE HOUSE

Thirty-seventh Calendar Day — Twenty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 19, 1985

The House met pursuant to adjournment, Connors of Polk in the chair.

Prayer was offered by Reverend Kenneth Feeney, pastor of the Northbrook Baptist Church, Cedar Rapids.

The Journal of Monday, February 18, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Corinne Ganske, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Chapman of Linn on request of Norland of Worth; Hermann of Scott, until his arrival, on request of Renken of Grundy; Carl of Poweshiek, until her arrival, on request of Zimmerman of Dallas.

PETITION FILED

The following petition was received and placed on file:

By Connors of Polk, from forty-six constituents favoring restoration of the death penalty for violent crimes (i.e. kidnapping, rape, murder and the selling of drugs) in the state of Iowa.

INTRODUCTION OF BILLS

House File 366, by Beatty, a bill for an act relating to the giving of notices under chapter 321 or any other law regulating the operation of vehicles.

Read first time and referred to committee on transportation.

House File 367, by Carpenter and Carter, a bill for an act to establish an occupational therapist scholarship and loan program administered by the college aid commission and to make an appropriation.

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

House File 368, by Hermann, a bill for an act relating to inflicting corporal punishment upon pupils in a school and providing a penalty.

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

House File 369, by Pavich and Woods, a bill for an act to exempt from the use tax tangible personal property used in interstate transportation and commerce.

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

House File 370, by Van Camp, a bill for an act relating to obscene material and creating the offenses of obscenity, pornography and child pornography and providing penalties.

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

House File 371, by Woods, a bill for an act relating to the payment of fees when orders, judgments, or decrees of a court are to be entered, or performed, or its writs executed.

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

House File 372, by Corey, Osterberg, and McKean, a bill for an act relating to the issuance of licenses for new motor vehicle distributors and wholesalers.

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

House File 373, by McIntee, Platt, Lageschulte, Paulin, Maulsby, Harbor, Shoning, Stueland, McKean, Pellett, Bennett, Torrence, Miller, Van Camp, Rensink, Clark, Stromer, Metcalf, Branstad, Hummel, Handorf, Grandia, and Mullins, a bill for an act

relating to the operation of family day care homes and providing penalties.

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

House File 374, by Diemer, a bill for an act relating to city civil service and incorporating a penalty, with an effective date.

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

House File 375, by Holveck, a bill for an act relating to the years of service required for early retirement of members of the Iowa public employees' retirement system.

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

House File 376, by committee on energy and environmental protection, a bill for an act relating to membership on the interagency coordinating council on radiation safety.

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

CONSIDERATION OF BILLS
Regular Calendar

House File 160, a bill for an act removing the exception which allows licensed practical nurses to staff an authorized ambulance service or rescue squad service, with report of committee recommending passage was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 160)

The ayes were, 55:

- | | | | |
|------------------|------------------|---------|----------|
| Baxter | Beatty | Black | Blanshan |
| Buhr | Carpenter | Clark | Cooper |
| Corey | Diemer | Fogarty | Gruhn |
| Halvorson, R. A. | Halvorson, R. N. | Hammond | Harbor |
| Hatch | Haverland | Hester | Hughes |
| Johnson | Knapp | Koenigs | Kremer |

Lageschulte	Lloyd-Jones	Loneragan	McIntee
Metcalf	Muhlbauer	Mullins	Norland
Ollie	Paulin	Pavich	Peick
Peterson	Platt	Renaud	Royer
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Swearingen	Teaford	Torrence	Van Camp
Varn	Zimmerman	Mr. Speaker (Connors)	

The nays were, 18:

Bennett	Branstad	Daggett	De Groot
Grandia	Handorf	Hummel	Maulsby
McKean	Miller	Pellett	Poney
Renken	Rensink	Schneklath	Swartz
Van Maanen	Welden		

Absent or not voting, 27:

Arnould	Avenson	Brammer	Carl
Carter	Chapman	Cochran	Connolly
Doderer	Fey	Groninga	Groth
Hanson	Hermann	Holveck	Jay
Jochum	O'Kane	Osterberg	Oxley
Parker	Rosenberg	Running	Sherzan
Sullivan	Tabor	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 9:27 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

On motion by Norland of Worth the House was recessed at 1:22 p.m., until 4:00 p.m.

The House reconvened, Connors of Polk in the chair.

INTRODUCTION OF BILL

House File 377, by committee on ways and means, a bill for an act increasing the tax on cigarettes and little cigars, imposing an

inventory tax on cigarettes, little cigars, unused tax stamps and metered imprints, lowering the rate of and providing an exemption from the sales, services, and use tax on industrial machinery, equipment and computers.

Read first time and placed on the ways and means calendar.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 266 Judiciary and Law Enforcement

Relating to claims in estates for which there is insurance coverage.

S.B. 267 Judiciary and Law Enforcement

To allow magistrates jurisdiction over a first offense of operating a motor vehicle while intoxicated.

S.B. 268 Natural Resources and Outdoor Recreation

Relating to fencing law for railroad rights of way owned by a state agency or political subdivision of the state and used for public recreation or conservation.

S.B. 269 Human Resources

Amending the Code chapters relating to the Iowa department of corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with both minor and adult offenders, and modifying statutes relating to district court reports of criminal convictions.

S.B. 270 Small Business and Commerce

Relating to bonding by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by removing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, and by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes and making the provisions effective upon publication.

S.B. 271 Judiciary and Law Enforcement

Relating to the offenses of assault and willful injury and providing penalties.

S.B. 272 Local Government

Extending the sinking fund as it applies to banks until July 1, 1987.

S.B. 273 Local Government

To provide limitations on leaves of absence of public employees for certain military purposes.

S.B. 274 Judiciary and Law Enforcement

Providing for forms of certain acknowledgments of conveyances of real estate.

S.B. 275 Energy and Environmental Protection

Relating to public utilities making civil penalties applicable and providing an appropriation.

S.B. 276 State Government

Relating to bonding by removing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs and providing for allocation of the state ceiling on private activity bonds for tax exempt purposes and making the provisions effective upon publication.

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 292, a bill for an act relating to the requirements that must be met for

self-liquidating and revenue producing buildings and facilities to be constructed at board of regents institutions.

Fiscal Note is not required.

Recommended **Do Pass** February 18, 1985.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly Study Bill 177), relating to the confidentiality of the name of a complainant regarding a person in a long-term care facility.

Fiscal Note is not required.

Recommended **Do Pass** February 18, 1985.

COMMITTEE ON NATURAL RESOURCES AND OUTDOOR RECREATION

House File 269, a bill for an act relating to the taking of wildlife near buildings.

Fiscal Note is not required.

Recommended **Do Pass** February 18, 1985.

Senate File 55, a bill for an act relating to fur harvester and hunting licenses and providing an effective date by publication.

Fiscal Note is not required.

Recommended **Do Pass** February 18, 1985.

Committee Bill (Formerly Study Bill 187), relating to the sale of unused highway right-of-way by the department of transportation to county conservation boards.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 18, 1985.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Committee Bill (Formerly Study Bill 22), relating to the reorganization of bank affiliates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 18, 1985.

Committee Bill (Formerly Study Bill 150), relating to the operation of a bank or bank office located outside a municipal corporation when the bank is merged into or acquired by another state bank and providing for an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 18, 1985.

Committee Bill (Formerly Study Bill 151), permitting the articles of incorporation of a trust company existing and operating on January 1, 1970 and which is authorized to act only as a trust company to be renewed in perpetuity.

Fiscal Note is not required.

Recommended **Do Pass** February 18, 1985.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly Study Bill 41), exempting road workers from the forty miles per hour minimum speed limit.

Fiscal Note is not required.

Recommended **Do Pass** February 18, 1985.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 159), relating to the phaseout of the state sales, services, and use tax on industrial and agricultural machinery and equipment.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 19, 1985.

AMENDMENTS FILED

H-3153	H.F.	92	Fey of Scott
H-3154	S.F.	91	Hanson of Delaware
H-3155	H.F.	309	Paulin of Plymouth

On motion by Buhr of Polk, the House adjourned at 4:30 p.m., until 9:00 a.m., Wednesday, February 20, 1985.

JOURNAL OF THE HOUSE

Thirty-eighth Calendar Day—Twenty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 20, 1985

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

Prayer was offered by Reverend Marvin Van Donselaar, pastor of the First Christian Reformed Church, Ocheyedan.

The Journal of Tuesday, February 19, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James Opoien, Des Moines.

PETITION FILED

The following petition was received and placed on file:

By Welden of Hardin, from nine hundred seventy-nine constituents from District 18 favoring the enactment of a motorcycle helmet law which requires all motorcycle and moped operators as well as passengers to wear safety approved helmets.

INTRODUCTION OF BILLS

House File 378, by committee on transportation, a bill for an act exempting road workers from the forty miles per hour minimum speed limit.

Read first time and placed on the calendar.

House File 379, by Zimmerman, a bill for an act relating to rules for diabetes education programs.

Read first time and referred to committee on human resources.

House File 380, by Renken, a bill for an act relating to rights and liabilities of persons, business entities, or labor entities involved in violations of chapters 723 and 732 and providing penalties.

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

House File 381, by Skow, Peick, Renaud, Muhlbauer, Peterson, Rosenberg, Mullins, Harbor, Corey and Swearingen, a bill for an act relating to workers' compensation benefits for injuries or death to volunteer fire fighters involving intoxication.

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

House File 382, by Sturgeon, a bill for an act relating to the adjudication of a truant or runaway as a child in need of assistance under the juvenile justice code.

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

House File 383, by Running, Renaud and Varn, a bill for an act prohibiting certain trade and vocational schools from engaging in the trades or vocations for which their students are trained, and providing a penalty.

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

House File 384, by Maulsby, a bill for an act relating to the provision of homemaker-home health aide services.

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

House File 385, by Lageschulte, a bill for an act relating to the purchase or attempted purchase of alcoholic liquor or beer by persons under legal age and providing a penalty.

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

House File 386, by Skow, a bill for an act relating to the donation of eyes.

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

House File 387, by Cochran and Clark, a bill for an act relating to the construction of statutes relating to age.

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

House File 388, by McIntee, Schnekloth, Branstad, Mullins and De Groot, a bill for an act relating to bonding by removing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs and providing for allocation of the state ceiling on private activity bonds for tax exempt purposes and making the provisions effective upon publication.

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

House File 389, by Hughes, a bill for an act requiring training in the area of substance abuse before an endorsement for guidance counseling is issued by the board of educational examiners.

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

House File 390, by McKean, a bill for an act to prohibit a doctor from owning interest in a health care facility to which the doctor refers patients.

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

House File 391, by Ollie, a bill for an act creating a fire service institute.

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

House File 392, by Hatch, a bill for an act to establish the small business economic policy commission.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 18, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 100, a bill for an act relating to the determination of special education balances of school districts by the state comptroller and providing that the Act is retroactive to June 30, 1984.

Also: That the Senate has on February 19, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 24, 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.

Also: That the Senate has on February 18, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 77, a bill for an act requiring that the first day of school not be sooner than the first day of September except under certain conditions.

Also: That the Senate has on February 18, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 215, a bill for an act requiring a free and appropriate public education for children requiring special education.

Also: That the Senate has on February 18, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 220, a bill for an act to provide for the waiver of tuition for certain nonresident students under the sponsorship of a foreign student exchange program.

K. MARIE THAYER, Secretary

HOUSE FILE 19 WITHDRAWN

Daggett of Taylor asked and received unanimous consent to withdraw House File 19 from further consideration by the House.

COMMUNICATION RECEIVED

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

OFFICE OF PLANNING AND PROGRAMMING

The 1984 Annual Report on Community Action Programs in Iowa, pursuant to Chapter 7A.28, 1983 Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 277 Agriculture

Relating to the Iowa dairy industry commission.

S.B. 278 Agriculture

Relating to drainage and drainage districts.

S.B. 279 Agriculture

Regarding the filing of documents for evidencing a landlord, thresher's or cornsheller's lien.

S.B. 280 Judiciary and Law Enforcement

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

AMENDMENTS FILED

H-3156	S.F.	19	Hummel of Benton
H-3157	S.F.	19	Hummel of Benton
H-3158	S.F.	19	Hummel of Benton
H-3159	S.F.	19	Hummel of Benton
H-3160	H.F.	186	Hummel of Benton
H-3161	H.F.	292	Mullins of Kossuth
			Welden of Hardin
H-3162	H.F.	377	Norland of Worth
			Doderer of Johnson
			Tabor of Jackson
			Jochum of Dubuque
			Fey of Scott
			Spear of Lee
			Buhr of Polk
			Blanshan of Greene
			Groth of Buena Vista
			Carl of Poweshiek
			Swartz of Marshall
			Parker of Jasper
			Teaford of Black Hawk
			Cochran of Webster
			Arnould of Scott
			Connors of Polk
			Ollie of Clinton
			Pavich of Pottawattamie
			Beatty of Warren
			Halvorson of Webster
			Koenigs of Mitchell
			Zimmerman of Dallas
			Gruhn of Dickinson
			Groninga of Cerro Gordo
			Renaud of Polk

On motion by Norland of Worth, the House adjourned at 9:16 a.m., until 9:00 a.m., Thursday, February 21, 1985.

JOURNAL OF THE HOUSE

Thirty-ninth Calendar Day—Twenty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 21, 1985

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

Prayer was offered by Reverend Gary Dobbins, pastor of the Sigourney United Methodist Church, Sigourney.

The Journal of Wednesday, February 20, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Ashwin Joshi, Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Carl of Poweshiek, until her arrival, on request of Zimmerman of Dallas; Bennett of Ida on request of Stromer of Hancock.

PETITION FILED

The following petition was received and placed on file:

By Peterson of Carroll, from sixty-five constituents of District 95 opposing an Iowa lottery.

INTRODUCTION OF BILLS

House File 393, by McIntee, Hermann, Siegrist, Platt, Lageschulte, Paulin, Maulsby, Daggett, Shoning, Stueland, Hanson, McKean, Pellett, Bennett, Diemer, Schneklath, Hester, Torrence, Van Maanen, Swearingen, Miller, Rensink, Halvorson of Clayton, Clark, Stromer, Metcalf, Branstad, Handorf, Grandia and De Groot, a bill for an act relating to the operation of a motor vehicle while under the influence of alcohol or a drug.

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

House File 394, by committee on small business and commerce, a bill for an act relating to the operation of a bank or bank office located outside a municipal corporation when the bank is merged into or acquired by another state bank and providing for an effective date.

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

House File 395, by committee on small business and commerce, a bill for an act permitting the articles of incorporation of a trust company existing and operating on January 1, 1970 and which is authorized to act only as a trust company to be renewed in perpetuity.

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

House File 396, by Connors, a bill for an act relating to juvenile delinquency by defining runaway as a delinquent act, by requiring certain placements in shelter care or detention, by requiring the filing of certain complaints and petitions, by treating complaints as public records, by authorizing a requirement of posting bond prior to release, by authorizing the participation of victims in proceedings, by requiring dispositions to be served consecutively, by requiring work assignments or restitution in certain cases, by requiring confinement beyond the age of eighteen, by authorizing the fingerprinting and photographing of certain children, by maintaining open records for a longer period of time before sealing, and by modifying the offense of sexual abuse in the third degree.

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

House File 397, by O'Kane, a bill for an act requiring the state board of regents to waive tuition for certain teachers under certain conditions.

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

House File 398, by committee on human resources, a bill for an act relating to the confidentiality of the name of a complainant regarding a person in a long-term care facility.

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

House File 399, by Jay, a bill for an act to allow the use of high tensile strength galvanized wire for a lawful or tight fence.

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

House File 400, by Buhr, a bill for an act to require that absentee ballots be requested on a form provided by the commissioner of elections.

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

House File 401, by Beatty, a bill for an act to permit suspension of motor vehicle licenses for nonpayment of motor vehicle related fines, court costs or surcharges.

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

House File 402, by Welden, a bill for an act relating to enrollment ceilings at the institutions of higher education under the control of the state board of regents.

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

House File 403, by Fey, a bill for an act relating to publication requirements of cities and counties.

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

House File 404, by Carter, a bill for an act relating to the period of requalification for unemployment compensation benefits.

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

House File 405, by Mullins, Clark, Paulin, Pavich, Arnould, Shoultz, Fey, Poncy, Hammond, Teaford, Carpenter, McIntee, Gruhn, Lonergan, Doderer, Ollie, Siegrist, Brammer, Haverland, Metcalf, Groth, Lloyd-Jones, Buhr, Torrence, Chapman, Beatty, Carl, Baxter, Hughes, Swearingen and Running, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education.

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

House File 406, by O'Kane, a bill for an act relating to issuance of bonds for a general corporate purpose by a city.

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

SENATE MESSAGES CONSIDERED

Senate File 24, by Dieleman, 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 215, by committee on education, a bill for an act requiring a free and appropriate public education for children requiring special education.

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

Senate File 220, by committee on education, a bill for an act to provide for the waiver of tuition for certain nonresident students under the sponsorship of a foreign student exchange program.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 19, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 265, a bill for an act authorizing a city or a county to impose additional conditions on property owners as a condition to zoning changes.

Also: That the Senate has on February 19, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 63, a bill for an act relating to the approval of attorney fees by the department of job service.

Also: That the Senate has on February 11, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 70, a bill for an act relating to the rights and duties of a person riding a bicycle on the highway, including a penalty.

Also: That the Senate has on February 19, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 230, a bill for an act relating to qualifications of sureties.

Also: That the Senate has on February 19, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 231, a bill for an act relating to the release of information concerning a missing child.

K. MARIE THAYER, Secretary

HOUSE FILE 211 WITHDRAWN

Groth of Buena Vista asked and received unanimous consent to withdraw House File 211 from further consideration by the House.

CONSIDERATION OF BILLS Regular Calendar

House File 311, a bill for an act to provide that demolition contracts are public improvements, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 311)

The ayes were, 91:

Arnould	Baxter	Beatty	Brammer
Branstad	Buhr	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renken

Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Bennett	Black	Blanshan	Carl
Halvorson, R. N.	Jay	Jochum	O'Kane
Renaud			

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

On motion by Norland of Worth, the House was recessed at 9:24 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

QUORUM CALL

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hester of Pottawattamie, for the remainder of the day and February 22, 1985, on request of Stromer of Hancock.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 12

Norland of Worth asked and received unanimous consent for the

immediate consideration of House Concurrent Resolution 12, recognizing the National Crisis Action Rally.

Stromer of Hancock moved that action on House Concurrent Resolution 12 be deferred.

A non-record roll call was requested.

The ayes were 34, nays 60.

The motion to defer lost.

On motion by Cochran of Webster, House Concurrent Resolution 12 was adopted.

MOTION TO RECONSIDER WITHDRAWN
(House Resolution 4)

Pavich of Pottawattamie asked and received unanimous consent to withdraw the motion to reconsider House Resolution 4, a resolution pertaining to House Rules, filed by him on February 15, 1985.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 377, a bill for an act increasing the tax on cigarettes and little cigars, imposing an inventory tax on cigarettes, little cigars, unused tax stamps and metered imprints, lowering the rate of and providing an exemption from the sales, services, and use tax on industrial machinery, equipment and computers, was taken up for consideration.

Doderer of Johnson offered the following amendment H-3162 filed by Norland, et al.:

H-3162

- 1 Amend House File 377 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:

4 "DIVISION I

5 Section 101. Section 98.6, subsection 2, Code
6 1985, is amended to read as follows:

7 2. Notwithstanding subsection 1, there is imposed
8 beginning July 1, 1981 ~~October 1, 1985~~ and shall be
9 collected and paid to the department a tax on all
10 cigarettes used or otherwise disposed of in this state
11 for any purpose at the rate of ~~nine~~ thirteen mills on
12 each cigarette.

13 Sec. 102. Section 312.1, subsection 3, Code 1985,
14 is amended to read as follows:

15 3. All revenue, except as provided in section
16 423.24, derived from the use tax, under chapter 423 on
17 motor vehicles, trailers, and motor vehicle
18 accessories and equipment, as same may be collected as
19 provided by section 423.7.

20 Sec. 103. Section 422.43, Code 1985, is amended by
21 adding the following new unnumbered paragraph:

22 NEW UNNUMBERED PARAGRAPH. In addition to the tax
23 at the rate of four percent imposed under this
24 section, there is imposed an additional tax at the
25 rate of one percent to be added to the existing tax
26 rate. This additional one percent tax shall be
27 imposed for the period beginning on April 1, 1985 and
28 ending March 31, 1987.

29 Sec. 104. Section 422.45, Code 1985, is amended by
30 adding the following new subsection:

31 NEW SUBSECTION. For the period beginning April 1,
32 1985 and ending March 30, 1987, the gross receipts
33 from the sale or rental of farm machinery and
34 equipment, including replacement parts which are
35 depreciable for state and federal income tax purposes,
36 if the following conditions are met:

37 a. The farm machinery and equipment shall be
38 directly and primarily used in production of
39 agricultural products.

40 b. The farm machinery and equipment shall
41 constitute self-propelled implements or implements
42 customarily drawn or attached to self-propelled
43 implements.

44 Vehicles subject to registration, as defined in
45 section 423.1, or replacement parts for such vehicles,
46 shall not be eligible for this exemption.

47 Sec. 105. Section 422.45, Code 1985, is amended by
48 adding the following new subsection:

49 NEW SUBSECTION. The gross receipts from the sale
50 or rental of industrial machinery, equipment and

Page 2

1 computers, including replacement parts which are
2 depreciable for state and federal income tax purposes,
3 if the following conditions are met:

4 a. The industrial machinery, equipment and
5 computers shall be directly and primarily used in the
6 manner described in section 428.20 in processing
7 tangible personal property.

8 b. The industrial machinery, equipment, and
9 computers must be real property within the scope of
10 section 427A.1, subsection 1, paragraphs "e" or "j",
11 and must be subject to taxation as real property.

12 However, the provisions of chapters 404 and 427B
13 which result in the exemption from taxation of
14 property for property tax purposes does not preclude
15 the property from receiving this exemption if the
16 property otherwise qualifies.

17 The gross receipts from the sale or rental of hand
18 tools are not exempt. The gross receipts from the
19 sale or rental of pollution control equipment
20 qualifying under paragraphs "a" and "b" shall be
21 exempt.

22 The gross receipts from the sale or rental of
23 industrial machinery, equipment, and computers,
24 including pollution control equipment, within the
25 scope of section 427A.1, subsection 1, paragraphs "h"
26 and "i", shall not be exempt.

27 Sec. 106. Section 423.2, Code 1985, is amended by
28 adding the following new unnumbered paragraph:

29 **NEW UNNUMBERED PARAGRAPH.** In addition to the tax
30 at the rate of four percent imposed under this
31 section, there is imposed an additional tax at the
32 rate of one percent to be added to the existing tax
33 rate. This additional one percent tax shall be
34 imposed April 1, 1985 and, except for the additional
35 tax on motor vehicles, trailers, and motor vehicle
36 accessories and equipment as provided in section
37 423.7, shall be repealed March 31, 1987.

38 Sec. 107. Section 423.24, Code 1985, is amended to
39 read as follows:

40 **423.24 DEPOSIT OF REVENUE.**

41 All revenue arising under the operation of this
42 chapter, derived from the use tax on motor vehicles,
43 trailers, and motor vehicle accessories and equipment,
44 as same may be collected as provided by section 423.7
45 shall be credited to the road use tax fund, except the
46 revenue resulting from the increase in the use tax
47 rate from four to five percent which shall be credited
48 to a separate account in the state treasurer's office
49 for state and local infrastructure projects. All
50 other revenue arising under the operation of this

Page 3

1 chapter shall be credited to the general fund of the
2 state.

3 Sec. 108.

4 1. All persons required to be licensed under
5 section 98.13 as distributors having in their
6 possession prior to delivery for resale as of the
7 close of business on September 30, 1985 cigarettes or
8 little cigars upon which the tax under section 98.6 or
9 98.43 has been paid, unused cigarette tax stamps which
10 have been paid for under section 98.8, or unused
11 metered imprints which have been paid for under
12 section 98.12 shall be subject to an inventory tax on
13 such items as provided in this section.

14 2. Persons subject to the inventory tax imposed
15 under this section shall take an inventory as of the
16 close of business on September 30, 1985 of those items
17 subject to the inventory tax for the purpose of
18 determining the tax due. These persons shall report
19 the tax on forms provided by the department of revenue
20 and remit the tax due with the forms by October 31,
21 1985. The department of revenue shall adopt rules as
22 are necessary to carry out this section.

23 3. The rate of the inventory tax on each item
24 subject to the tax as specified in subsection 1 is
25 equal to the difference between the amount paid on
26 each item under section 98.6, 98.8, 98.12, or 98.43
27 prior to October 1, 1985 and the amount that is to be
28 paid on each similar item under section 98.6, 98.8,
29 98.12, or 98.43 on or after October 1, 1985 except
30 that in computing the rate of the inventory tax any
31 discount allowed or allowable under section 98.8 shall
32 not be considered.

33 Sec. 109. Construction contractors may make
34 application to the department for a refund of the
35 additional one percent tax paid under division IV of
36 chapter 422 or the additional one percent tax paid
37 under chapter 423 by reason of the increase in the tax
38 from four to five percent for taxes paid on goods,
39 wares, or merchandise under the following conditions:

40 a. The goods, wares, or merchandise are
41 incorporated into an improvement to real estate in
42 fulfillment of a written contract fully executed prior
43 to April 1, 1985. The refund shall not apply to
44 equipment transferred in fulfillment of a mixed
45 construction contract.

46 b. The contractor has paid to the department or to
47 a retailer the full five percent tax.

48 c. The claim is filed on forms provided by the
49 department and is filed within one year of the date
50 the tax is paid.

Page 4

1 A contractor who makes an erroneous application for
2 refund shall be liable for payment of the excess
3 refund paid plus interest at the rate in effect under
4 section 421.7. In addition, a contractor who
5 willfully makes a false application for refund is
6 guilty of a simple misdemeanor and is liable for a
7 penalty equal to fifty percent of the excess refund
8 claimed. Excess refunds, penalties, and interest due
9 under this section may be enforced and collected in
10 the same manner as the tax imposed by division IV of
11 chapter 422.

12 Sec. 110. Sections 102 through 107 and section 109
13 are effective April 1, 1985.

14 DIVISION II

15 Sec. 201. NEW SECTION. 175A.1 DEFINITIONS.

16 As used in this chapter, unless the context
17 otherwise requires:

18 1. "Authority" means the Iowa economic protective
19 authority established in section 175A.2.

20 2. "Lending institution" means a bank, trust
21 company, mortgage company, national banking
22 association, production credit association, savings
23 and loan association, or other financial institutions
24 or entities authorized to make farm operating loans.

25 3. "Farm operating loan" means a loan made after
26 the effective date of this chapter by a lending
27 institution to a borrower in an amount sufficient to
28 enable the borrower to pay the reasonably necessary
29 expenses and cash flow requirements of agricultural
30 production.

31 4. "Agricultural production" includes the
32 planting, cultivation, harvesting, and marketing of
33 agricultural crops, the feeding, sheltering, provision
34 of veterinary care, and marketing of livestock, and
35 other activities designated by the authority by rules
36 subject to chapter 17A.

37 5. "Cash flow requirements" include but is not
38 limited to the availability of money adequate to
39 provide for obligations which become due during the
40 term of the farm operating loan for operating
41 expenses, family living expenses, principal and
42 interest installments on agricultural loans, and rent.

43 Sec. 202. NEW SECTION. 175A.2 ESTABLISHMENT OF
44 AUTHORITY.

45 1. The Iowa economic protective authority is
46 established and constituted a public instrumentality
47 and agency of the state exercising public and
48 essential governmental functions. The authority is
49 established to undertake programs which provide
50 assistance for agricultural production. The powers of

Page 5

1 the authority are vested in and exercised by a board
2 of three members consisting of the state comptroller
3 or the comptroller's designee, the treasurer of state
4 or the treasurer's designee, and the superintendent of
5 banking or the superintendent's designee. Members of
6 the board shall be reimbursed for all actual and
7 necessary expenses incurred in the performance of
8 duties as members.

9 2. Two members of the authority constitute a
10 quorum and the affirmative vote of two of the members
11 is necessary for substantive action to be taken by the
12 authority. The two votes shall not include a member
13 who has a conflict of interest and a statement by a
14 member of a conflict of interest is conclusive for
15 this purpose. A vacancy in the membership does not
16 impair the right of two members to exercise all rights
17 and perform all duties of the authority.

18 3. The members shall elect a chairperson annually..
19 The executive director, appointed pursuant to section
20 175A.4, shall serve as secretary to the authority.

21 4. Meetings of the authority shall be held at the
22 call of the chairperson or when two members so
23 request.

24 5. The net earnings of the authority, beyond those
25 necessary to implement the public purposes and
26 programs authorized, shall not inure to the benefit of
27 a person other than the state. Upon termination of
28 the existence of the authority, title to all property
29 owned by the authority including any net earnings
30 shall vest in the state.

31 Sec. 203. NEW SECTION. 175A.3 ADVISORY PANEL.

32 1. An advisory panel to the authority is
33 established consisting of six members. The governor
34 shall appoint one member from each Iowa congressional
35 district. No more than three members appointed
36 pursuant to this section shall belong to the same
37 political party. As far as possible the governor
38 shall include within the advisory panel persons who
39 represent lending institutions experienced in
40 agricultural lending, agricultural suppliers, farmers,
41 average citizens, and other persons specially
42 interested in the availability of funds for farm
43 operating loans.

44 2. The members of the advisory panel shall serve
45 terms of six years, except that, of first
46 appointments, two members shall be appointed for terms
47 of two years and three members shall be appointed for
48 terms of four years. A person appointed to fill a
49 vacancy shall serve only for the unexpired portion of
50 the term. A member is eligible for reappointment. A

Page 6

1 member of the advisory panel may be removed from
2 office by the governor for misfeasance, malfeasance or
3 willful neglect of duty or other just cause, after
4 notice and hearing, unless the notice and hearing is
5 expressly waived in writing. A member of the advisory
6 panel may also serve as a member of the Iowa housing
7 finance authority or the Iowa family farm development
8 authority.

9 3. The members of the advisory panel are entitled
10 to receive forty dollars per diem for each day spent
11 in performance of duties as members, and shall be
12 reimbursed for all actual and necessary expenses
13 incurred in the performance of duties as members.

14 4. The panel shall provide advice and assistance
15 to the authority in the performance of the authority's
16 functions, but shall not vote in board decisions.

17 Sec. 204. NEW SECTION. 175A.4 EXECUTIVE DIRECTOR
18 STAFF.

19 1. The governor shall appoint an executive
20 director of the authority who shall serve at the
21 pleasure of the governor. The executive director
22 shall be selected primarily for administrative ability
23 and knowledge in the field, without regard to
24 political affiliation. The executive director shall
25 not, directly or indirectly, exert influence to induce
26 other officers or employees of the state to adopt a
27 political view, or to favor a political candidate for
28 office.

29 2. The executive director shall advise the
30 authority on matters relating to agricultural finance,
31 carry out all directives from the authority, and hire
32 and supervise the authority's staff pursuant to its
33 directions and under chapter 19A, except that
34 principal administrative assistants with
35 responsibilities in farm operating loan programs,
36 accounting, and processing of applications for
37 interest reduction are exempt from the provisions of
38 that chapter which do not deal with compensation.

39 3. The executive director, as secretary of the
40 authority, shall be custodian of all books, documents
41 and papers filed with the authority and of its minute
42 book and seal. The executive director may cause to be
43 made copies of all minutes and other records and
44 documents of the authority and give certificates under
45 the seal of the authority to the effect that the
46 copies are true copies and all persons dealing with
47 the authority may rely upon the certificates.

48 Sec. 205. NEW SECTION. 175A.5 GENERAL POWERS.

49 The authority has all of the general powers needed
50 to carry out its purposes and duties, and to exercise

Page 7

- 1 its specific powers, including but not limited to the
2 power to:
- 3 1. Sue and be sued in its own name.
 - 4 2. Have and alter a corporate seal.
 - 5 3. Make and alter bylaws for its management
6 consistent with this chapter.
 - 7 4. Make and execute agreements, contracts and
8 other instruments, with any public or private entity,
9 including but not limited to, any federal governmental
10 agency or instrumentality. The authority may make and
11 execute contracts with a firm of independent certified
12 public accountants to prepare an annual report on
13 behalf of the authority. All political subdivisions,
14 other public agencies and state agencies may enter
15 into contracts and otherwise cooperate with the
16 authority.
 - 17 5. Procure insurance against any loss in
18 connection with its operations.
 - 19 6. Accept appropriations, gifts, grants, loans, or
20 other aid from public or private entities. A record
21 of all gifts or grants, stating the type, amount and
22 donor, shall be clearly set out in the authority's
23 annual report along with the record of other receipts.
 - 24 7. Provide to public and private entities
25 technical assistance and counseling related to the
26 authority's purposes.
 - 27 8. In cooperation with other local, state or
28 federal governmental agencies or instrumentalities,
29 conduct studies of farm operational expense needs, and
30 gather and compile data useful to facilitate decision
31 making.
 - 32 9. Facilitate and encourage the maximized use of
33 available federal farm aid.
 - 34 10. Contract with attorneys, accountants, finance
35 experts, and other advisors or enter into contracts or
36 agreements for these services with local, state or
37 federal governmental agencies.
 - 38 11. Make, alter and repeal rules consistent with
39 this chapter and subject to chapter 17A.
- 40 Sec. 206. NEW SECTION. 175A.6 ANNUAL REPORT.
- 41 1. The authority shall submit to the governor and
42 to the members of the general assembly who request it,
43 not later than January 15, 1986, and January 15, 1987
44 a complete and economically designed and reproduced
45 report setting forth:
 - 46 a. Its operations and accomplishments.
 - 47 b. Its receipts and expenditures during the fiscal
48 year, in accordance with the classifications it
49 establishes for its operating and capital accounts.
 - 50 c. Its assets and liabilities at the end of its

Page 8

1 fiscal year and the status of reserve, special and
2 other funds.

3 d. A statement of its proposed and projected
4 activities.

5 e. Recommendations to the general assembly, as it
6 deems necessary.

7 f. An analysis of farm operating loan needs in the
8 state.

9 2. Prior to submitting its report to the general
10 assembly, the authority shall meet in January in joint
11 session with the senate and house standing committees
12 on ways and means and the senate and house standing
13 committees on agriculture so that they can determine
14 if the authority has accomplished its mission of
15 aiding farmers to stay in business who otherwise would
16 not have made it.

17 3. The annual report shall identify performance
18 goals of the authority, and clearly indicate the
19 extent of progress during the reporting period, in
20 attaining the goals. Where possible, results shall be
21 expressed in terms of number of farm units assisted.
22 The report shall state the median, mean, range, and
23 total of the size of farm units assisted in number of
24 acres, the dollar amount of the individual grants, the
25 debt-to-asset ratio of borrowers assisted, and the
26 resulting interest rates on farm operating loans.

27 Sec. 207. NEW SECTION. 175A.7 FARM OPERATING
28 ASSISTANCE PROGRAM.

29 1. The authority shall establish and develop a
30 farm operating assistance program to facilitate the
31 availability of affordable operating capital to as
32 many farmers as possible by providing grants to
33 lending institutions.

34 2. Lending institutions shall make available to
35 borrowers a lender-borrower eligibility application
36 form approved by the authority for the farm operating
37 assistance program. Application to the authority for
38 assistance under this section shall be executed
39 jointly by the lending institution and the borrower
40 upon an approved form.

41 3. The authority shall provide in the farm
42 operating assistance program that the grant will be
43 provided in conjunction with a borrower's farm
44 operating loan only if the following criteria are
45 satisfied as evidenced on a lender-borrower
46 eligibility application:

47 a. The borrower is a resident of the state.

48 b. The farm operation for which the borrower seeks
49 the farm operating assistance is located in the state.

50 c. The farm operating loan will be used by the

Page 9

1 borrower for the reasonably necessary expenses and
2 cash flow requirements of agricultural production.

3 d. The borrower has made full disclosure of the
4 borrower's farm finances to the lending institution.

5 e. If the borrower obtains a farm operating loan
6 for grain or row crop production, the grain or row
7 crop production shall be conducted only on
8 agricultural land which has been used for grain or row
9 crop production for at least one of the past four
10 years. A borrower violating this paragraph shall be
11 ineligible for assistance under this chapter for the
12 following fiscal year.

13 f. The debts of the borrower divided by the assets
14 of the borrower yield a debt-to-asset ratio which is
15 fifty percent or greater.

16 g. Requirements prescribed by the authority by
17 rule, which may include but are not limited to
18 participation in federal crop insurance programs,
19 where available, a consideration of the borrower's
20 agreement to maintain farm management techniques and
21 standards established by the authority, participation
22 in federal farm programs, where applicable, and the
23 maximized use of available loan guarantees including
24 small business administration programs, where
25 applicable.

26 4. The authority shall provide in the farm
27 operating assistance program that the authority may,
28 upon approval by the board of an application, enter
29 into an agreement with the lending institution in
30 which the lending institution shall agree to reduce
31 for one year the interest rate on the borrower's farm
32 operating loan to a rate at least five percentage
33 points below the maximum lawful rate of interest as
34 determined by the superintendent of banking pursuant
35 to section 535.2, subsection 3, for the calendar month
36 in which the application was approved by the
37 authority. The maximum lawful rate of interest shall
38 include any and all costs associated with the
39 transaction. The authority may adjust the rate if
40 necessary to accommodate regional financial
41 conditions. The authority shall agree to pay to the
42 lending institution a grant in an amount equal to two
43 percentage points on the principal of the borrower's
44 farm operating loan for one year. The grant shall be
45 paid to the lending institution within one hundred
46 fifty days after the date the application is approved.

47 5. The authority shall require each lending in-
48 stitution to which the authority has approved an
49 application for a grant on a farm operating loan to
50 submit to the authority evidence satisfactory to the

Page 10

1 authority of a reduction in the interest rate as
2 required by an agreement pursuant to subsection 4, and
3 in that connection, the board members, employees or
4 agents of the authority may inspect the books and
5 records of a lending institution.

6 6. Compliance by a lending institution with the
7 terms of an agreement with the authority pursuant to
8 subsection 4 may be enforced by decree of a district
9 court of this state. The authority may require, as a
10 condition of a payment to a national banking
11 association or a federally chartered savings and loan
12 association on a farm operating loan, the consent of
13 the association to the jurisdiction of courts of this
14 state over an enforcement proceeding. The authority
15 may also require, as a condition for approval of an
16 application for a grant to a lending institution on a
17 farm operating loan, that the lending institute agree
18 to the payment of penalties to the authority for
19 violation by the lending institution of its agreement
20 with the authority pursuant to subsection 4, and the
21 penalties are recoverable at the suit of the
22 authority.

23 7. If a lending institution refuses a borrower's
24 request to apply for a farm operating assistance grant
25 under this section, the borrower may provide the
26 authority with a written statement regarding the
27 lending institution's refusal. A borrower who has
28 provided the authority with a written statement may be
29 provided with an opportunity for a hearing on the
30 refusal before the board or persons designated by the
31 authority. The procedure established in this
32 subsection is not a contested case under chapter 17A.

33 8. Funds appropriated for the farm operating
34 assistance program which have not been committed for
35 grants for interest rate reduction on farm operating
36 loans by August 1, 1985, may be used for economic
37 assistance programs, as provided by the authority by
38 rule, for small businesses as defined by United States
39 small business administration for Iowa. Applications
40 for grants for interest rate reduction on farm
41 operating loans made after August 1, 1985 are given
42 first priority in the use of the uncommitted funds.

43 Sec. 208. NEW SECTION. 175A.8 MONEYS OF THE
44 AUTHORITY.

45 1. Moneys of the authority shall be paid to the
46 authority and shall be deposited in a bank or other
47 financial institution designated by the authority.
48 The moneys shall be withdrawn on the order of the
49 person authorized by the authority. Deposits shall be
50 secured in the manner determined by the authority.

Page 11

1 The auditor of state or the auditor's legally
2 authorized representatives may periodically examine
3 the accounts and books of the authority, including its
4 receipts, disbursements, contracts, leases,
5 investments and other records and papers relating to
6 its financial standing, and the authority shall not be
7 required to pay a fee for the examination.

8 2. The authority shall submit to the governor, the
9 auditor of state and the state comptroller, within
10 thirty days of its receipt, a copy of the report of
11 every external examination of the books and accounts
12 of the authority other than copies of the reports of
13 examinations made by the auditor of state.

14 **Sec. 209. NEW SECTION. 175A.9 LIMITATION OF**
15 **LIABILITY.**

16 1. Members of the authority and persons acting in
17 its behalf, while acting within the scope of their
18 employment or agency, are not subject to personal
19 liability resulting from carrying out the powers and
20 duties given in this chapter.

21 2. The obligations of the authority are not
22 obligations of this state or any political subdivision
23 of this state other than the authority within the
24 meaning of any constitutional or statutory debt
25 limitations, but are obligations of the authority
26 payable solely and only from the authority's funds,
27 and the authority shall not pledge the credit or
28 taxing power of this state or any political
29 subdivision of this state other than the authority or
30 make its debts payable out of any moneys except for
31 those of the authority.

32 **Sec. 210. NEW SECTION. 175A.10 ASSISTANCE BY**
33 **STATE OFFICERS, AGENCIES AND DEPARTMENTS.**

34 State officers and state departments and agencies
35 may render services to the authority within their
36 respective functions as requested by the authority.

37 **Sec. 211. NEW SECTION. 175A.11 CONFLICTS OF**
38 **INTEREST.**

39 1. If a member or employee other than the
40 executive director of the authority has an interest,
41 either direct or indirect, in a contract to which the
42 authority is or is to be a party or in a lending
43 institution which is seeking a payment for a reduction
44 in the interest rate on a borrower's farm operating
45 loan, the interest shall be disclosed to the authority
46 in writing and shall be set forth in the minutes of
47 the authority. The member or employee having the
48 interest shall not participate in action by the
49 authority with respect to that contract or lending
50 institution.

Page 12

1 2. This section does not limit the right of a
2 member, officer or employee of the authority other
3 than the executive director to have an interest in a
4 bank or other financial institution in which the funds
5 of the authority are deposited.

6 3. The executive director shall not have an
7 interest in a bank or other financial institution in
8 which the funds of the authority are deposited. The
9 executive director shall not receive, in addition to
10 fixed salary or compensation, money or anything
11 valuable, either directly or indirectly, or through a
12 substantial interest in another corporation or
13 business unit, for negotiating, procuring,
14 recommending or aiding in a payment made by the
15 authority under section 175A.7, subsection 4. The
16 executive director shall not be pecuniarily
17 interested, either as principal, coprincipal, agent or
18 beneficiary, either directly or indirectly or through
19 any substantial interest in another corporation or
20 business unit, in a payment made by the authority
21 under section 175A.7, subsection 4.

22 Sec. 212. NEW SECTION. 175A.12 EXEMPTION FROM
23 COMPETITIVE BID LAWS.

24 The authority and contracts made by it in carrying
25 out its public and essential governmental functions
26 are exempt from the laws of the state which provide
27 for competitive bids in connection with the contracts.

28 Sec. 213. NEW SECTION. 175A.13 LIBERAL
29 INTERPRETATION.

30 This chapter, being necessary for the welfare of
31 this state and its inhabitants, shall be liberally
32 construed to effect its purposes.

33 Sec. 214. There is appropriated from the general
34 fund of the state to the Iowa economic protective
35 authority for the fiscal year beginning July 1, 1985
36 and ending June 30, 1986, the sum of sixty-five
37 million (65,000,000) dollars to be used for the farm
38 operating assistance program. The state comptroller
39 shall provide the moneys appropriated under this
40 section to the authority as they are needed by the
41 authority. Moneys appropriated under this section
42 which have not been committed or used at the end of
43 the fiscal year shall revert to the general fund.

44 Sec. 215. Sections 201 through 213 of this Act are
45 repealed effective June 30, 1987.

46 DIVISION III

47 Sec. 301. NEW SECTION. AUTHORIZATION - ELECTION
48 - IMPOSITION AND REPEAL.

49 1. A city or a county may impose by ordinance of
50 the city council or the board of supervisors local

Page 13

1 option taxes authorized by sections 301 through 310 of
2 this Act, subject to this section.

3 2. A local option tax shall be imposed only after
4 an election at which a majority of those voting on the
5 question favors imposition and shall then be imposed
6 until repealed as provided in subsection 6, paragraph
7 a. If the tax is imposed by a city, it shall only
8 apply within the corporate boundaries of that city and
9 if imposed by a county, it shall apply to all
10 incorporated and unincorporated areas of that county
11 except that a local sales and services tax shall not
12 apply in a city that has already imposed a local sales
13 and services tax.

14 3. Upon its own motion the city council shall
15 direct within sixty days of its motion the county
16 commissioner of elections to submit the question of
17 the imposition of a specific local option tax to the
18 qualified electors of the city. If the county has
19 imposed a local sales and services tax applicable to
20 that city, the city shall not impose a local sales and
21 services tax.

22 4. Upon its own motion the county board of
23 supervisors shall direct within sixty days of its
24 motion the county commissioner of elections to submit
25 the question of the imposition of a specific local
26 option tax to the qualified electors of the county.
27 Before the county board of supervisors directs the
28 submission of the question of a local sales and
29 services tax, the board of supervisors shall enter
30 into a chapter 28E agreement, with the city councils
31 of the incorporated areas of the county representing
32 at least fifty percent of the population of the
33 county, providing for the distribution of the proceeds
34 of the tax. This distribution formula shall be
35 included on the ballot proposition. If a city has
36 already imposed a local sales and services tax, the
37 electors of that city shall not vote on the question
38 of the county sales and services tax and the city
39 shall not be entitled to any revenues from the tax
40 under the distribution formula.

41 5. The county commissioner of elections shall
42 submit the question of imposition of a local option
43 tax only at a state general election in the case of a
44 tax imposed by a county or at a state general election
45 or city regular election in the case of a tax imposed
46 by a city which may not be held sooner than sixty days
47 after publication of notice of the ballot proposition.
48 The question of imposition of a local sales and
49 service tax shall not be submitted at an election held
50 before January 1, 1986. The ballot proposition shall

Page 14

1 specify the type and rate of tax and in the case of a
2 vehicle tax the classes, if any, that will be exempt
3 and in the case of a local sales and services tax the
4 date it will be imposed and the amount of gross
5 receipts of each sales transaction that is subject to
6 the tax. The ballot proposition shall also contain a
7 general statement by the governing body as to the uses
8 that will be made of the revenues from the tax and, in
9 the case of a county local sales and services tax,
10 shall contain a description of the distribution of the
11 proceeds of the tax. The rate of a local income
12 surtax shall be in increments of five percent but not
13 in excess of thirty percent as set by the governing
14 body of the city or county seeking to impose the
15 surtax. The rate of the vehicle tax shall be in
16 increments of twenty-five cents per axle as set by the
17 governing body. The rate of a local sales and
18 services tax shall not be more than one percent as set
19 by the governing body. The state commissioner of
20 elections shall establish by rule the form for the
21 ballot proposition which form shall be uniform
22 throughout the state.

23 6. a. If a majority of those voting on the
24 question of imposition of a local option tax favor
25 imposition of a local option tax, the governing body
26 of that city or that county, as applicable, shall
27 impose the tax at the rate specified for an unlimited
28 period. The local option tax may be repealed or the
29 rate increased or decreased only after an election at
30 which a majority of those voting on the question of
31 repeal or rate change favor the repeal or rate change.
32 The election at which the question of repeal or rate
33 change is offered shall be called and held in the same
34 manner and under the same conditions as provided in
35 subsections 3, 4, and 5 for the election on the
36 imposition of the local option tax.

37 b. Within ten days of the election at which a
38 majority of those voting on the question favors the
39 imposition, repeal, or change in the rate of a local
40 option tax, the governing body shall give written
41 notice to the director of revenue or, in the case of a
42 local vehicle tax, to the director of the department
43 of transportation, of the result of the election.

44 7. More than one of the authorized local option
45 taxes may be submitted at a single election and the
46 different taxes shall be separately implemented as
47 provided in this section.

48 8. Local option taxes authorized to be imposed as
49 provided in sections 301 through 310 of this Act are a
50 local income surtax, a local sales and services tax,

Page 15

1 and a local vehicle tax. The rate of the taxes shall
2 be up to thirty percent in increments of five percent
3 for the income surtax, in increments of twenty-five
4 cents per axle for a vehicle tax, and not more than
5 one percent for a local sales and services tax all as
6 set by the governing body of the city or county
7 seeking to impose the local option tax.

8 **Sec. 302. NEW SECTION. LOCAL VEHICLE TAX.**

9 An annual local vehicle tax at the rate per axle
10 specified on the ballot proposition may be imposed by
11 a city or county on every vehicle which is required to
12 be registered by the state and is registered with the
13 county treasurer to a person residing within the city
14 or county where the tax is imposed at the time of
15 registration of the vehicle.

16 The city or county imposing the tax shall provide
17 for the exemption of each class, if any, of vehicles
18 for which an exemption was listed on the ballot
19 proposition.

20 For the purpose of the tax authorized by this
21 section, "person" and "registration year" mean the
22 same as defined in section 321.1, "vehicle" means
23 motor vehicle as defined in section 321.1 which is
24 subject to registration under section 321.18 and which
25 is registered with the county treasurer and "axle"
26 means the assembly of housing and axle shafts which
27 supports and propels either a pair of wheels or one
28 wheel only.

29 **Sec. 303. NEW SECTION. ADMINISTRATION.**

30 A local vehicle tax or change in the rate shall be
31 imposed January 1 immediately following a favorable
32 election for registration years beginning on or after
33 that date and the repeal of the tax shall be as of
34 December 31 following a favorable election for
35 registration years beginning after that date.

36 Local officials shall confer with the director of
37 the department of transportation for assistance in
38 drafting the ordinance imposing a local vehicle tax.
39 A certified copy of the ordinance shall be filed with
40 the director as soon as possible after passage. The
41 director shall inform the appropriate county
42 treasurers and provide assistance to them for the
43 collection of all local vehicle taxes and any
44 penalties, crediting local vehicle tax receipts
45 including penalties to a "local vehicle tax fund"
46 established in the office of the county treasurer.
47 From the local vehicle tax fund, the treasurer shall
48 remit quarterly, by direct deposit in the same manner
49 as provided in section 384.11, to each city in the
50 county the amount collected as a result of its tax

Page 16

1 during the preceding calendar quarter and to the
2 county the amount collected as a result of its tax
3 during the preceding calendar quarter. Moneys
4 received by a city or county from this fund shall be
5 credited to the general fund of the city or county and
6 may be expended for any lawful purpose of the city or
7 county.

8 Sec. 304. NEW SECTION. PAYMENT.

9 Taxpayers shall pay a local vehicle tax to the
10 county treasurer at the time of application for
11 registration of the vehicle under chapter 321 for the
12 registration year. The county treasurer shall require
13 a person applying for registration of a vehicle to
14 state the person's residence and shall not issue a
15 state registration certificate to the owner of a
16 vehicle on which a local vehicle tax is due until the
17 local vehicle tax is paid.

18 Payment of a local vehicle tax shall be evidenced
19 by a notation on the state registration certificate.
20 The director of the department of transportation shall
21 prescribe by rule the type of notation. A local
22 vehicle tax imposed on a vehicle registered for a part
23 of a registration year only shall be prorated on the
24 same basis and in the same manner as state
25 registration fees. A local vehicle tax shall not be
26 refunded even when state registration fees are
27 refunded.

28 Penalties for late payment which are comparable to
29 the penalties for late payment of state registration
30 fees shall be imposed by the ordinance imposing a
31 local vehicle tax. Willful violation of a local
32 vehicle tax ordinance is a simple misdemeanor.

33 Sec. 305. NEW SECTION. LOCAL INCOME SURTAX.

34 An annual local income surtax may be imposed by a
35 city or county on every resident taxpayer at the rate
36 specified on the ballot proposition applied to the
37 taxpayer's computed state individual income tax for
38 the tax year.

39 For purposes of the local income surtax, "resident
40 taxpayer" means an individual taxpayer whose principal
41 place of residence at the end of the taxpayer's tax
42 year is located in the city or county where the tax is
43 imposed and "computed state individual income tax"
44 means the tax computed under section 422.5 less the
45 deductions allowed in sections 422.10, 422.11, and
46 422.12.

47 Sec. 306. NEW SECTION. ADMINISTRATION.

48 A local income surtax or change in the rate shall
49 be imposed January 1 following the favorable election
50 for tax years beginning on or after January 1 and

Page 17

1 repeal of the surtax shall be as of December 31
2 following the favorable election for tax years
3 beginning after December 31.

4 The director of revenue shall administer the
5 provisions of a local income surtax as nearly as
6 possible in conjunction with the administration of
7 state income tax laws. The director shall provide
8 appropriate forms, or provide on the regular state tax
9 forms, for reporting local income surtax.

10 An ordinance of a city council or a county board of
11 supervisors imposing a local income surtax shall adopt
12 by reference the applicable provisions of the
13 appropriate sections of chapter 422, division II. All
14 powers of the director and requirements of the
15 director in administering the state income tax law
16 apply to the administration of a local income surtax,
17 including but not limited to, the provisions of
18 sections 422.20, 422.22 to 422.31, 422.68, and 422.72
19 to 422.75. Local officials shall confer with the
20 director of revenue and obtain the director's
21 assistance in drafting the ordinance imposing a local
22 income surtax. A certified copy of the ordinance
23 shall be filed with the director as soon as possible
24 after passage.

25 The director, in consultation with local officials,
26 shall collect and account for a local income surtax
27 and any interest and penalties. The director shall
28 credit local income surtax receipts and any interest
29 and penalties collected from returns filed on or
30 before November 1 of the calendar year following the
31 tax year for which the local income surtax is imposed
32 to a "local income surtax fund", established in the
33 office of the treasurer of state. All local income
34 surtax receipts and any interest and penalties
35 received or refunded from returns filed after November
36 1 of the calendar year following the tax year for
37 which the local income surtax is imposed shall be
38 deposited in or withdrawn from the state general fund
39 and shall be considered part of the cost of admin-
40 istering the local income surtax.

41 Sec. 307. NEW SECTION. PAYMENT TO LOCAL
42 GOVERNMENT — USE OF RECEIPTS.

43 1. On or before January 15, the director of
44 revenue shall make an accounting of the local income
45 surtax receipts and any interest and penalties
46 collected from returns filed on or before November 1
47 of the preceding year and shall certify to the
48 treasurer of state this amount collected. The
49 treasurer of state shall remit within fifteen days of
50 the certification by the director of revenue to each

Page 18

1 city and county which has imposed a local income
2 surtax the amount in the local income surtax fund
3 collected as a result of its tax.

4 2. Local income surtax moneys received by a city
5 or county may be expended for any lawful purpose of
6 the city or county.

7 Sec. 308. NEW SECTION. LOCAL SALES AND SERVICES
8 TAX.

9 A local sales and services tax at the rate of not
10 more than one percent may be imposed by a city or
11 county on the gross receipts taxed by the state under
12 chapter 422, division IV. A local sales and services
13 tax shall be imposed on the same basis as the state
14 sales and services tax and may not be imposed on the
15 sale of any property or on any service not taxed by
16 the state. However, the tax shall be imposed only on
17 the amount of the gross receipts of each sales
18 transaction that was specified on the ballot
19 proposition. A local sales and services tax is
20 applicable to transactions within the city or county
21 where it is imposed and shall be collected by all
22 persons required to collect state gross receipts
23 taxes.

24 The amount of the sale, for purposes of determining
25 the amount of the local sales and services tax, does
26 not include the amount of any state gross receipts
27 taxes.

28 A tax permit other than the state tax permit
29 required under section 422.53 shall not be required by
30 local authorities.

31 Sec. 309. NEW SECTION. ADMINISTRATION.

32 A local sales and services tax shall be imposed
33 either January 1, April 1, July 1 or October 1
34 following the notification of the director of revenue.

35 A local sales and services tax shall be repealed
36 only on March 31, June 30, September 30, or December
37 31. At least fifty-five days before the imposition or
38 repeal of the tax, a city or county shall provide
39 notice of the action by certified mail to the director
40 of revenue.

41 The director of revenue shall administer a local
42 sales and services tax as nearly as possible in
43 conjunction with the administration of state gross
44 receipts tax laws. The director shall provide
45 appropriate forms or provide on the regular state tax
46 forms for reporting local sales and services tax
47 liability.

48 The ordinance of a city council or county board of
49 supervisors imposing a local sales and services tax
50 shall adopt by reference the applicable provisions of

Page 19

1 the appropriate sections of chapter 422, division IV.
2 All powers and requirements of the director to
3 administer the state gross receipts tax law are
4 applicable to the administration of a local sales and
5 services tax law, including but not limited to, the
6 provisions of sections 422.25, subsection 4, 422.30,
7 422.48 to 422.52, 422.54 to 422.58, 422.67, 422.68,
8 422.69, subsection 1, and 422.70 to 422.75. Local
9 officials shall confer with the director of revenue
10 for assistance in drafting the ordinance imposing a
11 local sales and services tax. A certified copy of the
12 ordinance shall be filed with the director as soon as
13 possible after passage.

14 The director, in consultation with local officials,
15 shall collect and account for a local sales and
16 services tax. The director shall certify each quarter
17 the amount of local sales and services tax receipts
18 and any interest and penalties to be credited to the
19 "local sales and services tax fund" established in the
20 office of the treasurer of state.

21 All local tax moneys and interest and penalties
22 received or refunded one hundred eighty days or more
23 after the date on which the city or county repeals its
24 local sales and services tax shall be deposited in or
25 withdrawn from the state general fund.

26 **Sec. 310. NEW SECTION. PAYMENT TO LOCAL**
27 **GOVERNMENTS.**

28 1. The treasurer of state shall credit the local
29 sales and services tax receipts and interest and
30 penalties from a county's tax to the county's account
31 in the local sales and services tax fund and from a
32 city's tax to the city's account in the local sales
33 and services tax fund. The treasurer of state,
34 pursuant to rules of the director of revenue, shall
35 remit at least quarterly to the city the amount in the
36 city's account and shall remit at least quarterly from
37 the county's account to the cities and the county
38 according to the distribution formula agreed to as
39 provided in subsection 4 of section 301 of this Act.

40 2. Local sales and services tax moneys received by
41 a city or county may be expended for any lawful
42 purpose of the city or county.

43 **Sec. 311. Section 321.40, Code 1985, is amended by**
44 **adding the following new unnumbered paragraph:**

45 **NEW UNNUMBERED PARAGRAPH.** The county treasurer
46 shall refuse to renew the registration of a vehicle
47 registered to the applicant for renewal of
48 registration if the applicant has failed to pay any
49 local vehicle taxes due on that vehicle or any other
50 vehicle owned or previously owned by the applicant

Page 20

1 until such local vehicle taxes are paid.

2 Sec. 312. Section 321.130, Code 1985, is amended
3 to read as follows:

4 321.130 FEES IN LIEU OF TAXES.

5 The registration fees imposed by this chapter upon
6 private passenger motor vehicles or semitrailers shall
7 be are in lieu of all state taxes, ~~general or and~~
8 local personal property taxes based upon assessed
9 valuation, to which motor vehicles or semitrailers may
10 be are subject, and if a motor vehicle or semitrailer
11 shall have has been registered at any time under this
12 chapter it shall not thereafter be subject to a
13 personal property tax based upon assessed valuation,
14 unless such the motor vehicle or semitrailer shall
15 have has been in storage continuously as an
16 unregistered motor vehicle or semitrailer during the
17 preceding registration year.

18 Sec. 313. Except as otherwise provided this Act,
19 being deemed of immediate importance, takes effect
20 from and after its publication in The Messenger, a
21 newspaper published in Fort Dodge, Iowa, and in The
22 Jefferson Bee, a newspaper published in Jefferson,
23 Iowa."

24 2. Title page, by striking lines 1 through 6 and
25 inserting the following: "An Act relating to
26 improving the state economy for the general welfare of
27 its citizens by creating an Iowa economic protective
28 authority, allowing cities and counties to impose by
29 referendum a local option income surtax, vehicle tax
30 and sales and services tax, increasing the state
31 sales, services and use tax, exempting from the state
32 sales, services and use tax the gross receipts from
33 the sale of industrial machinery, equipment and
34 computers and of farm machinery and equipment,
35 including spare parts, making an appropriation and
36 providing an effective date."

The House stood at ease at 2:00 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H-3162 to House File 377 at 3:29 p.m., Speaker Avenson in the chair.

Stromer of Hancock rose on a point of order that amendment H-3162 was not germane.

The Speaker ruled the point not in order at this time.

RULE 32 SUSPENDED

Stromer of Hancock rose on a point of order and invoked Rule 32 to refer House File 377 to the committee on ways and means.

Norland of Worth asked for unanimous consent to suspend Rule 32.

Objection was raised.

Norland of Worth moved that Rule 32 be suspended.

Roll call was requested by Stromer of Hancock and Mulsby of Calhoun.

On the question "Shall Rule 32 be suspended?"

The ayes were, 59:

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

The nays were, 36:

Branstad	Carpenter	Clark	Corey
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hummel	Kremer	Lageschulte	Mulsby
McIntee	McKean	Metcalf	Miller
Mullins	Paulin	Platt	Renken
Rensink	Royer	Schneklath	Shoning
Siegrist	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Weiden

Absent or not voting, 5:

Bennett
Pellett

Daggett

Hester

Oxley

The motion prevailed and Rule 32 was suspended.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Daggett of Taylor and Pellett of Cass, until their return, on request of Harbor of Mills.

Connors of Polk in the chair at 3:37 p.m.

Harbor of Mills asked and received unanimous consent to defer action on amendment H-3183 for the immediate consideration of amendment H-3186.

McIntee of Black Hawk offered the following amendment H-3186, to amendment H-3162, filed from the floor by him and Hanson of Delaware:

H-3186

1 Amend House amendment H-3162 to House File 377 as
2 follows:

3 1. By striking page 1, line 2 through page 20,
4 line 36 and inserting the following:

5 "_____. By striking everything after the enacting
6 clause and inserting the following:

7 "Section 1. Section 98.6, subsection 2, Code 1985,
8 is amended to read as follows:

9 2. Notwithstanding subsection 1, there is imposed
10 beginning ~~July 1, 1981~~ July 1, 1985 and shall be
11 collected and paid to the department a tax on all
12 cigarettes used or otherwise disposed of in this state
13 for any purpose at the rate of ~~nine~~ thirteen mills on
14 each cigarette.

15 Sec. 2. Section 422.45, Code 1985, is amended by
16 adding the following new subsection:

17 NEW SUBSECTION. The gross receipts from the sale
18 or rental of industrial machinery, equipment and
19 computers, including replacement parts which are
20 depreciable for state and federal income tax purposes,
21 if the following conditions are met:

22 a. The industrial machinery, equipment and

23 computers shall be directly and primarily used in the
24 manner described in section 428.20 in processing
25 tangible personal property.

26 b. The industrial machinery, equipment and
27 computers must be real property within the scope of
28 section 427A.1, subsection 1, paragraphs "e" or "j",
29 and must be subject to taxation as real property.

30 However, the provisions of chapters 404 and 427B
31 which result in the exemption from taxation of
32 property for property tax purposes do not preclude the
33 property from receiving this exemption if the property
34 otherwise qualifies.

35 The gross receipts from the sale or rental of hand
36 tools are not exempt. The gross receipts from the
37 sale or rental of pollution control equipment
38 qualifying under paragraphs "a" and "b" shall be
39 exempt.

40 The gross receipts from the sale or rental of
41 industrial machinery, equipment, and computers,
42 including pollution control equipment, within the
43 scope of section 427A.1, subsection 1, paragraphs "h"
44 and "i", shall not be exempt.

45 Sec. 3.

46 1. All persons required to be licensed under
47 section 98.13 as distributors having in their
48 possession prior to delivery for resale as of the
49 close of business on June 30, 1985 cigarettes or
50 little cigars upon which the tax under section 98.6 or

Page 2

1 98.43 has been paid, unused cigarette tax stamps which
2 have been paid for under section 98.8, or unused
3 metered imprints which have been paid for under
4 section 98.12 shall be subject to an inventory tax on
5 such items as provided in this section.

6 2. Persons subject to the inventory tax imposed
7 under this section shall take an inventory as of the
8 close of business on June 30, 1985 of those items
9 subject to the inventory tax for the purpose of
10 determining the tax due. These persons shall report
11 the tax on forms provided by the department of revenue
12 and remit the tax due with the forms by July 31, 1985.
13 The department of revenue shall adopt rules as are
14 necessary to carry out this section.

15 3. The rate of the inventory tax on each item
16 subject to the tax as specified in subsection 1 is
17 equal to the difference between the amount paid on
18 each item under section 98.6, 98.8, 98.12, or 98.43
19 prior to July 1, 1985 and the amount that is to be
20 paid on each similar item under section 98.6, 98.8,

21 98.12, or 98.43 on or after July 1, 1985 except that
 22 in computing the rate of the inventory tax any
 23 discount allowed or allowable under section 98.8 shall
 24 not be considered.

25 Sec. 4. Except as otherwise provided, this Act,
 26 being deemed of immediate importance, takes effect
 27 from and after its publication in The Messenger, a
 28 newspaper published in Fort Dodge, Iowa, and in The
 29 Jefferson Bee, a newspaper published in Jefferson,
 30 Iowa."

31 _____ Title page, lines 3 and 4, by striking the
 32 words "lowering the rate of".

Speaker Avenson in the chair at 4:53 p.m.

Connors of Polk in the chair at 4:57 p.m.

Speaker Avenson in the chair at 5:37 p.m.

Connors of Polk in the chair at 6:11 p.m.

McIntee of Black Hawk moved the adoption of amendment
 H—3186, to amendment H—3162.

Roll call was requested by Sullivan of Van Buren and Branstad
 of Winnebago.

On the question "Shall amendment H—3186, to amendment
 H—3162, be adopted?"

The ayes were, 36:

Branstad	Carpenter	Clark	Corey
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hermann
Hummel	Kremer	Lageschulte	Maulsby
McIntee	Metcalf	Miller	Mullins
Paulin	Peick	Platt	Renken
Rensink	Royer	Schnekloth	Shoning
Siegrist	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Welden

The nays were, 61:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carter	Chapman	Cochran
Connolly	Cooper	Daggett	Doderer

Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Hatch
Haverland	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Loneragan	McKean	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Varn	Woods	Zimmerman
Mr. Speaker (Connors)			

Absent or not voting, 3:

Bennett Hester Pellett

Amendment H—3186 lost.

Running of Linn in the chair at 7:15 p.m.

Harbor of Mills offered the following amendment H—3183, to amendment H—3162, filed from the floor by Harbor, Welden and Halvorson of Clayton:

H—3183

1 Amend House amendment H—3162 to House File 377 as
2 follows:

- 3 1. Page 1, by striking lines 13 through 19.
- 4 2. By striking page 2, line 38 through page 3,
5 line 2.
- 6 3. By renumbering and correcting internal
7 references as necessary.

Connors of Polk in the chair at 7:18 p.m.

Speaker Avenson in the chair at 7:23 p.m.

Harbor of Mills moved the adoption of amendment H—3183, to amendment H—3162.

Roll call was requested by Harbor of Mills and Stromer of Hancock.

On the question "Shall amendment H—3183, to amendment H—3162, be adopted?"

The ayes were, 37:

Branstad	Carpenter	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hummel	Kremer	Lageschulte
Maulsby	McIntee	McKean	Metcalf
Miller	Mullins	Paulin	Platt
Renken	Rensink	Royer	Schnekloth
Shoning	Siegrist	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Maanen
Welden			

The nays were, 60:

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

Absent or not voting, 3:

Bennett	Hester	Pellett
---------	--------	---------

Amendment H—3183 lost.

Osterberg of Linn offered the following amendment H—3175, to amendment H—3162, filed by him from the floor and moved its adoption:

H—3175

- 1 Amend House amendment H—3162 to House File 377 as
- 2 follows:
- 3 1. Page 1, by inserting after line 19 the
- 4 following:
- 5 "Sec. 150. Section 422.43, Code 1985, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. Notwithstanding the general tax

8 rate provided in other provisions of the section, the
9 rate of tax imposed on the gross receipts from the
10 sale or rental of farm machinery and equipment,
11 including replacement parts which are depreciable for
12 state and federal income tax purposes, is three
13 percent, if the following conditions are met:

14 a. The farm machinery and equipment shall be
15 directly and primarily used in production of
16 agricultural products.

17 b. The farm machinery and equipment shall
18 constitute self-propelled implements or implements
19 customarily drawn or attached to self-propelled
20 implements.

21 Vehicles subject to registration, as defined in
22 section 423.1, or replacement parts for such vehicles,
23 shall not be subject to this rate.

24 Sec. 151. Section 422.43, Code 1985, is amended by
25 adding the following new subsection:

26 NEW SUBSECTION. Notwithstanding the general tax
27 rate provided in other provisions of the section, the
28 rate of tax imposed on the gross receipts from the
29 sale or rental of industrial machinery, equipment and
30 computers, including replacement parts which are
31 depreciable for state and federal income tax purposes,
32 is three percent, if the following conditions are met:

33 a. The industrial machinery, equipment and
34 computers shall be directly and primarily used in the
35 manner described in section 428.20 in processing
36 tangible personal property.

37 b. The industrial machinery, equipment and
38 computers must be real property within the scope of
39 section 427A.1, subsection 1, paragraphs "e" or "j",
40 and must be subject to taxation as real property.

41 However, the provisions of chapters 404 and 427B
42 which result in the exemption from taxation of
43 property for property tax purposes do not preclude the
44 property from being taxed at this rate if the property
45 otherwise qualifies.

46 The gross receipts from the sale or rental of
47 pollution control equipment qualifying under
48 paragraphs "a" and "b" shall be subject to this rate.

49 This subsection does not apply to the gross
50 receipts from the sale or rental of industrial

Page 2

1 machinery, equipment, and computers, including
2 pollution control equipment, within the scope of
3 section 427A.1, subsection 1, paragraphs "h" and "i",
4 or the gross receipts from the sale or rental of hand
5 tools."

6 2. Page 1, line 24, by inserting after the word
7 "imposed" the following: ", except for property
8 described in sections 150 and 151 of this Act which is
9 taxed at the rate of three percent,".

10 3. By striking page 1, line 29 through page 2,
11 line 26 and inserting the following:

12 "Sec._____. Section 422.45, Code 1985, is amended
13 by adding the following new subsection:

14 NEW SUBSECTION. The gross receipts from the sale
15 or rental of property subject to the three percent tax
16 rate under section 151 of this Act for which the
17 department has issued an exemption certificate which
18 certifies that the purchaser is meeting the criteria
19 specified in chapter 280B and will, within one year of
20 the purchase, increase its state-wide employment base
21 by at least ten percent or, in the case of a new
22 business in the state, add employment in the state.

23 Sec._____. Section 423.2, Code 1985, is amended to
24 read as follows:

25 423.2 IMPOSITION OF TAX.

26 An excise tax is imposed on the use in this state
27 of tangible personal property purchased for use in
28 this state, at the rate of four percent of the
29 purchase price of the property except property subject
30 to the rate of tax under sections 150 and 151 of this
31 Act which is taxed at a rate of three percent. The
32 excise tax is imposed upon every person using the
33 property within this state until the tax has been paid
34 directly to the county treasurer or the state
35 department of transportation, to a retailer, or to the
36 department. An excise tax is imposed on the use in
37 this state of services enumerated in section 422.43 at
38 the rate of four percent. This tax is applicable
39 where services are rendered, furnished, or performed
40 in this state or where the product or result of the
41 service is used in this state. This tax is imposed on
42 every person using the services or the product of the
43 services in this state until the user has paid the tax
44 either to an Iowa use tax permit holder or to the
45 department of revenue."

46 4. Page 2, line 31, by inserting after the word
47 "imposed" the following: ", except for property
48 described in sections 150 and 151 of this Act which is
49 taxed at the rate of three percent,".

50 5. Page 20, line 34, by inserting after the word

Page 3

1 "computers" the following: ", lowering the rate of
2 the sales, services and use tax on the gross receipts
3 from the sale or rental of industrial machinery,
4 equipment and computers and".

A non-record roll call was requested.

The ayes were 15, nays 58.

Amendment H—3175 lost.

Sturgeon of Woodbury offered the following amendment H—3191, to amendment H—3162, filed by him from the floor and moved its adoption:

H—3191

1 Amend House amendment H—3162 to House File 377 as
2 follows:

3 1. Page 1, by inserting after line 19 the
4 following:

5 "Sec. 130. Section 422.9, subsection 1, unnumbered
6 paragraph 1, Code 1985, is amended to read as follows:

7 1. An optional standard deduction of fifteen
8 percent of the net income after deduction of federal
9 income tax, not to exceed one thousand two hundred
10 dollars for a married person who files separately, one
11 thousand two hundred dollars for a single person or
12 three thousand dollars for a husband and wife who file
13 a joint return, a surviving spouse as defined in
14 section 2 of the Internal Revenue Code of 1954, or an
15 unmarried head of household as defined in the Internal
16 Revenue Code of 1954. The amount of the federal
17 income tax deducted shall not exceed fifteen thousand
18 dollars.

19 Sec. 131. Section 422.9, subsection 2, paragraph
20 b, Code 1985, is amended to read as follows:

21 b. Add the amount of federal income taxes paid or
22 accrued as the case may be, during the tax year,
23 adjusted by any federal income tax refunds. However,
24 the amount added shall not exceed fifteen thousand
25 dollars. Provided, however, that where If married
26 persons, who have filed a joint federal income tax
27 return, file separately, such the total shall be
28 divided between them according to the portion thereof
29 paid or accrued, as the case may be, by each."

30 2. Page 1, line 28, by striking the words "March
31 31, 1987" and inserting the following: "September 30,
32 1985".

33 3. By striking page 1, line 29 through page 2,
34 line 26.

35 4. Page 2, by striking lines 34 through 37 and
36 inserting the following: "imposed for the period
37 beginning on April 1, 1985 and ending September 30,

38 1985."

39 5. Page 2, by striking lines 45 through 47 and
40 inserting the following: "shall be credited three-
41 fourths to the road use tax fund and one-fourth".

42 6. Page 3, by inserting after line 2 the
43 following:

44 "Sec. _____. Section 427B.10, unnumbered paragraph
45 1, Code 1985, is amended to read as follows:

46 For property defined in section 427A.1, subsection
47 1, paragraphs "e" and "j" acquired or initially leased
48 after December 31, 1981 and before July 1, 1985, the
49 taxpayer's valuation shall be limited to thirty
50 percent of the net acquisition cost of the property.

Page 2

1 For purposes of this section, "net acquisition cost"
2 means the acquired cost of the property including all
3 foundations and installation cost less any excess cost
4 adjustment."

5 7. Page 4, by inserting after line 13 the
6 following:

7 "Sec. _____. Sections 130 and 131 are retroactive to
8 January 1, 1985 for tax years beginning on or after
9 that date."

10 8. Page 20, by striking lines 30 through 35 and
11 inserting the following: "and sales and services tax,
12 temporarily increasing the state sales, services and
13 use tax, limiting the amount of federal income taxes
14 paid that may be deducted for state income tax
15 purposes, eliminating the special property tax
16 valuation for machinery and equipment, making an
17 appropriation and".

Amendment H—3191 lost.

Welden of Hardin offered the following amendment H—3182, to amendment H—3162, filed from the floor by Welden, Maulsby, Handorf, Pellett, Grandia, Royer, Platt, Paulin, Mullins, Torrence, Clark, Diemer, Harbor, Daggett, Carpenter, Halvorson of Clayton and Hanson and moved its adoption:

H—3182

1 Amend House amendment H—3162 to House File 377 as
2 follows:

3 1. Page 1, line 28, by striking the figure "1987"
4 and inserting the following: "1986".

5 2. Page 2, by striking lines 34 through 37 and

- 6 inserting the following: "imposed for the period
7 beginning April 1, 1985 and ending March 31, 1986."
8 3. Page 20, line 30, by inserting after the word
9 "tax," the following: "temporarily".

Roll call was requested by Stromer of Hancock and Harbor of Mills.

On the question "Shall amendment H—3182, to amendment H—3162, be adopted?"

The ayes were, 37:

Branstad	Carpenter	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hummel	Kremer	Lageschulte
Maulsby	McIntee	McKean	Metcalf
Miller	Mullins	O'Kane	Paulin
Platt	Renken	Rensink	Royer
Schnekloth	Shoning	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Maanen
Welden			

The nays were, 59:

Arnould	Baxter	Beatty	Black
Blanshan	Buhr	Carl	Carter
Chapman	Cochran	Connolly	Connors
Cooper	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. N.
Hammond	Hatch	Haverland	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Lloyd-Jones	Loneragan
Muhlbauer	Norland	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Siegrist
Skow	Spéar	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 4:

Bennett	Brammer	Hester	Pellett
---------	---------	--------	---------

Amendment H—3182 lost.

Halvorson of Webster in the chair at 8:05 p.m.

Doderer of Johnson offered the following amendment H—3167, to amendment H—3162, filed by her from the floor and moved its adoption:

H—3167

- 1 Amend House amendment H—3162 to House File 377 as
- 2 follows:
- 3 1. Page 1, line 32, by striking the figure "30"
- 4 and inserting the figure "31".
- 5 2. Page 2, line 14, by striking the word "does"
- 6 and inserting the word "do".
- 7 3. Page 10, line 17, by striking the word
- 8 "institute" and inserting the word "institution".
- 9 4. Page 20, line 30, by inserting after the word
- 10 "tax," the following: "increasing the tax on
- 11 cigarettes and little cigars, imposing an inventory
- 12 tax on cigarettes, little cigars, unused tax stamps
- 13 and metered imprints,".
- 14 5. Page 20, line 33, by inserting after the word
- 15 "sale" the following: "or rental".

Amendment H—3167 was adopted.

Halvorson of Clayton offered the following amendment H—3181, to amendment H—3162, filed from the floor by Halvorson of Clayton, Stromer, Paulin, Siegrist, Shoning, Torrence, Metcalf, Clark, Diemer, Daggett, Carpenter, Hanson, Harbor, McIntee, Maulsby, Schneklath, Hermann, Kremer, Handorf, Pellett, De Groot, Lageschulte, Stueland, Grandia, Royer, Platt and Swearingen:

H—3181

- 1 Amend amendment H—3162 to House File 377 as
- 2 follows:
- 3 1. Page 1, by striking lines 31 and 32 and
- 4 inserting the following:
- 5 "NEW SUBSECTION. The gross receipts".

Tabor of Jackson in the chair at 8:08 p.m.

Halvorson of Clayton moved the adoption of amendment H—3181, to amendment H—3162.

Roll call was requested by Stromer of Hancock and Harbor of Mills.

On the question "Shall amendment H—3181, to amendment H—3162, be adopted?"

The ayes were, 38:

Branstad	Carpenter	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hermann	Hummel	Kremer	Lageschulte
Maulsby	McIntee	McKean	Metcalf
Miller	Mullins	Pauln	Platt
Renken	Rensink	Royer	Schneklouth
Shoning	Siegrist	Skow	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Maanen	Welden		

The nays were, 59:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carter	Chapman	Cochran
Connolly	Connors	Cooper	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Hatch
Haverland	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Lomergan	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Peterson
Pency	Renaud	Rosenberg	Running
Sherzan	Shoultz	Spear	Sturgeon
Sullivan	Swartz	Teaford	Varn
Woods	Zimmerman	Mr. Speaker (Tabor)	

Absent or not voting, 3:

Bennett	Hester	Pellett
---------	--------	---------

Amendment H—3181 lost.

Stromer of Hancock offered the following amendment H—3184, to amendment H—3162, filed by him from the floor and moved its adoption:

H—3184

- 1 Amend House amendment H—3162 to House File 377
- 2 as follows:

- 3 1. Page 1, by striking lines 34 and 35 and
 4 inserting the following: "equipment, including
 5 replacement parts,".

Amendment H—3184 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hermann of Scott, for the remainder of the evening, on request of Paulin of Plymouth.

Van Camp of Scott offered the following amendment H—3193, to amendment H—3162, filed by him and Harbor of Mills from the floor and moved its adoption:

H—3193

- 1 Amend House amendment H—3162 to House File 377 as
 2 follows:
 3 1. Page 2, by inserting after line 26 the
 4 following:
 5 "Sec. 140. Section 422.45, Code 1985, is amended
 6 by adding the following new subsection:
 7 NEW SUBSECTION. The gross receipts from the sale
 8 of a commercial vehicle as defined in and subject to
 9 chapter 326."
 10 2. Page 4, line 12, by inserting after the figure
 11 "109" the following: "and section 140".
 12 3. Page 20, line 35, by inserting after the word
 13 "parts," the following: "exempting the sale of
 14 certain commercial vehicles from the state sales,
 15 services, and use tax,".

Roll call was requested by Van Camp of Scott and McIntee of Black Hawk.

On the question "Shall amendment H—3193, to amendment H—3162, be adopted?"

The ayes were, 45:

Black	Branstad	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Gruhn	Halvorson, R. A.	Handorf	Hanson
Harbor	Hummel	Kremer	Lageschulte
Lonergan	Maulsby	McIntee	McKean

Metcalf	Miller	Mullins	Paulin
Pavich	Peick	Pellett	Platt
Renken	Rensink	Royer	Schnekloth
Shoning	Shultz	Siegrist	Stromer
Stueland	Swartz	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Welden
Woods			

The nays were, 52:

Arnould	Avenson	Baxter	Beatty
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Cochran
Connolly	Connors	Cooper	Doderer
Fey	Fogarty	Groninga	Groth
Halvorson, R. N.	Hammond	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Skow	Spear	Sturgeon
Sullivan	Varu	Zimmerman	Mr. Speaker (Tabor)

Absent or not voting, 3:

Bennett	Hermann	Hester
---------	---------	--------

Amendment H—3193 lost.

Schnekloth of Scott offered the following amendment H—3171, to amendment H—3162, filed by him and Lageschulte of Bremer from the floor:

H—3171

- 1 Amend House amendment H—3162 to House File 377 as
- 2 follows:
- 3 1. Page 3, by inserting after line 2 the
- 4 following:
- 5 "Sec._____. Section 551A.2, subsection 8, Code
- 6 1985, is amended to read as follows:
- 7 8. "Basic cost of cigarettes" shall mean whichever
- 8 of the two following amounts is lower: (a) the true
- 9 invoice cost of cigarettes to the wholesaler or
- 10 retailer, as the case may be, or (b) the lowest
- 11 replacement cost of cigarettes to the wholesaler or
- 12 retailer in the quantity last purchased, less, in
- 13 either case, all trade discounts and customary

14 discounts for cash, plus one-half of the full face
 15 value of any stamps which may be required. The basic
 16 cost of cigarettes shall not include the amount of tax
 17 imposed by any cigarette tax act of this state."

18 2. Page 20, line 35, by inserting after the word
 19 "parts," the following: "providing that state
 20 cigarette taxes are not to be included as part of the
 21 basic cost of cigarettes for purposes of the Iowa
 22 unfair cigarette sales Act."

Jochum of Dubuque rose on a point of order that amendment
 H-3171 was not germane.

The Speaker ruled the point well taken and amendment
 H-3171 not germane.

Fey of Scott in the chair at 8:57 p.m.

Harbor of Mills offered the following amendment H-3189, to
 amendment H-3162, filed from the floor by Harbor, Pellett,
 De Groot and Halvorson of Clayton:

H-3189

1 Amend House amendment H-3162 to House File 377 as
 2 follows:

3 1. Page 4, line 15, by striking the figure
 4 "175A.1" and inserting the figure "175.35".

5 2. Page 4, line 16, by striking the words "this
 6 chapter" and inserting the following: "sections
 7 175.35 through 175.40".

8 3. Page 4, by striking lines 18 and 19.

9 4. By striking page 4, line 43 through page 5,
 10 line 30, and inserting the following:

11 "Sec. _____. NEW SECTION. 175.36 ESTABLISHMENT OF
 12 PLAN.

13 The authority shall establish, develop, and
 14 administer an economic protective plan which includes
 15 programs which provide assistance for agricultural
 16 production and cash flow requirements and other
 17 programs the authority deems necessary consistent with
 18 protecting the economy of the state."

19 5. Page 5, line 31, by striking the figure
 20 "175A.3" and inserting the figure "175.37".

21 6. By striking page 5, line 32, through page 6,
 22 line 16, and inserting the following:

23 "The state comptroller or the comptroller's
 24 designee, the treasurer of state or the treasurer's
 25 designee, and the superintendent of banking or the

26 superintendent's designee are constituted as an
27 advisory panel to the authority. The panel shall
28 provide advice and assistance to the authority, but
29 shall not vote in board decisions. Members of the
30 panel shall be reimbursed for all actual and necessary
31 expenses incurred in the performance of duties as
32 panel members."

33 7. By striking page 6, line 17 through page 7,
34 line 39.

35 8. Page 7, line 40, by striking the figure
36 "175A.6" and inserting the figure "175.38".

37 9. Page 7, line 40, by striking the word "REPORT"
38 and inserting the following: "REPORT -- CONTENTS".

39 10. By striking page 7, line 41 through page 8,
40 line 8.

41 11. Page 8, line 9, by striking the figure "2"
42 and inserting the figure "1".

43 12. Page 8, line 9, by inserting after the word
44 "report" the words "pursuant to section 175.8".

45 13. Page 8, line 17, by striking the figure "3"
46 and inserting the figure "2".

47 14. Page 8, line 18, by striking the word
48 "authority," and inserting the words "economic
49 protective plan, set forth an analysis of farm
50 operating loan needs in the state,".

Page 2

1 15. Page 8, line 27, by striking the figure
2 "175A.7" and inserting the figure "175.39".

3 16. By striking page 10, line 43, through page
4 11, line 36.

5 17. Page 11, line 37, by striking the figure
6 "175A.11" and inserting the figure "175.40".

7 18. Page 11, line 38, by striking the word
8 "INTEREST" and inserting the following: "INTEREST --
9 ASSISTANCE PROGRAM".

10 19. Page 12, line 15, by striking the figure
11 "175A.7" and inserting the figure "175.39".

12 20. Page 12, line 21, by striking the figure
13 "175A.7" and inserting the figure "175.39".

14 21. Page 12, by striking lines 22 through 32, and
15 inserting the following:

16 "Sec. _____ Section 175.23, Code 1985, is amended
17 by adding the following new unnumbered paragraph:
18 NEW UNNUMBERED PARAGRAPH. The obligations of the
19 authority are not obligations of this state or any
20 political subdivision of this state other than the
21 authority within the meaning of any constitutional or
22 statutory debt limitations, but are obligations of the
23 authority payable solely and only from the authority's

24 funds, and the authority shall not pledge the credit
 25 or taxing power of this state or any political
 26 subdivision of this state other than the authority or
 27 make its debts payable out of any moneys except for
 28 those of the authority."

29 22. Page 12, line 34, by striking the words
 30 "economic protective" and inserting the words "family
 31 farm development".

32 23. Page 12, by striking line 44 and inserting
 33 the following: "Sections 175.35 through 175.40, as
 34 enacted in this Act, are".

35 24. Page 20, lines 27 and 28, by striking the
 36 words "creating an Iowa economic protective authority"
 37 and inserting the words "providing for an Iowa
 38 economic protective plan".

39 25. By renumbering as necessary.

Speaker Avenson in the chair at 9:20 p.m.

Harbor of Mills moved the adoption of amendment H—3189, to
 amendment H—3162.

Roll call was requested by Harbor of Mills and De Groot of Lyon.

On the question "Shall amendment H—3189, to amendment
 H—3162, be adopted?"

The ayes were, 39:

Branstad	Carpenter	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hummel	Jay	Kremer	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Mullins	Paulin
Pellett	Platt	Renken	Rensink
Royer	Schneklath	Shoning	Siegrist
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Welden	

The nays were, 58:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Connors	Cooper	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Holveck	Hughes	Jochum	Johnson

Knapp	Koenigs	Loneragan	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 3:

Bennett	Hermann	Hester
---------	---------	--------

Amendment H—3189 lost.

Cochran of Webster offered amendment H—3170, to amendment H—3162, filed by him from the floor and requested division as follows:

H—3170

- 1 Amend House Amendment H—3162 to House File 377 as
- 2 follows:

H—3170A

- 3 1. Page 5, by striking lines 45 through 48 and
- 4 inserting the following: "terms of two years. A
- 5 person appointed to fill a".
- 6 2. Page 5, line 50, by striking the following:
- 7 "A member is eligible for reappointment."

H—3170B

- 8 3. Page 10, line 17, by striking the word
- 9 "institute" and inserting the following:
- 10 "institution".

Cochran of Webster asked and received unanimous consent to withdraw amendment H—3170B.

On motion by Cochran of Webster, amendment H—3170A was adopted.

Tabor of Jackson offered the following amendment H—3188, to amendment H—3162, filed by him from the floor and moved its adoption:

H—3188

- 1 Amend House amendment H—3162 to House File 377 as
- 2 follows:
- 3 1. Page 9, line 44, by inserting after the word
- 4 "for" the following: "the period of the loan not to
- 5 exceed".

Amendment H—3188 was adopted.

Carter of Henry offered the following amendment H—3174, to amendment H—3162, filed from the floor by Carter, Pellett, De Groot, Osterberg, Mullins, Muhlbauer, Skow and Welden:

H—3174

- 1 Amend House amendment H—3162 to House File 377 as
- 2 follows:
- 3 1. Page 9, line 46, by inserting after the word
- 4 "approved." the following: "However, a grant for the
- 5 reduction of interest on a farm operating loan shall
- 6 not exceed four thousand dollars."

Black of Jasper in the chair at 9:37 p.m.

Carter of Henry moved the adoption of amendment H—3174, to amendment H—3162.

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

On the question "Shall amendment H—3174, to amendment H—3162, be adopted?"

The ayes were, 56:

Baxter	Beatty	Brammer	Branstad
Carpenter	Carter	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Groth	Halvorson, R. A.	Hammond	Handorf
Hanson	Harbor	Haverland	Holveck
Hughes	Hummel	Johnson	Kremer
Lageschulte	Maulsby	McIntee	McKean
Metcalf	Miller	Mullins	O'Kane
Osterberg	Oxley	Paulin	Peick
Pellett	Peterson	Platt	Renken
Rensink	Rosenberg	Royer	Schnekloth
Shoning	Siegrist	Skow	Stromer
Stueland	Sturgeon	Swearingen	Torrence
Van Camp	Van Maanen	Varn	Welden

The nays were, 40:

Arnould	Avenson	Blanshan	Buhr
Carl	Chapman	Cochran	Connolly
Connors	Cooper	Doderer	Fey
Fogarty	Groninga	Gruhn	Halvorson, R. N.
Hatch	Jay	Jochum	Knapp
Koenigs	Lloyd-Jones	Lonergan	Muhlbauer
Norland	Ollie	Parker	Pavich
Poncy	Running	Sherzan	Shoultz
Spear	Sullivan	Swartz	Tabor
Teaford	Woods	Zimmerman	Mr. Speaker (Black)

Absent or not voting, 4:

Bennett	Hermann	Hester	Renaud
---------	---------	--------	--------

Amendment H—3174 was adopted.

Harbor of Mills offered the following amendment H—3185, to amendment H—3162, filed by him from the floor and moved its adoption:

H—3185

- 1 Amend House amendment H—3162 to House File 377 as
- 2 follows:
- 3 1. Page 10, by inserting after line 5 the
- 4 following:
- 5 "_____. The portion of the farm operating loan which
- 6 is for reasonably necessary expenses directly related
- 7 to crop or livestock production, including but not
- 8 limited to the production inputs of seed, feed,
- 9 fertilizer, agricultural chemicals, and petroleum,
- 10 shall be retained by the lending institution. The
- 11 portion retained shall be based upon an estimate of
- 12 the reasonably necessary and direct expenses prepared
- 13 by the borrower and the lending institution in
- 14 determining the amount of the farm operating loan.
- 15 The retained funds shall be paid directly to the
- 16 supplier of a production input upon presentation of
- 17 proof of purchase and delivery of products to the
- 18 borrower by the supplier. However, the lending
- 19 institution shall not pay the suppliers of a specific
- 20 production input more than the amount determined
- 21 necessary for that production input in the estimate.
- 22 Funds remaining after payment of all reasonably
- 23 necessary and direct expenses of crop or livestock
- 24 production shall be released to the borrower."
- 25 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 35, nays 54.

Amendment H—3185 lost.

Schneklath of Scott offered the following amendment H—3190, to amendment H—3162, filed by him from the floor and moved its adoption:

H—3190.

- 1 Amend House amendment H—3162 to House File 377 as
- 2 follows:
- 3 1. Page 13, line 9, by striking the words "to
- 4 all".
- 5 2. Page 13, by striking line 10 and inserting the
- 6 following: "only to those incorporated areas and the
- 7 unincorporated area of that county in which a majority
- 8 of those voting in the area on the tax favor its
- 9 imposition,".
- 10 3. Page 14, line 28, by inserting after the word
- 11 "period." the following: "However, the county shall
- 12 not impose the tax in any incorporated area or the
- 13 unincorporated area if the majority of those voting on
- 14 the tax in that area did not favor its imposition."
- 15 4. Page 14, line 36, by inserting after the word
- 16 "tax." the following: "However, in the case where the
- 17 tax has not been imposed countywide, the question of
- 18 repeal or imposition shall be voted on only by the
- 19 qualified electors of the areas of the county where
- 20 the tax has been imposed or has not been imposed, as
- 21 appropriate."
- 22 5. Page 15, line 14, by inserting after the word
- 23 "or" the following: "an area of the".
- 24 6. Page 16, line 42, by inserting after the word
- 25 "or" the following: "an area of the".
- 26 7. Page 18, line 20, by inserting after the word
- 27 "or" the following: "an area of the".

Roll call was requested by Schneklath of Scott and Hummel of Benton.

On the question "Shall amendment H—3190, to amendment H—3162, be adopted?"

The ayes were, 38:

Branstad	Clark	Corey	Daggett
De Groot	Diemer	Fogarty	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hummel	Kremer	Lageschulte	Maulsby
McIntee	McKean	Miller	Mullins
Paulin	Pellett	Platt	Renken
Rensink	Rosenberg	Royer	Schnekloth
Shoning	Skow	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Maanen
Welden	Mr. Speaker (Black)		

The nays were, 58:

Arnould	Avenson	Baxter	Beatty
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Cochran
Connolly	Connors	Cooper	Doderer
Fey	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Johnson	Koenigs	Lloyd-Jones	Loneragan
Metcalf	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Peterson	Poncy
Renaud	Running	Sherzan	Shoultz
Siegrist	Spear	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Varn
Woods	Zimmerman		

Absent or not voting, 4:

Bennett	Hermann	Hester	Knapp
---------	---------	--------	-------

Amendment H—3190 lost.

Doderer of Johnson offered the following amendment H—3192, to amendment H—3162, filed from the floor by Doderer, Maulsby, and O'Kane and moved its adoption:

H—3192

- 1 Amend House amendment H—3162 to House File 377 as
- 2 follows:
- 3 1. Page 13, by striking lines 14 and 15 and
- 4 inserting the following:
- 5 "3. After a majority vote of the city council, or
- 6 upon receipt of a petition signed by eligible electors

7 of the city equal in number to five percent of the
8 persons of the city who voted in the last preceding
9 state general election requesting imposition of a
10 specific local option tax, the council shall direct
11 the county".

12 2. Page 13, by striking lines 22 through 24 and
13 inserting the following:

14 "4. After a majority vote of the county board of
15 supervisors, or upon receipt of a petition signed by
16 eligible electors of the county equal in number to
17 five percent of the persons of the county who voted at
18 the last preceding state general election requesting
19 imposition of a specific local option tax, the board
20 shall direct the county commissioner of elections to
21 submit".

Amendment H—3192 was adopted.

Muhlbauer of Crawford offered the following amendment
H—3177, to amendment H—3162, filed by him from the floor and
moved its adoption:

H—3177

1 Amend House amendment H—3162 to House File 377 as
2 follows:
3 1. Page 13, line 32, by striking the word "fifty"
4 and inserting the following: "forty".

Amendment H—3177 was adopted.

Doderer of Johnson offered amendment H—3165, to amendment
H—3162, filed by her and O'Kane of Woodbury from the floor and
requested division as follows:

H—3165

1 Amend House amendment H—3162 to House File 377 as
2 follows:

H—3165A

3 1. Page 13, by striking lines 48 through 50 and
4 inserting the following: "The ballot proposition
5 shall".

H—3165B

6 2. Page 14, line 27, by inserting after the word

- 7 "specified" the following: "for the period of time
8 specified on the ballot proposition or if not
9 specified then".
10 3. By striking page 14, line 48 through page 15,
11 line 7.
12 4. Page 16, by striking lines 31 and 32 and
13 inserting the following: "local vehicle tax."

Doderer of Johnson asked and received unanimous consent to withdraw amendment H-3165A.

Speaker Avenson in the chair at 10:40 p.m.

On motion by Doderer of Johnson, amendment H-3165B was adopted.

O'Kane of Woodbury offered the following amendment H-3166, to amendment H-3162, filed by him and Doderer of Johnson from the floor and moved its adoption:

H-3166

- 1 Amend amendment H-3162 to House File 377 as follows:
- 2 1. Page 14, by striking lines 4 through 6, and
- 3 inserting the following: "date it will be imposed.
- 4 The ballot proposition shall also contain a".
- 5 2. Page 18, by striking lines 16 through 19, and
- 6 inserting the following: "the state. A local sales
- 7 and services tax is".

Amendment H-3166 was adopted.

Carpenter of Polk offered the following amendment H-3199, to amendment H-3162, filed by her from the floor and moved its adoption:

H-3199

- 1 Amend amendment H-3162 to House File 377 as
- 2 follows:
- 3 1. Page 15, line 24, by inserting after the word
- 4 "321.18" the following: "and which is not registered
- 5 under section 321.115 as an antiquated vehicle".

Amendment H-3199 lost.

Doderer of Johnson offered the following amendment H—3173, to amendment H—3162, filed by her from the floor and moved its adoption:

H—3173

- 1 Amend amendment H—3162 to House File 377 as
- 2 follows:
- 3 1. Page 20, by striking lines 7 through 9 and
- 4 inserting the following: "be are in lieu of all
- 5 state and local taxes, except wheel taxes, general
- 6 or local, to which motor vehicles or semitrailers
- 7 may".
- 8 2. Page 20, by striking line 13, and inserting
- 9 the following: "personal property tax".

Amendment H—3173 was adopted.

Mullins of Kossuth offered the following amendment H—3201, to amendment H—3162, filed by her and Doderer of Johnson from the floor and moved its adoption:

H—3201

- 1 Amend House amendment H—3162 to House File 377 as
- 2 follows:
- 3 1. Page 8, by inserting after line 8 the
- 4 following:
- 5 "g. An analysis of any economic assistance
- 6 programs for small businesses provided by the
- 7 authority."
- 8 2. Page 10, by striking lines 38 and 39 and
- 9 inserting the following: "rule, for small businesses,
- 10 as defined in section 220.1, subsection 28, which have
- 11 shown their financial institutions that their need is
- 12 because of financial conditions and circumstances
- 13 beyond their control. Application for economic
- 14 assistance grant for a small business shall only be
- 15 allowed if the following criteria are satisfied:
- 16 a. The business' commercial domicile is within the
- 17 state.
- 18 b. The operation of the business for which
- 19 assistance is sought is located in the state.
- 20 c. The grant will be used by the business for the
- 21 reasonably necessary expenses and cash flow
- 22 requirements attributable to the operation located
- 23 within the state.
- 24 d. Full financial disclosure has been made to the
- 25 authority or an entity designated by the authority.

- 26 e. If the operation of the business for which a
 27 grant is sought is a new operation of that business or
 28 is an existing operation of that business which will
 29 be moved to another area of the state, the operation
 30 shall not be in close proximity to a similar operation
 31 of an existing small business.
 32 f. The amount of the grant allowed does not exceed
 33 four thousand dollars.
 34 g. Other requirements of the authority.
 35 Applications”.

A non-record roll call was requested.

The ayes were 54, nays 1.

Amendment H—3201 was adopted.

Arnould of Scott in the chair at 10:55 p.m.

Stromer of Hancock rose on a point of order that amendment H—3162 was not germane.

The Speaker ruled the point well taken and amendment H—3162 not germane.

Norland of Worth asked for unanimous consent to suspend the rules for the consideration of amendment H—3162, as amended.

Objection was raised.

Norland of Worth moved that the rules be suspended to consider amendment H—3162, as amended.

Roll call was requested by Stromer of Hancock and Mullins of Kossuth.

On the question “Shall the rules be suspended to consider amendment H—3162, as amended?”

The ayes were, 60:

Avenson	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Connors	Cooper	Doderer	Fey

Fogarty	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Lonergan	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Peterson	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Varn	Woods	Zimmerman	Mr. Speaker (Arnould)

The nays were, 37:

Branstad	Carpenter	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Hendorf	Hanson	Harbor
Hummel	Kremer	Lageschulte	Maulsby
McIntee	McKean	Metcalf	Miller
Mullins	Paulin	Pellett	Platt
Renken	Rensink	Royer	Schnekloth
Shoning	Siegrist	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Maanen
Welden			

Absent or not voting, 3:

Bennett	Hermann	Hester
---------	---------	--------

The motion prevailed and the rules were suspended for the consideration of amendment H—3162, as amended.

The House stood at ease at 11:00 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H—3162 to House File 377 at 11:50 p.m., Speaker Avenson in the chair.

(Amendment H—3162 to House File 377 pending at adjournment.)

REPORT OF HOUSE RULES AND ADMINISTRATION COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 2, your committee on rules and administration submits the following to be employed in the indicated positions, and at the indicated

classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Research Analyst	Gary L. Parker	26-1 to 26-2		04/19/85
Research Analyst	Sharon R. Pilmer	28-1 to 28-2		04/19/85
Executive Secretary to Leader	Dorothy A. Mauro	20-1 to 20-2		03/08/85
Secretary II	Julie A. Anderson	15-4 + 1 to 15-5 + 1		01/25/85
Secretary I	Elaie L. Corey	13-1 + 1 to 13-2 + 1		03/08/85
Secretary II	Phyllis R. Cowles	15-4 + 1 to 15-5 + 1		02/08/85
Secretary II	Joan R. Eggen	15-3 to 15-4		02/22/85
Secretary I	Phyllis N. Freel	13-3 + 1 to 13-4 + 1		03/08/85
Secretary II	Joan Hansen	15-1 to 15-2		01/25/85
Secretary II	Donna B. Hove	15-1 + 1 to 15-2 + 1		03/22/85
Secretary II	Anita M. Lindstrom	15-1 + 2 to 15-2 + 2		03/08/85
Secretary I	Mary E. Maulsby	13-1 + 2 to 13-2 + 2		03/22/85
Secretary II	Nancy D. McCarthy	15-1 + 2 to 15-2 + 2		03/08/85
Secretary II	Anita M. O'Gara	15-1 + 2 to 15-2 + 2		04/05/85
Secretary II	Kathleen L. Peterson	15-2 + 2 to 15-3 + 2		03/22/85
Secretary I	Joann B. Quade	13-1 + 1 to 13-2 + 1		04/05/85
Secretary II	Betty A. Rutan	15-1 + 1 to 15-2 + 1		03/22/85
Secretary II	Betty J. Wentz	15-3 + 2 to 15-4 + 2		01/25/85
Secretary I	Marilyn J. Zagnoli	13-2 + 1 to 13-3 + 1		04/05/85

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 76, a bill for an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 1985.

Senate File 117, a bill for an act relating to the Iowa family farm development authority by revising definitions, amending requirements relating to the board, and imposing conditions on loans made by the authority to a beginning farmer.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 1985.

Committee Bill (Formerly House File 83), relating to the rights and responsibilities of landowners concerning partition fences.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 1985.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 170, a bill for an act relating to access by a noncustodial parent to information concerning the child.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 1985.

Committee Bill (Formerly House File 23), relating to the payment of court costs and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 1985.

Committee Bill (Formerly Study Bill 23), relating to the designation of persons to accept bond money and securities.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 1985.

Committee Bill (Formerly Study Bill 198), relating to the custody of children by an abandoned spouse.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 1985.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

House File 136, a bill for an act relating to exclusivity of remedies in workers' compensation suits.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3179**, February 20, 1985.

House File 173, a bill for an act to protect city employees from personnel actions as reprisals for providing information to legislators or city officials or disclosing waste, mismanagement, or violations of law.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3180**, February 20, 1985.

COMMITTEE ON LOCAL GOVERNMENT

House File 206, a bill for an act relating to the determination of salaries or compensation of elected county officers.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3163**, February 20, 1985.

Committee Bill (Formerly Study Bill 231), authorizing the imposition of a tax to provide self-insurance for a city.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 1985.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly Study Bill 87), relating to the license fee for commercial explosives.

Fiscal Note is required.

Recommended Amand and Do Pass February 20, 1985.

AMENDMENTS FILED

H-3163	H.F.	206	Committee on Local Government
H-3169	H.F.	308	Sturgeon of Woodbury Peick of Linn Zimmerman of Dallas
H-3179	H.F.	136	Committee on Labor and Industrial Relations
H-3180	H.F.	173	Committee on Labor and Industrial Relations
H-3195	H.F.	309	Paulin of Plymouth
H-3196	H.F.	186	Spear of Lee
H-3197	H.F.	206	Spear of Lee
H-3198	S.F.	19	Bianshan of Greene

On motion by Norland of Worth, the House adjourned at 11:52 p.m., until 12:05 a.m., Friday, February 22, 1985.

JOURNAL OF THE HOUSE

Fortieth Calendar Day—Twenty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 22, 1985

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hermann of Scott on request of Hanson of Delaware.

BUSINESS PENDING AT ADJOURNMENT

The House resumed consideration of **House File 377**, a bill for an act increasing the tax on cigarettes and little cigars, imposing an inventory tax on cigarettes, little cigars, unused tax stamps and metered imprints, lowering the rate of and providing an exemption from the sales, services, and use tax on industrial machinery, equipment and computers, and amendment H—3162 (found on pages 510 through 530 of the House Journal), as amended.

Stromer of Hancock asked and received unanimous consent to withdraw amendment H—3203, to amendment H—3162, filed from the floor by Stromer, Norland, Maulsby, Schneklath, Handorf, Pellett, Rensink, Renken, Royer, Grandia, Miller, Hanson and Metcalf.

Doderer of Johnson moved the adoption of amendment H—3162, as amended.

A non-record roll call was requested.

The ayes were 48, nays 47.

Amendment H—3162, as amended, 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.

Under the provisions of Rule 76, Daggett of Taylor refrained from voting.

On the question "Shall the bill pass?" (H.F. 377)

The ayes were, 52:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Connors	Cooper	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Hughes	Jay	Jochum	Johnson
Koenigs	Lloyd-Jones	Loneragan	Muhlbauer
Norland	O'Kane	Ollie	Parker
Pavich	Peterson	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sullivan	Swartz	Tabor
Teaford	Woods	Zimmerman	Mr. Speaker

The nays were, 45:

Bennett	Branstad	Carpenter	Clark
Corey	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Holveck	Hummel	Knapp	Kremer
Lageschulte	Maulsby	McIntee	McKean
Metcalf	Miller	Mullins	Osterberg
Oxley	Paulin	Peick	Pellett
Platt	Poncy	Renken	Rensink
Royer	Schnekloth	Shoning	Siegrist
Stromer	Stueland	Sturgeon	Swearingen
Torrence	Van Camp	Van Maanen	Varn
Welden			

Absent or not voting, 3:

Daggett	Hermann	Hester
---------	---------	--------

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

IMMEDIATE MESSAGE (House File 377)

Norland of Worth asked and received unanimous consent to immediately message House File 377 to the Senate.

RULE 34 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend House Rule 34, relating to the weekly debate calendar, for the week of February 26, 1985.

SUBCOMMITTEE ASSIGNMENTS**House File 171**

Agriculture: Gruhn, Chair; Branstad and Fogarty.

House File 201

Small Business and Commerce: Parker, Chair; Schnekloth and Sherzan.

House File 207

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

House File 234

Transportation: Woods, Chair; De Groot and Renaud.

House File 236

Agriculture: Blanshan, Chair; Hughes and Rensink.

House File 243

Education: Daggett, Chair; Groth and Tabor.

House File 254

Education: Varn, Chair; Hughes and Maulsby.

House File 274

Education: Haverland, Chair; Daggett and Zimmerman.

House File 277

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 279

Transportation: Woods, Chair; De Groot and Renaud.

House File 231

Education: Varn, Chair; Daggett, Groth, Haverland and McKean.

House File 234

Agriculture: Skow, Chair; Blanshan, Branstad, Muhlbauer and Stueland.

House File 237

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 238

Agriculture: Fogarty, Chair; Koenigs and Van Maanen.

House File 232

Appropriations: Welden, Chair; Blanshan and Jochum.

House File 233

Agriculture: Halvorson of Webster, Chair; Gruhn, Handorf, Hughes and Pellett.

House File 234

Education: Hughes, Chair; Haverland and McKean.

House File 235

Education: Ollie, Chair; Groth, Hester, Siegrist and Tabor.

House File 236

State Government: Halvorson of Webster, Chair; Carter and Van Maanen.

House File 238

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 299

Energy and Environmental Protection: Shoultz, Chair; Jay, Lageschulte, Osterberg and Royer.

House File 300

State Government: Hammond, Chair; Carpenter and Halvorson of Webster.

House File 301

Agriculture: Carter, Chair; Muhlbauer and Stueland.

House File 302

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

House File 303

Transportation: Jay, Chair; Corey, Lageschulte, Pavich and Sullivan.

House File 304

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 306

Judiciary and Law Enforcement: Rosenberg, Chair; Chapman, Clark, Jay and Lageschulte.

House File 314

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

House File 315

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 316

State Government: Arnould, Chair; Buhr and Renken.

House File 317

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

House File 318

Judiciary and Law Enforcement: Tabor, Chair; Peterson and Shoning.

House File 319

State Government: Beatty, Chair; Cochran and Shoning.

House File 322

Human Resources: Lonergan, Chair; Peick, Spear, Torrence and Van Camp.

House File 324

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

House File 325

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

House File 327

Local Government: Oxley, Chair; Cooper and Renken.

House File 329

Local Government: Beatty, Chair; Cooper and Renken.

House File 330

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 332

State Government: Hammond, Chair; Halvorson of Webster and Siegrist.

House File 333

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 336

Judiciary and Law Enforcement: Clark, Chair; Carl and Haverland.

House File 337

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 338

Labor and Industrial Relations: Peick, Chair; Connors and Kremer.

House File 342

State Government: Pavich, Chair; Doderer and Siegrist.

House File 343

State Government: Buhr, Chair; Carter and Shoning.

House File 344

Human Resources: Spear, Chair; Buhr, Corey, Shoning and Shoultz.

House File 345

State Government: Carter, Chair; Arnould and Renken.

House File 348

Local Government: Platt, Chair; Connors and Teaford.

House File 351

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 352

State Government: Pavich, Chair; Beatty and Van Maanen.

House File 354

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 356

Human Resources: Spear, Chair; Buhr, Corey, Shoning and Shultz.

House File 359

Labor and Industrial Relations: Peick, Chair; Fey and Hummel.

House File 360

Local Government: Beatty, Chair; Connors and Miller.

House File 361

Judiciary and Law Enforcement: Jay, Chair; Halvorson of Clayton and Lageschulte.

House File 362

Energy and Environmental Protection: Johnson, Chair; Black, Mullins, Skow and Torrence.

House File 363

Local Government: O'Kane, Chair; Connors and Platt.

House File 365

Local Government: O'Kane, Chair; Groninga and Platt.

House File 370

Judiciary and Law Enforcement: Tabor, Chair; Peterson and Renaud.

House File 371

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 375

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 382

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

House File 385

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

House Concurrent Resolution 10

Education: Swearingen, Chair; Ranning and Shoultz.

Senate File 35

Agriculture: Osterberg, Chair; De Groot and Zimmerman.

Senate File 90

Labor and Industrial Relations: Brammer, Chair; Fey and Metcalf.

Senate File 91

Education: Ollie, Chair; Groth, Hester, Siegrist and Tabor.

Senate File 96

Education: Varn, Chair; Daggett, Groth, Haverland and McKean.

Senate File 103

Local Government: O'Kane, Chair; Cooper and Renken.

Senate File 112

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

Senate File 121

Judiciary and Law Enforcement: Chapman, Chair; Jay, Kremer, Maulsby and Peterson.

Senate File 130

Education: Hughes, Chair; Miller and Tabor.

Senate File 149

Education: Teaford, Chair; Handorf and Zimmerman.

Senate File 150

Education: Spear, Chair; Running and Swearingen.

Senate File 154

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

Senate Concurrent Resolution 11

Transportation: Renaud, Chair; Fey and Van Camp.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 220

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

Study Bill 227

Small Business and Commerce: Brammer, Chair; Halvorson of Clayton and Skow.

Study Bill 235

Human Resources: Sturgeon, Chair; Clark, Lonergan, Ollie and Torrence.

Study Bill 237

Judiciary and Law Enforcement: Peterson, Chair; Siegrist and Tabor.

Study Bill 238

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

Study Bill 239

Judiciary and Law Enforcement: Chapman, Chair; Jay, Kremer, Maulsby and Peterson.

Study Bill 248

Labor and Industrial Relations: Peick, Chair; Metcalf and Renaud.

Study Bill 249

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

Study Bill 250

Judiciary and Law Enforcement: Brammer, Chair; Carl, Clark, Hammond, Running, Shoning and Siegrist.

Study Bill 251

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schneklath and Tabor.

Study Bill 252

State Government: Hammond, Chair; Carpenter and Spear.

Study Bill 253

Transportation: Woods, Chair; Lageschulte and Renaud.

Study Bill 254

Transportation: Jay, Chair; Corey, Lageschulte, Pavich and Sullivan.

Study Bill 255

Small Business and Commerce: Swartz, Chair; Holveck and Rensink.

Study Bill 256

State Government: Beatty, Chair; Halvorson of Webster and Hanson.

Study Bill 257

Human Resources: Lonergan, Chair; Peick, Spear, Torrence and Van Camp.

Study Bill 258

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 259

Education: Groth, Chair; Branstad, Daggett, Ollie and Shoultz.

Study Bill 260 (Reassigned)

Local Government: O'Kane, Chair; Beatty, Cooper, Hester and Renken.

Study Bill 261

Energy and Environmental Protection: Hughes, Chair; Carl, De Groot, Mullins and Peterson.

Study Bill 262

Human Resources: Shoultz, Chair; Buhr, Hammond, Hermann and Van Camp.

Study Bill 263

State Government: Doderer, Chair; Hanson and Teaford.

Study Bill 264

Human Resources: Sturgeon, Chair; Clark, Lonergan, Ollie and Torrence.

Study Bill 265

State Government: Lloyd-Jones, Chair; Arnould and Daggett.

Study Bill 266

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 267

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

Study Bill 269

Human Resources: Spear, Chair; Buhr, Corey, Shoning and Shoultz.

Study Bill 271

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schneklath and Tabor.

Study Bill 272

Local Government: O'Kane, Chair; Groninga and Platt.

Study Bill 273

Local Government: Buhr, Chair; Connors and Miller.

Study Bill 274

Judiciary and Law Enforcement: Chapman, Chair; Jay, Kremer, Maulsby and Peterson.

Study Bill 275

Energy and Environmental Protection: Osterberg, Chair; Parker, Paulin, Sturgeon and Van Camp.

Study Bill 280

Judiciary and Law Enforcement: Haverland, Chair; Doderer, Hammond, Lageschulte and McKean.

On motion by Norland of Worth, the House adjourned at 1:07 a.m., until 9:30 a.m., Tuesday, February 26, 1985.

JOURNAL OF THE HOUSE

Forty-fourth Calendar Day—Twenty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 26, 1985

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

Prayer was offered by Reverend Siebert Kramer, pastor of the Calvary Christian Reformed Church, Pella.

The Journals of Thursday and Friday, February 21 and 22, 1985 were approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. James Kimball, M.D., Des Moines.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Brammer of Linn, until his arrival, on request of Peick of Linn; Lloyd-Jones of Johnson, until her arrival, on request of Osterberg of Linn; Pellett of Cass, De Groot of Lyon, Daggett of Taylor and Van Maanen of Mahaska on request of Stromer of Hancock; Blanshan of Greene, Halvorson of Webster, Cochran of Webster, Skow of Guthrie and Tabor of Jackson on request of Norland of Worth.

INTRODUCTION OF BILLS

House File 407, by Cochran, a bill for an act relating to the sale or lease of agricultural land to a beginning farmer by providing for an income and franchise tax deduction for income or rent received from the sale or lease of agricultural land to a beginning farmer and providing for an interest rate buy-down program for beginning farmers for land acquisition.

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

House File 408, by Harbor, Hanson, Royer, Hester, Miller, Paulin, Lageschulte, Renken, Stueland, McIntee, McKean, Pellett, Bennett, Schnekloth, Diemer, Swearingen, Van Camp, Rensink, Halvorson of Clayton, Stromer, Carpenter, Metcalf, Handorf,

Grandia, Mullins and Kremer, a bill for an act permitting a state bank to retain ownership of real property for up to five years if the real property is acquired by foreclosure or certain other debt collection procedures and providing for the valuation of the property held.

Read first time and referred to committee on small business and commerce.

House File 409, by Lageschulte, a bill for an act to provide for a salary freeze for state officers and employees.

Read first time and referred to committee on state government.

House File 410, by Harbor and Pellett, a bill for an act relating to the election of county conservation board members, and providing for an effective date.

Read first time and referred to committee on natural resources and outdoor recreation.

House File 411, by Sherzan, a bill for an act relating to the minimum and maximum ages for employment of police officers and fire fighters under the city civil service system.

Read first time and referred to committee on local government.

House File 412, by committee on small business and commerce, a bill for an act relating to the reorganization of banks.

Read first time and placed on the calendar.

House File 413, by Rosenberg and Shoultz, a bill for an act to include domestic violence as compensable from the victims reparations fund provided the offender and victim were not residing together at the time of the act.

Read first time and referred to committee on human resources.

House File 414, by committee on natural resources and outdoor recreation, a bill for an act relating to the sale of unused highway right-of-way by the department of transportation to county conservation boards or the state conservation commission.

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

House File 415, by committee on judiciary and law enforcement, a bill for an act relating to the designation of persons to accept bond money and securities.

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

House File 416, by Shoultz, Hughes, Osterberg and Carl, a bill for an act relating to the disposal of hazardous wastes by land burial.

Read first time and referred to committee on **energy and environmental protection**.

House File 417, by Chapman, a bill for an act to include certificated employees of public and nonpublic schools in the definition of the term "person responsible for the care of a child" for purposes of child abuse reporting and investigation. -

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

House File 418, by Schnekloth, a bill for an act requiring the state department of transportation to accept payment by check of proportional registration fees and assessing a penalty.

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

House File 419, by committee on judiciary and law enforcement, a bill for an act relating to the payment of court costs and providing a penalty.

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

House File 420, by Woods, a bill for an act to allow the operation of a motor scooter by a person who has a motor vehicle operator's license not valid for the operation of a motorcycle.

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

House File 421, by committee on judiciary and law enforcement, a bill for an act relating to the custody of children by an abandoned spouse.

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

House File 422, by committee on state government, a bill for an act relating to the license fee for commercial explosives.

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

SENATE MESSAGES CONSIDERED

Senate File 63, by Readinger, a bill for an act relating to the approval of attorney fees by the department of job service.

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

Senate File 70, by Hall, a bill for an act relating to the rights and duties of a person riding a bicycle on the highway, including a penalty.

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

Senate File 230, by committee on judiciary, a bill for an act relating to qualifications of sureties.

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

Senate File 231, by committee on judiciary, a bill for an act relating to the release of information concerning a missing child.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 20, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 38, a bill for an act providing that appraised value determines when a school board has the power to sell, lease or dispose of school property.

Also: That the Senate has on February 20, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 241, a bill for an act relating to membership on the interagency coordinating council on radiation safety.

Also: That the Senate has on February 20, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 267, a bill for an act relating to arson by providing an inference of fraudulent intent.

Also: That the Senate has on February 20, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 9, providing for an amendment to the joint rules of the Seventy-first General Assembly.

K. MARIE THAYER, Secretary

RULE 57 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for today's committee meetings.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 22, 1985, he approved and transmitted to the Secretary of State the following bill:

Senate File 78, an act requiring the State Board of Public Instruction to adopt a five-year plan regarding education.

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on February 22, 1985 and is on file in the office of the Chief Clerk.

February 14, 1985

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

Dear Mr. O'Hern:

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

These include 3 claims of a general nature. This supplements our filing of January 2, 1965.

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

Very truly yours,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

JOSEPH O'HERN
Chief Clerk of the House

OFFICE OF STATE COMPTROLLER
STATE APPEAL BOARD

<u>Claim Number</u>	<u>Name of Claimant Nature of Claim</u>	<u>Amount of Claim</u>	<u>Amount Approved</u>
2636-71-25	Dale Linn Miller Route 1, Box 48 Roosevelt, Oklahoma License Fee Refund	\$ 688.00	Denied
2614-71-25	Floyd's Feed Store, Inc. Floyd J. Klostermann RR 2, Box 21 Earlville, Iowa 52041 License Fee Refund	208.75	Denied
2615-71-25	Floyd's Feed Store, Inc. Floyd J. Klostermann RR 2, Box 21 Earlville, Iowa 52041 License Fee Refund	198.75	Denied

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 281 Ways and Means

Providing for a value-added corn tax credit for property tax purposes.

S.B. 282 Ways and Means

Relating to an increase in the state tax on cigarettes and little cigars and imposing an inventory tax as a result of the tax increase.

S.B. 283 Small Business and Commerce

Relating to the investment powers of state chartered savings and loan associations and savings banks.

S.B. 284 Human Resources

Relating to child abuse and medical treatment.

S.B. 285 Judiciary and Law Enforcement

Relating to membership in the Iowa public employees' retirement system for judicial hospitalization referees.

S.B. 286 Judiciary and Law Enforcement

To define computer for the personal property tax credit purposes.

S.B. 287 Small Business and Commerce

Relating to self-insurance plans.

S.B. 288 Ways and Means

Providing that state cigarette taxes are not to be included as part of the basic cost of cigarettes for purposes of the Iowa unfair cigarette sales Act.

S.B. 289 Judiciary and Law Enforcement

Relating to estates by defining the "per stirpes" method of distribution for purposes of the probate code.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 26th day of February, 1985: House File 100.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

RESOLUTIONS FILED

HCR 13, by Sturgeon, a concurrent resolution relating to reimbursement of rural hospitals by Medicare.

Referred to committee on **human resources**.

SCR 9, by Mann, a concurrent resolution relating to amendments by suspension of germaneness.

Referred to committee on **rules and administration**.

AMENDMENT FILED

H-3204 H.F. 186 Spear of Lee

On motion by Norland of Worth, the House adjourned at 10:00 a.m., until 8:30 a.m., Wednesday, February 27, 1985.

JOURNAL OF THE HOUSE

Forty-fifth Calendar Day — Twenty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 27, 1985

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

Prayer was offered by Father Michael O'Meara, pastor of Our Lady's Immaculate Heart Catholic Church, Ankeny.

The Journal of Tuesday, February 26, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. David Youberg, M.D., Sac City.

INTRODUCTION OF BILLS

House File 423, by Hatch, a bill for an act establishing individual training accounts for unemployed individuals who are eligible for unemployment compensation benefits and providing criteria for expending moneys from the accounts.

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

House File 424, by committee on agriculture, a bill for an act relating to the rights and responsibilities of landowners concerning partition fences.

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

House File 425, by Stromer, a bill for an act relating to unemployment compensation benefits by requiring the payment of benefits at two week intervals, by recomputing the weekly benefit amount, by modifying the attachment and reattachment eligibility requirements, by disqualifying certain seasonal employees from benefits, and by making the waiting period permanent.

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

House File 426, by Hatch, a bill for an act establishing a voluntary training initiative program for unemployed individuals who are eligible for unemployment compensation benefits.

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

House File 427, by Fey, Cooper and Platt, a bill for an act relating to the location of mobile homes within a city or county.

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

House File 428, by Poncy, a bill for an act relating to the use of gizzard shad as bait.

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

House File 429, by De Groot, a bill for an act relating to apiaries, by providing for a minimum distance between apiaries and providing for exceptions by rule.

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

House File 430, by Rensink, a bill for an act relating to civil actions by imposing an additional filing fee, revising provisions for the assessment of costs, and extending the time for filing a responsive pleading.

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

House File 431, by Lloyd-Jones, a bill for an act relating to the sterilization of adults capable of giving informed consent and of individuals incapable of giving informed consent.

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

SENATE MESSAGES CONSIDERED

Senate File 241, by committee on energy and environment, a bill for an act relating to membership on the interagency coordinating council on radiation safety.

Read first time and **passed on file.**

Senate File 267, by committee on judiciary, a bill for an act relating to arson by providing an inference of fraudulent intent.

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

REREFERRED TO COMMITTEE ON STATE GOVERNMENT
(House File 346)

The Speaker announced that House File 346, previously referred to the committee on **local government**, was rereferred to the committee on **state government.**

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 290 Small Business and Commerce

Relating to the authorization for the sale of title insurance for real property, and providing penalties.

S.B. 291 State Government

To provide limitations on leaves of absence of public employees for certain military purposes.

S.B. 292 State Government

To license operators of radiation emitting equipment.

S.B. 293 Judiciary and Law Enforcement

Relating to the violation of a custodial order and providing penalties.

S.B. 294 Local Government

Relating to the establishment of 911 service and creating a temporary commission to study implementation and financing alternatives for emergency telephone service and requiring recommendations to the general assembly, and including an appropriation.

S.B. 295 Judiciary and Law Enforcement

Relating to guardianships and conservatorships.

S.B. 296 State Government

Relating to the duties of the citizens' aide.

S.B. 297 State Government

Relating to the regulation of construction of structures by the department of public safety and providing penalties.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly Study Bill 226), to establish a board of educational examiners, to prescribe its duties, and to make an appropriation.

Fiscal Note is required.

Recommended Amend and Do Pass February 26, 1985.

COMMITTEE ON HUMAN RESOURCES

House File 35, a bill for an act making changes in the statutes relating to marriage.

Fiscal Note is required.

Recommended Amend and Do Pass with amendment H-3205, February 26, 1985.

Committee Bill (Formerly Study Bill 107), relating to the establishment, implementation, and enforcement of minimum hospital licensing standards, and providing civil and criminal penalties.

Fiscal Note is required.

Recommended Amend and Do Pass February 26, 1985.

COMMITTEE ON NATURAL RESOURCES AND OUTDOOR RECREATION

Committee Bill (Formerly Study Bill 188), relating to complying with the hunter safety requirements in applying for a hunting license.

Fiscal Note is not required.

Recommended Amend and Do Pass February 26, 1985.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

House File 196, a bill for an act relating to powers, organization, reserve requirements and other requirements of credit unions including a corporate central credit union.

Fiscal Note is not required.

Recommended Do Pass February 26, 1985.

Committee Bill (Formerly House File 115), requiring a corporation organized in this state to provide a copy of the corporation's annual report containing certain financial information to a stockholder of the corporation upon receipt of a written request from the stockholder and providing for penalties.

Fiscal Note is not required.

Recommended Do Pass February 26, 1985.

Committee Bill (Formerly Study Bill 46), regulating the business of vacation time-sharing and providing penalties.

Fiscal Note is not required.

Recommended Amend and Do Pass February 26, 1985.

Committee Bill (Formerly Study Bill 58), permitting the use of deposit insurance obtained from a deposit insurance corporation to secure the deposit of public funds.

Fiscal Note is not required.

Recommended Do Pass February 26, 1985.

Committee Bill (Formerly Study Bill 120), allowing the pension funds of the public safety police officers, Iowa public employees, and police officers and fire fighters, and assets of insurance companies, state banks, state savings banks, and state savings and loan associations to be invested in venture capital firms making investments in small businesses in the state.

Fiscal Note is not required.

Recommended Amend and Do Pass February 26, 1985.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly Study Bill 42), relating to the fees for and duration of operator's and chauffeur's licenses.

Fiscal Note is required.

Recommended Amend and Do Pass February 26, 1985.

Committee Bill (Formerly Study Bill 49), relating to the establishment and the regulation of vehicular traffic within rural residence districts, making penalties applicable.

Fiscal Note is not required.

Committee Action: Failed to Pass February 26, 1985.

RESOLUTION FILED

HCR 14, by Schnekloth, De Groot, Branstad, Pellett, Maulsby, Rensink, Daggett, Handorf, Van Maanen and Stueland, a concurrent resolution requesting federal action to advance price support payment to farmers for financing spring planting activities.

Referred to committee on agriculture.

AMENDMENTS FILED

H-3205	H.F.	35	Committee on Human Resources
H-3206	H.F.	186	Spear of Lee
H-3207	S.F.	19	Poncy of Wapello

On motion by Norland of Worth, the House adjourned at 8:44 a.m., until 9:00 a.m., Thursday, February 28, 1985.

JOURNAL OF THE HOUSE

Forty-sixth Calendar Day—Thirtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 28, 1985

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

Prayer was offered by Reverend Brian Carter, pastor of the Intercity Cooperative Parish of the United Methodist Church, Des Moines.

The Journal of Wednesday, February 27, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Lynn Leibel, M.D., Council Bluffs.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cooper of Lucas on request of O'Kane of Woodbury; Fey of Scott, for February 28 and March 1, on request of Arnould of Scott.

PETITION FILED

The following petition was received and placed on file:

By Cochran of Webster, from eighty-four constituents opposing borrowing from the IPERS retirement funds.

INTRODUCTION OF BILLS

House File 432, by Parker, a bill for an act relating to the records of a dissolution of marriage.

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

House File 433, by Miller and Gruhn, a bill for an act relating to delinquent snowmobile registrations.

Read first time and referred to committee on natural resources and outdoor recreation.

House File 434, by Lloyd-Jones, a bill for an act authorizing a checkoff for public transportation system projects from individual or joint income tax returns, and providing an effective date.

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

House File 435, by O'Kane, a bill for an act relating to the filing of a request for a contested case proceeding with a state agency.

Read first time and referred to committee on state government.

House File 436, by Brammer, a bill for an act relating to the receipt of retirement benefits by a surviving spouse under the peace officers' retirement system and local police and fire retirement systems.

Read first time and referred to committee on state government.

House File 437, by Diemer, Miller, Lageschulte, Maulsby, Shoning, Stueland, McKean, Rensink, Clark, Metcalf and Handorf, a bill for an act relating to the penalties for assault.

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

House File 438, by Connors, a bill for an act relating to evidence of intent in cases alleging theft of library equipment.

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

House File 439, by Peick, a bill for an act exempting from the state income tax money received as retirement or disability pay by a former member of the armed forces and providing an effective date.

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

House File 440, by Peick, a bill for an act exempting from the state sales, services, and use tax the gross receipts from the rental of motion picture films and video and audio tapes under certain conditions.

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

House File 441, by Swartz, a bill for an act establishing requirements for the use and operation of cabooses on railroad trains and providing a penalty.

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

House File 442, by Buhr, Holveck and Hatch, a bill for an act including advanced biology as an eligible course for a school district to receive moneys based upon enrollment.

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

House File 443, by Paulin, a bill for an act permitting a person licensed under chapter 99B to advertise games of skill, games of chance, or raffles.

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

House File 444, by Harbor, a bill for an act relating to the ownership of agricultural land by certain persons.

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

House File 445, by De Groot, a bill for an act providing a monetary penalty for tax processing errors by the department of revenue.

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

House File 446, by Blanshan, a bill for an act relating to the priority of perfected security interests in crops.

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

House File 447, by Daggett, a bill for an act relating to factors to be considered by a fact finder.

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

House File 448, by Hatch, a bill for an act requiring the court to honor that portion of an antenuptial agreement relating to child custody.

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

House File 449, by committee on local government, a bill for an act authorizing the imposition of a tax to provide self-insurance for a city.

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

House File 450, by committee on education, a bill for an act to establish a board of educational examiners, to prescribe its duties, and to make appropriations.

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 February 27, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 87, a bill for an act relating to the procedure for determining the one hundred two percent budget guarantee for school districts for the school year beginning July 1, 1985.

Also: That the Senate has on February 26, 1985, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 12, recognizing the National Crisis Action Rally to be held in Ames, Iowa, on Wednesday, February 27, 1985.

Also: That the Senate has on February 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 27, a bill for an act relating to the investment policies for funds available to certain state agencies.

Also: That the Senate has on February 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 229, a bill for an act relating to recovery of merchandise or damages and providing for civil penalties.

Also: That the Senate has on February 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 254, a bill for an act relating to administrative endorsements and certificates issued by the board of educational examiners.

Also: That the Senate has on February 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 257, a bill for an act to discontinue the issuance of the permanent professional certificate for teachers and providing an effective date.

Also: That the Senate has on February 26, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 269, a bill for an act relating to and making appropriations to various state regulatory and licensing departments, boards, and commissions.

Also: That the Senate has on February 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 271, a bill for an act relating to refund of tuition policies of certain post-secondary institutions and to prescribe a penalty.

Also: That the Senate has on February 27, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 286, a bill for an act relating to the operation of a bank or bank office located outside a municipal corporation when the bank is merged into or acquired by another state bank and providing for an effective date.

Also: That the Senate has on February 26, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 14, urging the people and the state of Iowa to support the United States Government's current efforts to resolve the POW/MIA issue.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 9:25 a.m., until 11:45 a.m.

The House reconvened, Speaker Avenson in the chair.

On motion by Norland of Worth, the House was recessed at 12:13 p.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 451, by committee on human resources, a bill for an act relating to child protection and providing penalties.

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

House File 452, by committee on small business and commerce, a bill for an act permitting the use of deposit insurance obtained from a deposit insurance corporation to secure the deposit of public funds.

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

The House stood at ease at 3:03 p.m., until the fall of the gavel.

The House resumed session at 4:05 p.m., Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Swearingen of Keokuk, for a portion of the day, on request of Halvorson of Clayton.

CONSIDERATION OF BILLS

Regular Calendar

House File 186, a bill for an act amending the Code chapters relating to the Iowa department of corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with adult offenders, and modifying statutes relating to inmate work and work release, and to district court reports of criminal convictions, with report of committee recommending amendment and passage was taken up for consideration.

Spear of Lee offered amendment H-3072 filed by the committee on human resources and requested division as follows:

H-3072

1 Amend House File 186 as follows:

H-3072A

2 1. Page 5, by striking lines 27 through 35.

H-3072B

3 2. Page 7, line 19, by striking the word "any".

4 3. Page 7, by striking lines 21 and 22 and

5 inserting the following:

6 "2. A correctional officer of a correctional

7 institution or the".

H-3072A

8 4. Page 12, line 35, by inserting after the word

9 "facility" the following: "for men".

10 5. Page 13, by striking line 1 and inserting the

11 following: "of inmates who exhibit".

12 6. Page 13, by striking lines 14 through 18.

13 7. By renumbering as necessary.

Halvorson of Clayton in the chair at 4:20 p.m.

On motion by Spear of Lee, the committee amendment H-3072A was adopted.

• Spear of Lee asked and received unanimous consent to temporarily defer action on the committee amendment H-3072B.

Spear of Lee offered the following amendment H-3206 filed by him and moved its adoption:

H-3206

1 Amend House File 186 as follows:

2 1. Page 7, by striking lines 15 through 28 and

3 inserting the following:

4 "1. Inmates who disobey the disciplinary rules of
5 the institution to which they are committed shall be
6 punished by the imposition of the penalties prescribed
7 in the disciplinary rules, according to the following
8 guidelines:

9 a. To ensure that sanctions are imposed only at
10 such times and to such a degree as is necessary to
11 regulate inmate behavior within the limits of the

12 disciplinary rules and to promote a safe and orderly
13 institutional environment.

14 b. To control inmate behavior in an impartial and
15 consistent manner.

16 c. To ensure that disciplinary procedures are fair
17 and that sanctions are not capricious or retaliatory.

18 d. To prevent the commission of offenses through
19 the deterrent effect of the sanctions available.

20 e. To define the elements of each offense and the
21 penalties which may be imposed for violations, in
22 order to give fair warning of prohibited conduct.

23 f. To provide procedures for preparation of
24 reports of disciplinary actions, for conducting
25 disciplinary hearings, and for processing of
26 disciplinary appeals.

27 2. The superintendent of each institution shall
28 maintain a register of all penalties imposed on
29 inmates and the cause for which the penalties were
30 imposed.

31 3. A correctional officer of a correctional
32 institution or the officer's assistant shall, in case
33 an inmate resists the officer's or assistant's lawful
34 authority, or refuses to obey the officer's or
35 assistant's lawful command, only use such force as is
36 reasonably necessary under all attendant
37 circumstances. The use of a deadly weapon is
38 justified under conditions of extreme necessity and as
39 a last resort to protect the life or safety of a
40 person. The use of a deadly weapon is not justified
41 solely to prevent damage to or destruction of property
42 where there is no danger to the life or safety of a
43 person. An officer or assistant is justified in using
44 force which causes injury or death to an inmate if the
45 officer's or assistant's actions comply with the
46 requirements of this subsection."

Amendment H—3206 was adopted, placing out of order the committee amendment H—3072B and amendments H—3160 and H—3196, to the committee amendment, filed by Hummel of Benton on February 20, 1985 and Spear of Lee on February 21, 1985 respectively.

Spear of Lee offered the following amendment H—3150 filed by Spear, et al., and moved its adoption:

H—3150

1 Amend House File 186 as follows:

2 1. By striking page 10, line 32 through page 11,

3 line 1 and inserting the following:

4 "1. The Iowa medical and classification center at
 5 Oakdale shall be utilized as a medical unit for
 6 persons displaying evidence of mental illness or
 7 psychosocial disorders and requiring diagnostic
 8 services or treatment in a security setting, as a
 9 security unit for persons requiring confinement in a
 10 security setting, and as a classification unit for the
 11 reception, orientation, and classification of inmates
 12 before placement in the most appropriate correctional
 13 institutions according to necessary security and
 14 custody arrangements and the assessed service needs of
 15 the inmates."

16 2. Page 11, line 10, by striking the word
 17 "center" and inserting the following: "medical unit".

18 3. Page 11, by inserting after line 24 the
 19 following:

20 "_____. The classification unit shall admit inmates
 21 for purposes of orientation and classification before
 22 placement in the most appropriate correctional
 23 institutions."

24 4. By renumbering as necessary.

Amendment H—3150 was adopted.

Spear of Lee offered the following amendment H—3204 filed by
 him and moved its adoption:

H—3204

1 Amend House File 186 as follows:

2 1. Page 15, by inserting after line 13 the
 3 following:

4 "Sec._____. Section 321.1, subsection 43, Code
 5 1985, is amended to read as follows:

6 43. "Chauffeur" means any a person who operates a
 7 motor vehicle, including a school bus, in the
 8 transportation of persons for wages, compensation or
 9 hire, or any a person who operates a truck tractor, \,
 10 road tractor or any motor truck which is required to
 11 be registered at a gross weight classification
 12 exceeding five tons, or any such motor vehicle exempt
 13 from registration which would be within the gross
 14 weight classification if not so exempt. ~~except~~ A
 15 person is not a chauffeur when the operation of the
 16 motor vehicle by the owner or operator is occasional
 17 and merely incidental to the owner or operator's
 18 principal business,.

19 PARAGRAPH DIVIDED. A person is not a chauffeur
 20 when the operation is by a volunteer fire fighter
 21 operating fire apparatus, or is by a volunteer

22 ambulance or rescue squad attendant operating
 23 ambulance or rescue squad apparatus. If a volunteer
 24 fire fighter or ambulance or rescue squad operator
 25 receives nominal compensation not based upon the value
 26 of the services performed, the fire fighter or
 27 operator shall be considered to be receiving no
 28 compensation and classified as a volunteer.

29 If authorized to transport inmates, probationers,
 30 parolees, or work releasees by the director of the
 31 Iowa department of corrections or the director's
 32 designee, an employee of the Iowa department of
 33 corrections or a district department of correctional
 34 services is not a chauffeur when transporting the
 35 inmates, probationers, parolees, or work releasees in
 36 an automobile.

37 Subject to the provisions of section 321.179, a
 38 farmer or the farmer's hired help shall is not be
 39 deemed a chauffeur, when operating a truck owned by
 40 the farmer, and used exclusively in connection with
 41 the transportation of the farmer's own products or
 42 property."

43 2. Title page, line 5, by inserting after the
 44 word "release," the following: "departmental
 45 employees as chauffeurs,".

46 3. By renumbering as necessary.

Amendment H—3204 was adopted.

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

On the question "Shall the bill pass?" (H.F. 186)

The ayes were, 95:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Corey	Daggett	De Groot
Diemer	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Miller

Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavidi	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Halvorson of Clayton)	

The nays were, none.

Absent or not voting, 5:

Brammer	Cooper	Doderer	Fey
Swearingen			

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

House File 309, a bill for an act prohibiting a motor vehicle from blocking access to a handicapped parking space or from parking in front of a curb cut or ramp and providing penalties, was taken up for consideration.

Paulin of Plymouth offered the following amendment H—3155 filed by him:

H—3155

- 1 Amend House File 309 as follows:
- 2 1. Page 1, line 20, by inserting after the word
- 3 "ramp" the following: ", clearly and prominently
- 4 designated as a handicapped parking space which is".

Paulin of Plymouth offered the following amendment H—3195, to amendment H—3155, filed by him and moved its adoption:

H—3195

- 1 Amend amendment H—3155 to House File 309 as follows:
- 2 1. Page 1, line 4, by striking the words "parking
- 3 space" and inserting the word "access".

Amendment H—3195 was adopted.

On motion by Paulin of Plymouth, amendment H—3155, as amended, was adopted.

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

On the question "Shall the bill pass?" (H.F. 309)

The ayes were, 95:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Corey	Daggett	De Groot
Diemer	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Pelett	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Halvorson of Clayton)	

The nays were, none.

Absent or not voting, 5:

Brammer	Cooper	Doderer	Fey
Swearingen			

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 4:40 p.m.

HOUSE FILE 25 WITHDRAWN

Hammond of Story asked and received unanimous consent to withdraw House File 25 from further consideration by the House.

REFERRED TO COMMITTEE ON APPROPRIATIONS

House File 310, a bill for an act requiring certain persons to report suspected dependent adult abuse to the department of human services, was taken up for consideration.

Jochum of Dubuque asked and received unanimous consent that House File 310 be referred to the committee on appropriations.

Senate File 55, a bill for an act relating to fur harvester and hunting licenses and providing an effective date by publication, with report of committee recommending passage was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 55)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Daggett	De Groot	Diemer	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hermann	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poney	Renaud	Renken	Rensink

Rosenberg	Royer	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 3:

Corey	Parker	Running
-------	--------	---------

Absent or not voting, 4:

Brammer	Cooper	Doderer	Fey
---------	--------	---------	-----

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

House File 173, a bill for an act to protect city employees from personnel actions as reprisals for providing information to legislators or city officials or disclosing waste, mismanagement, or violations of law, with report of committee recommending amendment and passage was taken up for consideration.

Kremer of Buchanan offered the following amendment H-3180 filed by the committee on labor and industrial relations:

H-3180

- 1 Amend House File 173 as follows:
- 2 1. Page 1, by striking lines 1 through 3 and
- 3 inserting the following:
- 4 "Section 1. NEW SECTION. 20A.1. REPRISALS
- 5 PROHIBITED."
- 6 2. Page 1, line 7, by striking the word "city
- 7 employment" and inserting the words "employment by a
- 8 political subdivision of this state".
- 9 3. Page 1, line 9, by striking the words "a city
- 10 official" and inserting the words "an official of that
- 11 political subdivision".
- 12 4. Title page, line 1, by striking the word
- 13 "city" and inserting the word "public".
- 14 5. Title page, line 3, by striking the word
- 15 "city" and inserting the word "public".

The following amendment H-3214, to the committee amendment H-3180, filed by Rosenberg of Story from the floor was adopted by unanimous consent:

H-3214

- 1 Amend amendment H-3180 to House File 173 as follows:
- 2 1. Page 1, line 11, by inserting after the word
- 3 "subdivision" the following: "or a state official".

On motion by Kremer of Buchanan, the committee amendment H-3180, as amended, was adopted.

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

On the question "Shall the bill pass?" (H.F. 173)

The ayes were, 96:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Corey	Daggett	De Groot	Diemer
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hermann	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Brammer	Cooper	Doderer	Fey
---------	--------	---------	-----

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

HOUSE FILE 378 DEFERRED

Norland of Worth asked and received unanimous consent that House File 378 be deferred and that the bill retain its place on the calendar.

House File 398, a bill for an act relating to the confidentiality of the name of a complainant regarding a person in a long-term care facility, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 398)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Corey	Daggett	De Groot	Diemer
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Shnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Brammer	Cooper	Doderer	Fey
Hermann			

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

ADOPTION OF SENATE CONCURRENT RESOLUTION 7

Hughes of Union called up for consideration Senate Concurrent Resolution 7, for a study of the collective bargaining process for educators, and moved its adoption.

The motion prevailed and the resolution was adopted.

HOUSE FILE 82 WITHDRAWN

Poncy of Wapello asked and received unanimous consent to withdraw House File 82 from further consideration by the House.

HOUSE FILE 2 WITHDRAWN

Groth of Buena Vista asked and received unanimous consent to withdraw House File 2 from further consideration by the House.

IMMEDIATE MESSAGE

(Senate File 55)

Norland of Worth asked and received unanimous consent to immediately message Senate File 55 to the Senate.

PRESENTATION OF VISITORS

Chapman of Linn presented to the House the Honorable Joan Lipsky, former member of the House representing Linn County.

Black of Jasper presented to the House Marlene DeBryn and two daughters, of Newton, who are hosting Kaoru Kakinoki of Japan, Cristina Anacabe of Spain, and Heiki Spahn of West Germany, all participating in the Youth For Understanding Education Exchange Program.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 298 Ways and Means**

Relating to the premium tax on insurance companies and associations and mutual service corporations operating under chapter 514 domiciled or doing business in the state.

S.B. 299 Agriculture

Relating to the content requirements of types of milk.

S.B. 300 Agriculture

Creating an Iowa sheep and wool promotion board, and providing a penalty.

S.B. 301 Local Government

To increase the tax levy for the emergency fund of a city.

S.B. 302 Local Government

Relating to personal liability of officers and employees of units of local government.

S.B. 303 Local Government

Relating to the liability of a third party to a police officer or fire fighter retirement system for benefits paid to a member of such a system for injuries caused by the negligence of a third party.

S.B. 304 Local Government

Relating to immunity of units of local government from liability in connection with their inspection and licensing functions.

S.B. 305 Local Government

Making counties eligible under the community development loan program.

S.B. 306 Local Government

To limit the scope of damages recoverable in certain claims or suits against the state or a unit of local government.

S.B. 307 Local Government

Relating to defenses in actions involving alleged tort liability of units of local government and their officers and employees.

S.B. 308. Natural Resources and Outdoor Recreation

Relating to the mining of ores and minerals other than coal and authorizing a penalty.

S.B. 309 Local Government

Relating to an annual review of local human service programs by the county board of social welfare.

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 ENERGY AND ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House File 152), to require a least one well at each sanitary landfill to monitor ground water quality.

Fiscal note not required.

Recommended **Amend and Do Pass** February 27, 1985.

Committee Bill (Formerly Study Bill 228), relating to ads which are published, broadcast, displayed or disseminated to the public by a public utility and making civil penalties applicable.

Fiscal note not required.

Recommended **Amend and Do Pass** February 27, 1985.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 180), relating to child protection and providing penalties.

Fiscal note not required.

Recommended **Do Pass** February 27, 1985.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

House File 338, a bill for an act relating to the term of office of the labor commissioner.

Fiscal note is not required.

Recommended Do Pass February 27, 1985.

House File 359, a bill for an act relating to fees for boiler inspections.

Fiscal note is not required.

Recommended Amend and Do Pass with amendment H-3206, February 27, 1985.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly Study Bill 81), to establish a program for the coordination of media services at the capitol complex in the department of general services.

Fiscal note is not required.

Recommended Amend and Do Pass February 27, 1985.

RESOLUTIONS FILED

HCR 15, by Poncy, Renken, Sherzan, Running, Sullivan, Van Camp, Groninga, Connolly and Fogarty, a concurrent resolution relating to American POW's and MIA's.

Laid over under Rule 25.

HCR 16, by Doderer and Carpenter, a concurrent resolution to provide for a study to validate the implementation of comparable worth in state employment.

Laid over under Rule 25.

HCR 17, by Haverland, a concurrent resolution relating to a biennial memorial session.

Laid over under Rule 25.

HCR 18, by Norland and Stromer, a concurrent resolution relating to Pioneer Lawmakers.

Laid over under Rule 25.

SCR 14, by Colton, Horn, Boswell, Miller of Cerro Gordo, Priebe, Soorholtz, Wells, Schwengels, Readinger, Gronstal, Mann, Carr, Murphy, Rodgers, Dieleman, Neighbour, Rife, Ritsema, Vande Hoef, Hannon, Corning, Palmer, Tieden, Welsh, Doyle, Gettings, Taylor, Jensen, Brown, Drake and Holt, a concurrent resolution relating to American POW's and MIA's.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-3208	H.F.	359	Committee on Labor and Industrial Relations
H-3209	H.F.	87	Senate Amendment
H-3210	S.F.	19	Lageschulte of Bremer Muhlbauer of Crawford Woods of Polk
H-3211	H.F.	292	Varn of Johnson
H-3212	H.F.	414	Black of Jasper
H-3213	H.F.	102	Zimmerman of Dallas

On motion by Norland of Worth, the House adjourned at 5:07 p.m., until 9:00 a.m., Friday, March 1, 1985.

JOURNAL OF THE HOUSE

Forty-seventh Calendar Day — Thirty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 1, 1985

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

Prayer was offered by the Honorable Betty Jean Clark, state representative from Cerro Gordo County.

The Journal of Thursday, February 28, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sherzan of Polk, until his arrival, on request of Woods of Polk; Doderer of Johnson on request of Mullins of Kossuth; Hermann of Scott on request of Hanson of Delaware.

PETITION FILED

The following petition was received and placed on file:

By Connors of Polk from one hundred fifty-six constituents favoring strengthening or changing our juvenile laws in order for our city police to become more effective in clearing up juvenile crime.

INTRODUCTION OF BILLS

House Joint Resolution 4, by Swartz and Welden, a joint resolution to nullify a rule of the department of water, air and waste management relating to the certification of water distribution systems.

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

House File 453, by committee on natural resources and outdoor recreation, a bill for an act relating to the hunter safety course requirements in applying for a hunting license.

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

House File 454, by Beatty, a bill for an act requiring monthly notification to the county treasurer of outstanding arrest warrants for certain offenses.

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

House File 455, by De Groot, a bill for an act relating to reduced medical insurance or benefit rates for persons who meet certain measurements of health status.

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

House File 456, by committee on small business and commerce, a bill for an act requiring a corporation organized in this state to provide a copy of the corporation's annual report containing certain financial information to a stockholder of the corporation upon receipt of a written request from the stockholder and providing for penalties.

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

House File 457, by Holveck, a bill for an act relating to counting active duty service in the armed forces of the United States as service under the Iowa public employee's retirement system.

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

House File 458, by Doderer, a bill for an act relating to the selection of a retirement benefit option under the Iowa public employees' retirement system.

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

House File 459, by De Groot, a bill for an act relating to the establishment of a comprehensive health association and the offering of comprehensive health insurance coverage to residents of this state whose applications for similar health insurance coverage during the last six months have been rejected.

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

House File 460, by committee on small business and commerce, a bill for an act relating to the investment of the pension funds of public safety police officers, Iowa public employees, and police officers and fire fighters, and the assets of insurance companies, state banks, state savings banks, state savings and loan associations and credit unions in venture capital firms making investments in small businesses in the state and in small businesses operating in this state.

Read first time and placed on the calendar.

House File 461, by committee on human resources, a bill for an act relating to the establishment, implementation, and enforcement of minimum hospital licensing standards, and providing civil and criminal penalties.

Read first time and placed on the calendar.

House File 462, by committee on judiciary and law enforcement, a bill for an act relating to the protection of victims and witnesses in judicial proceedings, and providing penalties.

Read first time and placed on the calendar.

House File 463, by Swartz, a bill for an act related to the promotion of civil service employees.

Read first time and referred to committee on local government.

SENATE MESSAGES CONSIDERED

Senate File 27, by Bruner, a bill for an act relating to the investment policies for funds available to certain state agencies.

Read first time and referred to committee on state government.

Senate File 229, by committee on judiciary, a bill for an act relating to recovery of merchandise or damages and providing civil penalties.

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

Senate File 254, by committee on education, a bill for an act relating to administrative endorsements and certificates issued by the board of educational examiners.

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

Senate File 257, by committee on education, a bill for an act to discontinue the issuance of the permanent professional certificate for teachers and providing an effective date.

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

Senate File 269, by committee on appropriations, a bill for an act relating to and making appropriations to various state regulatory and licensing departments, boards, and commissions.

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

Senate File 271, by committee on education, a bill for an act relating to refund of tuition policies of certain post-secondary institutions and to prescribe a penalty.

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

Senate File 286, by committee on commerce, a bill for an act relating to the operation of a bank or bank office located outside a municipal corporation when the bank is merged into or acquired by another state bank and providing for an effective date.

Read first time and **passed on file**.

The House stood at ease at 9:14 a.m., until the fall of the gavel.

The House resumed session at 9:57 a.m., Speaker Avenson in the chair.

CONSIDERATION OF BILLS Regular Calendar

House File 378, a bill for an act exempting road workers from the forty miles per hour minimum speed limit, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 378)

The ayes were, 97:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Doderer Fey Hermann

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

House File 170, a bill for an act relating to access by a non-custodial parent to information concerning the child, with report of committee recommending passage was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 170)

The ayes were, 97:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Bubr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Doderer	Fey	Hermann
---------	-----	---------

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

HOUSE FILE 394 DEFERRED

Norland of Worth asked and received unanimous consent that House File 394 be deferred and that the bill retain its place on the calendar.

House File 395, a bill for an act permitting the articles of incorporation of a trust company existing and operating on January 1, 1970 and which is authorized to act only as a trust company to be renewed in perpetuity, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 395)

The ayes were, 97:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Doderer	Fey	Hermann
---------	-----	---------

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

House File 415, a bill for an act relating to the designation of persons to accept bond money and securities, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 415)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 2:

Grandia Van Maanen

Absent or not voting, 3:

Doderer Fey Hermann

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

House File 419, a bill for an act relating to the payment of court costs and providing a penalty, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 419)

The ayes were, 97:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Doderer	Fey	Hermann
---------	-----	---------

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

House File 421, a bill for an act relating to the custody of children by an abandoned spouse, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 421)

The ayes were, 92:

Baxter	Beatty	Bennett	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Loneragan	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 4:

Branstad	Hummel	Maulsby	Renken
----------	--------	---------	--------

Absent or not voting, 4:

Arnould	Doderer	Fey	Hermann
---------	---------	-----	---------

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

HOUSE FILE 422 DEFERRED

House File 422, a bill for an act relating to the license fee for commercial explosives, was taken up for consideration.

Norland of Worth asked and received unanimous consent that House File 422 be deferred and that the bill retain its place on the calendar.

Appropriations Calendar

House File 292, a bill for an act relating to the requirements that must be met for self-liquidating and revenue producing buildings and facilities to be constructed at board of regents institutions, with report of committee recommending passage was taken up for consideration.

Varn of Johnson offered the following amendment H—3211 filed by him:

H—3211

- 1 Amend House File 292 as follows:
- 2 1. Page 1, line 9, by inserting after the words
- 3 "for the" the following: "acquisition or".
- 4 2. Page 1, line 16, by inserting after the words
- 5 "and areas," the following: "research equipment if
- 6 the debt incurred in its acquisition will be retired
- 7 by federal, private, or other lawfully available
- 8 nonappropriated funds.".
- 9 3. Title page, line 1, by inserting after the
- 10 word "for" the following: "and the identification
- 11 of".

Paulin of Plymouth in the chair at 10:35 a.m.

On motion by Varn of Johnson, amendment H—3211 was adopted.

Mullins of Kossuth offered the following amendment H—3161 filed by her and Welden of Hardin and moved its adoption:

H—3161

- 1 Amend House File 292 as follows:
- 2 1. Page 1, by striking lines 18 and 19 and
- 3 inserting the following: "hereafter used for any or
- 4 all of the purposes aforesaid."

Amendment H—3161 was adopted.

Speaker Avenson in the chair at 10:43 a.m.

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

On the question "Shall the bill pass?" (H.F. 292)

The ayes were, 80:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.

Halvorson, R. N.	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Oxley	Paulin
Pavich	Peick	Pellett	Renaud
Renken	Rensink	Royer	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 17:

Hammond	Hughes	Hummel	Lloyd-Jones
Osterberg	Parker	Peterson	Platt
Poncy	Rosenberg	Running	Sullivan
Teaford	Torrence	Van Camp	Van Maanen
Varn			

Absent or not voting, 3:

Doderer	Fey	Hermann
---------	-----	---------

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

Regular Calendar

House File 414, a bill for an act relating to the sale of unused highway right-of-way by the department of transportation to county conservation boards or the state conservation commission was taken up for consideration.

Black of Jasper offered the following amendment H—3212 filed by him and moved its adoption:

H—3212

- 1 Amend House File 414 as follows:
- 2 1. Page 1, line 11, by inserting after the word
- 3 "at" the words "a price not exceeding".

Amendment H—3212 was adopted.

Maulsby of Calhoun asked for unanimous consent to defer action on House File 414.

Objection was raised.

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. 414)

The ayes were, 87:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
Diemer	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Hatch	Haverland	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 8:

De Groot	Grandia	Handorf	Hester
Hummel	Maulsby	Renken	Van Maanen

Absent or not voting, 5:

Doderer	Fey	Harbor	Hermann
Oxley			

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

House File 224, a bill for an act relating to the health data commission by delaying the termination of the commission, requiring certain members of the commission to implement common medical reimbursement reporting forms, and permitting the commission to initiate a review of collection of information relating to long-term care and home health care, was taken up for consideration.

SENATE FILE 113 SUBSTITUTED FOR HOUSE FILE 224

Zimmerman of Dallas asked and received unanimous consent to substitute Senate File 113 for House File 224.

Senate File 113, a bill for an act relating to the health data commission by delaying the termination of the commission, requiring certain members of the commission to implement common medical reimbursement reporting forms, and permitting the commission to initiate a review of collection of information relating to long-term care and home health care, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 113)

The ayes were, 96:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning

Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Doderer	Fey	Harbor	Hermann
---------	-----	--------	---------

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

Chapman of Linn in the chair at 11:28 a.m.

Speaker Avenson in the chair at 11:52 a.m.

SPECIAL PRESENTATION

Cochran of Webster presented to the House the following United Nations diplomats who are traveling in the United States to gain an understanding of our economy, particularly in Iowa because of the farm problems and its importance to international trade, and to gain an insight of farming in Iowa: Mr. Bahadian, Brazil; Ms. Frankinet, Belgium; Mr. Mills-Lutterodt, Ghana; Mr. Smith, Jamaica and Mr. Kaneko, Japan.

They were accompanied by Bridgit Morton and William Carney, Council for International Understanding in Des Moines.

The House rose and expressed its welcome.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 1st day of March, 1985: House Files 38 and 285.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday afternoon, February 28, 1985. Had I been present, I would have voted "aye" on House Files 186 and 309.

SWEARINGEN of Keokuk

PRESENTATION OF VISITORS

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

Twenty-eight high school students from Moravia High School, Moravia, accompanied by Roy Wigen. By Jay of Appanoose and Cooper of Lucas.

Two hundred seventh grade students from Urbandale Junior High School, Urbandale, accompanied by Ann Tharnish, Donna Darrah, Fran Lindstrom and Jackie Frerichs. By Metcalf of Polk.

Twenty-two seniors from Wilton High School, Wilton, accompanied by Brenda Grunden. By Torrence of Muscatine and Osterberg of Linn.

SUBCOMMITTEE ASSIGNMENTS

House File 143

Small Business and Commerce: Holveck, Chair; Hummel and Swartz.

House File 172

Local Government: O'Kane, Chair; Diemer and Groninga.

House File 199

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklath.

House File 256

Local Government: O'Kane, Chair; Beatty and Platt.

House File 264

Ways and Means: Brammer, Chair; Miller and Oxley.

House File 271

Ways and Means: Groth, Chair; Bennett and Groninga.

House File 276

Ways and Means: Holveck, Chair; Arnould and Siegrist.

House File 297

Ways and Means: Chapman, Chair; Daggett and Fey.

House File 310

Appropriations: Swartz, Chair; Lloyd-Jones and Van Maanen.

House File 326

Education: Johnson, Chair; Running and Siegrist.

House File 328

Ways and Means: Carpenter, Chair; Cochran and Miller.

House File 331

Ways and Means: Arnould, Chair; Carpenter and Chapman.

House File 335

Ways and Means: Brammer, Chair; Rosenberg and Schneklath.

House File 339

Education: Groth, Chair; Haverland, Hughes, Siegrist and Swearingen.

House File 347

Education: Groth, Chair; Branstad, Daggett, Ollie and Shoultz.

House File 349

Transportation: Pavich, Chair; Cooper and Harbor.

House File 350

Education: Groth, Chair; Branstad, Daggett, Ollie and Shoultz.

House File 353

Small Business and Commerce: Groninga, Chair; Chapman, Diemer, Metcalf and Skow.

House File 355

State Government: Hammond, Chair; Pavich and Swearingen.

House File 357

Education: Groth, Chair; Connolly and Miller.

House File 364

Transportation: Renaud, Chair; Lageschulte and Woods.

House File 366

Transportation: Van Camp, Chair; Cooper and Peterson.

House File 367

Education: Haverland, Chair; Maulsby and Poncey.

House File 368

Education: Connolly, Chair; Carpenter and Carter.

House File 369

Ways and Means: Arnould, Chair; Hanson and Oxley.

House File 372

Transportation: Renaud, Chair; Corey and Sullivan.

House File 373

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 374

Local Government: O'Kane, Chair; Connors and Diemer.

House File 379

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 380

Labor and Industrial Relations: Running, Chair; Kremer and Poncey.

House File 381

Labor and Industrial Relations: Renaud, Chair; Connors and Hester.

House File 383

Education: Connolly, Chair; Hester and Poncy.

House File 384

Human Resources: Sturgeon, Chair; Clark, Lonergan, Ollie and Torrence.

House File 386

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 387

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 388

State Government: Cochran, Chair; Pavich and Van Maanen.

House File 389

Education: Hughes, Chair; Handorf and Spear.

House File 390

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 391

State Government: Hammond, Chair; Pavich and Swearingen.

House File 392

Small Business and Commerce: Groninga, Chair; Hatch, McIntee, Metcalf and Sturgeon.

House File 393

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

House File 396

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

House File 399

Agriculture: Hatch, Chair; Bennett and Fogarty.

House File 400

State Government: Arnould, Chair; Buhr and Renken.

House File 403

Local Government: Teaford, Chair; Connors and Miller.

House File 404

Labor and Industrial Relations: Brammer, Chair; Fey and Metcalf.

House File 405

State Government: Hammond, Chair; Carpenter and Halvorson of Webster.

House File 407

Agriculture: Blanshan, Chair; Branstad, Cochran, Skow and Stueland.

House File 409

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 411

Local Government: O'Kane, Chair; Poncy and Platt.

House File 413

Human Resources: Shoultz, Chair; Buhr, Hammond, Hermann and Van Camp.

House File 416

Energy and Environmental Protection: Shoultz, Chair; Jay, Lageschulte, Osterberg and Royer.

House File 417

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

House File 423

Labor and Industrial Relations: Renaud, Chair; Kremer and Running.

House File 426

Labor and Industrial Relations: Renaud, Chair; Kremer and Running.

House File 427

Local Government: O'Kane, Chair; Cooper and Renken.

House File 429

Agriculture: Osterberg, Chair; Carter and Rensink.

House File 430

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 450

Appropriations: Poncy, Chair; Maulsby and Varn.

House Concurrent Resolution 14

Agriculture: Muhlbauer, Chair; Gruhn and Handorf.

Senate File 63

Labor and Industrial Relations: Running, Chair; Hummel and Peick.

Senate File 103 (Reassigned)

Local Government: O'Kane, Chair; Royer and Sullivan.

Senate File 215

Education: Johnson, Chair; Branstad and McKean.

Senate File 220

Education: Teaford, Chair; Hester and Johnson.

Senate File 230

Judiciary and Law Enforcement: Running, Chair; Brammer and McKean.

Senate File 231

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

Senate File 267

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Senate File 269

Appropriations: (Subcommittee on Regulatory and Licensing) Renaud, Chair; Connors, Corey, Halvorson of Webster, Maulsby, Muhlbauer, Peick and Van Camp.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 48

Small Business and Commerce: Skow, Chair; Baxter and Kremer.

Study Bill 175

Ways and Means: Groninga, Chair; Osterberg and Schnekloth.

Study Bill 203

Ways and Means: Arnould, Chair; Carpenter and Chapman.

Study Bill 204

Ways and Means: Holveck, Chair; Arnould and Siegrist.

Study Bill 223

Ways and Means: Parker, Chair; Connolly and Renken.

Study Bill 229

Ways and Means: Rosenberg, Chair; Lageschulte and O'Kane.

Study Bill 234

Small Business and Commerce: Lonergan, Chair; Renken and Skow.

Study Bill 241

Local Government: Cooper, Chair; Black and Daggett.

Study Bill 242

Local Government: Miller, Chair; Buhr and Groninga.

Study Bill 243

Local Government: Renken, Chair; Spear and Torrence.

Study Bill 244

Local Government: Beatty, Chair; Grandia and Peick.

Study Bill 245

Local Government: Buhr, Chair; Cooper and Renken.

Study Bill 246

Local Government: O'Kane, Chair; Diemer and Platt.

Study Bill 247

Local Government: O'Kane, Chair; Buhr and Torrence.

Study Bill 270

Small Business and Commerce: Parker, Chair; Groninga, McIntee, Metcalf and Swartz.

Study Bill 276

State Government: Cochran, Chair; Pavich and Van Maanen.

Study Bill 277

Agriculture: Koenigs, Chair; De Groot and Hatch.

Study Bill 278

Agriculture: Gruhn, Chair; Branstad and Fogarty.

Study Bill 279

Agriculture: Hughes, Chair; Carter and Pellett.

Study Bill 281

Ways and Means: O'Kane, Chair; De Groot and Tabor.

Study Bill 283

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

Study Bill 284

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

Study Bill 285

Judiciary and Law Enforcement: Chapman, Chair; Jay, Kremer, Maulsby and Peterson.

Study Bill 286

Judiciary and Law Enforcement: McIntee, Chair; Holveck, Maulsby, Renaud, Running, Schnekloth and Woods.

Study Bill 287

Small Business and Commerce: Swartz, Chair; Brammer and Hummel.

Study Bill 288

Ways and Means: Schnekloth, Chair; Brammer and Holveck.

Study Bill 289

Judiciary and Law Enforcement: Peterson, Chair; Knapp and Kremer.

Study Bill 293

Judiciary and Law Enforcement: Clark, Chair; Carl and Haverland.

Study Bill 294

Local Government: O'Kane, Chair; Beatty, Cooper, Hester and Renken.

Study Bill 295

Judiciary and Law Enforcement: Haverland, Chair; Doderer, Hammond, Lageschulte and McKean.

Study Bill 299

Agriculture: Koenigs, Chair; De Groot and Hatch.

Study Bill 300

Agriculture: Zimmerman, Chair; Hughes and Van Maanen.

Study Bill 301

Local Government: O'Kane, Chair; Beatty and Platt.

Study Bill 302

Local Government: Peick, Chair; Oxley and Torrence.

Study Bill 303

Local Government: Connors, Chair; Beatty and Diemer.

Study Bill 304

Local Government: O'Kane, Chair; Connors and Daggett.

Study Bill 305

Local Government: Beatty, Chair; Diemer and Torrence.

Study Bill 306

Local Government: Buhr, Chair; Beatty and Royer.

Study Bill 307

Local Government: O'Kane, Chair; Beatty and Miller.

Study Bill 309

Local Government: Sullivan, Chair; O'Kane and Renken.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Committee Bill (Formerly Study Bill 24), relating to the protection of victims and witnesses in judicial proceedings, and providing penalties.

Fiscal Note is not required.

Recommended Amend and Do Pass February 28, 1985.

Committee Bill (Formerly Study Bill 181), for the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions.

Fiscal Note is not required.

Recommended Amend and Do Pass February 28, 1985.

Committee Bill (Formerly Study Bill 182), for the collection of support obligations relating to identifying information in petitions for dissolution of marriage, the payment and distribution of support payments to and by the clerk of the district court, the modification of support orders, the recording of income tax refund or rebate payments by the clerk, and the use of workers' compensation payments to satisfy child support obligations.

Fiscal Note is not required.

Recommended Amend and Do Pass February 28, 1985.

Committee Bill (Formerly Study Bill 239), making corrections and other changes relating to court reorganization, court fees, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures.

Fiscal Note is not required.

Recommended Amend and Do Pass February 28, 1985.

Committee Bill (Formerly Study Bill 280), relating to the share of the surviving spouse in intestate succession.

Fiscal Note is not required.

Recommended Do Pass February 28, 1985.

COMMITTEE ON LOCAL GOVERNMENT

House File 231, a bill for an act relating to the establishment and maintenance of pumping stations in drainage districts.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-3216, February 28, 1985.

House File 291, a bill for an act relating to the selection of official newspapers.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-3215, February 28, 1985.

House File 329, a bill for an act relating to the residence of township officers.

Fiscal Note is not required.

Recommended Do Pass February 28, 1985.

House File 360, a bill for an act to include group homes for children in need of assistance as a residential use of property for zoning purposes.

Fiscal Note is not required.

Recommended Do Pass February 28, 1985.

Committee Bill (Formerly Study Bill 202), providing that county zoning regulations or county building codes may apply to farm houses.

Fiscal Note is not required.

Committee Action: Failed to Pass February 28, 1985.

AMENDMENTS FILED

H-3215	H.F.	291	Committee on Local Government
H-3216	H.F.	231	Committee on Local Government
H-3217	H.F.	313	Baxter of Des Moines
H-3218	H.F.	341	Van Camp of Scott

On motion by Norland of Worth, the House adjourned at 12:04 p.m., until 10:00 a.m., Monday, March 4, 1985.

JOURNAL OF THE HOUSE

Fiftieth Calendar Day—Thirty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 4, 1985

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

Prayer was offered by Reverend Nancy Allen, Co-Director of Church Relations, Simpson College, Indianola.

The Journal of Friday, March 1, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Clark of Cerro Gordo, until her arrival, on request of Mullins of Kossuth; Lageschulte of Bremer, until his arrival, on request of De Groot of Lyon; Hermann of Scott, for an indefinite period, on request of Hanson of Delaware; Harbor of Mills on request of Stromer of Hancock; Connolly of Dubuque, until his arrival, on request of Norland of Worth.

INTRODUCTION OF BILLS

House File 464, by Daggett, a bill for an act to provide a transportation assistance program for school districts with funds provided by both a property tax and an income surtax and an appropriation of state moneys.

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

House File 465, by Rosenberg, a bill for an act permitting an insurer to be a victim for purposes of a restitution plan.

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

House File 466, by committee on state government, a bill for an act to establish a program for the coordination of media services at the capitol complex in the department of general services.

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

House File 467, by Lonergan, a bill for an act permitting manufacturers of native wines to sell native wines in retail establishments owned by the manufacturers.

Read first time and referred to committee on **economic development**.

House File 468, by De Groot, a bill for an act relating to the establishment of an export trade division within the Iowa development commission.

Read first time and referred to committee on **economic development**.

House File 469, by committee on energy and environmental protection, a bill for an act to require a sufficient number of wells at each sanitary disposal project to adequately monitor ground water quality.

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

House File 470, by Lloyd-Jones and Welden, a bill for an act relating to educational leave and educational assistance for state employees.

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

House File 471, by committee on energy and environmental protection, a bill for an act relating to ads which are published, broadcast, displayed or disseminated to the public by a public utility and making civil penalties applicable.

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

House File 472, by Holveck, Van Camp, Jochum, O'Kane, Peick, Buhr, Shoultz, Connors, Running, Sherzan, Pavich, Arnould, Hatch, Sturgeon, Siegrist, Teaford, Brammer, McIntee and Fey, a bill for an act relating to abandoned property, by providing for a civil action, providing for the issuance of injunctions and other orders, and providing for appointing a receiver with certain powers, duties, and liability.

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

House File 473, by Hammond, Shoultz, Hermann, Buhr and Van Camp, a bill for an act relating to sexual assault and domestic violence counseling.

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

House File 474, by De Groot, Branstad, Daggett, Maulsby, Pellett, Cochran, Schnekloth and Stueland, a bill for an act relating to capital gains from bankruptcy, foreclosure and certain forced farm sales in computing the state minimum tax and determining the method of paying the state regular income tax, and making the provisions retroactive.

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

House File 475, by committee on judiciary and law enforcement, a bill for an act relating to the share of the surviving spouse in intestate succession.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 250, a bill for an act relating to the provision of statewide library services by the reorganization of the state library of Iowa and the regional library system.

Also: That the Senate has on February 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 276, a bill for an act relating to the jurisdiction of district associate judges.

K. MARIE THAYER, Secretary

SPECIAL PRESENTATION

As part of Women's History Week, the Iowa Commission on the Status of Women sponsored an essay contest.

Zimmerman of Dallas presented the following winners to the House;

First—Deborah Peterson, Rockford; Second—Pam Schneider, Preston; Third—Jenny Moser, Luxemburg; Honorable Mentions—Tina Whitecotton, Manson; Sally Hopkins, Spencer; Bryce Koelling, Milford; Missy McAnich, Des Moines; and (not present but mentioned) Kathy Henderson, West Des Moines.

The House rose and expressed its welcome.

CONSIDERATION OF BILLS Regular Calendar

House File 376, a bill for an act relating to membership on the interagency coordinating council on radiation safety, was taken up for consideration.

SENATE FILE 241 SUBSTITUTED FOR HOUSE FILE 376

Mullins of Kossuth asked and received unanimous consent to substitute Senate File 241 for House File 376.

Senate File 241, a bill for an act relating to membership on the interagency coordinating council on radiation safety, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 241)

The ayes were, 90:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Cochran
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Hatch	Haverland	Hester
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer

Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 10:

Carter	Chapman	Clark	Cannolly
Connors	Harbor	Hermann	Holveck
Lageschulte	Welden		

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

HOUSE FILE 394 DEFERRED

Norland of Worth asked and received unanimous consent that House File 394 be deferred and that the bill retain its place on the calendar.

House File 341, a bill for an act requiring the state building code commissioner to adopt a minimum energy efficiency standard for new single-family or two-family residential construction, was taken up for consideration.

Van Camp of Scott offered the following amendment H-3218 filed by him and moved its adoption:

H-3218

- 1 Amend House File 341 as follows:
- 2 1. Page 1, by striking lines 31 through 33 and
- 3 inserting the following: "consumption, as expressed
- 4 in terms of the home heating index. The minimum
- 5 standard".

Amendment H-3218 was adopted.

Hanson of Delaware in the chair at 10:45 a.m.

McIntee of Black Hawk asked for unanimous consent to defer action on House File 341.

Objection was raised.

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

On the question "Shall the bill pass?" (H.F. 341)

The ayes were, 76:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Cochran
Cooper	Corey	Diemer	Doderer
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hatch	Haverland	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	McIntee	McKean
Metcalf	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Parker
Paulin	Pavich	Peterson	Platt
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Van Camp	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Hanson)

The nays were, 17:

Bennett	Branstad	Daggett	De Groot
Grandia	Hester	Maulsby	Miller
Oxley	Peick	Pellett	Renken
Rensink	Royer	Schnekloth	Torrence
Van Maanen			

Absent or not voting, 7:

Chapman	Clark	Connolly	Connors
Fey	Harbor	Hermann	

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

House File 308, a bill for an act relating to clinical privileges of certain licensed practitioners, was taken up for consideration.

Speaker Avenson in the chair at 11:05 a.m.

Sturgeon of Woodbury offered the following amendment H-3169 filed by Sturgeon, et al., and moved its adoption:

H-3169

- 1 Amend House File 308 as follows:
- 2 1. Page 1, by striking lines 7 through 9 and
- 3 inserting the words "solely by reason of the license
- 4 held by the practitioner."

Amendment H-3169 was adopted.

Peick 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. 308)

The ayes were, 84:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Cochran	Connors	Cooper	Corey
De Groot	Diemer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Handorf	Hanson	Hatch
Haverland	Hester	Holveck	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Metcalf
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Renaud	Renken	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Varn
Weiden	Woods	Zimmerman	Mr. Speaker

The nays were, 11:

Daggett	Doderer	Grandia	Hammond
Hughes	Maulsby	Miller	Mullins
Poncy	Rensink	Van Maanen	

Absent or not voting, 5:

Chapman	Clark	Connolly	Harbor
Hermann			

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 11:18 a.m., until the fall of the gavel.

The House resumed session at 11:42 a.m., Speaker Avenson in the chair.

SENATE AMENDMENT CONSIDERED

Ollie of Clinton called up for consideration **House File 87**, a bill for an act relating to the procedure for determining the one hundred two percent budget guarantee for school districts for the school year beginning July 1, 1985, amended by the Senate, and moved that the House concur in the following Senate amendment H-3209:

H-3209

- 1 Amend House File 87 as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. Section 442.7, subsection 7, paragraph
- 6 i, Code 1985, is amended by striking the paragraph.
- 7 Sec. 2. Section 442.9, subsection 1, paragraph b,
- 8 Code 1985, is amended to read as follows:
- 9 b. The district cost for the budget year is equal
- 10 to the district cost per pupil for the budget year
- 11 multiplied by the weighted enrollment, plus commencing
- 12 with the budget year beginning July 1, 1985 additional
- 13 district cost added for moneys received by a school
- 14 district under section 302.3, Code 1981, as provided
- 15 in section 442.21, and plus the additional district
- 16 cost allocated to the district under section 442.27 to
- 17 fund media services and educational services provided
- 18 through the area education agency. A school district
- 19 may not increase its district cost for the budget year

20 except to the extent that an excess tax levy is
 21 authorized by the school budget review committee as
 22 provided in section 442.13.

23 Sec. 3. NEW SECTION. 442.21 TEMPORARY SCHOOL
 24 FUND.

25 If the board of directors of a school district
 26 certified an amount to the state comptroller to be
 27 added to basic allowable growth per pupil for the
 28 budget year beginning July 1, 1984 under section
 29 442.7, subsection 7, paragraph "i", Code Supplement
 30 1983, the amount certified shall be added to the
 31 district cost of the school district commencing with
 32 the budget year beginning July 1, 1985.

33 Sec. 4. Procedures used and property tax levies
 34 calculated by the state comptroller for the budget
 35 year beginning July 1, 1984 under section 442.7,
 36 subsection 7, paragraph "i", Code Supplement 1983,
 37 shall be completed for that budget year.

38 Sec. 5. This Act, being deemed of immediate importance,
 39 takes effect from and after its publication in the Charles
 40 City Press, a newspaper published in Charles City,
 41 Iowa, and in the Fayette County Union, a newspaper published in
 42 West Union, Iowa for computations required for pay-
 43 ment of state aid and levying of property taxes under the state
 44 school foundation program for the school year beginning
 45 July 1, 1985. However, section 1 of this Act takes effect
 46 July 1, 1985."

47 2. Amend the title, line 1, by striking the word
 48 "determining" and inserting the words "adding moneys in a
 49 school district's budget for moneys collected under
 50 section 302.3, Code 1981, and removing those moneys from".

Page 2

- 1 3. Amend the title, line 3, by inserting after the
- 2 figure "1985" the words "and succeeding school years".

The motion prevailed and the House concurred in the Senate amendment H—3209.

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

On the question "Shall the bill pass?" (H.F. 87)

The ayes were, 95:

Arnould

Baxter

Beatty

Bennett

Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Clark	Cochran	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Metcaif	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Chapman	Connolly	Harbor	Hermann
Zimmerman			

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

MOTION TO RECONSIDER (House File 308)

I move to reconsider the vote by which House File 308 passed the House on March 4, 1985.

DE GROOT of Lyon

REREFERRED TO LOCAL GOVERNMENT (House File 342)

The Speaker announced that House File 342, previously referred to the committee on **state government**, was rereferred to the committee on **local government**.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday, February 28, and Friday, March 1, 1985. Had I been present, I would have voted "aye" on House Files 170, 173, 186, 292, 309, 378, 395, 398, 414, 415, 419, 421 and Senate Files 55 and 113.

FEY of Scott

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 1, 1985, he approved and transmitted to the Secretary of State the following bill:

House File 100, an act relating to the determination of special education balances of school districts by the State Comptroller and providing that the act is retroactive to June 30, 1984.

Also: That on March 4, 1985, he approved and transmitted to the Secretary of State the following bill:

Senate File 25, an act relating to life-sustaining procedures by providing a procedure for declarations by certain competent adults that life-sustaining procedures may be withheld or withdrawn; providing for revocations; providing a procedure in absence of a declaration; providing for patient transfers; providing immunity from liability; prohibiting destruction, concealment or forging of declarations or revocations; providing penalties; and providing other matters properly relating thereto.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 310 Education**

Relating to the authority of the area education agencies.

S.B. 311 Education

Relating to the requirements for certain programs for science and mathematics administered by the Iowa college aid commission.

S.B. 312 Education

Permitting fees to be charged for materials and certain services provided by area education agencies.

S.B. 313 Education

To provide for an advance under the state school foundation formula for four-year-old children enrolled in prekindergarten programs.

S.B. 314 Transportation

Requiring an odometer certification with each renewal of certain motor vehicle registrations and including a penalty.

S.B. 315 Transportation

Regulating the gross weights of rubbish vehicles and making penalties applicable.

S.B. 316 Transportation

Requiring insurance for certain motor vehicle service contracts and providing a remedy.

S.B. 317 Education

To provide for the establishment of the Iowa higher education facilities program.

S.B. 318 Ways and Means

To correct clerical or mathematical errors in assessments.

COMMITTEE RECOMMENDATION

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

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management.

Fiscal Note is not required.

Recommended Amend and Do Pass March 1, 1985.

AMENDMENTS FILED

H-3220	H.F.	210	Groth of Buena Vista
H-3221	H.F.	206	Carl of Poweshiek
H-3222	H.F.	206	Van Maanen of Mahaska
H-3223	H.F.	451	Corey of Louisa
H-3224	H.F.	462	Committee on Judiciary and Law Enforcement
H-3225	H.F.	350	Daggett of Taylor
H-3226	H.F.	167	Koenigs of Mitchell Muhlbauer of Crawford Sullivan of Van Buren
H-3227	H.F.	424	Schnekloth of Scott

On motion by Norland of Worth, the House adjourned at 11:59 a.m., until 9:00 a.m., Tuesday, March 5, 1985.

JOURNAL OF THE HOUSE

Fifty-first Calendar Day — Thirty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 5, 1985

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

Prayer was offered by Reverend Beth Dobyns, pastor of the Christian Church Disciples of Christ, Perry.

The Journal of Monday, March 4, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills, for the morning session, on request of Halvorson of Clayton.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 194, a bill for an act striking the semiannual reporting requirement by mobile home park licensees, and providing a civil penalty.

Also: That the Senate has on March 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 213, a bill for an act relating to the imposition of mandatory minimum sentences.

Also: That the Senate has on March 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 259, a bill for an act to change the name of the education agency, governing board, and chief administrative officer to department of education, state board of education, and commissioner of education and to change the method of appointing the chief administrative officer.

Also: That the Senate has on March 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 289, a bill for an act relating to the filing of an affidavit prior to the taxing of attorney's fees for the recovery on a contract containing an agreement to pay an attorney's fee.

Also: That the Senate has on March 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 290, a bill for an act relating to the sale of antique motor vehicles.

Also: That the Senate has on March 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 291, a bill for an act relating to the authority of the department of water, air and waste management over used oil.

Also: That the Senate has on March 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 317, a bill for an act relating to qualifying for office.

Also: That the Senate has on March 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 318, a bill for an act relating to the authority of the court to issue administrative search warrants to government agencies having the statutory authority to conduct inspections.

Also: That the Senate has on March 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 329, a bill for an act relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, delete redundancies, inaccuracies, and temporary and discriminatory language, remove inconsistencies, update ongoing provisions, remove ambiguities, improve syntax, correct references, and update provisions relating to court reorganization.

Also: That the Senate has on March 1, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 17, relating to the preservation of environmental and agricultural land resources.

K. MARIE THAYER, Secretary

INTRODUCTION OF BILLS

House File 476, by committee on appropriations, a bill for an act relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management.

Read first time and placed on the appropriations calendar.

House File 477, by Skow, Sullivan, Renaud, Connors, De Groot, Corey, Muhlbauer and Woods, a bill for an act relating to the operation of fire vehicles and providing an effective date.

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

House File 478, by Koenigs, a bill for an act relating to the type of financial statement that must be filed with the state commerce commission by a grain dealer with a class 1 license.

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

House File 479, by Koenigs, a bill for an act relating to the financial requirements of grain dealers.

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

House File 480, by Sturgeon, a bill for an act to exempt the gross receipts from the sale or rental of oxygen concentrators or equipment which produces oxygen for human consumption from the sales, services, and use tax.

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

House File 481, by Peick, a bill for an act exempting social security benefits received by individuals sixty-two or older from the state individual income tax and making the provision retroactive.

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

House File 482, by Osterberg, a bill for an act to establish lifeline telephone services, impose a tax to support the service and provide a penalty.

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

House File 483, by Daggett, Hughes and Cooper, a bill for an act relating to farm unit soil conservation plans.

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

House File 484, by committee on small business and commerce, a bill for an act to regulate the sale of time-sharing estates and uses, establish time-share and project instruments, mandate the disclosure of certain information to a purchaser by a developer, provide for the release of liens, and declaring certain acts unlawful, and providing for enforcement by the attorney general.

Read first time and placed on the calendar.

House File 485, by Baxter, a bill for an act to create the crime of shoplifting, provide penalties and establish special provisions governing evidence in shoplifting cases.

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

House File 486, by Harbor, Shoning, Diemer and Halvorson of Clayton, a bill for an act relating to an income tax credit for the state sales, services and use tax paid on new industrial and farm machinery, equipment and computers and providing an effective date.

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

House File 487, by Doderer, a bill for an act relating to the birth certificate of a child born out of wedlock.

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

House File 488, by Baxter, a bill for an act providing an income tax credit for expenditures incurred in acquiring passive or active solar energy systems and providing an effective date.

Read first time and referred to committee on **energy and environmental protection**.

House File 489, by Woods, a bill for an act related to the number of hours worked by fire fighters.

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

House File 490, by Varn, a bill for an act to authorize the imposition of a combination property tax levy and income surtax by a city for economic development purposes.

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

House File 491, by Grandia and Royer, a bill for an act relating to the liability of persons who sell personal property subject to a security interest.

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

House File 492, by Blanshan, a bill for an act relating to the liability for dishonored instruments.

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

SENATE MESSAGES CONSIDERED

Senate File 250, by committee on state government, a bill for an act relating to the provision of statewide library services by the reorganization of the state library of Iowa and the regional library system.

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

Senate File 276, by committee on judiciary, a bill for an act relating to the jurisdiction of district associate judges.

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

Senate File 317, by committee on local government, a bill for an act relating to qualifying for office.

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

HOUSE FILE 376 WITHDRAWN

Mullins of Kossuth asked and received unanimous consent to withdraw House File 376 from further consideration by the House.

MOTION TO RECONSIDER PREVAILED
(House File 210)

Daggett of Taylor called up for consideration the motion to reconsider House File 210, filed on February 18, 1985, and moved to reconsider the vote by which House File 210, a bill for an act relating to the weighting per pupil for shared programs of school districts, passed the House and was placed on its last reading on February 18, 1985.

A non-record roll call was requested.

The ayes were 62, nays none.

The motion prevailed and the House reconsidered House File 210.

Groth of Buena Vista moved to reconsider the vote by which amendment H—3127 (found on page 483 of the House Journal) was adopted by the House on February 18, 1985, which motion prevailed and the House reconsidered amendment H—3127.

Groth of Buena Vista offered the following amendment H—3220, to amendment H—3127, filed by him and moved its adoption:

H—3220

1 Amend amendment H—3127 to House File 210 as
2 follows:
3 1. Page 1, by striking lines 3 through 6 and
4 inserting the following: "district" the following:
5 "if the school budget review committee certifies to
6 the state comptroller that the shared classes or
7 teachers would otherwise not be implemented without
8 the assignment of additional weighting. However, in
9 lieu of the additional weighting of five-tenths, the
10 school budget review committee shall assign an
11 additional weighting of one-tenth times the percent of
12 the pupil's schoolday in which a pupil attends classes
13 in another district or an area school, attends classes
14 taught by a teacher who is employed jointly under
15 section 280.15, or attends classes taught by a teacher
16 who is employed by another district, in districts that
17 have a substantial number of students in any of grades
18 seven through twelve sharing more than one class or
19 teacher."

Amendment H—3220 was adopted, placing out of order amendment H—3139, to amendment H—3127, previously adopted and found on page 484 of the House Journal.

On motion by Groth of Buena Vista, amendment H—3127, as amended, was adopted.

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

On the question "Shall the bill pass?" (H.F. 210)

The ayes were, 91:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Haverland	Hester	Holyeck	Hughes
Hummel	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Baxter	Carter	Harbor	Hatch
Hermann	Jay	Jochum	Royer
Woods			

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

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Monday, March 4, 1985. Had I been present, I would have voted "aye" on House Files 87, 308, 341 and Senate File 241.

CONNOLLY of Dubuque

COMMUNICATION RECEIVED

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

DEPARTMENT OF HEALTH

The seventh Annual Report of Iowa's Certificate of Need Program, pursuant to Chapter 135.81, 1983 Code of Iowa.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 281A (REVISED) Ways and Means**

Relating to providing a value-added corn tax credit.

S.B. 319 Judiciary and Law Enforcement

Relating to victim notification of the release or other disposition of criminal offenders.

S.B. 320 Ways and Means

Relating to the filing of a protest because of a clerical or mathematical error having been made in the assessment of a person's property.

S.B. 321 Judiciary and Law Enforcement

Relating to garnished accounts of supervised financial organizations.

S.B. 322 Transportation

Relating to payment of compensation to owners of off-premises advertising devices and to the owners of real property on which the advertising devices are located.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

House File 254, a bill for an act allowing public school districts to charge a fee for driver education courses.

Fiscal Note is not required.

Recommended **Do Pass** March 4, 1985.

Senate File 79, a bill for an act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 4, 1985.

Senate File 150, a bill for an act relating to the appointment date for a secretary of a school board.

Fiscal Note is not required.

Recommended **Do Pass** March 4, 1985.

Senate File 215, a bill for an act requiring a free and appropriate public education for children requiring special education.

Fiscal Note is not required.

Recommended **Do Pass** March 4, 1985.

COMMITTEE ON HUMAN RESOURCES

House File 315, a bill for an act relating to drug product selection.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3230**, March 4, 1985.

Committee Bill (Formerly Study Bill 26), relating to adoption and termination of parental rights and providing penalties.

Fiscal Note is required.

Recommended Amend and Do Pass March 4, 1985.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

House File 198, a bill for an act relating to the expiration of a gift certificate, by making certain practices unlawful.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-3229, March 4, 1985.

Committee Bill (Formerly Study Bill 255), prohibiting certain practices by a financial institution which makes or offers to make a real estate mortgage loan requiring certain disclosures, and providing penalties.

Fiscal Note is not required.

Recommended Amend and Do Pass March 4, 1985.

Committee Bill (Formerly Study Bill 287), regarding employee health benefit plans by providing for the conditions of state income tax deductibility and the issuance of certificates of approval for certain self-insurance plans.

Fiscal Note is not required.

Recommended Amend and Do Pass March 4, 1985.

COMMITTEE ON TRANSPORTATION

House File 123, a bill for an act providing for the issuance and use of handicapped identification cards, making penalties applicable and providing effective dates.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-3228, March 4, 1985.

RESOLUTIONS FILED

HCR 19, by Zimmerman, Baxter, Beatty, Buhr, Carl, Carpenter, Chapman, Clark, Doderer, Gruhn, Hammond, Hester, Lonergan, Lloyd-Jones, Metcalf, Peick and Teaford, a concurrent resolution recognizing Women's History Week.

Laid over under **Rule 25**.

SCR 17, by committee on natural resources, a concurrent resolution relating to the preservation of environmental and agricultural land resources.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-3228	H.F.	123	Committee on Transportation
H-3229	H.F.	198	Committee on Small Business and Commerce
H-3230	H.F.	315	Committee on Human Resources
H-3231	H.F.	451	Carl of Poweshiek
H-3233	H.F.	102	Pavich of Pottawattamie
H-3234	H.F.	102	Pavich of Pottawattamie
H-3235	H.F.	451	Welden of Hardin
H-3236	H.F.	451	Welden of Hardin
H-3237	H.F.	451	Welden of Hardin
H-3238	H.F.	169	Daggett of Taylor
H-3239	H.F.	451	Lonergan of Boone
H-3240	H.F.	102	Woods of Polk
H-3241	H.F.	102	Woods of Polk
H-3242	H.F.	424	De Groot of Lyon
H-3243	H.F.	451	Sherzan of Polk
H-3244	S.F.	286	Blanshan of Greene Hummel of Benton Schneklath of Scott Swartz of Marshall
H-3245	H.F.	451	Bennett of Ida
H-3246	H.F.	451	Bennett of Ida
H-3247	H.F.	451	Hammond of Story
H-3248	H.F.	451	Teaford of Black Hawk
H-3249	H.F.	451	Teaford of Black Hawk
H-3250	H.F.	451	Carpenter of Polk Arnould of Scott
H-3251	H.F.	451	Johnson of Winneshiek
H-3252	H.F.	451	Teaford of Black Hawk
H-3253	H.F.	451	Teaford of Black Hawk
H-3254	H.F.	179	McKean of Jones
H-3255	H.F.	451	O'Kane of Woodbury Sturgeon of Woodbury

On motion by Norland of Worth, the House adjourned at 9:34 a.m., until 9:00 a.m., Wednesday, March 6, 1985.

JOURNAL OF THE HOUSE

Fifty-second Calendar Day — Thirty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 6, 1985

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

Prayer was offered by Reverend Judy Kitterman, pastor of the Grace United Methodist Church, Moravia.

The Journal of Tuesday, March 5, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hanson of Delaware, until his arrival, on request of Renken of Grundy; Lonergan of Boone on request of Arnould of Scott.

INTRODUCTION OF BILLS

House File 493, by committee on transportation, a bill for an act relating to the fees for and duration of operator's and chauffeur's licenses.

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

House File 494, by Chapman, a bill for an act authorizing economic development as a purpose for approval of an urban renewal plan and an urban renewal project.

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

House File 495, by committee on judiciary and law enforcement, a bill for an act for the collection of support obligations relating to identifying information in petitions for dissolution of marriage and support orders, the payment and distribution of support payments to and by the clerk of the district court, the modification of support orders, and the recording of income tax refund or rebate payments by the clerk.

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

House File 496, by Brammer and Halvorson of Clayton, a bill for an act relating to the premium tax on insurance companies and associations and mutual service corporations operating under chapter 514 domiciled or doing business in the state.

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

House File 497, by Black, a bill for an act relating to procedures for the establishment of priorities for property tax exemptions for wetlands, recreational lakes, forest covers, rivers and streams, river and stream banks, and open prairies.

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

House File 498, by Black, a bill for an act relating to the qualifications of a weed commissioner or a deputy weed commissioner.

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

House File 499, by Osterberg, a bill for an act related to the practice of funeral directing and funeral insurance and providing a penalty.

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

House File 500, by Carter, a bill for an act relating to financial responsibility requirements for the operation and registration of motor vehicles in this state, making penalties applicable.

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

House File 501, by Peick, a bill for an act relating to the inspection of boilers and unfired steam pressure vessels.

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

House File 502, by Shoning, a bill for an act relating to the requirement of a battery of psychological tests for law enforcement

applicants who have completed the recruitment and selection process but have not yet been appointed.

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

House File 503, by Pellett, a bill for an act relating to the possession of dangerous animals and providing a penalty.

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

House File 504, by Fogarty, a bill for an act relating to training requirements for reserve peace officers.

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

SENATE MESSAGES CONSIDERED

Senate File 194, by Vande Hoef, a bill for an act striking the semiannual reporting requirement by mobile home park licensees, and providing a civil penalty.

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

Senate File 213, by committee on judiciary, a bill for an act relating to the imposition of mandatory minimum sentences.

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

Senate File 259, committee on education, a bill for an act to change the names of the education agency, governing board, and chief administrative officer to department of education, state board of education, and commissioner of education and to change the method of appointing the chief administrative officer.

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

Senate File 289, by committee on judiciary, a bill for an act relating to the filing of an affidavit prior to the taxing of attorney's fees for the recovery on a contract containing an agreement to pay an attorney's fee.

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

Senate File 290, by committee on transportation, a bill for an act relating to the sale of antique motor vehicles.

Read first time and referred to committee on transportation.

Senate File 291, by committee on energy and environment, a bill for an act relating to the authority of the department of water, air and waste management over used oil.

Read first time and referred to committee on energy and environmental protection.

Senate File 318, by committee on judiciary, a bill for an act relating to the authority of the court to issue administrative search warrants to government agencies having the statutory authority to conduct inspections.

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

Senate File 329, by committee on judiciary, a bill for an act relating to Code corrections which adjust language to reflect current necessary practices, correct earlier omissions, delete redundancies, inaccuracies, and temporary and discriminatory language, remove inconsistencies, update ongoing provisions, remove ambiguities, improve syntax, correct references, and update provisions relating to court reorganization.

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 March 4, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 200, a bill for an act relating to the office of the appellate defender.

Also: That the Senate has on March 4, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 264, a bill for an act to eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund.

Also: That the Senate has on March 4, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 299, a bill for an act to create the crime of shoplifting, provide penalties and establish special provisions governing evidence in shoplifting cases.

Also: That the Senate has on March 4, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 306, a bill for an act relating to certain requirements for the filling of prescriptions for controlled substances and poisons.

Also: That the Senate has on March 4, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 21, recognizing Women's History Week.

K. MARIE THAYER, Secretary

ADOPTION OF HOUSE MEMORIAL RESOLUTION 3

Peterson of Carroll offered the following House Memorial Resolution 3 as follows and moved its adoption:

HOUSE MEMORIAL RESOLUTION 3

Whereas, The Honorable Carl H. Hensley of Audubon County, Iowa, who was a member of the Fifty-seventh and Fifty-ninth General Assemblies, passed away on February 15, 1985;
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 Peterson of Carroll, Cochran of Webster and Muhlbauer of Crawford.

**MOTION TO RECONSIDER WITHDRAWN
(House File 308)**

De Groot of Lyon asked and received unanimous consent to withdraw the motion to reconsider on House File 308, relating to clinical privileges of certain licensed practitioners, filed by him on March 4, 1985.

HOUSE FILE 224 WITHDRAWN

Zimmerman of Dallas asked and received unanimous consent to withdraw House File 224 from further consideration by the House.

On motion by Arnould of Scott, the House was recessed at 9:20 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 6, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 365, a bill for an act amending the 1984 Iowa Acts, chapter 1314, relating to comparable worth pay adjustments for state employees.

K. MARIE THAYER, Secretary

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 First Regular Session of the Seventy-first General Assembly were presented to the following Pages by

Speaker Avenson and Minority Leader Stromer of Hancock:

Robin Bell	Mindy Ferguson
Stewart Black	Mark Fernow
Michael Booheister	Shawn Levsen
Robin Clifton	Lana McKee
Sunday Cline	David Nissen
Steven Cox	Kristin Stewart
Stacey Elliott	Carolyn Stickrod
	Martha Weber

The House rose and expressed its appreciation.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lloyd-Jones of Johnson, for the remainder of the day, on request of Halvorson of Webster.

**CONSIDERATION OF BILLS
Regular Calendar**

House File 451, a bill for an act relating to child protection and providing penalties, was taken up for consideration.

The House stood at ease at 3:03 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 451 at 3:35 p.m., Speaker Avenson in the chair.

Teaford of Black Hawk asked and received unanimous consent to temporarily defer action on amendment H—3248.

Carpenter of Polk offered the following amendment H—3250 filed by her and Arnould of Scott and moved its adoption:

H—3250

- 1 Amend House File 451 as follows:
- 2 1. Page 1, by striking lines 2 through 14 and
- 3 inserting the following:
- 4 "The local registrar and state registrar shall
- 5 charge the parent a ten dollar fee for the
- 6 registration of a certificate of birth. If the person
- 7 responsible for the filing of the certificate of birth
- 8 under section 144.13 is not the parent, the person

9 shall collect the fee from the parent. The fee shall
 10 be remitted to the appropriate registrar. If the
 11 expenses of the birth are reimbursed under the medical
 12 assistance program established by chapter 249A or paid
 13 for under the statewide indigent patient care program
 14 established by chapter 249A or paid for under the
 15 statewide indigent patient care program established by
 16 chapter 255, or if the parent is indigent and unable
 17 to pay the expenses of the birth and no other means of
 18 payment is available to the parent, the registration
 19 fee is waived. If the person responsible for the
 20 filing of the certificate is not the parent, the
 21 person is discharged from the duty to collect and
 22 remit the fee under this section if the person has
 23 made a good faith effort to collect the fee from the
 24 parent. The fees collected by the local registrar and
 25 state registrar shall be remitted to the treasurer of
 26 state for deposit in the general fund of the state.
 27 It is the intent of the general assembly that the
 28 funds generated from the registration fees be
 29 appropriated and used for primary and secondary child
 30 abuse prevention programs."

Amendment H—3250 was adopted, placing out of order amend-
 ment H—3248 filed by Teaford of Black Hawk on March 5, 1985.

Corey of Louisa offered the following amendment H—3223 filed
 by him and moved its adoption:

H—3223

- 1 Amend House File 451 as follows:
- 2 1. Page 1, by striking lines 1 through 14.
- 3 2. By renumbering as necessary.

Roll call was requested by Corey of Louisa and Maulsby of
 Calhoun.

On the question "Shall amendment H—3223 be adopted?"

The ayes were, 41:

Bennett	Branstad	Corey	Daggett
De Groot	Diemer	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Haverland
Hester	Hummel	Kremer	Lageschulte
Maulsby	McKean	Metcalf	Miller
Muhlbauer	Oxley	Paulin	Pavich
Peick	Pellett	Platt	Renken

Rensink	Royer	Schnekloth	Shoning
Siegrist	Spear	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Maanen
Welden			

The nays were, 56:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. N.	Hammond
Hatch	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
McIntee	Mullins	Norland	O'Kane
Ollie	Osterberg	Parker	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 3:

Hermann	Lloyd-Jones	Loneragan
---------	-------------	-----------

Amendment H — 3223 lost.

O'Kane of Woodbury offered the following amendment H — 3255 filed by him and Sturgeon of Woodbury:

H — 3255

- 1 Amend House File 451 as follows:
- 2 1. Page 1, by inserting after line 14 the
- 3 following:
- 4 "Sec. _____, Section 232.2, subsection 6, Code 1985,
- 5 is amended by adding the following new lettered
- 6 paragraphs:
- 7 NEW LETTERED PARAGRAPH. n. Who is a truant as
- 8 defined in section 299.8 due to the failure of the
- 9 person having control of the child to cause the child
- 10 to attend school as provided in section 299.1."
- 11 NEW LETTERED PARAGRAPH. o. Who is voluntarily
- 12 absent from the child's residence, without just cause
- 13 for the absence, without the consent of the child's
- 14 parent, guardian, or custodian, and where the absence
- 15 exposes the child to conditions harmful to the child's
- 16 development or welfare."
- 17 2. By renumbering as necessary.

Arnould of Scott rose on a point of order that amendment H-3255 was not germane.

The Speaker ruled the point well taken and amendment H-3255 not germane.

O'Kane of Woodbury moved that the rules be suspended to consider amendment H-3255.

A non-record roll call was requested.

The ayes were 41, nays 48.

The motion lost.

Connors of Polk in the chair at 4:09 p.m.

Hammond of Story offered amendment H-3247 filed by her and requested division as follows:

H-3247

1 Amend House File 451 as follows:

H-3247A

2 1. Page 1, by striking lines 21 and 22 and
3 inserting the following: "detention center, or child
4 care facility.
5 d. A noncertificated employee or agent of a public
6 or nonpublic school."

H-3247B

7 2. Page 3, by striking lines 1 through 3, and
8 inserting the following:
9 "3. The investigation may with the consent of the
10 parent or guardian include a visit to the home of the
11 child or with the consent of the administrator of a
12 facility include a visit to the facility providing
13 care to the child".

Hammond of Story offered the following amendment H-3256, to amendment H-3247A, filed by her from the floor and moved its adoption:

H-3256

- 1 Amend amendment H-3247 to House File 451 as follows:
- 2 1. Page 1, by striking lines 5 and 6.

A non-record roll call was requested.

The ayes were 44, nays 43.

Amendment H-3256 was adopted.

On motion by Hammond of Story, amendment H-3247A, as amended, was adopted.

Johnson of Winneshiek offered the following amendment H-3251 filed by him:

H-3251

- 1 Amend House File 451 as follows:
- 2 1. Page 2, by striking lines 1 through 7 and
- 3 inserting the following: "believes a child has
- 4 suffered abuse. If a person is required to report
- 5 under this section as a member of the staff of a
- 6 public or private institution, agency or facility,
- 7 that person shall immediately notify the person in
- 8 charge of the institution, agency or facility, or that
- 9 person's designated agent, and the person in charge of
- 10 the institution, agency, or facility, or the
- 11 designated agent shall make the report."

Rosenberg of Story offered the following amendment H-3259, to amendment H-3251, filed by him from the floor and moved its adoption:

H-3259

- 1 Amend House amendment H-3251 to House File 451 as
- 2 follows:
- 3 1. Page 1, by inserting after line 11 the
- 4 following:
- 5 "_____. Page 4, line 10, by striking the words
- 6 "investigation and" and inserting the following:
- 7 "investigation,"
- 8 _____. Page 4, line 12, by striking the figure
- 9 "235A.19" and inserting the following: "235A.19, and
- 10 of the procedures to correct the information".

11 _____. By striking page 4, line 35 through page 5,
12 line 2 and inserting the following: "consent to the
13 examination.

14 b. The juvenile court has entered an ex parte
15 order directing the removal of the child from the
16 child's home or a child day care facility under this
17 section.

18 c. There is not enough time to file a petition and
19 to hold".

20 _____. Page 8, line 24, by striking the word
21 "adjudication" and inserting the following:
22 "~~adjudication~~ finding by a juvenile or district
23 court".

Amendment H-3259 was adopted.

On motion by Johnson of Winneshiek, amendment H-3251, as amended, was adopted.

The House resumed consideration of amendment H-3247B.

Mullins of Kossuth offered the following amendment H-3260, to amendment H-3247B, filed by her from the floor and moved its adoption:

H-3260

1 Amend the amendment, H-3247, to House File 451 as
2 follows:

3 1. Page 1, by inserting after line 13 the
4 following:

5 "_____. Page 4, by striking lines 28 through 29 and
6 inserting the following: "parte order authorizing a
7 physician or hospital to conduct an outpatient
8 physical examination or authorizing a physician or
9 psychologist certified under section 154B.7 to conduct
10 an outpatient mental examination of a child if".

11 2. By renumbering as necessary.

Amendment H-3260 was adopted.

On motion by Hammond of Story, amendment H-3247B, as amended, was adopted.

Bennett of Ida offered the following amendment H-3245 filed by him:

H-3245

- 1 Amend House File 451 as follows:
- 2 1. Page 4, line 22, by inserting after the word
- 3 "investigation" the following: ", or their is
- 4 reasonable cause to believe that the parent, guardian,
- 5 or custodian will flee to avoid a child abuse
- 6 investigation".

The following amendment H-3272, to amendment H-3245, filed by Bennett of Ida from the floor was adopted by unanimous consent:

H-3272

- 1 Amend amendment H-3245 to House File 451 as follows:
- 2 1. Page 1, line 3, by striking the word "their" and
- 3 inserting the word "there".

Bennett of Ida moved the adoption of amendment H-3245, as amended.

A non-record roll call was requested.

The ayes were 39, nays 50.

Amendment H-3245, as amended, lost.

Bennett of Ida offered the following amendment H-3246 filed by him:

H-3246

- 1 Amend House File 451 as follows:
- 2 1. Page 8, by striking lines 11 through 31 and
- 3 inserting the following:
- 4 "2. Child abuse information shall be expunged one
- 5 year after the receipt of the initial report of such
- 6 abuse if the information cannot be determined by a
- 7 preponderance of the evidence to be founded or
- 8 unfounded. Child abuse information shall be expunged
- 9 if the information is determined to be unfounded as a
- 10 result of any of the following:
- 11 a. The investigation of a report of suspected

12 child abuse by the department.
 13 b. A successful appeal as provided in section
 14 235A.19.
 15 c. A court adjudication.
 16 3. However, if a correction of child abuse
 17 information is requested under section 235A.19 and the
 18 issue is not resolved at the end of the one-year
 19 period, the information shall be retained until the
 20 issue is resolved."

Rosenberg of Story offered the following amendment H—3262, to amendment H—3246, filed by him from the floor and moved its adoption:

H—3262

1 Amend amendment H—3246 to House File 451 as follows:
 2 1. Page 1, line 15, by striking the word "adjudication"
 3 and inserting the following: "adjudication finding by
 4 a juvenile or district court".

Amendment H—3262 was adopted.

Bennett of Ida moved the adoption of amendment H—3246, as amended.

Roll call was requested by Stromer of Hancock and Branstad of Winnebago.

Rule 75 was invoked.

On the question "Shall amendment H—3246, as amended, be adopted?"

The ayes were, 44:

Bennett	Black	Branstad	Carpenter
Chapman	Cochran	Daggett	De Groot
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hester	Hummel	Koenigs
Lageschulte	Maulsby	McIntee	McKean
Metcalf	Miller	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Platt	Renken	Rensink	Royer
Running	Schnekloth	Shoning	Siegrist
Stromer	Stueland	Sturgeon	Swearingen
Torrence	Van Camp	Van Maanen	Welden

The nays were, 51:

Arnould	Avenson	Baxter	Beatty
Blanshan	Brammer	Buhr	Carl
Clark	Connolly	Cooper	Corey
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. N.
Hammond	Hatch	Haverland	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Kremer	Mullins	Norland
O'Kane	Ollie	Osterberg	Peterson
Poncy	Renaud	Rosenberg	Sherzan
Shoultz	Skow	Spear	Sullivan
Swartz	Tabor	Teaford	Varn
Woods	Zimmerman	Mr. Speaker (Connors)	

Absent or not voting, 5:

Carter	Hermann	Lloyd-Jones	Lonergan
Muhlbauer			

Amendment H—3246, as amended, lost.

Teaford of Black Hawk offered the following amendment H—3249 filed by her and moved its adoption:

H—3249

- 1 Amend House File 451 as follows:
- 2 1. Page 10, by striking line 7 and inserting the
- 3 following: "day care for four".
- 4 2. Page 13, by striking lines 2 through 5 and
- 5 inserting the following: "provides child day care for
- 6 four children shall be registered by June 30, 1987."

Amendment H—3249 was adopted.

Teaford of Black Hawk offered the following amendment H—3253 filed by her and moved its adoption:

H—3253

- 1 Amend House File 451 as follows:
- 2 1. Page 11, by striking lines 9 through 15 and
- 3 inserting the following:
- 4 "The department of human services shall make annual
- 5 inspections of licensed centers to insure compliance
- 6 with licensing requirements in this chapter, and the

7 local boards of health shall may make periodic
 8 inspections of licensed centers to insure compliance
 9 with health related licensing requirements provided in
 10 this chapter. In those instances where no local board
 11 of health exists then the director may make periodic
 12 inspections of licensed centers as necessary to carry
 13 out the provisions of this chapter. The".

Amendment H—3253 was adopted.

Teaford of Black Hawk offered the following amendment
 H—3252 filed by her and moved its adoption:

H—3252

1 Amend House File 451 as follows:
 2 1. Page 11, by inserting after line 27 the
 3 following:
 4 "Sec._____. Section 237A.12, unnumbered paragraph
 5 3, Code 1985, is amended to read as follows:
 6 Rules relating to fire safety and sanitation shall
 7 be promulgated adopted under this chapter by the state
 8 fire marshal and the commissioner of public health
 9 respectively, in consultation with the department, and
 10 all. Rules relating to sanitation shall be adopted by
 11 the department in consultation with the commissioner
 12 of public health. All rules shall be developed in
 13 consultation with the state day care advisory
 14 committee. The state fire marshal shall inspect the
 15 facilities."

Amendment H—3252 was adopted.

Speaker Avenson in the chair at 5:19 p.m.

Welden of Hardin offered the following amendment H—3236
 filed by him:

H—3236

1 Amend House File 451 as follows:
 2 1. By striking page 9, line 31 through page 12,
 3 line 19.
 4 2. By striking page 12, line 33 through page 13,
 5 line 10.
 6 3. By renumbering as necessary.

Welden of Hardin offered the following amendment H—3267, to
 amendment H—3236, filed by him from the floor and moved its
 adoption:

H—3267

- 1 Amend amendment H—3236 to House File 451 as follows:
- 2 1. Page 1, by striking lines 2 through 5 and
- 3 inserting the following:
- 4 "1. By striking page 9, line 31, through page 13,
- 5 line 10.

Amendment H—3267 was adopted.

Welden of Hardin moved the adoption of amendment H—3236, as amended.

A non-record roll call was requested.

The ayes were 51, nays 40.

Amendment H—3236, as amended, was adopted placing the following amendments out of order:

- H—3239 filed by Lonergan of Boone on March 5, 1985.
- H—3249 (to page 10) previously adopted.
- H—3253 (to page 11) previously adopted.
- H—3252 (to page 11) previously adopted.

Carl of Poweshiek offered the following amendment H—3231 filed by her:

H—3231

- 1 Amend House File 451 as follows:
- 2 1. Page 16, by striking lines 12 through 17, and
- 3 inserting the following: "school, or to both. The
- 4 person employed to be responsible for a program or to
- 5 coordinate a component within a program operated by a
- 6 board shall be an appropriately certificated teacher
- 7 under chapter 260 or the program operated by contract
- 8 with the board shall be licensed as a child care
- 9 center under chapter 237A. The board".
- 10 2. Page 16, by striking lines 29 through 31, and
- 11 inserting the following: "for transportation of the
- 12 child. The board may provide in-kind services and
- 13 indirect material support to a program but shall not
- 14 use moneys from the school district's general fund to
- 15 pay the direct operating expenses of a program."

Hammond of Story offered the following amendment H-3258, to amendment H-3231, filed by her and Mullins of Kossuth from the floor and moved its adoption:

H-3258

- 1 Amend the amendment, H-3231, to House File 451 as
- 2 follows:
- 3 1. Page 1, by striking lines 10 through 15 and
- 4 inserting the following:
- 5 "2. Page 16, by striking lines 21 through 25 and
- 6 inserting the following: "subsection 1."
- 7 3. Page 16, by striking lines 29 through 31 and
- 8 inserting the following: "for transportation of the
- 9 child. The fee shall cover staffing costs and other
- 10 necessary expenses as deemed appropriate by the
- 11 board." "

Amendment H-3258 was adopted.

Hammond of Story offered the following amendment H-3257, to amendment H-3231, filed by her from the floor and moved its adoption:

H-3257

- 1 Amend House amendment, H-3231 to House File 451 as
- 2 follows:
- 3 1. Page 1, by inserting after line 15 the
- 4 following:
- 5 "_____. Page 17, by inserting after line 31 the
- 6 following:
- 7 "_____. Provide specialized training to law
- 8 enforcement officers, in conjunction with the law
- 9 enforcement academy, to enable the officers to more
- 10 efficiently handle the tracking of missing persons and
- 11 unidentified bodies on the local level." "
- 12 2. By renumbering as necessary.

Amendment H-3257 was adopted.

On motion by Carl of Poweshiek, amendment H-3231, as amended, was adopted.

Jay of Appanoose in the chair at 5:42 p.m.

Welden of Hardin offered the following amendment H-3237 filed by him and moved its adoption:

H—3237

- 1 Amend House File 451 as follows:
- 2 1. Page 16, by striking lines 7 through 31.
- 3 2. By renumbering as necessary.

Roll call was requested by Halvorson of Clayton and Welden of Hardin.

Rule 75 was invoked.

On the question "Shall amendment H—3237 be adopted?"

The ayes were, 46:

Bennett	Branstad	Carpenter	Cochran
Corey	Daggett	De Groot	Diemer
Fogarty	Grandia	Gruhn	Halvorson, R. A.
Handorf	Hanson	Harbor	Hester
Hummel	Koenigs	Kremer	Lageschulte
Maulsby	McIntee	McKean	Metcalf
Miller	Oxley	Paulin	Pavich
Pellett	Platt	Poncy	Renaud
Renken	Rensink	Royer	Schnekloth
Shoning	Skow	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Maanen
Welden	Woods		

The nays were, 51:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carter	Chapman	Clark
Connolly	Connors	Cooper	Doderer
Fey	Groninga	Groth	Halvorson, R. N.
Hammond	Hatch	Haverland	Holveck
Hughes	Jochum	Johnson	Knapp
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Parker	Peick
Peterson	Rosenberg	Running	Sherzan
Shoultz	Siegrist	Spear	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Varn	Zimmerman	Mr. Speaker (Jay)	

Absent or not voting, 3:

Hermann	Lloyd-Jones	Lonergan
---------	-------------	----------

Amendment H—3237 lost.

Speaker Avenson in the chair at 5:57 p.m.

Sherzan of Polk offered the following amendment H—3243 filed by him and moved its adoption:

H—3243

- 1 Amend House File 451 as follows:
- 2 1. Page 19, line 32, by striking the word "department"
- 3 and inserting the word "governor".

Amendment H—3243 was adopted.

Welden of Hardin offered the following amendment H—3235 filed by him and moved its adoption:

H—3235

- 1 Amend House File 451 as follows:
- 2 1. By striking page 19, line 29 through page 20,
- 3 line 18.
- 4 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 40, nays 49.

Amendment H—3235 lost.

RULE 32 SUSPENDED

Stromer of Hancock rose on a point of order and invoked Rule 32 to refer House File 451 to the committee on ways and means.

Norland of Worth moved to suspend Rule 32.

A non-record roll call was requested.

The ayes were 53, nays 37.

The motion prevailed and Rule 32 was suspended.

The House stood at ease at 6:13 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 451 at 6:20 p.m., Speaker Avenson in the chair.

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

On the question "Shall the bill pass?" (H.F. 451)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lageschulte	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Platt	Poney	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Weiden
Woods	Zimmerman	Mr. Speaker	

The nays were, 6:

Branstad	Hummel	Kremer	Maulsby
Pellett	Schnekloth		

Absent or not voting, 3:

Hermann	Lloyd-Jones	Lonergan
---------	-------------	----------

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

IMMEDIATE MESSAGE

(House File 451)

Norland of Worth asked and received unanimous consent to immediately message House File 451 to the Senate.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 5, 1985 he approved and transmitted to the Secretary of State the following bills:

House File 38, an act providing that appraised value determines when a school board has the power to sell, lease or dispose of school property.

House File 265, an act authorizing a city or a county to impose additional conditions on property owners as a condition to zoning changes.

Senate File 15, an act relating to the designation of the Grand River.

Senate File 77, an act requiring that the first day of school not be sooner than the first day of September except under certain conditions and providing an effective date.

Senate File 128, an act relating to the use of certain funds for the elimination of asbestos from school buildings.

Senate File 163, an act relating to the authority of the Department of Water, Air and Waste Management to regulate water use and embodying a general plan of water allocation priorities for this state.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 323 Transportation**

Establishing applicable standards for motor vehicle safety belts and safety harnesses, mandating safety belt and safety harness use with certain exceptions, requiring the establishment of education programs, and providing a penalty.

S.B. 324 Local Government

Relating to the issuance of bonds for general purposes by cities and counties.

S.B. 325 State Government

Proposing amendments to the Constitution of the State of Iowa.

S.B. 326 Judiciary and Law Enforcement

Relating to authorization to move or transport bodies of persons killed in motor vehicle accidents.

S.B. 327 Local Government

Related to annexations of land by the city development board.

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 14, a concurrent resolution requesting federal action to advance price support payment to farmers for financing spring planting activities.

Fiscal Note is not required.

Recommended **Do Pass and Laid Over Under Rule 25**, March 5, 1985.

Committee Bill (Formerly House File 293), to eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund.

Fiscal Note is not required.

Recommended **Do Pass** March 5, 1985.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

House File 187, a bill for an act to prohibit retributive actions of employers against employees serving as jurors, and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H - 3261**, March 5, 1985.

Senate File 90, a bill for an act to prohibit adverse personnel actions against state employees based upon the employees' declining to participate in contributions or donations to charitable or community organizations.

Fiscal Note is not required.

Recommended **Do Pass** March 5, 1985.

COMMITTEE ON LOCAL GOVERNMENT

House File 348, a bill for an act relating to distribution and collection of interest on tax revenue collected by the county treasurer.

Fiscal Note is not required.

Committee Action: **Failed to Pass** March 5, 1985.

Committee Bill (Formerly Study Bill 309), relating to an annual review of local human service programs by the county board of social welfare.

Fiscal Note is not required.

Recommended **Do Pass** March 5, 1985.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 111), to raise the legal age for consumption of alcoholic beverages and beer from nineteen to twenty-one years of age.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 5, 1985.

Committee Bill (Formerly Study Bill 208), relating to federal disaster assistance to state and local governments and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 5, 1985.

COMMITTEE ON WAYS AND MEANS

House File 15, a bill for an act that eliminates the requirement of a tenant to withhold state income taxes from rental payments made to nonresident landlords under certain conditions.

Fiscal Note is not required.

Committee Action: **Failed to Pass** March 5, 1985.

RESOLUTION FILED

HCR 20, by Bennett, Miller, Lageschulte, Schnekloth, Stromer and McIntee, a concurrent resolution to commend the Governor for his efforts in informing the federal government and the nation of Iowa's serious agricultural problems and in trying to attract new industry to the state.

Referred to committee on **economic development**.

AMENDMENTS FILED

H-3261	H.F.	187	Committee on Labor and Industrial Relations
H-3264	H.F.	462	Brammer of Linn
H-3265	H.F.	102	Renaud of Polk Woods of Polk
H-3266	H.F.	102	Renaud of Polk Woods of Polk
H-3268	H.C.R.	19	Spear of Lee
H-3269	S.C.R.	21	Spear of Lee
H-3270	H.F.	476	Knapp of Dubuque Jochum of Dubuque
H-3271	S.F.	286	Blanshan of Greene
H-3273	H.F.	460	Parker of Jasper Swartz of Marshall Hummel of Benton
H-3274	H.F.	196	Parker of Jasper McIntee of Black Hawk
H-3275	H.F.	179	McKean of Jones

On motion by Norland of Worth, the House adjourned at 6:31 p.m., until 9:00 a.m., Thursday, March 7, 1985.

JOURNAL OF THE HOUSE

Fifty-third Calendar Day—Thirty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 7, 1985

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

Prayer was offered by Reverend Karen Chakoian, pastor of the Central Presbyterian Church, Des Moines.

The Journal of Wednesday, March 6, 1985, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Harbor of Mills on request of Halvorson of Clayton.

INTRODUCTION OF BILLS

House Joint Resolution 5, by Schnekloth, Van Camp, Peick, Stromer, Maulsby, Bennett, Halvorson of Clayton, Branstad, Corey, Daggett, De Groot, Diemer, Grandia, Handorf, Harbor, Hermann, Hester, Hummel, Kremer, Lageschulte, McIntee, McKean, Miller, Paulin, Pellett, Platt, Renken, Rensink, Royer, Shoning, Stueland, Swearingen, Torrence, Van Maanen, and Welden, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to protection of taxpayers' rights by limiting taxes, revenue, and spending of the state and local governments.

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

House File 505, by committee on local government, a bill for an act relating to an annual review of local human service programs by the county board of social welfare.

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

House File 506, by committee on judiciary and law enforcement, a bill for an act for the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the

attachment of liens, and the modification of certain limitations on paternity actions.

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

House File 507, by committee on judiciary and law enforcement, a bill for an act making corrections and other changes relating to court reorganization, court fees, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures.

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

House File 508, by committee on small business and commerce, a bill for an act regarding employee health benefit plans by providing for the conditions of state income tax deductibility and the issuance of certificates of approval for certain self-insurance plans.

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

House File 509, by Fey and Platt, a bill for an act relating to the regulation of certain mobile homes.

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

House File 510, by Carter, a bill for an act which would provide for the dismissal of a charge of a simple misdemeanor under chapter 321 under certain circumstances upon a person's successful completion of driver improvement school or a driver improvement course.

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

House File 511, by Schneklath, Cochran, Stueland, Rensink and Haverland, a bill for an act to repeal the rebuttable presumption of negligence arising out of injury associated with certain transmission lines.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 512, by Rensink, a bill for an act to authorize cities and soil conservation subdistricts to enter into a chapter 28E agreement for watershed protection and flood prevention projects.

Read first time and referred to committee on **agriculture**.

House File 513, by Paulin, a bill for an act to discontinue commercial television broadcasting at the Iowa state university of science and technology.

Read first time and referred to committee on **appropriations**.

House File 514, by Gruhn, a bill for an act to require highway authorities to submit annual road construction programs to county soil conservation district commissioners for review and recommendations relating to soil erosion controls and drainage controls.

Read first time and referred to committee on **agriculture**.

House File 515, by Peterson, a bill for an act striking the prohibitions against the introduction in a civil action of evidence of the use or nonuse of a child restraint system, seat belt, safety belt, or safety harness.

Read first time and referred to committee on **transportation**.

House File 516, by O'Kane, a bill for an act establishing requirements for the use and operation of cabooses on railroad trains and providing a penalty.

Read first time and referred to committee on **transportation**.

House File 517, by Hatch, a bill for, an act related to the designation of economic renewal districts.

Read first time and referred to committee on **small business and commerce**.

House File 518, by Running, a bill for an act relating to the harboring of a runaway child and providing a penalty.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 519, by Cochran, Sullivan, Peick, Harbor, Halvorson of Clayton, Baxter, Pavich and Stueland, a bill for an act to license auctioneers, apprentice auctioneers, auction companies, clerks and cashiers and providing penalties.

Read first time and referred to committee on **state government**.

House File 520, by Hammond, a bill for an act to increase the number of mobile deputy registrars.

Read first time and referred to committee on **state government**.

House File 521, by Pavich, a bill for an act relating to the appointment of township officers.

Read first time and referred to committee on **local government**.

House File 522, by Pavich and Hester, a bill for an act relating to the distribution of commodities by nonprofit food pantries.

Read first time and referred to committee on **human resources**.

House File 523, by O'Kane, a bill for an act related to the right of cities to lease or lease-purchase real and personal property.

Read first time and referred to committee on **local government**.

House File 524, by Van Camp, a bill for an act requiring the providing of an annual statement of interest received by a person charging interest on a loan or contract for sale and providing a civil penalty.

Read first time and referred to committee on **small business and commerce**.

House File 525, by Van Camp, Paulin, Shoning, Hanson, Platt, Lageschulte, Maulsby, Stueland, McIntee, McKean, Bennett, Diemer, Torrence, Miller, Rensink, Clark, Stromer, Metcalf, Hummel, Handorf and Grandia, a bill for an act relating to the protection of and information to be provided to victims of crime.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 526, by Holveck, McIntee, Jay, McKean, Halvorson of Clayton and Rosenberg, a bill for an act relating to interpreters for certain hearing impaired persons.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 527, by Brammer, a bill for an act related to the licensing of marital and family therapists and providing an effective date.

Read first time and referred to committee on **state government**.

House File 528, by Connolly, a bill for an act relating to the exemption of certain nonprofit corporations providing services to disabled persons from the sales, services and use tax, providing for sales, services and use tax refunds for those corporations, and making the exception retroactive.

Read first time and referred to committee on **ways and means**.

SENATE MESSAGES CONSIDERED

Senate File 200, by Mann, a bill for an act relating to the office of the appellate defender.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 264, by Waldstein, Tieden, Schwengels, Gratias and Taylor, a bill for an act to eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund.

Read first time and referred to committee on **agriculture**.

Senate File 299, by committee on judiciary, a bill for an act to create the crime of shoplifting, provide penalties and establish special provisions governing evidence in shoplifting cases.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 306, by committee on human resources, a bill for an act relating to certain requirements for the filling of prescriptions for controlled substances and poisons.

Read first time and referred to committee on **human resources**.

Senate File 365, by committee on state government, a bill for an act amending 1984 Iowa Acts, chapter 1314, relating to comparable worth pay adjustments for state employees.

Read first time and referred to committee on **appropriations**.

ADOPTION OF HOUSE MEMORIAL RESOLUTIONS

Carpenter of Polk offered the following House Memorial Resolution 4 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 4

Whereas, The Honorable Ted P. Sloane of Polk County, Iowa, who was a member of the Fiftieth, Fifty-first, Fifty-second, Fifty-third and Fifty-fourth General Assemblies, passed away December 21, 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 Carpenter of Polk, Woods of Polk and Connors of Polk.

Pavich of Pottawattamie offered the following House Memorial Resolution 5 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 5

Whereas, The Honorable Herman W. Walter of Pottawattamie County, Iowa, who was a member of the Forty-eighth, Forty-ninth, Fiftieth, Fifty-first and Fifty-second General Assemblies, passed away January 2, 1985; *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 Pavich of Pottawattamie, Siegrist of Pottawattamie and Hester of Pottawattamie.

Varn of Johnson offered the following House Memorial Resolution 6 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 6

Whereas, The Honorable Rayman D. Logue of Marengo, Iowa who was a member of the Sixty-third and Sixty-fifth General Assemblies, passed away March 3, 1985; *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 Varn of Johnson, Carl of Poweshiek and Hummel of Benton.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 5, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 70, a bill for an act relating to the conducting of going-out-of-business sales and providing for penalties.

Also: That the Senate has on March 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 32, a bill for an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty.

Also: That the Senate has on March 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 85, a bill for an act relating to the application for and issuance of search warrants.

Also: That the Senate has on March 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 120, a bill for an act relating to grave or burial sites by allowing their protection and preservation by law enforcement agencies and providing a penalty.

Also: That the Senate has on March 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 157, a bill for an act permitting a savings and loan association to obtain deposit insurance from an insurance plan approved by the supervisor of savings and loans or permitting a savings and loan association to voluntarily liquidate in lieu of obtaining and maintaining the insurance.

Also: That the Senate has on March 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 183, a bill for an act to provide resale rights to a holder of a motorcycle or motorcycle parts franchise upon termination of the franchise.

Also: That the Senate has on March 6, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 209, a bill for an act relating to the appointment of attorneys by the court.

Also: That the Senate has on March 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 216, a bill for an act prohibiting discrimination on the basis of family name or consanguinity by the state board of regents.

Also: That the Senate has on March 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 245, a bill for an act relating to jurors, jury commissions and juror selection and providing penalties.

Also: That the Senate has on March 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 315, a bill for an act relating to the filing of the minutes of evidence of a witness upon whose expected testimony a trial information is filed.

Also: That the Senate has on March 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 328, a bill for an act relating to the eligibility of graduates of colleges of pharmacy located outside the United States to take the licensure exam in Iowa.

Also: That the Senate has on March 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 331, a bill for an act relating to the appropriation of moneys for students enrolled in certain high school courses and the uses for which those moneys may be expended.

Also: That the Senate has on March 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 342, a bill for an act relating to bees by making certain acts unlawful, and providing penalties.

Also: That the Senate has on March 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 355, a bill for an act relating to the publication of notice of a hearing on an amendment to an urban revitalization plan.

Also: That the Senate has on March 5, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 366, a bill for an act to establish advisory committees for the board of educational examiners and to prescribe their duties.

K. MARIE THAYER, Secretary

. On motion by Norland of Worth, the House was recessed at 9:32 a.m., until 11:45 a.m.

The House reconvened, Speaker Avenson in the chair.

On motion by Norland of Worth, the House was recessed at 12:35 p.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lonergan of Boone, for March 7 and 8, 1985, on request of Arnould of Scott; Daggett of Taylor, until his arrival, on request of Van Maanen of Mahaska; Sullivan of Van Buren, Groth of Buena Vista and O'Kane of Woodbury, all for the remainder of the day and March 8, 1985, on request of Jay of Appanoose.

CONSIDERATION OF BILLS

Regular Calendar

House File 453, a bill for an act relating to the hunter safety course requirements in applying for a hunting license, was taken up for consideration.

Haverland of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 453)

The ayes were. 85:

Arnould
Black

Baxter
Blanshan

Beatty
Brammer

Bennett
Branstad

Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Hatch
Haverland	Hester	Holveck	Hughes
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	Metcalf	Miller
Muhlbauer	Mullins	Norland	Ollie
Oxley	Parker	Paulin	Pavich
Pellett	Peterson	Platt	Renaud
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 4:

Hummel	Peick	Poncy	Renken
--------	-------	-------	--------

Absent or not voting, 11:

Carl	Daggett	Groth	Harbor
Hermann	Loneragan	McKean	O'Kane
Osterberg	Sullivan	Teaford	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 462, a bill for an act relating to the protection of victims and witnesses in judicial proceedings, and providing penalties, was taken up for consideration.

Rosenberg of Story offered the following amendment H—3224 filed by the committee on judiciary and law enforcement and moved its adoption:

H—3224

- 1 Amend House File 462 as follows:
- 2 1. Page 7, by striking line 11, and inserting the
- 3 following:
- 4 "1. In consultation with counsels, conduct a voir
- 5 dire of the child outside the courtroom. If the".

6 2. Page 7, line 12, by striking the words "voir
7 dire" and inserting the words "conduct a voir dire
8 of".

9 3. Page 7, by striking line 22, and inserting the
10 following:

11 "2. Review recorded or nonrecorded evidence.
12 However, if such evidence has not yet been admitted
13 and may later be determined to be inadmissible at
14 trial, a judge other than the judge sitting for the
15 case may review the evidence for purposes of this
16 Rule."

The committee amendment H—3224 was adopted.

Brammer of Linn offered the following amendment H—3264
filed by him and moved its adoption:

H—3264

1 Amend House File 462 as follows:

2 1. By striking page 4, line 34 through page 5,
3 line 3 and inserting the following: "paragraphs "b"
4 and "c" do not apply.

5 NEW SUBSECTION. 5. When immediate or short-term
6 medical services to a victim are provided pursuant to
7 section 910A.5 by a professional licensed or certified
8 by the state to provide such services, the
9 professional shall file the claim for reparation,
10 unless the department of human services is required to
11 file the claim under this section, and the provisions
12 of section 912.7, subsection 2, paragraphs "b" and "c"
13 do not apply. The requirement to report the crime to
14 the local police department or county sheriff
15 department under subsection 2 does not apply to this
16 subsection."

Amendment H—3264 was adopted.

Brammer of Linn moved that the bill be read a last time now and
placed upon its passage which motion prevailed and the bill was
read a last time.

On the question "Shall the bill pass?" (H.F. 462)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter

Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Groth	Harbor	Hermann	Lonergan
O'Kane	Sullivan		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 196, a bill for an act relating to powers, organization, reserve requirements and other requirements of credit unions including a corporate central credit union, with report of committee recommending passage was taken up for consideration.

Parker of Jasper offered the following amendment H—3274 filed by him and McIntee of Black Hawk and moved its adoption:

H—3274

- 1 Amend House File 196 as follows:
- 2 1. Page 4, by striking lines 21 and 22 and
- 3 inserting the following: "chapter, except that the
- 4 corporate central credit union may exercise any of the
- 5 following additional powers subject to the adoption of
- 6 rules and with the prior written approval of the
- 7 administrator:".

Amendment H—3274 was adopted.

McIntee of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 196)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Mausby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 1:

Van Camp

Absent or not voting, 7:

Connolly	Groth	Harbor	Hermann
Lonergan	O'Kane	Sullivan	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 460, a bill for an act relating to the investment of the pension funds of public safety police officers, Iowa public employees, and police officers and fire fighters, and the assets of insurance companies, state banks, state savings banks, state

savings and loan associations and credit unions in venture capital firms making investments in small businesses in the state and in small businesses operating in this state, was taken up for consideration.

Parker of Jasper offered the following amendment H-3273 filed by Parker, et al., and moved its adoption:

H-3273

1 Amend House File 460 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. Section 511.8, Code 1985, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 20. VENTURE CAPITAL FUNDS.
7 Shares or equity interests in venture capital funds
8 which agree to invest an amount equal to at least
9 fifty percent of the funds in small businesses having
10 their principal offices within this state and having
11 either more than one half of their assets within this
12 state or more than one half of their employees
13 employed within this state. A company shall not
14 invest more than five percent of its legal reserve
15 under this subsection. For purposes of this
16 subsection, "venture capital fund" means a
17 corporation, partnership, proprietorship, or other
18 entity formed under the laws of the United States, or
19 a state, district, or territory of the United States,
20 whose principal business is or will be the making of
21 investments in, and the provision of significant
22 managerial assistance to, small businesses which meet
23 the small business administration definition of small
24 business. "Equity interests" means limited
25 partnership interests and other equity interests in
26 which liability is limited to the amount of the
27 investment, but does not mean general partnership
28 interests or other interests involving general
29 liability.

30 Sec. 2. Section 515.35, subsection 4, Code 1985,
31 is amended by adding the following new lettered
32 paragraph after lettered paragraph "l" and relettering
33 the remaining paragraphs:

34 NEW LETTERED PARAGRAPH. m. Shares or equity
35 interests in venture capital funds which agree to
36 invest an amount equal to at least fifty percent of
37 the investments by a company in small businesses
38 having their principal offices within this state and
39 having either more than one half of their assets

40 within this state or more than one half of their
41 employees employed within this state. A company shall
42 not invest more than five percent of its capital and
43 surplus under this paragraph. For purposes of this
44 paragraph, "venture capital fund" means a corporation,
45 partnership, proprietorship, or other entity formed
46 under the laws of the United States, or a state,
47 district, or territory of the United States, whose
48 principal business is or will be the making of
49 investments in, and the provision of significant
50 managerial assistance to, small businesses which meet

Page 2

1 the small business administration definition of small
2 business. "Equity interests" means limited
3 partnership interests and other equity interests in
4 which liability is limited to the amount of the
5 investment, but does not mean general partnership
6 interests or other interests involving general
7 liability.

8 Sec. 3. Section 524.901, subsection 3, Code 1985,
9 is amended by adding the following two new lettered
10 paragraphs:

11 **NEW LETTERED PARAGRAPH. g.** Shares or equity
12 interests in venture capital funds which agree to
13 invest an amount equal to at least fifty percent of
14 the state bank's investment in small businesses having
15 their principal offices within this state and having
16 either more than one half of their assets within this
17 state or more than one half of their employees
18 employed within this state. A state bank shall not
19 invest more than a total of five percent of its
20 capital and surplus in investments permitted under
21 this paragraph and paragraph "h". For purposes of
22 this paragraph, "venture capital fund" means a
23 corporation, partnership, proprietorship, or other
24 entity formed under the laws of the United States, or
25 a state, district, or territory of the United States,
26 whose principal business is or will be the making of
27 investments in, and the provision of significant
28 managerial assistance to, small businesses which meet
29 the small business administration definition of small
30 business. "Equity interests" means limited
31 partnership interests and other equity interests in
32 which liability is limited to the amount of the
33 investment, but does not mean general partnership
34 interests or other interests involving general
35 liability.

36 **NEW LETTERED PARAGRAPH. h.** Shares or equity
37 interests in small businesses having their principal

38 offices within this state and having either more than
39 one half of their assets within this state or more
40 than one half of their employees employed within this
41 state. The total amount of a state bank's investments
42 under this paragraph and paragraph "g" shall not
43 exceed five percent of the state bank's capital and
44 surplus. The investment of a state bank in a small
45 business under this paragraph shall be included with
46 the obligations of the small business to the state
47 bank that are incurred as a result of the exercise by
48 the state bank of the powers conferred in section
49 524.902 for the purpose of determining the total ob-
50 ligations of the small business to the state bank at

Page 3

1 any one time under section 524.904. A state bank
2 shall not invest in more than twenty percent of the
3 total capital and surplus of any one small business
4 under this paragraph. For purposes of this paragraph,
5 "small business" means a corporation, partnership,
6 proprietorship, or other entity formed under the laws
7 of the United States, or a state, district, or
8 territory of the United States, which meets the
9 appropriate small business administration definition
10 of small business and which is principally engaged in
11 the development or exploitation of inventions, tech-
12 nological improvements, new processes, or other
13 products not previously generally available in this
14 state or other investments which provide an economic
15 benefit to the state; and "equity interests" means
16 limited partnership interests and other equity
17 interests in which liability is limited to the amount
18 of the investment, but does not mean general
19 partnership interests or other interests involving
20 general liability.

21 Sec. 4. NEW SECTION. 533.47 INVESTMENT IN 22 CERTAIN SHARES OR EQUITY INTERESTS.

23 1. A credit union may invest in either of the
24 following to the extent that the total investments
25 under this section shall not be more than five percent
26 of the credit union's assets:

27 a. Shares or equity interests in venture capital
28 funds which agree to invest an amount equal to at
29 least fifty percent of the credit union's investment
30 in small businesses having their principal offices
31 within this state and having either more than one half
32 of their assets within this state or more than one
33 half of their employees employed within this state.

34 b. Shares or equity interests in small businesses
35 having their principal offices within this state and

36 having either more than one half of their assets
37 within this state or more than one half of their
38 employees employed within this state. A credit union
39 shall not invest in more than twenty percent of the
40 total capital and surplus of any one small business
41 under this paragraph.

42 2. For purposes of this section:

43 a. "Venture capital fund" means a corporation,
44 partnership, proprietorship, or other entity formed
45 under the laws of the United States, or a state,
46 district, or territory of the United States, whose
47 principal business is or will be the making of
48 investments in, and the provision of significant
49 managerial assistance to, small businesses which meet
50 the small business administration definition of small

Page 4

1 business.

2 b. "Equity interests" means limited partnership
3 interests and other equity interests in which
4 liability is limited to the amount of the investment,
5 but does not mean general partnership interests or
6 other interests involving general liability.

7 c. "Small business" means a corporation,
8 partnership, proprietorship, or other entity formed
9 under the laws of the United States, or a state,
10 district, or territory of the United States, which
11 meets the appropriate small business administration
12 definition of small business and which is principally
13 engaged in the development or exploitation of
14 inventions, technological improvements, new processes,
15 or other products not previously generally available
16 in this state or other investments which provide an
17 economic benefit to the state.

18 Sec. 5. Section 534.213, subsection 1, Code 1985,
19 is amended by adding the following two new lettered
20 paragraphs:

21 **NEW LETTERED PARAGRAPH. l.** Shares or equity
22 interests in venture capital funds which agree to
23 invest an amount equal to at least fifty percent of
24 the association's investment in small businesses
25 having their principal offices within this state and
26 having either more than one half of their asset
27 within this state or more than one half of their
28 employees employed within this state. An association
29 shall not invest more than a total of five percent of
30 its assets in investments permitted under this
31 paragraph or paragraph "m". For purposes of this
32 paragraph, "venture capital fund" means a corporation,
33 partnership, proprietorship, or other entity formed

34 under the laws of the United States, or a state,
 35 district, or territory of the United States, whose
 36 principal business is or will be the making of
 37 investments in, and the provisions of significant
 38 managerial assistance to, small businesses which meet
 39 the small business administration definition of small
 40 business. "Equity interests" means limited
 41 partnership interests and other equity interests in
 42 which liability is limited to the amount of the
 43 investment, but does not mean general partnership
 44 interests or other interests involving general
 45 liability.

46 NEW LETTERED PARAGRAPH. m. Shares or equity
 47 interests in small businesses having their principal
 48 offices within this state and having either more than
 49 one half of their assets within this state or more
 50 than one half of their employees employed within this

Page 5

1 state. The total amount of a state bank's investments
 2 under this paragraph shall not exceed five percent of
 3 the state bank's capital and surplus. An association
 4 shall not invest in more than twenty percent of the
 5 total capital and surplus of any one small business
 6 under this paragraph. For purposes of this paragraph,
 7 "small business" means a corporation, partnership,
 8 proprietorship, or other entity formed under the laws
 9 of the United States, or a state, district, or
 10 territory of the United States, which meets the appro-
 11 priate small business administration definition of
 12 small business and which is principally engaged in the
 13 development or exploitation of inventions,
 14 technological improvements, new processes, or other
 15 products not previously generally available in this
 16 state or other investments which provide an economic
 17 benefit to the state; and "equity interests" means
 18 limited partnership interests and other equity
 19 interests in which liability is limited to the amount
 20 of investment, but does not mean general partnership
 21 interests or other interests involving general
 22 liability."

23 2. Title page, by striking lines 1 through 3 and
 24 inserting the following: "An Act relating to the
 25 investment of the assets of".

Amendment H—3273 was adopted.

Parker of Jasper moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 460)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poney	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Groth	Harbor	Hermann	Lonergan
O'Kane	Sullivan		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 35, a bill for an act making changes in the statutes relating to marriage, with report of committee recommending amendment and passage was taken up for consideration.

Tabor of Jackson in the chair at 3:08 p.m.

Spear of Lee offered amendment H-3205 filed by the committee on human resources. Division was requested as follows:

H-3205

1 Amend House File 35 as follows:

H-3205A

2 1. Page 3, line 13, by inserting after the word
3 "eligibility" the words "and pay a fee equal to that
4 required for the issuance of a marriage license".

5 2. Page 3, line 18, by inserting after the word
6 "his" the words "grandmother, mother,".

7 3. Page 3, line 23, by inserting after the word
8 "her" the words "grandfather, father,".

9 4. Page 4, by striking lines 7 and 8 and
10 inserting the following:

11 "2. If one party to the marriage is not in the
12 United States when the solemnization by telephone
13 occurs, that party must be a citizen of the United
14 States."

15 5. Page 4, line 17, by inserting after the word
16 "present" the words "in Iowa".

H-3205B

17 6. Page 4, by striking lines 23 through 27 and
18 inserting the following:

19 "Sec. 11. NEW SECTION. 595.21 PROXY MARRIAGES.

20 A clerk of court shall not record a certificate of
21 marriage solemnized by proxy except under the
22 following conditions:

23 1. The party to the marriage who will not be
24 present at the solemnization shall execute an
25 affidavit stating that the person consents to the
26 marriage and that the person is a citizen of the
27 United States.

28 2. The party to the marriage who will be present
29 at the solemnization shall present the affidavit to
30 the court and apply to the court for permission to
31 solemnize the marriage by proxy. The court shall
32 issue an order granting the request if it finds that
33 extraordinary circumstances exist.

34 3. The marriage must be solemnized in Iowa by a
35 person designated under section 595.10.

36 4. The party to the marriage present at the
37 solemnization shall present the absent party's
38 affidavit to the person solemnizing the marriage.

39 5. The person solemnizing the marriage shall
40 include the affidavit as a part of the return of
41 marriage to the clerk of the district court as
42 required by section 595.13".

On motion by Spear of Lee, the committee amendment H-3205A was adopted, placing out of order amendments H-3022 and H-3043 (to page 3) filed by Spear of Lee on January 29 and February 6, 1985 respectively.

Spear of Lee moved the adoption of the committee amendment H-3205B.

A non-record roll call was requested.

The ayes were 45, nays 33.

The committee amendment H-3205B was adopted.

Spear of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 75 was invoked.

On the question "Shall the bill pass?" (H.F. 35)

The ayes were, 49:

Arnould	Avenson	Baxter	Beatty
Blanshan	Brammer	Buhr	Carl
Clark	Connolly	Connors	Cooper
Diemer	Fey	Fogarty	Groninga
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hanson
Hatch	Haverland	Hester	Holveck
Hughes	Jay	Jochum	Johnson
Koenigs	Kremer	Lloyd-Jones	McIntee
Mullins	Norland	Ollie	Osterberg
Parker	Peterson	Rosenberg	Shoultz
Siegrist	Spear	Sturgeon	Swartz
Teaford	Varn	Welden	Zimmerman
Mr. Speaker (Tabor)			

The nays were, 44:

Bennett	Black	Carpenter	Carter
Chapman	Cochran	Corey	Daggett
De Groot	Doderer	Grandia	Hammond
Handorf	Hummel	Knapp	Lageschulte
Maulsby	McKean	Metcalf	Miller
Muhlbauer	Oxley	Paulin	Pavich
Peick	Pellett	Platt	Poncy
Renaud	Renken	Rensink	Royer
Running	Schneklath	Sherzan	Shoning
Skow	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Woods

Absent or not voting, 7:

Branstad	Groth	Harbor	Hermann
Loneragan	O'Kane	Sullivan	

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:

Branstad of Winnebago, for the remainder of the day, on request of Bennett of Ida.

Speaker Avenson in the chair at 3:32 p.m.

Senate File 117, a bill for an act relating to the Iowa family farm development authority by revising definitions, amending requirements relating to the board, and imposing conditions on loans made by the authority to a beginning farmer, was taken up for consideration.

Skow of Guthrie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 117)

The ayes were, 87:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud

Renken	Rensink	Rosenberg	Royer
Schnekloth	Sherzan	Shoning	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Swearingen	Tabor	Teaford
Torrence	Van Maanen	Varn	Weiden
Woods	Zimmerman	Mr. Speaker	

The nays were, 3:

Groninga	Running	Van Camp
----------	---------	----------

Absent or not voting, 10:

Branstad	Groth	Harbor	Hermann
Koenigs	Lonergan	O'Kane	Shoultz
Sullivan	Swartz		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Baxter of Des Moines in the chair at 3:37 p.m.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 19

Norland of Worth called up for consideration House Concurrent Resolution 19, a concurrent resolution recognizing Women's History Week.

Spear of Lee offered the following amendment H-3268 filed by him and moved its adoption:

H-3268

- 1 Amend House Concurrent Resolution 19 as
- 2 follows:
- 3 1. Page 1, by striking line 24 and inserting the
- 4 following: "children and their grandchildren to be".
- 5 2. By striking page 1, line 30 through page 2,
- 6 line 1 and inserting the following: "present-day Iowa
- 7 women, their children and their grandchildren, each to
- 8 their fullest potential; *Now*".

A non-record roll call was requested.

The ayes were 34, nays 48.

Amendment H-3268 lost.

On motion by Zimmerman of Dallas, the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 17

Haverland of Polk called up for consideration House Concurrent Resolution 17 as follows and moved its adoption:

HOUSE CONCURRENT RESOLUTION 17

By Haverland

- 1 A House Concurrent Resolution relating to a biennial
 2 memorial session.
 3 *Whereas*, it has been the custom to hold a biennial
 4 memorial session in recognition of the public service
 5 of departed members of the General Assembly; and
 6 *Whereas*, both Houses desire to participate in such
 7 an observance; *Now Therefore*,
 8 *Be It Resolved by the House of Representatives, the*
 9 *Senate Concurring*, That an evening session of the Seventy-
 10 first General Assembly be held in the House chamber
 11 Tuesday evening, April 9, 1985, at 7:30 p.m.
 12 *Be It Further Resolved*, That a joint committee of
 13 eight members be appointed, four from the Senate to be
 14 appointed by the President of the Senate, and four from
 15 the House to be appointed by the Speaker of the House,
 16 to make suitable arrangements for a joint memorial session.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 18

Norland of Worth called up for consideration House Concurrent Resolution 18 as follows and moved its adoption:

HOUSE CONCURRENT RESOLUTION 18

By Norland and Stromer

- 1 A House Concurrent Resolution relating to
 2 Pioneer Lawmakers.
 3 *Whereas*, the Seventy-first General Assembly is advised
 4 of a meeting of the Pioneer Lawmakers Association to be
 5 held on Wednesday, April 17, 1985; and
 6 *Whereas*, the Pioneer Lawmakers request the opportunity
 7 to meet formally with the General Assembly, *Now Therefore*,
 8 *Be It Resolved by the House of Representatives, the*
 9 *Senate Concurring*, That the General Assembly meet in joint
 10 session in the House chamber on Wednesday, April 17, 1985,
 11 at 1:30 p.m. and that the Pioneer Lawmakers be invited to

12 attend and present a program on that occasion, and that the
13 Speaker of the House of Representatives and the President
14 of the Senate be designated to deliver the invitation to
15 them.

The motion prevailed and the resolution was adopted.

REFERRED TO COMMITTEE ON STATE GOVERNMENT
(Senate File 365)

The Speaker announced that Senate File 365, previously referred to the committee on **appropriations**, was rereferred to the committee on **state government**.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 6, 1985, adopted (with amendment S-3164 adopted) the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 13, recognizing the importance of the arts to a complete education.

K. MARIE THAYER, Secretary

MOTION TO RECONSIDER
(House File 35)

I move to reconsider the vote by which House File 35 failed to pass the House on March 7, 1985.

VAN CAMP of Scott

SPONSOR ADDED
(House File 494)

Running of Linn requested to be added as a sponsor of House File 494.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Thursday, March 7, 1985. Had I been present, I would have voted "aye" on House File 196.

CONNOLLY of Dubuque

I inadvertently voted "aye" on House File 460 when I intended to vote "nay."

KREMER of Buchanan

I inadvertently voted "aye" on House File 460 when I intended to vote "nay."

RENKEN of Grundy

PRESENTATION OF VISITORS

Corey of Louisa presented to the House the Honorable Dale Rickert, former member of the House representing Louisa County.

Koenigs of Mitchell presented to the House the Honorable Jim Johnson, former member of the House representing Howard County.

The Speaker announced that the following visitors were present in the House chamber:

Political Science students from Valley High School, Elgin, accompanied by Lynda Fedeler and Bob Fedeler. By Avenson of Fayette.

Four senior students from Keota High School, Keota, accompanied by Don Homen and Dave Fish. By Swearingen of Keokuk.

Eleven senior students from Sioux Valley High School, Linn Grove, accompanied by Dean Miller. By Groth of Buena Vista.

Ten students from Humboldt High School, Humboldt, accompanied by Mr. Gary Newell. By Mullins of Kossuth.

Thirty-six senior students from North Mahaska High School, New Sharon, accompanied by Mrs. Anita Seitsinger. By Van Maanen of Mahaska.

Thirty-nine junior students from Leo High School, Holy Cross, accompanied by John Kohlstedt. By Knapp of Dubuque.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 328 Local Government**

Relating to the authorization of a school corporation to establish a self-funded medical plan for its employees.

S.B. 329 Labor and Industrial Relations

To provide occupational safeguards for video display terminal operators and providing a penalty.

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 269, a bill for an act relating to and making appropriations to various state regulatory and licensing departments, boards, and commissions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3276**, March 6, 1985.

Committee Bill, requiring a retroactive increase in medical assistance reimbursement rates for psychologists, effective upon publication.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 1985.

Committee Bill, relating to and making appropriations to various commissions and departments relating to health, substance abuse, minorities, and veterans.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 1985.

COMMITTEE ON EDUCATION

Senate File 149, a bill for an act relating to the acceptance of the federal rehabilitation Acts.

Fiscal Note is required.

Recommended **Do Pass** March 6, 1985.

Committee Bill (Formerly Study Bill 310), relating to the authority of the area education agencies.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 1985.

Committee Bill (Formerly Study Bill 317), to provide for the establishment of the Iowa higher education facilities program.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 1985.

COMMITTEE ON HUMAN RESOURCES

House Concurrent Resolution 13, a concurrent resolution relating to reimbursement of rural hospitals by Medicare.

Fiscal Note is not required.

Recommended **Do Pass and Laid over under Rule 25** March 6, 1985.

Committee Bill (Formerly Study Bill 262), relating to domestic abuse information compiled, maintained, and disseminated by the department of public safety.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 6, 1985.

COMMITTEE ON NATURAL RESOURCES AND OUTDOOR RECREATION

House Joint Resolution 4, a joint resolution to nullify a rule of the department of water, air and waste management relating to the certification of water distribution systems.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 1985.

House File 428, a bill for an act relating to the use of gizzard shad as bait.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 1985.

Committee Bill (Formerly Study Bill 308), relating to the mining of ores and minerals other than coal and authorizing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 1985.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Committee Bill (Formerly Study Bill 48), relating to chattel loans by providing a short title to chapter 536, increasing the maximum amount of a regulated loan from two thousand to twenty-five thousand dollars, permitting a licensee to sell property insurance to borrowers on property owned by the borrowers, modifying the penalty if a licensee charges excessive interest or other charges, and repealing a requirement that an applicant for a loan shall report other installment loans that the applicant may have.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 1985.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly Study Bill 39), relating to the jurisdiction and control of the great river road.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 1985.

RESOLUTIONS FILED

HCR 21, by Hatch, a concurrent resolution relating to the proposal to abolish the United States Small Business Administration.

Referred to committee on **small business and commerce**.

HR 11, by Hatch, Rosenberg, Osterberg and Shoultz, a resolution relating to the control of hazardous waste by Salsbury Laboratories.

Laid over under **Rule 25**.

SCR 21, by Gentleman, Hannon and Corning, a concurrent resolution recognizing Women's History Week.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-3276	S.F.	269	Committee on Appropriations
H-3277	H.F.	476	Johnson of Winneshiek Jochum of Dubuque Knapp of Dubuque
H-3278	H.F.	76	Skow of Guthrie Muhlbauer of Crawford
H-3279	H.F.	454	Spear of Lee
H-3280	S.F.	32	Pellett of Cass
H-3281	S.F.	286	Baxter of Des Moines McIntee of Black Hawk Hummel of Benton Sherzan of Polk
H-3282	H.F.	476	Knapp of Dubuque

On motion by Norland of Worth, the House adjourned at 4:05 p.m., until 9:00 a.m., Friday, March 8, 1985.

JOURNAL OF THE HOUSE

Fifty-fourth Calendar Day—Thirty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 8, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Anne Baker, pastor of the Trinity Episcopal Church, Iowa City.

The Journal of Thursday, March 7, 1985 was approved.

INTRODUCTION OF BILLS

House File 529, by Diemer, a bill for an act relating to credit for service under the Iowa public employees' retirement system for certain members who withdrew contributions.

Read first time and referred to committee on **state government**.

House File 530, by Schnekloth, a bill for an act relating to the seizure and forfeiture of property which is obtained in violation of the law, unlawful to possess, used or possessed with criminal intent, relevant to a criminal prosecution, or which is the proceeds of criminal activity.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 531, by committee on small business and commerce, a bill for an act prohibiting certain practices by a financial institution which makes or offers to make a real estate mortgage loan, requiring certain disclosures, and providing penalties.

Read first time and placed on the **calendar**.

House File 532, by Cochran, a bill for an act relating to permanent total disability benefits for certain persons age sixty-five or older under the workers' compensation law.

Read first time and referred to committee on **labor and industrial relations**.

House File 533, by Sullivan, a bill for an act to establish an Iowa grain deposit insurance fund.

Read first time and referred to committee on **agriculture**.

House File 534, by Hatch, a bill for an act to establish a business license program and license center and providing effective dates.

Read first time and referred to committee on **small business and commerce**.

House File 535, by Hatch, a bill for an act relating to establishing a data base of vendors to state agencies.

Read first time and referred to committee on **small business and commerce**.

House File 536, by Peick, a bill for an act relating to providing notice upon the sale or transfer of a mortgage or contract for sale of a single-family or two-family dwelling and providing for a civil penalty.

Read first time and referred to committee on **small business and commerce**.

House File 537, by Sherzan, Buhr, Connors, Renaud, Haverland, Carpenter, Metcalf, Brammer, Renken and O'Kane, a bill for an act relating to special elections to fill vacancies in city councils.

Read first time and referred to committee on **local government**.

House File 538, by Hanson, a bill for an act exempting from the sales, services and use tax the sale of grain storage bins used primarily for the storage of certain agricultural products.

Read first time and referred to committee on **ways and means**.

House File 539, by committee on transportation, a bill for an act relating to the jurisdiction and control of the great river road.

Read first time and placed on the **calendar**.

House File 540, by committee on natural resources and outdoor recreation, a bill for an act relating to the mining of ores and minerals other than coal and authorizing a penalty.

Read first time and placed on the **calendar**.

House File 541, by committee on education, a bill for an act to provide for the establishment of the Iowa higher education facilities program.

Read first time and placed on the **calendar**.

House File 542, by Hatch, a bill for an act providing for a model procurement code for the state and its agencies, making coordinating amendments, and providing penalties.

Read first time and referred to committee on **state government**.

House File 543, by committee on agriculture, a bill for an act to eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund.

Read first time and placed on the **calendar**.

House File 544, by Zimmerman, a bill for an act providing that an order of the commissioner of insurance or a court enforcing chapter 507B shall not relieve or absolve a person affected by an order from any other liability or penalty that might be applicable under state or federal law.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 545, by Carpenter, a bill for an act relating to the attachment-to-the-work-force eligibility requirement under the unemployment compensation law.

Read first time and referred to committee on **labor and industrial relations**.

House File 546, by Bennett, a bill for an act relating to the eligibility requirements under the unemployment compensation law concerning attachment and reattachment to the work force.

Read first time and referred to committee on **labor and industrial relations**.

House File 547, by committee on human resources, a bill for an act relating to adoption and termination of parental rights and providing penalties.

Read first time and placed on the **calendar**.

House File 548, by committee on appropriations, a bill for an act requiring a retroactive increase in medical assistance reimbursement rates for psychologists, effective upon publication.

Read first time and placed on the **appropriations calendar**.

House File 549, by committee on human resources, a bill for an act relating to domestic abuse counseling; to coordination of certain domestic abuse programs by the department of human services; to compilation and dissemination of domestic abuse information by the department of public safety; to warrantless arrests of persons committing domestic abuse, and providing penalties; and to the establishment of a court fee for the entering of a final decree of dissolution of marriage.

Read first time and placed on the **calendar**.

SENATE MESSAGES CONSIDERED

Senate File 32, by Hutchins, a bill for an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty.

Read first time and **passed on file**.

Senate File 85, by Mann, a bill for an act relating to the application for and issuance of search warrants.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 120, by Hester, a bill for an act relating to grave or burial sites by allowing their protection and preservation by law enforcement agencies and providing a penalty.

Read first time and referred to committee on **state government**.

Senate File 157, by Husak, a bill for an act permitting a savings and loan association to obtain deposit insurance from an insurance plan approved by the supervisor of savings and loans or permitting a savings and loan association to voluntarily liquidate in lieu of obtaining and maintaining the insurance.

Read first time and referred to committee on **small business and commerce**.

Senate File 209, by Ritsema, a bill for an act relating to the appointment of attorneys by the court.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 216, by Lind, a bill for an act prohibiting discrimination on the basis of family name or consanguinity by the state board of regents.

Read first time and referred to committee on **education**.

Senate File 245, by Deluhery, a bill for an act relating to jurors, jury commissions and juror selection and providing penalties.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 315, by committee on judiciary, a bill for an act relating to the filing of the minutes of evidence of a witness upon whose expected testimony a trial information is filed.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 328, by committee on state government, a bill for an act relating to the eligibility of graduates of colleges of pharmacy located outside the United States to take a licensure exam in Iowa.

Read first time and referred to committee on **state government**.

Senate File 331, by committee on education, a bill for an act relating to the appropriation of moneys for students enrolled in certain high school courses and the uses for which those moneys may be expended.

Read first time and referred to committee on **education**.

Senate File 342, by Boswell, Corning, Hannon, Murphy, Neighbour and Gronstal, a bill for an act relating to bees by making certain acts unlawful, and providing penalties.

Read first time and referred to committee on **agriculture**.

Senate File 355, by committee on local government, a bill for an act relating to the publication of notice of a hearing on an amendment to an urban revitalization plan.

Read first time and referred to committee on **local government**.

Senate File 366, by committee on education, a bill for an act to establish advisory committees for the board of educational examiners and to prescribe their duties.

Read first time and referred to committee on **education**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 6, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 415, a bill for an act relating to the designation of persons to accept bond money and securities.

Also: That the Senate has on March 6, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 421, a bill for an act relating to the custody of children by an abandoned spouse.

Also: That the Senate has on March 6, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 9, a bill for an act relating to the operation of all-terrain vehicles subject to penalties provided by law.

Also: That the Senate has on March 6, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 81, a bill for an act permitting a qualified organization to conduct a raffle at a fair if the organization has the permission of the sponsor of the fair and obtains a license to conduct the raffle.

Also: That the Senate has on March 6, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 174, a bill for an act relating to passing a vehicle on the right.

Also: That the Senate has on March 6, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 227, a bill for an act relating to the registration of special trucks.

Also: That the Senate has on March 6, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 296, a bill for an act relating to the deposit and investment of public funds.

Also: That the Senate has on March 6, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 297, a bill for an act to allow the operation of a motor scooter by a person who has a motor vehicle operator's license not valid for the operation of a motorcycle.

Also: That the Senate has on March 6, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 326, a bill for an act relating to the selection of official newspapers.

Also: That the Senate has on March 6, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 19, relating to the National Railroad Passenger Corporation.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS
Appropriations Calendar

House File 476, a bill for an act relating to and making appropriations to various departments, boards, agencies, and commissions of the state relating to agricultural affairs, energy, and natural resources management, was taken up for consideration.

Chapman of Linn in the chair at 9:22 a.m.

The House stood at ease at 9:38 a.m., until the fall of the gavel.

The House resumed session and consideration of House File 476 at 10:11 a.m., Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Swartz of Marshall, for the remainder of the day, on request of Holveck of Polk.

Knapp of Dubuque offered the following amendment H-3270 filed by him and Jochum of Dubuque and moved its adoption:

H-3270

- 1 Amend House File 476 as follows:
- 2 1. Page 1, line 12, by striking the figure
- 3 "1,449,313" and inserting the following: "1,469,313".

Amendment H-3270 was adopted.

Johnson of Winneshiek offered the following amendment H-3277 filed by Johnson, et al., and moved its adoption:

H-3277

- 1 Amend House File 476 as follows:
- 2 1. Page 9, line 9, by inserting after the word
- 3 "tillage" the words "and nonpoint sources pollution
- 4 control".

Amendment H-3277 was adopted.

Knapp of Dubuque offered the following amendment H—3282 filed by him and moved its adoption:

H—3282

- 1 Amend House File 476 as follows:
- 2 1. Page 10, line 21, by striking the words
- 3 "environmental quality" and inserting the words
- 4 "water, air and waste management".

Amendment H—3282 was adopted.

Knapp of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 476)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Groth	Harbor	Hermann	Loneragan
O'Kane	Rosenberg	Sullivan	Swartz

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

House File 338, a bill for an act relating to the term of office of the labor commissioner, with report of committee recommending passage was taken up for consideration.

Peick 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. 338)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Groth
Sullivan

Hermann
Swartz

Lonergan

O'Kane

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 394, a bill for an act relating to the operation of a bank or bank office located outside a municipal corporation when the bank is merged into or acquired by another state bank and providing for an effective date, was taken up for consideration.

SENATE FILE 286 SUBSTITUTED FOR HOUSE FILE 394

Blanshan of Greene asked and received unanimous consent to substitute Senate File 286 for House File 394.

Senate File 286, a bill for an act relating to the operation of a bank or bank office located outside a municipal corporation when the bank is merged into or acquired by another state bank and providing an effective date, was taken up for consideration.

Blanshan of Greene asked and received unanimous consent to withdraw amendment H—3244 filed by him on March 5, 1985, placing out of order the following amendments to amendment H—3244:

H—3271 filed by Blanshan of Greene on March 6, 1985.

H—3281 filed by Baxter, et al., on March 7, 1985.

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. 286)

The ayes were, 93:

Arnould
Black
Buhr
Chapman
Connors
De Groot
Fogarty

Baxter
Blanshan
Carl
Clark
Cooper
Diemer
Grandia

Beatty
Brammer
Carpenter
Cochran
Corey
Doderer
Groninga

Bennett
Branstad
Carter
Connolly
Daggett
Fey
Gruhn

Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poney	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Groth	Hermann	Loneragan	O'Kane
Oxley	Sullivan	Swartz	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 195 WITHDRAWN

Skow of Guthrie asked and received unanimous consent to withdraw House File 195 from further consideration by the House.

House File 456, a bill for an act requiring a corporation organized in this state to provide a copy of the corporation's annual report containing certain financial information to a stockholder of the corporation upon receipt of a written request from the stockholder and providing for penalties, was taken up for consideration.

Schneklath of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 456)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
---------	--------	--------	---------

Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Groth	Hermann	Lonergan	O'Kane
Sullivan	Swartz		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 452, a bill for an act permitting the use of deposit insurance obtained from a deposit insurance corporation to secure the deposit of public funds, was taken up for consideration.

McIntee of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 452)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad

Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fey	Fogarty
Grandia	Groninga	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Doderer	Groth	Hermann	Knapp
Lonergan	O'Kane	Sullivan	Swartz

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 394 WITHDRAWN

Blanshan of Greene asked and received unanimous consent to withdraw House File 394 from further consideration by the House.

MOTION TO RECONSIDER PREVAILED (House File 35)

Van Camp of Scott called up for consideration the motion to reconsider House File 35, filed on March 7, 1985, and moved to reconsider the vote by which House File 35, a bill for an act making changes in the statutes relating to marriage, failed to pass the House and was placed on its last reading on March 7, 1985.

A non-record roll call was requested.

The ayes were 55, nays 21.

The motion prevailed and the House reconsidered House File 35.

Spear of Lee asked and received unanimous consent to reconsider the vote by which the committee amendment H—3205B (found on page 704 of the House Journal) was adopted by the House on March 7, 1985.

Spear of Lee moved the adoption of the committee amendment H—3205B.

A non-record roll call was requested.

The ayes were 6, nays 50.

The committee amendment H—3205B lost.

Spear of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 35)

The ayes were, 58:

Arnould	Baxter	Beatty	Blanshan
Brammer	Branstad	Carl	Chapman
Clark	Connolly	Cooper	Diemer
Fey	Fogarty	Groninga	Gruhn
Halvorson, R. N.	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Jay	Jochum	Johnson
Koenigs	Kremer	Lloyd-Jones	McIntee
Mullins	Norland	Ollie	Osterberg
Parker	Pavich	Peick	Pellett
Peterson	Rosenberg	Shoning	Shoultz
Siegrist	Spear	Stromer	Stueland
Sturgeon	Swearingen	Tabor	Teaford
Torrence	Van Camp	Varn	Welden
Zimmerman	Mr. Speaker		

The nays were, 34:

Bennett	Black	Buhr	Carpenter
Carter	Cochran	Connors	Corey
Daggett	De Groot	Grandia	Halvorson, R. A.

Hammond	Hummel	Knapp	Lageschulte
Maulsby	McKean	Metcalf	Miller
Muhlbauer	Oxley	Paulin	Platt
Poncy	Repaud	Renken	Rensink
Running	Schneklath	Sherzan	Skow
Van Maanen	Woods		

Absent or not voting, 8:

Doderer	Groth	Hermann	Lonergan
O'Kane	Royer	Sullivan	Swartz

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 8, 1985, he approved and transmitted to the Secretary of State the following bill:

Senate File 55, an act relating to fur harvester and hunting licenses and providing an effective date by publication.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday afternoon, March 7, 1985. Had I been present, I would have voted "aye" on House File 453.

DAGGETT of Taylor

PRESENTATION OF VISITOR

Black of Jasper presented to the House the Honorable Eugene Hill, former member of the House representing Jasper County.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 330 Education

Relating to the calculation of enrollment for increasing enrollment school districts and providing that the Act takes effect upon publication.

S.B. 331 Judiciary and Law Enforcement

Relating to the seizure and forfeiture of property which is obtained in violation of the law, unlawful to possess, used or possessed with criminal intent, relevant to a criminal prosecution, or which is the proceeds of criminal activity.

SUBCOMMITTEE ASSIGNMENTS**House Joint Resolution 4**

Natural Resources and Outdoor Recreation: Welden, Chair; O'Kane and Varn.

House File 216

Labor and Industrial Relations: Running, Chair; Hester and Renaud.

House File 248

Small Business and Commerce: Brammer, Chair; Beatty and Rensink.

House File 252

Economic Development: Groninga, Chair; Parker and Paulin.

House File 272

Small Business and Commerce: Parker, Chair; Holveck and Hummel.

House File 283

Labor and Industrial Relations: Running, Chair; Hester and Renaud.

House File 286

Labor and Industrial Relations: Running, Chair; Hester and Renaud.

House File 305

Labor and Industrial Relations: Running, Chair; Hester and Renaud.

House File 312

Transportation: Fey, Chair; Pellett and Peterson.

House File 320

Economic Development: Connolly, Chair; Branstad and Ollie.

House File 321

State Government: Blanshan, Chair; Beatty and Hanson.

House File 334

Labor and Industrial Relations: Running, Chair; Hester and Renaud.

House File 342

Local Government: Poncy, Chair; Connors and Diemer.

House File 346

State Government: Teaford, Chair; Halvorson of Webster and Renken.

House File 358

Labor and Industrial Relations: Running, Chair; Hester and Renaud.

House File 401

Transportation: Koenigs, Chair; Cooper and Harbor.

House File 408

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklath.

House File 410

Natural Resources and Outdoor Recreation: Black, Chair; Fogarty and Stueland.

House File 418

Transportation: Pavich, Chair; De Groot and Sullivan.

House File 420

Transportation: Renaud, Chair; Van Camp and Woods.

House File 425

Labor and Industrial Relations: Running, Chair; Hester and Renaud.

House File 428

Natural Resources and Outdoor Recreation: Diemer, Chair; Black and Hanson.

House File 431

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 432

Judiciary and Law Enforcement: Clark, Chair; Carl and Haverland.

House File 433

Natural Resources and Outdoor Recreation: Varn, Chair; Cooper and Grandia.

House File 434

Ways and Means: Groninga, Chair; Groth and Schneklath.

House File 435

State Government: Cochran, Chair; Pavich and Siegrist.

House File 436

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 437

Judiciary and Law Enforcement: Brammer, Chair; Carl, Clark, Hammond, Running, Shoning and Siegrist.

House File 438

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 439

Ways and Means: Fey, Chair; Cochran and Renken.

House File 440

Ways and Means: Osterberg, Chair; Connolly and Hanson.

House File 441

Transportation: Koenigs, Chair; Fogarty and Royer.

House File 443

State Government: Pavich, Chair; Beatty and Van Maanen.

House File 444

Agriculture: Skow, Chair; Zimmerman and Van Maanen.

House File 445

Ways and Means: Tabor, Chair; Bennett and Chapman.

House File 446

Agriculture: Blanshan, Chair; Handorf and Muhlbauer.

House File 448

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 449

Ways and Means: Arnould, Chair; Daggett and O'Kane.

House File 454

Local Government: Beatty, Chair; Black and Daggett.

House File 455

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 457

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 458

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 459

Small Business and Commerce: Swartz, Chair; Brammer and Hummel.

House File 467

Economic Development: Parker, Chair; Connolly and Paulin.

House File 468

Economic Development: Baxter, Chair; Groninga and Schneklath.

House File 470

State Government: Carter, Chair; Carpenter and Spear.

House File 472

Small Business and Commerce: Holveck, Chair; Hatch, Renken, Shoning and Sturgeon.

House File 473

Judiciary and Law Enforcement: Brammer, Chair; Carl, Clark, Hammond, Running, Shoning and Siegrist.

House File 474

Ways and Means: Doderer, Chair; De Groot and Osterberg.

House File 477

Transportation: Renaud, Chair; Pavich and Royer.

House File 478

Agriculture: Koenigs, Chair; Hatch and Stueland.

House File 479

Agriculture: Hatch, Chair; Branstad and Koenigs.

House File 482

Small Business and Commerce: Parker, Chair; Holveck and Hummel.

House File 483

Agriculture: Halvorson of Webster, Chair; De Groot and Gruhn.

House File 485

Judiciary and Law Enforcement: McIntee, Chair; Holveck, Maulsby, Renaud, Running, Schnekloth and Woods.

House File 487

State Government: Hammond, Chair; Halvorson of Webster and Siegrist.

House File 488

Energy and Environmental Protection: Black, Chair; Lonergan and Welden.

House File 489

Local Government: Poncy, Chair; Connors and Diemer.

House File 491

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

House File 492

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schnekloth.

House File 494

Local Government: O'Kane, Chair; Groninga and Platt.

House File 497

Natural Resources and Outdoor Recreation: Stueland, Chair; Cooper and Fogarty.

House File 498

Local Government: Black, Chair; Beatty and Hester.

House File 502

Judiciary and Law Enforcement: Brammer, Chair; Knapp and Siegrist.

House File 503

Natural Resources and Outdoor Recreation: Haverland, Chair; Hanson and Varn.

House Concurrent Resolution 13

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Senate File 24

Ways and Means: Doderer, Chair; De Groot and Osterberg.

Senate File 27

State Government: Blanshan, Chair; Beatty and Hanson.

Senate File 70

Transportation: Lloyd-Jones, Chair; Corey and Fey.

Senate File 213

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

Senate File 229

Judiciary and Law Enforcement: McIntee, Chair; Holveck, Maulsby, Renaud, Running, Schnekloth and Woods.

Senate File 250

State Government: Carter, Chair; Siegrist and Teaford.

Senate File 276

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Senate File 289

Judiciary and Law Enforcement: Jay, Chair; Rosenberg and Siegrist.

Senate File 291

Energy and Environmental Protection: Hughes, Chair; McIntee and Peterson.

Senate File 318

Judiciary and Law Enforcement: Peterson, Chair; Siegrist and Tabor.

Senate File 329

Judiciary and Law Enforcement: Chapman, Chair; Jay, Kremer, Maulsby and Peterson.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 236

Economic Development: Connolly, Chair; Branstad and Ollie.

Study Bill 291

State Government: Buhr, Chair; Blanshan and Daggett.

Study Bill 292

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

Study Bill 298

Ways and Means: Brammer, Chair; Parker and Siegrist.

Study Bill 308

Natural Resources and Outdoor Recreation: Welden, Chair; Johnson and Stueland.

Study Bill 310

Education: Shoultz, Chair; Handorf and Haverland.

Study Bill 311

Education: Varn, Chair; Miller and Tabor.

Study Bill 312

Education: Shoultz, Chair; Handorf and Haverland.

Study Bill 313

Education: Groth, Chair; Branstad, Daggett, Ollie and Shoultz.

Study Bill 314

Transportation: Renaud, Chair; Pavich and Pellett.

Study Bill 315

Transportation: Woods, Chair; Lageschulte and Renaud.

Study Bill 316

Transportation: Platt, Chair; Cooper and Fogarty.

Study Bill 317

Education: Connolly, Chair; Branstad and Groth.

Study Bill 319

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 320

Ways and Means: Tabor, Chair; Bennett and Chapman.

Study Bill 321

Judiciary and Law Enforcement: Jay, Chair; Shoning and Siegrist.

Study Bill 322

Transportation: Woods, Chair; Lageschulte and Renaud.

Study Bill 323

Transportation: Renaud, Chair; Jay, Platt, Van Camp and Woods.

Study Bill 324

Local Government: O'Kane, Chair; Groninga and Renken.

Study Bill 325

State Government: Spear, Chair; Beatty and Daggett.

Study Bill 326

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Study Bill 327

Local Government: Cooper, Chair; O'Kane and Renken.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully

reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly House File 99), making an appropriation for an Iowa farm management program.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 1985.

Committee Bill (Formerly Study Bill 186), relating to the security interest in farm products purchased by a buyer in the ordinary course of business from a person engaged in farming operations and providing penalties.

Fiscal Note is not required.

Committee Action: **Without Recommendation** March 7, 1985.

COMMITTEE ON APPROPRIATIONS

House File 459, a bill for an act to establish a board of educational examiners, to prescribe its duties, and to make appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H - 3283**, March 7, 1985.

COMMITTEE ON ECONOMIC DEVELOPMENT

House File 467, a bill for an act permitting manufacturers of native wines to sell native wines in retail establishments owned by the manufacturers.

Fiscal Note is required.

Recommended **Do Pass** March 7, 1985.

Committee Bill (Formerly Study Bill 236), to establish the Iowa community cultural grants program within the office for planning and programming.

Fiscal Note is required.

Recommended **Do Pass** March 7, 1985.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Committee Bill (Formerly House File 130), relating to community service by providing that the state assumes liability for injuries to persons performing unpaid community service.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 1985.

Committee Bill (Formerly House File 246), relating to the duties and liabilities of mental health advocates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 1985.

Committee Bill (Formerly House File 268), relating to escapees from community-based correctional programs, and adopting penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 1985.

Committee Bill (Formerly Study Bill 115), making appellate procedure in discretionary reviews, criminal appeals, postconviction relief appeals and civil appeals more uniform and consistent.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 1985.

COMMITTEE ON LOCAL GOVERNMENT

House File 454, a bill for an act requiring monthly notification to the county treasurer of outstanding arrest warrants for certain offenses.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3284**, March 7, 1985.

Committee Bill (Formerly Study Bill 241), relating to fees collected by county officers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 1985.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly Study Bill 298), relating to the premium tax on insurance companies and associations and mutual service corporations operating under chapter 514 domiciled or doing business in the state.

Fiscal Note is required.

Recommended Amend and Do Pass March 7, 1985.

AMENDMENTS FILED

H-3283	H.F.	450	Committee on Appropriations
H-3284	H.F.	454	Committee on Local Government
H-3285	H.F.	266	Johnson of Winneshiek, Cooper of Lucas Gruhn of Dickinson Pellett of Cass Hanson of Delaware
			Black of Jasper Stueland of Clinton Cochran of Webster
H-3286	S.F.	32	Bennett of Ida
H-3287	H.F.	102	Buhr of Polk
H-3288	S.F.	32	Bennett of Ida
H-3289	H.F.	102	Sherzan of Polk
H-3290	H.F.	123	Gruhn of Dickinson Lageschulte of Bremer
H-3291	H.F.	102	Tabor of Jackson
H-3292	H.F.	102	Tabor of Jackson
H-3293	H.F.	76	Halvorson of Clayton Harbor of Mills
H-3294	H.F.	102	Tabor of Jackson
H-3295	H.F.	424	Pellett of Cass

On motion by Norland of Worth, the House adjourned at 11:03 a.m. until 11:00 a.m., Monday, March 11, 1985.

JOURNAL OF THE HOUSE

Fifty-seventh Calendar Day – Thirty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 11, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Rev. Neal O. Zeilinger, pastor of St. Paul's Lutheran Church, Neola.

The Journal of Friday, March 8, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Swartz of Marshall on request of Brammer of Linn; Schnekloth of Scott and Clark of Cerro Gordo, until her arrival, on request of Rensink of Sioux.

PETITION FILED

The following petition was received and placed on file:

By De Groot of Lyon, Fogarty of Palo Alto, Groth of Buena Vista, Gruhn of Dickinson and Miller of Cherokee, a resolution passed unanimously by the Policy Council of the Northwest Iowa Planning and Development Commission, favoring elimination of penalties for retooling and production/farming.

INTRODUCTION OF BILLS

House File 550, by committee on judiciary and law enforcement, a bill for an act making appellate procedure in discretionary reviews, criminal appeals, postconviction relief appeals and civil appeals more uniform and consistent.

Read first time and placed on the calendar.

House File 551, by Gruhn, a bill for an act relating to the definition of manufactured home for zoning purposes.

Read first time and referred to committee on local government.

House File 552, by committee on education, a bill for an act relating to area education agencies, including the charging of user fees, budget publication, contracting for services, and filing of candidacy papers.

Read first time and placed on the calendar.

SENATE MESSAGES CONSIDERED

Senate File 9, by Boswell, a bill for an act relating to the operation of all-terrain vehicles subject to penalties provided by law.

Read first time and referred to committee on transportation.

Senate File 174, by Horn, a bill for an act relating to passing a vehicle on the right.

Read first time and referred to committee on transportation.

Senate File 227, by Jensen, a bill for an act relating to the registration of special trucks.

Read first time and referred to committee on transportation.

Senate File 297, by committee on transportation, a bill for an act to allow the operation of a motor scooter by a person who has a motor vehicle operator's license not valid for the operation of a motorcycle.

Read first time and referred to committee on transportation.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 6, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 364, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board.

K. MARIE THAYER, Secretary

IMMEDIATE MESSAGE
(Senate File 286)

Norland of Worth asked and received unanimous consent to immediately message Senate File 286 to the Senate.

CONSIDERATION OF BILLS
Regular Calendar

House File 466, a bill for an act to establish a program for the coordination of media services at the capitol complex in the department of general services, was taken up for consideration.

Carter of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 466)

The ayes were, 95:

Arnould	Baxter.	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Gróot
Diemer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swearingen	Tabar.	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Clark
Swartz

Doderer

Hermann

Schnekloth

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 198, a bill for an act relating to the expiration of a gift certificate, by making certain practices unlawful, with report of committee recommending amendment and passage was taken up for consideration.

Beatty of Warren offered the following amendment H-3229 filed by the committee on small business and commerce and moved its adoption:

H-3229

- 1 Amend House File 198 as follows:
- 2 1. Page 1, by striking lines 3 through 8 and
- 3 inserting the following:
- 4 "NEW LETTERED PARAGRAPH. "Gift certificate" means
- 5 as defined in section 537.1301."
- 6 2. Page 1, by striking lines 12 through 14 and
- 7 inserting the following: "sell or offer for sale a
- 8 gift certificate which is subject to expiration unless
- 9 the date of expiration is prominently displayed on the
- 10 face of the certificate."

The committee amendment H-3229 was adopted.

Running of Linn in the chair at 11:31 a.m.

Beatty of Warren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 198)

The ayes were, 71:

Arnould
Black
Carl
Cochran
Diemer

Avenson
Blanshan
Carter
Connolly
Doderer

Baxter
Brammer
Chapman
Connors
Fey

Beatty
Buhr
Clark
Cooper
Fogarty

Groninga	Groth	Gruhn	Halvorson, R. N.
Hammond	Hanson	Hatch	Haverland
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Loneragan	McIntee	McKean
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Peterson
Platt	Poncy	Renaud	Rosenberg
Sherzan	Shoultz	Siegrist	Skow
Spear	Sturgeon	Sullivan	Tabor
Teaford	Van Camp	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Running)	

The nays were, 25:

Bennett	Branstad	Carpenter	Corey
Daggett	De Groot	Grandia	Halvorson, R. A.
Handorf	Harbor	Hester	Lageschulte
Maulsby	Metcalf	Paulin	Pellett
Renken	Rensink	Royer	Shoning
Stromer	Stueland	Swearingen	Torrence
Van Maanen			

Absent or not voting, 4:

Hermann	Kremer	Schneklöth	Swartz
---------	--------	------------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES 187 AND 291 DEFERRED

Norland of Worth asked and received unanimous consent that House Files 187 and 291 be deferred and that the bills retain their place on the calendar.

House File 231, a bill for an act relating to the establishment and maintenance of pumping stations in drainage districts, with report of committee recommending amendment and passage was taken up for consideration.

Royer of Page offered the following amendment H-3216 filed by the committee on local government and moved its adoption:

H-3216

1 Amend House File 231 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 461.1, Code 1985, is amended
5 to read as follows:

6 **461.1 AUTHORIZATION.**

7 The board of supervisors or board of trustees of
8 any county or counties in which a drainage or levee
9 district has been organized as by law provided, may
10 establish and maintain a pumping station or stations,
11 when and where the same may be necessary to secure a
12 proper outlet for the drainage of the land comprising
13 the district or any portion thereof, and the cost of
14 construction and maintenance of said pumping station
15 or stations shall be levied upon and collected from
16 the lands in the district benefited by such pumping
17 station or stations, in the same manner as provided
18 for in the construction and maintenance of said
19 districts."

20 2. Page 1, by inserting after line 1 the
21 following:

22 "Sec. 3. This Act, being deemed of immediate
23 importance, takes effect from and after its
24 publication in The Hamburg Reporter, a newspaper
25 published in Hamburg, Iowa, and in the Muscatine
26 Journal, a newspaper published in Muscatine, Iowa."

27 3. By renumbering sections to conform to this
28 amendment.

The committee amendment H-3216 was adopted.

Royer of Page moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 231)

The ayes were, 95:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond

Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poney	Renaud	Renken	Rensink
Rosenberg	Royer	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Running)	

The nays were, 1:

Maulsby

Absent or not voting, 4:

Connors	Hermann	Schneklath	Swartz
---------	---------	------------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 484, a bill for an act to regulate the sale of time-sharing estates and uses, establish time-share and project instruments, mandate the disclosure of certain information to a purchaser by a developer, provide for the release of liens, and declaring certain acts unlawful, and providing for enforcement by the attorney general, was taken up for consideration.

Chapman of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 484)

The ayes were, 95:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter

Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poney	Renaud	Renzen	Rensink
Rosenberg	Royer	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Running)	

The nays were, none.

Absent or not voting, 5:

Carter	Connors	Hermann	Schnekloth
Swartz			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 123, a bill for an act providing for the issuance and use of handicapped identification cards, making penalties applicable and providing effective dates, with report of committee recommending amendment and passage was taken up for consideration.

Gruhn of Dickinson offered the following amendment H-3228 filed by the committee on transportation:

H-3228

- 1 Amend House File 123 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Sec. 77. Section 321.34, subsection 7, Code 1985,

5 is amended to read as follows:

6 7. Handicapped plates. The owner of a motor
 7 vehicle subject to registration pursuant to section
 8 321.109, subsection 1, light delivery truck, panel
 9 delivery truck or pickup who is a handicapped or
 10 paraplegic person as defined in section 601E.1, may
 11 upon written application to the department, order
 12 special registration plates designed by the department
 13 bearing the international symbol of accessibility.
 14 The special registration plates shall only be issued
 15 if the application is accompanied with a statement
 16 from a physician licensed under chapter 148, 150, or
 17 150A, written on the physician's stationery, stating
 18 the nature of the applicant's handicap and such
 19 additional information as required by rules adopted by
 20 the department. The application shall be approved by
 21 the department and the special registration plates
 22 shall be issued to the applicant in exchange for the
 23 previous registration plates issued to the person.
 24 The fee for the special plates shall be five dollars
 25 which shall be in addition to the regular annual
 26 registration fee. The department shall validate the
 27 special plates in the same manner as regular
 28 registration plates are validated under this section
 29 at the regular annual registration fee. However, the
 30 special plates shall not be renewed without the
 31 applicant furnishing evidence to the department that
 32 the owner of the motor vehicle is still a handicapped
 33 or paraplegic person as defined in section 601E.1.
 34 The special registration plates shall be surrendered
 35 in exchange for regular registration plates when the
 36 owner of the motor vehicle no longer qualifies as a
 37 handicapped or paraplegic person as defined in section
 38 601E.1."

39 2. Page 1, by inserting after line 22 the
 40 following:

41 "A handicapped identification device and
 42 handicapped identification card shall only be issued
 43 if the applicant files with the department a statement
 44 from a physician licensed under chapter 148, 150, or
 45 150A, written on the physician's stationery, stating
 46 the nature of the applicant's handicap and such
 47 additional information as required by rules adopted by
 48 the department under subsection 3. This paragraph
 49 does not apply to handicapped identification devices
 50 issued to nonhandicapped individuals, government

Page 2

1 agencies, or private organizations under subsection 3,
 2 paragraph "d".

- 3 3. Page 2, line 35, by striking the words
- 4 "section 1" and inserting the words "sections 1 and
- 5 77".
- 6 4. Amend the title page, line 1, by striking the
- 7 words "providing for the issuance and and use of" and
- 8 inserting the words "relating to the issuance and use
- 9 of handicapped identification devices and".
- 10 5. Renumber sections and internal references as
- 11 necessary.

Gruhn of Dickinson offered the following amendment H—3290, to the committee amendment H—3228, filed by her and Lageschulte of Bremer and moved its adoption:

H—3290

- 1 Amend the Committee on Transportation amendment, H—
- 2 3228, to House File 123 as follows:
- 3 1. By striking page 1, line 2 through page 2,
- 4 line 11 and inserting the following:
- 5 "_____. By striking everything after the enacting
- 6 clause and inserting the following:
- 7 "Section 1. Section 321.34, subsection 7, Code
- 8 1985, is amended to read as follows:
- 9 7. Handicapped plates. The owner of a motor
- 10 vehicle subject to registration pursuant to section
- 11 321.109, subsection 1, light delivery truck, panel
- 12 delivery truck or pickup who is a handicapped or
- 13 paraplegic person as defined in section 601E.1, may
- 14 upon written application to the department, order
- 15 special registration plates designed by the department
- 16 bearing the international symbol of accessibility.
- 17 The special registration plates shall only be issued
- 18 if the application is accompanied with a statement
- 19 from a physician licensed under chapter 148, 150, or
- 20 150A, written on the physician's stationery, stating
- 21 the nature of the applicant's handicap and such
- 22 additional information as required by rules adopted by
- 23 the department. The application shall be approved by
- 24 the department and the special registration plates
- 25 shall be issued to the applicant in exchange for the
- 26 previous registration plates issued to the person.
- 27 The fee for the special plates shall be five dollars
- 28 which shall be in addition to the regular annual
- 29 registration fee. The department shall validate the
- 30 special plates in the same manner as regular
- 31 registration plates are validated under this section
- 32 at the regular annual registration fee. However, the
- 33 special plates shall not be renewed without the
- 34 applicant furnishing evidence to the department that

35 the owner of the motor vehicle is still a handicapped
 36 or paraplegic person as defined in section 601E.1.
 37 The special registration plates shall be surrendered
 38 in exchange for regular registration plates when the
 39 owner of the motor vehicle no longer qualifies as a
 40 handicapped or paraplegic person as defined in section
 41 601E.1."

42 Sec. 2. Section 601E.6, subsection 1, Code 1985,
 43 is amended by adding the following new unnumbered
 44 paragraph:

45 **NEW UNNUMBERED PARAGRAPH.** A handicapped
 46 identification device shall only be issued if the
 47 applicant files with the department a statement from a
 48 physician licensed under chapter 148, 150, or 150A,
 49 written on the physician's stationery, stating the
 50 nature of the applicant's handicap and such additional

Page 2

1 information as required by rules adopted by the
 2 department under subsection 3. This paragraph does
 3 not apply to handicapped identification devices issued
 4 to nonhandicapped individuals, government agencies, or
 5 private organizations under subsection 3, paragraph
 6 "d".

7 2. Title page, by striking lines 1 through 3 and
 8 inserting the following: "An Act relating to the
 9 issuance of handicapped identification devices, making
 10 penalties applicable." "

Amendment H—3290 was adopted.

On motion by Gruhn of Dickinson, the committee amendment H—3228, as amended, was adopted.

Gruhn of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 123)

The ayes were, 96:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey

Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker (Running)

The nays were, none.

Absent or not voting, 4:

Connors	Hermann	Schnekloth	Swartz
---------	---------	------------	--------

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 315, a bill for an act relating to drug product selection, with report of committee recommending amendment and passage was taken up for consideration.

Zimmerman of Dallas offered the following amendment H—3230 filed by the committee on human resources and moved its adoption:

H—3230

- 1 Amend House File 315 as follows:
- 2 1. Page 1, line 12, by inserting after the word
- 3 "product" the following: "so as to provide
- 4 essentially the same therapeutic effect, when
- 5 administered in the same amounts, as measured by the
- 6 control of a symptom or disease".

The committee amendment H—3230 was adopted.

Speaker Avenson in the chair at 12:20 p.m.

Zimmerman of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 315)

The ayes were, 69:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Carl
Carter	Chapman	Clark	Cochran
Connolly	Cooper	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lageschulte	Lloyd-Jones	McIntee	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Poney
Renaud	Rosenberg	Royer	Running
Sherzan	Shoultz	Siegrist	Skow
Spear	Sturgeon	Sullivan	Tabor
Teaford	Van Camp	Woods	Zimmerman
Mr. Speaker			

The nays were, 27:

Branstad	Buhr	Carpenter	Corey
Daggett	De Groot	Grandia	Handorf
Hummel	Kremer	Lonergan	Maulsby
McKean	Metcalf	Miller	Pellett
Platt	Renken	Rensink	Shoning
Stromer	Stueland	Swearingen	Torrence
Van Maanen	Varn	Welden	

Absent or not voting, 4:

Connors	Hermann	Schnekloth	Swartz
---------	---------	------------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTIONS TO RECONSIDER
(House File 315)

I move to reconsider the vote by which House File 315 passed the House on March 11, 1985.

SHERZAN of Polk

(House File 315)

I move to reconsider the vote by which House File 315 passed the House on March 11, 1985.

ZIMMERMAN of Dallas

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-two 4-H members from Crawford and Monona Counties, accompanied by Rick and Julie Staley. By Muhlbauer of Crawford and Bennett of Ida.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 332 Ways and Means

Relating to the state sales, services, and use tax on licensed executive search agencies.

S.B. 333 Ways and Means

Relating to exempting construction projects of state agencies, institutions, and boards from the collection of state sales and use taxes.

S.B. 334 State Government

Relating to the bonding requirements for state officers.

S.B. 335 State Government

Establishing a health care equipment financing program within the Iowa housing finance authority for the purpose of issuing bonds to assist health care providers in financing health care equipment.

S.B. 336 Agriculture

Relating to the authority of the department of water, air and waste management over the activities of drainage districts.

S.B. 337 Human Resources

Allowing licensed optometrists to administer and prescribe certain pharmaceutical agents.

S.B. 338 Human Resources

Relating to long-term care resident's aide projects by the commission on the aging and making an appropriation.

S.B. 339 Small Business and Commerce

Relating to the regulation of insurance holding companies and providing for penalties.

S.B. 340 Human Resources

Relating to the administration of maternal and child health programs and crippled children's programs by the department of health.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 11, 1985, he approved and transmitted to the Secretary of State the following bills:

Senate File 113, an act relating to the health data commission by delaying the termination of the commission, requiring certain members of the commission to implement common medical reimbursement reporting forms, and permitting the commission to initiate a review of collection of information relating to long-term care and home health care.

Senate File 241, an act relating to membership on the interagency coordinating council on radiation safety.

RESOLUTIONS FILED

SCR 13, by Horn and Nystrom, a concurrent resolution emphasizing the importance of the arts in a complete education.

Referred to committee on **education**.

SCR 19, by Gettings, Neighbour, Gronstal, Miller of Des Moines, Dieleman, Horn, Rodgers, Colton, Wells, Hutchins, Boswell, Kinley, Junkins and Hultman, a concurrent resolution relating to the National Railroad Passenger Corporation.

Referred to committee on **transportation**.

AMENDMENTS FILED

H—3296	H.F.	291	Mullins of Kossuth
H—3297	S.F.	103	Harbor of Mills
H—3298	H.F.	450	Jochum of Dubuque
			Welden of Hardin
H—3299	S.F.	32	Stromer of Hancock
H—3300	H.F.	450	Lloyd-Jones of Johnson
H—3301	H.F.	450	Miller of Cherokee
H—3302	H.F.	450	Carpenter of Polk
H—3303	S.F.	32	Hanson of Delaware
H—3304	S.F.	32	Hanson of Delaware
H—3305	S.F.	32	Hanson of Delaware
H—3306	H.F.	450	Daggett of Taylor

On motion by Norland of Worth, the House adjourned at 12:28 p.m., until 9:00 a.m., Tuesday, March 12, 1985.

JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day—Thirty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 12, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Clarence Van Heukelom, pastor of the First Reformed Church, Sibley.

The Journal of Monday, March 11, 1985 was approved.

INTRODUCTION OF BILLS

House File 553, by committee on state government, a bill for an act relating to federal disaster assistance to state and local governments and providing an effective date.

Read first time and placed on the **calendar**.

House File 554, by committee on agriculture, a bill for an act relating to the security interest in farm products purchased by a buyer in the ordinary course of business from a person engaged in farming operations and providing penalties.

Read first time and placed on the **calendar**.

House File 555, by committee on economic development, a bill for an act to establish the Iowa community cultural grants program within the office for planning and programming.

Read first time and placed on the **calendar**.

House File 556, by committee on small business and commerce, a bill for an act relating to chattel loans by providing a short title to chapter 536, increasing the maximum amount of a regulated loan from two thousand to twenty-five thousand dollars, permitting a licensee to sell property insurance to borrowers on property owned by the borrowers, modifying the penalty if a licensee charges excessive interest or other charges, and repealing a requirement that an applicant for a loan shall report other installment loans that the applicant may have.

Read first time and placed on the **calendar**.

House File 557, by committee on state government, a bill for an act relating to the possession and sale of beer and alcoholic beverages by establishing the legal age for the purpose of laws relating to beer and alcoholic beverages at twenty-one years, by prohibiting the sale of chilled or refrigerated beer and alcoholic beverages for consumption off licensed premises, and by requiring class "C" beer permittees to provide proof of responsibility for purposes of dram shop liability.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 558, by committee on judiciary and law enforcement, a bill for an act relating to the liabilities of mental health advocates.

Read first time and placed on the **calendar**.

House File 559, by committee on agriculture, a bill for an act making an appropriation for an Iowa farm management program.

Read first time and referred to committee on **appropriations**.

House File 560, by Daggett, a bill for an act relating to bees by making certain acts unlawful, and providing penalties.

Read first time and referred to committee on **agriculture**.

House File 561, by Doderer, a bill for an act relating to executions, attachments and garnishments on judgments and orders requiring the payment of money or delivery of possession of property.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 562, by Daggett, a bill for an act relating to the private instruction received by certain children between the ages of seven and sixteen.

Read first time and referred to committee on **education**.

House File 563, by Carter, a bill for an act relating to the registration of special trucks.

Read first time and referred to committee on **transportation**.

House File 564, by Carter, a bill for an act relating to the number of contract days of certain teachers commencing July 1, 1987.

Read first time and referred to committee on **education**.

House File 565, by McIntee, a bill for an act to provide a permanent weapons permit to retired peace officers.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 566, by Running, a bill for an act creating a hearing aid grant and loan program and making an appropriation.

Read first time and referred to committee on **appropriations**.

House File 567, by Teaford, Shoultz, Brammer and Fey, a bill for an act prohibiting certain persons from serving on challenging committees for certain elections and subjecting violators to a penalty.

Read first time and referred to committee on **state government**.

House File 568, by McIntee, a bill for an act relating to the conduct of games of skill, games of chance, and raffles.

Read first time and referred to committee on **state government**.

House File 569, by Varn, a bill for an act relating to the administration of special land use districts.

Read first time and referred to committee on **local government**.

House File 570, by committee on ways and means, a bill for an act relating to the premium tax on insurance companies and associations and mutual service corporations operating under chapter 514 domiciled or doing business in the state.

Read first time and placed on the **ways and means calendar**.

SENATE MESSAGES CONSIDERED

Senate File 81, by Priebe, a bill for an act permitting a qualified organization to conduct a raffle at a fair if the organization has the permission of the sponsor of the fair and obtains a license to conduct the raffle.

Read first time and referred to committee on **state government**.

Senate File 183, by Doyle, a bill for an act to provide resale rights to a holder of a motorcycle or motorcycle parts franchise upon termination of the franchise.

Read first time and referred to committee on **small business and commerce**.

Senate File 296, by Deluhery, Holden, Jensen, Miller of Cerro Gordo, and Wells, a bill for an act relating to the deposit and investment of public funds.

Read first time and referred to committee on **local government**.

Senate File 326, by Waldstein, a bill for an act relating to the selection of official newspapers.

Read first time and **passed on file**.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 7

Lageschulte of Bremer offered the following House Memorial Resolution 7 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 7

Whereas, The Honorable Henry W. Busch of Bremer County, Iowa, who was a member of the Sixtieth, Sixty-first and Sixty-second General Assemblies, passed away August 11, 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: Lageschulte of Bremer, Renken of Grundy and Harbor of Mills.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 8, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 41, a bill for an act to make a provision relating to farm implement franchise retroactive to January 1, 1984 and providing an effective date by publication.

Also: That the Senate has on March 8, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 168, a bill for an act relating to the time period when volunteer fire fighters are acting in the course of employment for purposes of workers' compensation benefits.

Also: That the Senate has on March 8, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 186, a bill for an act to prohibit the shooting of a shotgun with rifled slugs over public highways of the state.

Also: That the Senate has on March 8, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 307, a bill for an act relating to the operation of fire vehicles.

Also: That the Senate has on March 12, 1985, passed (with amendment S-3232 adopted) the following bill in which the concurrence of the House is asked:

Senate File 319, a bill for an act relating to the establishment of the vocational education council and providing an effective date.

Also: That the Senate has on March 8, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 361, a bill for an act relating to the authority of the state board of public instruction acting as the board of educational examiners to prescribe a reduced teaching load for certain teachers.

Also: That the Senate has on March 8, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 375, a bill for an act providing for forms of certain acknowledgments of conveyances of real estate.

Also: That the Senate has on March 8, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 376, a bill for an act reclassifying and adding certain controlled substances to the schedules in chapter 204.

Also: That the Senate has on March 8, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 377, a bill for an act relating to the jurisdiction of the probate court with respect to trusts administered by banks and trust companies.

Also: That the Senate has on March 8, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 378, a bill for an act relating to the share of the surviving spouse in intestate succession.

K. MARIE THAYER, Secretary

ADOPTION OF HOUSE RESOLUTION 11

Norland of Worth called up for consideration House Resolution 11, relating to the control of hazardous waste by Salsbury Laboratories.

Hatch of Polk moved the adoption of the resolution.

The motion prevailed and the resolution was adopted.

On motion by Norland of Worth, the House was recessed at 9:49 a.m., until 11:45 a.m.

The House reconvened, Hughes of Union in the chair.

On motion by Norland of Worth, the House was recessed at 12:32 p.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

SENATE MESSAGE CONSIDERED

Senate File 319, by Holt, a bill for an act relating to the establishment of the vocational education council and providing an effective date.

Read first time and referred to committee on **education**.

UNANIMOUS CONSENT TO SUSPEND RULES

Norland of Worth asked and received unanimous consent to defer action on House File 450 and that the bill be taken up for consideration on March 13, 1985 at 3:00 p.m.

Norland of Worth asked and received unanimous consent to suspend the rules to take up out of order House File 76 for immediate consideration.

The House stood at ease at 3:08 p.m., until the fall of the gavel.

The House resumed session at 3:53 p.m., Varn of Johnson in the chair.

CONSIDERATION OF BILLS Regular Calendar

House File 76, a bill for an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty, with report of committee recommending passage was taken up for consideration.

Skow of Guthrie offered the following amendment H—3278 filed by him and Muhlbauer of Crawford and moved its adoption:

H—3278

- 1 Amend House File 76 as follows:
- 2 1. Page 1, line 13, by inserting after the word
- 3 "milk," the word "meats,".
- 4 2. Page 2, line 16, by striking the words "the
- 5 commodity" and inserting the following: "that
- 6 commodity".
- 7 3. Page 2, line 17, by striking the words "the
- 8 commodity" and inserting the following: "that
- 9 commodity".
- 10 4. Page 7, by inserting after line 6 the
- 11 following:
- 12 "Sec. 10. It is the intent of the general assembly
- 13 that this Act shall remain in effect for five years,
- 14 and that chapter 185D is repealed July 1, 1990, unless
- 15 upon that date a sufficient number of states, which
- 16 produce at least sixty percent of the previous year's
- 17 United States production of a commodity, have also
- 18 established a minimum price for the same commodity."

A non-record roll call was requested.

The ayes were 48, nays 25.

Amendment H—3278 was adopted.

SENATE FILE 32 SUBSTITUTED FOR HOUSE FILE 76

Muhlbauer of Crawford asked and received unanimous consent to substitute Senate File 32 for House File 76.

Senate File 32, a bill for an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty, was taken up for consideration.

Stromer of Hancock offered the following amendment H—3316 filed by him from the floor and moved its adoption:

H—3316

- 1 Amend Senate File 32 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 13, by striking the word
- 4 "meats,".

Roll call was requested by Stromer of Hancock and Harbor of Mills.

On the question "Shall amendment H—3316 be adopted?"

The ayes were, 43:

Bennett	Branstad	Carpenter	Carter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Halvorson, R. N.
Handorf	Harbor	Hester	Hummel
Kremer	Lageschulte	Maulsby	McIntee
McKean	Metcalf	Miller	Mullins
Paulin	Pellett	Platt	Renken
Rensink	Royer	Schnekloth	Shoning
Siegrist	Spear	Stromer	Stueland
Swartz	Swearingen	Torrence	Van Camp
Van Maanen	Welden	Zimmerman	

The nays were, 53:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Chapman	Cochran	Connolly
Cooper	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Hammond
Hanson	Hatch	Haverland	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Lloyd-Jones	Loneragan
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Pavich	Peick	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Sturgeon
Sullivan	Tabor	Teaford	Woods
Mr. Speaker (Varn)			

Absent or not voting, 4:

Connors	Hermann	Oxley	Parker
---------	---------	-------	--------

Amendment H—3316 lost.

Bennett of Ida asked and received unanimous consent to withdraw amendment H—3286 filed by him on March 8, 1985.

Speaker Avenson in the chair at 4:33 p.m.

Bennett of Ida offered the following amendment H—3313 filed by him from the floor and moved its adoption:

H—3313

1 Amend Senate File 32 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by striking lines 13 through 16 and
 4 inserting the following:
 5 "1. "Agricultural commodity" means milk, meats,
 6 soybeans, feed grains, wheat, rye, buckwheat,
 7 flaxseed, sunflowers, peas, beans, or any other
 8 commodity determined by the secretary.
 9 1A. "Feed grain" means corn, oats, barley,
 10 sorghum, and any other feed grain determined by the
 11 secretary."
 12 2. Page 2, line 19, by inserting after the word
 13 "section." the following: "However, the minimum price
 14 of a feed grain is not effective until at least sixty
 15 percent of the previous year's United States
 16 production of each feed grain, including the volume of

17 the feed grains produced in this state, is subject to
18 a minimum price established by other states equal to
19 the minimum price established in this state under this
20 section."
21 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 34, nays 49.

Amendment H—3313 lost.

Halvorson of Clayton offered the following amendment H—3320 filed by him and Harbor of Mills from the floor and moved its adoption:

H—3320

1 Amend Senate File 32 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 2, line 13, by inserting after the word
4 "quality." the following: "The secretary shall also
5 establish the minimum price for all other products
6 grown, sown, produced, manufactured, or sold and all
7 services rendered in this state."
8 2. Page 2, line 19, by inserting after the word
9 "section." the following: "The minimum price for all
10 other products grown, sown, produced, manufactured, or
11 sold and all services rendered in this state shall be
12 effective when the minimum price for an agricultural
13 commodity is in effect."

A non-record roll call was requested.

The ayes were 17, nays 46.

Amendment H—3320 lost.

Black of Jasper in the chair at 4:57 p.m.

Hanson of Delaware offered the following amendment H—3303 filed by him and moved its adoption:

H—3303

1 Amend Senate File 32 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 2, line 15, by striking the word "sixty"
4 and inserting the word "seventy".

A non-record roll call was requested.

The ayes were 32, nays 50.

Amendment H—3303 lost.

Speaker Avenson in the chair at 5:25 p.m.

Stromer of Hancock offered the following amendment H—3299 filed by him:

H—3299

1 Amend Senate File 32 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 2, by inserting after line 19 the
4 following:
5 "_____. The secretary shall not establish the
6 minimum price of an agricultural commodity unless more
7 than fifty percent of the producers of the commodity
8 in this state approve the establishment of a minimum
9 price. A referendum shall be held for each commodity
10 subject to this chapter. The secretary shall give
11 notice of a referendum on the question of whether a
12 minimum price of the commodity should be established
13 by the secretary by publishing the notice for a period
14 of not less than five days in at least one newspaper
15 of general circulation in the state. The notice shall
16 state the voting places, period of time for voting,
17 and other information deemed necessary by the
18 secretary. Notice of the initial referendum for each
19 commodity shall be given within ten days after the
20 effective date of this Act. The referendum shall not
21 be commenced until five days after the last date of
22 publication. Each producer of the commodity who signs
23 a statement certifying that the person is a bona fide
24 producer of the commodity is entitled to one vote. At
25 the close of the referendum, the secretary shall count
26 and tabulate the ballots cast. If more than fifty
27 percent of voters favor the establishment of a minimum
28 price for the commodity, the secretary shall establish
29 the minimum price of the commodity. If the referendum
30 fails, another referendum shall not be held within one
31 hundred eighty days. Subsequent referendums on the
32 question may be called upon receipt by the secretary
33 of a petition, signed by a number of producers at
34 least equal to ten percent of the number of producers
35 who voted in the previous referendum, requesting a
36 referendum on the question of whether a minimum price

37 of the commodity should be established by the
38 secretary. The subsequent referendums shall be
39 conducted as provided in this subsection."

40 2. Page 3, by striking lines 2 and 3 and
41 inserting the following:

42 "5. The secretary shall establish minimum prices
43 within thirty days after the date of a referendum at
44 which the producers favor the establishment of a
45 minimum price. The price shall be established based
46 on the parity".

47 3. Page 7, by inserting after line 6 the
48 following:

49 "Sec. _____. There is appropriated from the general
50 fund of the state to the state department of

Page 2

1 agriculture for the fiscal year beginning July 1, 1985
2 and ending June 30, 1986, ten thousand (10,000)
3 dollars, or so much thereof as is necessary, for
4 conducting the initial referendums on the
5 establishment of minimum prices for commodities which
6 the secretary is required to hold pursuant to section
7 185D.2."

8 4. By renumbering as necessary.

Stromer of Hancock asked and received unanimous consent to temporarily defer action on amendment H-3299.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

McIntee of Black Hawk, until his return, on request of Harbor of Mills.

Bennett of Ida offered the following amendment H-3288 filed by him and moved its adoption:

H-3288

1 Amend Senate File 32 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 3, line 31, by inserting after the word
4 "secretary" the following: ", together with the
5 persons administering provisions equivalent to this
6 section in states which, including the volume of the
7 commodity produced in this state, produced at least
8 sixty percent of the previous year's United States
9 production of the commodity,".

A non-record roll call was requested.

The ayes were 32, nays 42.

Amendment H—3288 lost.

Schneklath of Scott offered the following amendment H—3321 filed by him from the floor and moved its adoption:

H—3321

- 1 Amend Senate File 32 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 4, by inserting after line 23 the
- 4 following:
- 5 "5. During a period of production adjustment due
- 6 to a supply management or orderly marketing rule,
- 7 property taxes payable on the set-aside acres shall be
- 8 forgiven."

Roll call was requested by Schneklath of Scott and Halvorson of Clayton.

On the question "Shall amendment H—3321 be adopted?"

The ayes were, 36:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Hanson	Harbor
Hester	Hummel	Kremer	Lageschulte
Maulsby	McKean	Metcalf	Miller
Mullins	Paulin	Pellett	Renken
Rensink	Royer	Schneklath	Shoning
Siegrist	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Welden

The nays were, 59:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Connors	Cooper	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Lonerger	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Paych

Peick	Peterson	Platt	Poney
Renaud	Rosenberg	Running	Sherazan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Tabor	Teaford	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 5:

Handorf	Hermann	McIntee	Parker
Swartz			

Amendment H—3321 lost.

Pellett of Cass offered the following amendment H—3280 filed by him and moved its adoption:

H—3280

- 1 Amend Senate File 32 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 4, line 33, by striking the word "twenty-five"
- 4 and inserting the word "five".

Roll call was requested by Pellett of Cass and Lageschulte of Bremer.

On the question "Shall amendment H—3280 be adopted?"

The ayes were, 42:

Bennett	Branstad	Buhr	Carpenter
Carter	Clark	Corey	Daggett
De Groot	Diemer	Fogarty	Grandia
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Hester	Hummel	Kremer
Lageschulte	Maulsby	McKean	Metcalf
Miller	Mullins	Paulin	Pellett
Platt	Renken	Rensink	Royer
Schnekloth	Shoning	Siegrist	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Maanen	Welden		

The nays were, 51:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Carl	Chapman
Cochran	Connolly	Connors	Cooper
Fey	Groninga	Groth	Gruhn
Haverland	Holveck	Hughes	Jay

Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Lonergan	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Pavich	Peick	Peterson	Poncy
Renaud	Rosenberg	Running	Sherzan
Shultz	Skow	Spear	Sturgeon
Sullivan	Tabor	Teaford	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 7:

Doderer	Handorf	Hatch	Hermann
McIntee	Parker	Swartz	

Amendment H—3280 lost.

Maulsby of Calhoun offered the following amendment H—3314 filed by him from the floor and moved its adoption:

H—3314

1 Amend Senate File 32 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 4, by striking lines 24 through 33, and
 4 inserting the following:
 5 "Sec. 5. NEW SECTION. 185D.4 APPROVAL BY GENERAL
 6 ASSEMBLY — PETITION BY PRODUCERS.
 7 The supply management or orderly marketing rules
 8 authorized in section 185D.3, subsection 3, shall not
 9 be adopted unless both houses of the general assembly,
 10 in regular or special session, adopt, by an
 11 affirmative vote in each house, a resolution stating
 12 in substance that the two houses favor the rules.
 13 However, the rules shall not be adopted upon approval
 14 of the general assembly if, within thirty days after
 15 the approval, at least twenty-five".

Amendment H—3314 lost.

Hanson of Delaware asked and received unanimous consent to temporarily defer action on amendment H—3304.

Hanson of Delaware offered the following amendment H—3305 filed by him:

H—3305

1 Amend Senate File 32 as amended, passed and
 2 reprinted by the Senate as follows:

- 3 1. Page 5, line 33, by inserting after the word
 4 "state," the following: "to a person who grows, buys,
 5 or sells an agricultural commodity for feed for
 6 livestock,".

Hanson of Delaware offered the following amendment H—3319, to amendment H—3305, filed by him from the floor and moved its adoption:

H—3319

- 1 Amend amendment H—3305 to Senate File 32 as
 2 amended, passed and reprinted by the Senate as follows:
 3 1. Page 1, line 5, by inserting after the word "for"
 4 the following: "his or her own".

Amendment H—3319 was adopted.

Hanson of Delaware moved the adoption of amendment H—3305, as amended.

Roll call was requested by Hanson of Delaware and Renken of Grundy.

On the question "Shall amendment H—3305, as amended, be adopted?"

The ayes were, 37:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Halvorson, R. N.	Hanson
Harbor	Hester	Hummel	Kremer
Lageschulte	Maulsby	McKean	Metcalf
Miller	Mullins	Paulin	Pellett
Platt	Renken	Rensink	Royer
Schneklath	Shoning	Siegrist	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Maanen			

The nays were, 54:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Cooper
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Hammond	Haverland
Holveck	Hughes	Jay	Jochum

Johnson	Knapp	Koenigs	Lloyd-Jones
Loneragan	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Pavich
Peick	Peterson	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Tabor	Teaford	Varn	Woods
Zimmerman	Mr. Speaker		

Absent or not voting, 9:

Connolly	Connors	Handorf	Hatch
Hermann	McIntee	Parker	Swartz
Welden			

Amendment H—3305, as amended, lost.

Maulsby of Calhoun offered the following amendment H—3322 filed by him from the floor and moved its adoption:

H—3322

1 Amend Senate File 32 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 6, line 4, by striking the word "serious"
 4 and inserting the word "simple".
 5 2. Page 6, line 5, by striking the words "one
 6 year" and inserting the words "thirty days".
 7 3. Page 6, line 6, by striking the words "ten
 8 thousand" and inserting the words "one hundred".
 9 4. Page 6, line 6, by inserting after the word
 10 "both," the following: "If prosecution of an alleged
 11 violation of this chapter results in acquittal of the
 12 defendant, the state shall assume payment of the
 13 defendant's reasonable attorney's fees."

Roll call was requested by Maulsby of Calhoun and Halvorson of Clayton.

On the question "Shall amendment H—3322 be adopted?"

The ayes were, 41:

Bennett	Branstad	Buhr	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Hammond
Hanson	Harbor	Hester	Holveck
Hummel	Jay	Kremer	Lageschulte
Maulsby	McKean	Metcalf	Miller
Mullins	Paulin	Pellet	Platt

Renken	Rensink	Rosenberg	Royer
Schnekloth	Shoning	Siegrist	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Maanen			

The nays were, 51:

Arnould	Baxter	Black	Blanshan
Brammer	Carl	Carter	Chapman
Cochran	Connolly	Cooper	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hatch	Haverland
Hughes	Jochum	Johnson	Knapp
Koenigs	Lloyd-Jones	Lonergan	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Pavich	Peick	Peterson
Poncy	Renaud	Running	Sherzan
Shoultz	Skow	Spear	Sturgeon
Sullivan	Tabor	Teaford	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 8:

Beatty	Connors	Handorf	Hermann
McIntee	Parker	Swartz	Welden

Amendment H—3322 lost.

The House resumed consideration of amendment H—3299 (to page 2), previously deferred.

Blanshan of Greene in the chair at 6:21 p.m.

Stromer of Hancock offered the following amendment H—3330, to amendment H—3299, filed by him from the floor and moved its adoption:

H—3330

- 1 Amend House amendment H—3299 to Senate File 32 as
- 2 amended, passed, and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, lines 6 and 7, by striking the words
- 5 "more than fifty percent of".
- 6 2. Page 1, line 9, by inserting after the word
- 7 "price" the words "as provided in this subsection".

Amendment H—3330 was adopted.

Stromer of Hancock moved the adoption of amendment H—3299, as amended.

Roll call was requested by Stromer of Hancock and Hummel of Benton.

On the question "Shall amendment H—3299, as amended, be adopted?"

The ayes were, 40:

Bennett	Branstad	Buhr	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Halvorson, R. N.
Hanson	Harbor	Hester	Hummel
Kremer	Lageschulte	Maulsby	McKean
Metcalf	Miller	Mullins	Paulin
Pellett	Platt	Renken	Rensink
Royer	Schneklath	Shoning	Siegrist
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Varn	Welden

The nays were, 52:

Arnould	Baxter	Beatty	Black
Brammer	Carl	Chapman	Cochran
Connolly	Connors	Cooper	Fey
Fogarty	Groninga	Groth	Gruhn
Hammond	Hatch	Haverland	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Lloyd-Jones	Lonergan
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Pavich	Peick
Peterson	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Sullivan	Tabor
Teaford	Woods	Zimmerman	Mr. Speaker (Blanshan)

Absent or not voting, 8:

Avenson	Carter	Doderer	Handorf
Hermann	McIntee	Parker	Swartz

Amendment H—3299, as amended, lost.

Renken of Grundy asked and received unanimous consent to withdraw amendment H-3304, (to page 5) previously deferred, filed by Hanson of Delaware on March 11, 1985.

Speaker Avenson in the chair at 6:42 p.m.

Muhlbauer of Crawford moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 75 was invoked.

On the question "Shall the bill pass?" (S.F. 32)

The ayes were, 55:

Arnould	Baxter	Beatty	Blanshan
Brammer	Branstad	Buhr	Carl
Cochran	Connolly	Cooper	Daggett
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hatch	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Lloyd-Jones	Loneragan
Maulsby	McKean	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Varn	Woods	Mr. Speaker	

The nays were, 43:

Bennett	Black	Carpenter	Carter
Chapman	Clark	Connors	Corey
De Groot	Diemer	Doderer	Grandia
Halvorson, R. A.	Hammond	Hanson	Harbor
Haverland	Hester	Hummel	Kremer
Lageschulte	McIntee	Metcalf	Miller
Mullins	Paulin	Pellett	Platt
Renken	Rensink	Royer	Schneklath
Shoning	Siegrist	Spear	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Maanen	Welden	Zimmerman	

Absent or not voting, 2:

Handorf	Hermann
---------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 76 WITHDRAWN

Muhlbauer of Crawford asked and received unanimous consent to withdraw House File 76 from further consideration by the House, placing out of order amendment H-3293 filed by Halvorson of Clayton and Harbor of Mills on March 8, 1985.

MOTIONS TO RECONSIDER (House Resolution 11)

I move to reconsider the vote by which House Resolution 11 was adopted by the House on March 12, 1985.

STROMER of Hancock

(Senate File 32)

I move to reconsider the vote by which Senate File 32, passed the House on March 12, 1985.

MAULSBY of Calhoun

EXPLANATION OF VOTE

* I was necessarily absent from the House chamber on Tuesday afternoon, March 12, 1985. Had I been present, I would have voted "nay" on Senate File 32.

HANDORF of Marshall

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 12, 1985, he approved and transmitted to the Secretary of State the following bill:

Senate File 286, an act relating to the operation of a bank or bank office located outside a municipal corporation when the bank is merged into or acquired by another state bank and providing for an effective date.

PRESENTATION OF VISITORS

Beatty of Warren presented to the House the Honorable James Middleswart, former member of the House representing Warren County.

The Speaker announced that the following visitors were present in the House chamber:

Twenty-five high school students from Missouri Valley High School, Missouri Valley, accompanied by Joe Cathcart. By Hester of Pottawattamie, Pellett of Cass and Siegrist of Pottawattamie.

Forty-five sixth grade students from Lenox Elementary School, Lenox, accompanied by Mrs. Bill Reed, Mrs. Fred Wooly and Mrs. Jerry Wellauer. By Daggett of Taylor.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 341 State Government

Relating to county central committees.

S.B. 342 Natural Resources and Outdoor Recreation

To require the display of a bill of sale, receipt, or other proof of ownership for the registration of a vessel and to repeal the requirement for the issuance of a certificate of origin on the sale of a vessel.

S.B. 343 Natural Resources and Outdoor Recreation

To revise the procedures for the assessment of penalties under the laws regulating coal mining.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

House File 274, a bill for an act relating to the modification of boundary lines of a proposed school corporation and to the hearing schedule, the notice of an election and the election ballot for reorganization of school corporations and the division of assets and liabilities after reorganization.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—3315, March 11, 1985.

Senate File 91, a bill for an act relating to the election of directors of a local school district, merged area, area education agency, and trustees of a regional library board, and providing an effective date.

Fiscal Note is required.

Committee Action: Failed to Pass March 11, 1985.

COMMITTEE ON HUMAN RESOURCES

House File 244, a bill for an act relating to programs relating to substance abuse.

Fiscal Note is required.

Recommended Amend and Do Pass with amendment H—3311, March 11, 1985.

House File 379, a bill for an act relating to rules for diabetes education programs.

Fiscal Note is not required.

Recommended Do Pass March 11, 1985.

COMMITTEE ON NATURAL RESOURCES AND OUTDOOR RECREATION

House File 497, a bill for an act relating to procedures for the establishment of priorities for property tax exemptions for wetlands, recreational lakes, forest covers, rivers and streams, river and stream banks, and open prairies.

Fiscal Note is not required.

Recommended Do Pass March 11, 1985.

COMMITTEE ON TRANSPORTATION

House File 49, a bill for an act relating to the issuance of prisoner of war plates.

Fiscal Note is not required.

Recommended Do Pass March 11, 1985.

House File 418, a bill for an act requiring the state department of transportation to accept payment by check of proportional registration fees and assessing a penalty.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-3308, March 11, 1985.

House File 477, a bill for an act relating to the operation of fire vehicles and providing an effective date.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-3307, March 11, 1985.

Senate Concurrent Resolution 19, a concurrent resolution relating to the National Railroad Passenger Corporation.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-3309 and laid over under Rule 25, March 11, 1985.

Committee Bill (Formerly Study Bill 315), regulating the gross weights of rubbish vehicles and making penalties applicable.

Fiscal Note is not required.

Recommended Amend and Do Pass March 11, 1985.

RESOLUTIONS FILED

HCR 22, by Daggett, a concurrent resolution relating to an individual's belief regarding the origin of life.

Referred to committee on education.

HR 12, by Harbor and Metcalf, a resolution congratulating the Iowa State Cyclones and the University of Iowa Hawkeyes basketball teams.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-3307	H.F.	477	Committee on Transportation
H-3308	H.F.	418	Committee on Transportation

H-3309	S.C.R.	19	Committee on Transportation
H-3310	H.F.	41	Senate Amendment
H-3311	H.F.	244	Committee on Human Resources
H-3312	H.F.	450	Lloyd-Jones of Johnson
H-3315	H.F.	274	Committee on Education
H-3317	H.F.	169	Daggett of Taylor
H-3318	H.F.	291	Hammond of Story
H-3323	H.F.	102	Hammond of Story Hanson of Delaware
H-3324	S.F.	150	Spear of Lee
H-3325	H.F.	494	Spear of Lee
H-3326	H.F.	450	McKean of Jones
H-3327	S.F.	269	Hanson of Delaware
H-3328	H.F.	549	Sturgeon of Woodbury Shoultz of Black Hawk
H-3329	H.F.	315	Sherzan of Polk Zimmerman of Dallas
H-3331	H.F.	450	Stromer of Hancock
H-3332	H.F.	450	McKean of Jones
H-3333	H.F.	495	Doderer of Johnson
H-3334	H.F.	495	Mullins of Kossuth Brammer of Linn Clark of Cerro Gordo Hammond of Story
H-3335	H.F.	450	McKean of Jones

On motion by Norland of Worth, the House adjourned at 7:18 p.m., until 9:00 a.m., Wednesday, March 13, 1985.

JOURNAL OF THE HOUSE

Fifty-ninth Calendar Day—Thirty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 13, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father Joseph McDonnell, pastor of the St. Ambrose Cathedral, Des Moines.

The Journal of Tuesday, March 12, 1985 was approved.

PETITION FILED

The following petition was received and placed on file:

By O'Kane of Woodbury, from the Civil Service Association of Sioux City and one hundred sixty-eight employees of Sioux City, opposing the passage of House File 374 and Senate File 238, regarding Chapter 400, civil service.

INTRODUCTION OF BILLS

House File 571, 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, citizens' aide, women, veterans' services, vocational rehabilitation, substance abuse, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1985 and ending June 30, 1986.

Read first time and placed on the **appropriations calendar**.

House File 572, by committee on transportation, a bill for an act regulating the gross weights of rubbish vehicles and making penalties applicable.

Read first time and placed on the **calendar**.

House File 573, by Peick, Diemer, Varn, Platt, Oxley and Daggett, a bill for an act relating to the regulation of firearms by a political subdivision.

Read first time and referred to committee on **local government**.

House File 574, by Sturgeon, a bill for an act requiring school districts to offer or make available an approved driver education course to certain persons who have successfully completed the general educational development tests.

Read first time and referred to committee on **education**.

House File 575, by Sullivan, a bill for an act to legalize proceedings taken by the board of directors of the Van Buren community school district relating to the sale of certain land.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 576, by Stromer, a bill for an act to allow investment pools and public and private pension funds to invest in the ownership of agricultural land under certain conditions and providing an effective date.

Read first time and referred to committee on **agriculture**.

House File 577, by Carl, a bill for an act relating to United States armed forces reserve registration plates.

Read first time and referred to committee on **transportation**.

House File 578, by Harbor, a bill for an act exempting the gross receipts from the sale of materials for the construction, alteration, or remodeling of buildings and dwellings of religious institutions or societies from the sales and use tax.

Read first time and referred to committee on **ways and means**.

House File 579, by Gruhn, a bill for an act relating to the removal of trees, brush, and underbrush, and other growth within the highway right-of-way.

Read first time and referred to committee on **transportation**.

House File 580, by O'Kane, a bill for an act providing that a qualified organization may compensate not more than one person employed at a bingo occasion for each twenty-five participants at the bingo occasion and making penalties applicable.

Read first time and referred to committee on **state government**.

House File 581, by Shoultz, Running and Jay, a bill for an act relating to financial responsibility requirements for the operation and registration of motor vehicles in this state, making penalties applicable.

Read first time and referred to committee on **small business and commerce**.

House File 582, by Skow, Parker, Welden, Clark, Halvorson of Clayton, McKean, Grandia, Gruhn, Mullins, Muhlbauer, Koenigs, Groth and Hughes, a bill for an act relating to grants of assistance to hospitals and appropriating funds for the fiscal year beginning July 1, 1985 and ending June 30, 1986.

Read first time and referred to committee on **appropriations**.

House File 583, by Woods, a bill for an act limiting the number of racetracks licensed under chapter 99D.

Read first time and referred to committee on **state government**.

SENATE MESSAGES CONSIDERED

Senate File 168, by Hutchins, a bill for an act relating to the time period when volunteer fire fighters are acting in the course of employment for purposes of workers' compensation benefits.

Read first time and referred to committee on **labor and industrial relations**.

Senate File 186, by Vande Hoef, a bill for an act to prohibit the shooting of a shotgun with rifled slugs over public highways of the state.

Read first time and referred to committee on **natural resources and outdoor recreation**.

Senate File 307, by Hutchins, a bill for an act relating to the operation of fire vehicles.

Read first time and **passed on file**.

Senate File 361, by committee on education, a bill for an act relating to the authority of the state board of public instruction acting as the board of educational examiners to prescribe a reduced teaching load for certain teachers.

Read first time and referred to committee on **education**.

Senate File 364, by committee on labor and industrial relations, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board.

Read first time and referred to committee on **labor and industrial relations**.

Senate File 375, by committee on judiciary, a bill for an act providing for forms of certain acknowledgments of conveyances of real estate.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 376, by committee on judiciary, a bill for an act reclassifying and adding certain controlled substances to the schedules in chapter 204.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 377, by committee on judiciary, a bill for an act relating to the jurisdiction of the probate court with respect to trusts administered by banks and trust companies.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 378, by committee on judiciary, a bill for an act relating to the share of the surviving spouse in intestate succession.

Read first time and **passed on file**.

CONSIDERATION OF BILLS
Regular Calendar

House File 266, a bill for an act relating to financial incentive payments for the protection of forests and forest soils from damage by grazing, was taken up for consideration.

Johnson of Winneshiek offered the following amendment H-3285 filed by Johnson, et al., and moved its adoption:

H-3285

- 1 Amend House File 266 as follows:
- 2 1. Page 1, line 1, by striking the number
- 3 "107.41" and inserting the number "467A.73".
- 4 2. Page 1, by striking line 2 and inserting the
- 5 words "SOIL CONSERVATION ON FOREST LANDS".
- 6 3. Page 1, by striking line 5 and inserting the
- 7 following:
- 8 "a. "Department" means the department of soil
- 9 conservation".
- 10 4. Page 1, line 7, by inserting after the word
- 11 "acre" the words "on privately owned land".
- 12 5. Page 1, line 12, by inserting after the words
- 13 "by the" the words "state conservation".
- 14 6. Page 1, line 14, by striking the word
- 15 "commission" and inserting the word "department".
- 16 7. Page 1, by striking line 17 and inserting the
- 17 following: "livestock grazing from state cost-sharing
- 18 funds if the grazing has been determined to cause
- 19 excessive soil loss. Total department expenditure
- 20 shall not".
- 21 8. Page 1, line 29, by striking the word
- 22 "commission" and inserting the word "department".
- 23 9. Page 1, line 31, by striking the word
- 24 "commission" and inserting the word "department".
- 25 10. Page 1, line 34, by inserting after the word
- 26 "receive." the words "For the purposes of this
- 27 section, forests shall be considered as agricultural
- 28 land eligible for public cost-sharing funds."

Amendment H-3285 was adopted.

Paulin of Plymouth offered the following amendment H-3151 filed by him and moved its adoption:

H-3151

- 1 Amend House File 266 as follows:
- 2 1. Page 1, line 18, by striking the word "seventy-five"
- 3 and inserting the word "fifty".

Amendment H-3151 was adopted.

Paulin of Plymouth asked and received unanimous consent to withdraw amendment H-3128 filed by him on February 13, 1985.

Johnson of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 266)

The ayes were, 89:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Grahn	Halvorson, R. A.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Holveck	Hughes
Hummel	Jay	Johnson	Knapp
Koenigs	Kremer	Lloyd-Jones	Lonergan
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 6:

Branstad	Hester	Lageschulte	Maulsby
Renken	Van Maanen		

Absent or not voting, 5:

Connolly
Van Camp

Halvorson, R. N.

Hermann

Jochum

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

ADOPTION OF HOUSE RESOLUTION 12

Norland of Worth asked and received unanimous consent for the immediate consideration of House Resolution 12, congratulating the Iowa State University Cyclones and the University of Iowa Hawkeyes basketball teams.

Harbor of Mills moved the adoption of the resolution.

The motion prevailed and the resolution was adopted.

On motion by Norland of Worth, the House was recessed at 9:48 a.m., until 11:45 a.m.

The House reconvened, Speaker Avenson in the chair.

On motion by Norland of Worth, the House was recessed at 12:01 p.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 584, by committee on judiciary and law enforcement, a bill for an act relating to information contained on interstate probation and parole compact transfer requests.

Read first time and placed on the calendar.

House File 585, by committee on judiciary and law enforcement, a bill for an act providing for forms of certain acknowledgments of conveyances of real estate.

Read first time and placed on the calendar.

House File 586, by committee on local government, a bill for an act relating to personal liability of officers and employees of units of local government.

Read first time and placed on the **calendar**.

House File 587, by committee on judiciary and law enforcement, a bill for an act relating to the authorization of contempt powers for juvenile court referees and providing penalties.

Read first time and placed on the **calendar**.

House File 588, by committee on judiciary and law enforcement, a bill for an act relating to the joint trial of defendants charged in the same indictment or information.

Read first time and placed on the **calendar**.

House File 589, by committee on local government, a bill for an act relating to fees collected by county officers.

Read first time and placed on the **calendar**.

House File 590, by Sherzan, Corey, Osterberg, Platt, Cochran, Running, McIntee and Rosenberg, a bill for an act relating to preneed cemetery merchandise sales and providing a penalty.

Read first time and referred to committee on **small business and commerce**.

SPECIAL PRESENTATION

Fogarty of Palo Alto presented to the House the Honorable Gerard Collins, a member of the Fianna Fail Party of the Irish House of Parliament. They were accompanied by Senator Priebe of Kossuth.

Mr. Collins stated it was a great privilege and pleasure to bring greetings and good wishes from the people of Ireland to the people of Iowa, noting that the people of Ireland are very proud of the part played in this nation by people of Irish ancestry. He noted that he is very sympathetic to the farm problems in this state and that our problems are very similar to those of his country.

Mr. Collins and his wife, Hillary, will be attending the annual St. Patrick Day Association's activities in Emmetsburg, which is the sister city to Dublin, Ireland.

The House rose and expressed its welcome.

The House stood at ease at 3:27 p.m., until the fall of the gavel.

The House resumed session at 5:05 p.m., Speaker Avenson in the chair.

CONSIDERATION OF BILLS Regular Calendar

House File 450, a bill for an act to establish a board of educational examiners, to prescribe its duties, and to make appropriations, with report of committee recommending amendment and passage was taken up for consideration.

Mullins of Kossuth offered the following amendment H—3283 filed by the committee on appropriations and moved its adoption:

H—3283

- 1 Amend House File 450 as follows:
- 2 1. Page 4, by inserting after line 29 the
- 3 following:
- 4 "The board shall propose rules to prohibit
- 5 discrimination because of race, creed, color,
- 6 religion, national origin, sex, age, or physical
- 7 disability in the issuance of master educator
- 8 certificates under section 260.15."

The committee amendment H—3283 was adopted.

Lloyd-Jones of Johnson offered the following amendment H—3312 filed by her and moved its adoption:

H—3312

- 1 Amend House File 450 as follows:
- 2 1. Page 2, line 3, by inserting after the word
- 3 "teachers" the words "or school service personnel".
- 4 2. Page 2, line 17, by inserting after the word
- 5 "teacher," the words "school service person,".

Amendment H—3312 was adopted.

Lloyd-Jones of Johnson asked and received unanimous consent to withdraw amendment H—3300 filed by her on March 11, 1985.

McKean of Jones asked and received unanimous consent to withdraw amendment H—3326 filed by him on March 12, 1985.

Miller of Cherokee asked and received unanimous consent to temporarily defer action on amendment H—3301.

Carpenter of Polk offered the following amendment H—3302 filed by her and moved its adoption:

H—3302

- 1 Amend House File 450 as follows:
- 2 1. Page 8, by striking lines 27 through 29.
- 3 2. Page 12, line 19, by striking the words
- 4 "and area schools." and inserting the following:
- 5 "area schools, and for the costs associated with
- 6 the assistance and evaluation team."
- 7 2. Page 12, line 22, by inserting after the
- 8 word "holders" the following: "and based upon the
- 9 costs associated with the assistance and evaluation
- 10 teams,"

Roll call was requested by Carpenter of Polk and De Groot of Lyon.

On the question "Shall amendment H—3302 be adopted?"

The ayes were, 45:

Bennett	Blanshan	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Doderer	Grandia	Halvorson, R. A.
Hammond	Handorf	Hanson	Hester
Hummel	Jochum	Johnson	Kremer
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Mullins
Osterberg	Paulin	Pellett	Peterson
Platt	Renken	Rensink	Royer
Schneklath	Shontg	Stromer	Stueland
Teaford	Torrence	Van Camp	Van Maanen
Welden			

The nays were, 52:

Arnould	Baxter	Beatty	Black
Brammer	Buhr	Carl	Carter
Chapman	Cochran	Connors	Cooper
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hatch	Haverland
Holveck	Hughes	Jay	Knapp
Koenigs	Loneragan	Muhlbauer	Norland
O'Kane	Ollie	Oxley	Parker
Pavich	Peick	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Siegrist	Skow	Spear	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 3:

Connolly	Harbor	Hermann
----------	--------	---------

Amendment H—3302 lost.

Stromer of Hancock offered the following amendment H—3331 filed by him:

H—3331

- 1 Amend House File 450 as follows:
- 2 1. Page 10, by striking lines 17 through 23 and
- 3 inserting the following:
- 4 "Plans developed by the assistance and evaluation
- 5 team may include direct involvement between an
- 6 institution of higher education with an approved
- 7 teacher education program and a provisional
- 8 certificate holder. The institution may grant
- 9 graduate academic credit for the successful completion
- 10 of graduate level course work which may be part of the
- 11 activities assigned the teacher by the assistance and
- 12 evaluation team. The provisional certificate holder
- 13 shall reimburse the school corporation or nonpublic
- 14 school employing the provisional certificate holder
- 15 for the costs of the graduate course work if it is
- 16 applied toward completion of a master's degree."

Stromer of Hancock offered the following amendment H—3345, to amendment H—3331, filed by him from the floor and moved its adoption:

H-3345

- 1 Amend amendment H-3331 to House File 450 as
- 2 follows:
- 3 1. Page 1, by striking lines 13 through 16 and
- 4 inserting the following: "shall pay the costs
- 5 incurred in connection with graduate credit earned
- 6 in fulfilling the professional development plan."

Amendment H-3345 was adopted.

On motion by Stromer of Hancock amendment H-3331, as amended, was adopted.

McKean of Jones offered the following amendment H-3335 filed by him and moved its adoption:

H-3335

- 1 Amend House File 450 as follows:
- 2 1. By striking page 7, line 10, through page 10,
- 3 line 29, and inserting the following:
- 4 "The board shall determine the requirements that
- 5 must be met by a provisional certificate holder in
- 6 order for the certificate holder to be eligible to be
- 7 issued an educational career certificate."
- 8 2. Page 12, by striking lines 12 through 24 and
- 9 inserting the following:
- 10 "Sec._____. NEW SECTION. 260.13 APPROPRIATION.
- 11 Annually, commencing July 1, 1986, there is
- 12 appropriated from the general fund of the state to the
- 13 department of public instruction the sum of one
- 14 million dollars. The moneys shall be distributed by
- 15 the department to school districts for costs incurred
- 16 by a school district and its staff in evaluating
- 17 first-year teachers and in providing additional
- 18 assistance and resources for first-year teachers
- 19 employed in the district."

Amendment H-3335 lost.

Rosenberg of Story in the chair at 5:47 p.m.

Daggett of Taylor offered the following amendment H-3306 filed by him and moved its adoption:

H—3306

- 1 Amend House File 450 as follows:
- 2 1. Page 11, by striking lines 14 through 21 and
- 3 inserting the following: "educator certificate shall
- 4 be established by the board. In addition, an
- 5 applicant must be recommended for the master educator
- 6 certificate by a designated state evaluation team."

Roll call was requested by Groth of Buena Vista and Hughes of Union.

On the question "Shall amendment H—3306 be adopted?"

The ayes were, 47:

Bennett	Black	Blanshan	Branstad
Carpenter	Clark	Cochran	Cooper
Corey	Daggett	De Groot	Diemer
Fogarty	Grandia	Gruhn	Halvorson, R. A.
Handorf	Hanson	Harbor	Hester
Hummel	Johnson	Kremer	Lageschulte
Lloyd-Jones	Maulsby	McKean	Metcalf
Miller	Mullins	Ollie	Paulin
Pellett	Platt	Renaud	Renken
Rensink	Royer	Schneklath	Shoning
Skow	Stromer	Stueland	Torrence
Van Camp	Van Maanen	Welden	

The nays were, 49:

Arnould	Avenson	Baxter	Beatty
Brammer	Buhr	Carl	Chapman
Connolly	Connors	Fey	Groninga
Groth	Halvorson, R. N.	Hammond	Hatch
Haverland	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Loneragan
Muhlbauer	Norland	O'Kane	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Poncy	Running	Sherzan
Shoultz	Siegrist	Spear	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Varn	Woods	Zimmerman
Mr. Speaker (Rosenberg)			

Absent or not voting, 4:

Carter	Doderer	Hermann	McIntee
--------	---------	---------	---------

Amendment H—3306 lost.

McKean of Jones offered the following amendment H—3332 filed by him and moved its adoption:

H—3332

- 1 Amend House File 450 as follows:
- 2 1. Page 19, line 30, by inserting after the word
- 3 "code" the following: "on March 15, 1985."

Amendment H—3332 was adopted.

Jochum of Dubuque offered the following amendment H—3298 filed by him and Welden of Hardin and moved its adoption:

H—3298

- 1 Amend House File 450 as follows:
- 2 1. Page 19, by inserting after line 34 the
- 3 following:
- 4 "Sec. _____. Notwithstanding sections 15, 16, and 18
- 5 of this Act, the state comptroller shall not allocate
- 6 to the department of public instruction the moneys
- 7 appropriated in those sections for the fiscal year
- 8 beginning July 1, 1986 and ending June 30, 1987,
- 9 unless the general assembly meeting in 1986 authorizes
- 10 the allocation."
- 11 2. By renumbering sections as necessary.

Amendment H—3298 was adopted.

Miller of Cherokee asked and received unanimous consent to withdraw amendment H—3301, (previously deferred) filed by him on March 11, 1985.

Speaker Avenson in the chair at 6:00 p.m.

Groth of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 450)

The ayes were, 75:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark

Cochran	Connolly	Connors	Cooper
Corey	Daggett	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Harbor	Hatch	Haverland
Holveck	Hughes	Jay	Koenigs
Lageschulte	Lonergan	McIntee	Metcalf
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Pellett	Peterson
Platt	Poney	Renaud	Rosenberg
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 24:

Bennett	Branstad	De Groot	Grandia
Handorf	Hester	Hummel	Jochum
Johnson	Knapp	Kremer	Lloyd-Jones
Maulsby	McKean	Miller	Paulin
Renken	Rensink	Royer	Running
Schneklath	Van Camp	Van Maanen	Welden

Absent or not voting, 1:

Hermann

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

PRESENTATION OF VISITOR

Arnould of Scott presented to the House the Honorable B. Joseph Rinas, former member of the House representing Linn County.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 344 State Government

Relating to insurance coverage on facilities under the control of the state board of regents including catastrophic property losses.

S.B. 345 Ways and Means

Relating to the definition of retail sales for purposes of the state sales, service, and use tax.

S.B. 346 Local Government

Relating to the computation of interest penalties on delinquent property taxes.

S.B. 347 Local Government

Relating to certain tax levies of political subdivisions and area schools.

S.B. 348 Energy and Environmental Protection

To create Iowa commerce commission pilot programs for energy conservation improvements.

S.B. 349 Human Resources

Relating to the adjudication of a truant or runaway as a child in need of assistance under the juvenile justice code.

S.B. 350 Local Government

Relating to the authorization of a school corporation to establish a self-funded medical plan for its employees.

S.B. 351 Natural Resources and Outdoor Recreation

Extending the date for completion of the flood plain and floodway mapping plan.

S.B. 352 Small Business and Commerce

Relating to motor vehicle law including insurance coverage requirements for motor vehicles in this state and the giving of notices by the state department of transportation, and providing a penalty.

S.B. 353 State Government

To encourage the establishment of the United States Institute of Peace in Iowa.

S.B. 354 State Government

To establish an Iowa peace institute, to prescribe its duties, and to make an appropriation.

S.B. 355 Human Resources

Relating to the immunization of persons enrolled in postsecondary educational institutions.

S.B. 356 Transportation

Relating to the application for registration and titling of vehicles and providing penalties.

S.B. 357 Transportation

Relating to information required on manufacturer's certificates issued by final stage manufacturers.

S.B. 358 Economic Development

Relating to the rate of tax on motor fuel and special fuel.

S.B. 359 Education

Relating to plans and programs for educational development in Iowa.

S.B. 359A (REVISED) Education

Relating to plans and programs for educational development in Iowa.

S.B. 360 Judiciary and Law Enforcement

Relating to the use of juvenile records in the sentencing of a person for an offense other than a simple or serious misdemeanor.

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 ENERGY AND ENVIRONMENTAL PROTECTION

Senate File 291, a bill for an act relating to the authority of the department of water, air and waste management over used oil.

Fiscal Note is not required.

Recommended **Do Pass** March 12, 1985.

Committee Bill (Formerly Study Bill 92), relating to water wells by providing for regulation of water wells and the registration of water well contractors.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 12, 1985.

Committee Bill (Formerly Study Bill 217), relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products, and subjecting violators to civil and criminal penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 12, 1985.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 181, a bill for an act to legalize proceedings taken by the city council of the city of Buffalo, Iowa relating to the compensation of the mayor.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3336**, March 12, 1985.

Committee Bill (Formerly Study Bill 7), relating to information contained on interstate probation and parole compact transfer requests.

Fiscal Note is not required.

Recommended **Do Pass** March 12, 1985.

Committee Bill (Formerly Study Bill 21), relating to the authorization of contempt powers for juvenile court referees and providing penalties.

Fiscal Note is not required.

Recommended Do Pass March 12, 1985.

Committee Bill (Formerly Study Bill 251), relating to the joint trial of defendants charged in the same indictment or information.

Fiscal Note is not required.

Recommended Do Pass March 12, 1985.

Committee Bill (Formerly Study Bill 274), providing for forms of certain acknowledgments of conveyances of real estate.

Fiscal Note is not required.

Recommended Do Pass March 12, 1985.

Committee Bill (Formerly House File 215), relating to restitution by a child for attorneys' fees.

Fiscal Note is not required.

Recommended Do Pass March 12, 1985.

COMMITTEE ON LOCAL GOVERNMENT

House File 255, a bill for an act relating to the election of hospital trustees.

Fiscal Note is not required.

Recommended Do Pass March 12, 1985.

House File 494, a bill for an act authorizing economic development as a purpose for approval of an urban renewal plan and an urban renewal project.

Fiscal Note is not required.

Recommended Do Pass March 12, 1985.

Committee Bill (Formerly Study Bill 245), relating to the self-inflicted injury or death of persons being held in a city or county jail or detention facility.

Fiscal Note is not required.

Recommended Amend and Do Pass March 12, 1985.

Committee Bill (Formerly Study Bill 302), relating to personal liability of officers and employees of units of local government.

Fiscal Note is not required.

Recommended **Do Pass** March 12, 1985.

COMMITTEE ON STATE GOVERNMENT

House File 319, a bill for an act relating to accrued interest from certain gifts received by the commission for the blind.

Fiscal Note is not required.

Recommended **Do Pass** March 12, 1985.

Senate File 27, a bill for an act relating to the investment policies for funds available to certain state agencies.

Fiscal Note is not required.

Recommended **Do Pass** March 12, 1985.

RESOLUTIONS FILED

HCR 23, by Sherzan, a concurrent resolution establishing an interim study committee to review long-term care needs for chronically mentally ill individuals.

Laid over under **Rule 25**.

HCR 24, by committee on appropriations, a concurrent resolution asking Governor Branstad to review his budget estimate for the fiscal year beginning July 1, 1985.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-3336	H.F.	181	Committee on Judiciary and Law Enforcement
H-3337	H.F.	461	Clark of Cerro Gordo
H-3338	H.F.	319	Hanson of Delaware
H-3339	H.F.	570	Brammer of Linn
H-3340	H.F.	461	Zimmerman of Dallas
H-3341	H.F.	264	Brammer of Linn

H-3342	H.F.	495	Clark of Cerro Gordo
H-3343	H.F.	412	Baxter of Des Moines
			Swartz of Marshall
			McIntee of Black Hawk
			Sherzan of Polk
			Schnekloth of Scott
H-3344	H.F.	288	Harbor of Mills
H-3346	S.F.	269	Hanson of Delaware

On motion by Norland of Worth, the House adjourned at 6:05 p.m., until 9:00 a.m., Thursday, March 14, 1985.

JOURNAL OF THE HOUSE

Sixtieth Calendar Day—Fortieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 14, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by the Honorable Roger Halvorson, state representative from Clayton County.

The Journal of Wednesday, March 13, 1985 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By O'Kane of Woodbury, from thirty-five deaf persons from the Sioux City area favoring a full time local interpreter.

By Peterson of Carroll, from thirty-seven constituents of the 95th District favoring increases in appropriations to the State Transit Assistance Fund to insure continuation of public transit service to Iowans.

INTRODUCTION OF BILLS

House File 591, by Sturgeon, a bill for an act requiring the Iowa state commerce commission to conduct spot inspections of gas and electric meters used by rate-regulated public utilities in the state.

Read first time and referred to committee on **energy and environmental protection**.

House File 592, by Peick, a bill for an act requiring a person applying a pesticide to a dwelling to provide certain information to the owner and residents of the dwelling prior to applying the pesticide and providing penalties.

Read first time and referred to committee on **energy and environmental protection**.

House File 593, by Brammer, a bill for an act exempting certain motor vehicle accidents involving peace officers and members of fire departments from being included in the person's operating record.

Read first time and referred to committee on **transportation**.

House File 594, by Holveck and Pavich, a bill for an act to provide that, upon the payment of contributions, a period of service in the armed forces of the United States will count as service under the Iowa public employees' retirement system.

Read first time and referred to committee on **state government**.

House File 595, by Carpenter, a bill for an act relating to the taxable wage base under the unemployment compensation law.

Read first time and referred to committee on **labor and industrial relations**.

House File 596, by Carpenter, a bill for an act relating to the computation of weekly benefits under the unemployment compensation law.

Read first time and referred to committee on **labor and industrial relations**.

House File 597, by Ollie, a bill for an act authorizing a referendum on a question to retain an existing form of city government and any proposed changes to a form of government authorized by city ordinance.

Read first time and referred to committee on **local government**.

House File 598, by Handorf and Stromer, a bill for an act relating to the use of flashing blue lights on motor vehicles of volunteer ambulance service personnel.

Read first time and referred to committee on **transportation**.

House File 599, by Hatch, a bill for an act changing the name of the Iowa housing finance authority.

Read first time and referred to committee on **state government**.

House File 600, by Running, a bill for an act requiring an area education agency to provide certain services to school age children in inpatient substance abuse programs. *

Read first time and referred to committee on **education**.

House File 601, by Peick, a bill for an act providing that the worker right to know provisions of the hazardous chemicals risks right to know Act apply to a certified pesticide applicator's employees who are not themselves certified under chapter 206.

Read first time and referred to committee on **labor and industrial relations**.

House File 602, by Carter, a bill for an act establishing a health care equipment financing program within the Iowa housing finance authority for the purpose of issuing bonds to assist health care providers in financing health care equipment.

Read first time and referred to committee on **human resources**.

House File 603, by Cochran, 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 **transportation**.

House File 604, by Sullivan, Baxter, Carter, Poncey, Spear, Jay and Connolly, a bill for an act requiring the state department of transportation to consider as a factor in determining whether to improve a primary road the impact the improvement will make toward the economic development of the served areas.

Read first time and referred to committee on **transportation**.

House File 605, by Doderer and Carpenter, a bill for an act extending the state policy of determining compensation for work based on comparable worth to all political subdivisions of the state, and providing an effective date.

Read first time and referred to committee on **state government**.

House File 606, by Skow, Groth and Hummel, a bill for an act prohibiting the payment of any inducement or compensation related to a real estate sale to a person not appropriately licensed as a real estate salesperson or broker.

Read first time and referred to committee on **small business and commerce**.

House File 607, by Platt and Woods, a bill for an act imposing an additional excise tax on regular grade gasoline and crediting the net proceeds of the additional tax to the primary road fund, making penalties applicable.

Read first time and referred to committee on **transportation**.

House File 608, by Hatch, a bill for an act relating to the hazardous chemicals interagency coordinating council.

Read first time and referred to committee on **energy and environmental protection**.

House File 609, by Stromer and Norland, a bill for an act relating to providing a value-added corn tax credit.

Read first time and referred to committee on **ways and means**.

House File 610, by Parker, a bill for an act establishing a municipal equipment financing program within the Iowa housing finance authority for the purpose of issuing bonds to assist municipalities in financing equipment.

Read first time and referred to committee on **local government**.

House File 611, by Hummel, a bill for an act related to marketing practices in the petroleum industry and providing a penalty.

Read first time and referred to committee on **small business and commerce**.

House File 612, by Shoultz, a bill for an act relating to the determination of the penalty for early retirement under the Iowa public employees' retirement system for members who are less than sixty-two years of age and have completed more than thirty-five years of service.

Read first time and referred to committee on **state government**.

House File 613, by Carl, a bill for an act relating to discrimination based on military service, and disposition.

Read first time and referred to committee on **human resources**.

House File 614, by McIntee, Kremer, Renken, Shoning, Corey, Stueland, Welden, Diemer, Grandia, Maulsby and Royer, a bill for an act establishing the penalties of death or life imprisonment for certain offenses and prescribing procedures for carrying out the sentence.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 615, by Pavich and O'Kane, a bill for an act requiring a city with a council-manager-at-large form of government to vote on a change to a council-manager-ward form each four years.

Read first time and referred to committee on **local government**.

House File 616, by committee on human resources, a bill for an act relating to the administration of maternal and child health programs and crippled children's programs by the department of health.

Read first time and placed on the **calendar**.

House File 617, by committee on transportation, a bill for an act requiring insurance for certain motor vehicle service contracts and providing a remedy.

Read first time and placed on the **calendar**.

House File 618, by committee on local government, a bill for an act relating to the self-inflicted injury or death of persons being held in a city or county jail or detention facility.

Read first time and placed on the **calendar**.

House File 619, by committee on education, a bill for an act relating to the expenditure of moneys from the loan reserve account of the Iowa college aid commission and providing an effective date for the Act.

Read first time and placed on the calendar.

House File 620, by Halvorson of Clayton, a bill for an act relating to the maximum weekly benefit amounts to be paid under the unemployment compensation law.

Read first time and referred to committee on labor and industrial relations.

House File 621, by McKean, a bill for an act relating to the operation of a motor vehicle while under the influence and providing a penalty.

Read first time and referred to committee on judiciary and law enforcement.

House File 622, by Running, a bill for an act relating to the district offices of the department of human services.

Read first time and referred to committee on human resources.

House File 623, by Siegrist and Pavich, a bill for an act to authorize boards of trustees of fire and police retirement systems to employ or retain legal counsel.

Read first time and referred to committee on state government.

House File 624, by Doderer, a bill for an act relating to continuing coverage after entry of a final dissolution of marriage, annulment, or separate maintenance decree under a group accident and health insurance policy or a group hospital or medical subscriber contract.

Read first time and referred to committee on small business and commerce.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 12, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 186, a bill for an act amending the Code chapters relating to the Iowa department of corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with adult offenders, and modifying statutes relating to inmate work and work release, departmental employees as chauffeurs, and to district court reports of criminal convictions.

Also: That the Senate has on March 12, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 159, a bill for an act eliminating penalties for registrations of snowmobiles which have not been registered for two subsequent registration periods.

Also: That the Senate has on March 13, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 261, a bill for an act relating to the residence of township officers.

Also: That the Senate has on March 12, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 313, a bill for an act allowing certain truck tractors to be registered as special trucks.

Also: That the Senate has on March 12, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 337, a bill for an act relating to international trade and finance by providing for the creation of one or more international currency and barter exchanges for certain purposes, a committee to write a constitution and bylaws for an exchange, requirements with respect to the self-regulation of an exchange, application of the securities laws, and limitations on investments in exchange members.

Also: That the Senate has on March 12, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 387, a bill for an act allowing a person to whom ownership of a vehicle has been transferred by a spouse, parent or child of the person, or by operation of law upon inheritance, devise or bequest, from the person's spouse, parent or child, or by a former spouse pursuant to a decree of dissolution of marriage, a credit to be applied to the registration fee of the transferred vehicle and requiring rules to be adopted to provide for the assignment of registration plates to the person.

Also: That the Senate has on March 12, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 391, a bill for an act exempting fire trucks and other fire apparatus from meeting air quality standards.

Also: That the Senate has on March 12, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 392, a bill for an act requiring insurance for certain motor vehicle service contracts and providing a remedy.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 9:28 a.m., until 11:45 a.m.

The House reconvened, Fey of Scott 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 March 14, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 101, a bill for an act relating to state banks by permitting a state bank to engage in securities activities and to organize, acquire or invest in a subsidiary to engage in nondepository activities permitted by state or federal law.

K. MARIE THAYER, Secretary

On motion by Norland of Worth, the House was recessed at 12:05 p.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

CONSIDERATION OF BILLS

Regular Calendar

Senate File 150, a bill for an act relating to the appointment date for a secretary of a school board, with report of committee recommending passage was taken up for consideration.

Spears of Lee offered the following amendment H - 3324 filed by him:

H-3324

- 1 Amend Senate File 150 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, line 3, by striking the word "July"
- 4 and inserting the following: "July or".

Spear of Lee offered the following amendment H-3349, to amendment H-3324, filed by him from the floor and moved its adoption:

H-3349

- 1 Amend amendment H-3324 to Senate File 150 as passed
- 2 by the Senate, as follows:
- 3 1. Page 1, by inserting after line 4 the
- 4 following:
- 5 "_____. Page 1, line 13, by striking the word
- 6 "August," and inserting the following: "July or
- 7 August of".

Amendment H-3349 was adopted.

On motion by Spear of Lee, amendment H-3324, as amended, was adopted.

Spear of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 150)

The ayes were, 96:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fogarty
Grandia	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland

O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Fey	Groninga	Hermann	Woods
-----	----------	---------	-------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 505, a bill for an act relating to an annual review of local human service programs by the county board of social welfare, was taken up for consideration.

Sullivan of Van Buren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 505)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Parker
Paulin	Pavich	Peick	Pellett

Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skbw	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Van Camp	Van Maanen	Varn	Welden
Zimmerman	Mr. Speaker		

The nays were, 3:

Carter	Handorf	Torrence
--------	---------	----------

Absent or not voting, 3:

Hermann	Oxley	Woods
---------	-------	-------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Appropriations Calendar

Senate File 269, a bill for an act relating to and making appropriations to various state regulatory and licensing departments, boards, and commissions, with report of committee recommending amendment and passage was taken up for consideration.

Renaud of Polk offered the following amendment H—3276 filed by the committee on appropriations and moved its adoption:

H—3276

- 1 Amend Senate File 269 as passed by the Senate as
- 2 follows:
- 3 1. Page 2, by inserting after line 24 the
- 4 following: "The licensing boards for which general
- 5 fund appropriations have been provided for in
- 6 subsections 1, 2, 4, 6, 7, 8 and 9 may expend
- 7 additional funds, if those additional expenditures are
- 8 directly the cause of actual examination expenses
- 9 exceeding funds budgeted for examinations. Before a
- 10 licensing board included in subsection 1, 2, 4, 6, 7,
- 11 8 or 9 expends or encumbers an amount in excess of the
- 12 funds budgeted for examinations, the state comptroller
- 13 shall approve the expenditure or encumbrance. Before
- 14 approval is given, the state comptroller shall
- 15 determine that the examination expenses exceed the
- 16 funds budgeted by the general assembly to the board

17 and the board does not have other funds from which
 18 examination expenses can be paid. Upon approval of
 19 the state comptroller the licensing board may expend
 20 and encumber funds for excess examination expenses.
 21 The amounts necessary to fund the excess examination
 22 expenses shall be collected as fees from additional
 23 examination applicants and shall be treated as
 24 repayment receipts as defined in section 8.2,
 25 subsection 5."

The committee amendment H-3276 was adopted.

Hanson of Delaware offered the following amendment H-3346
 filed by him and moved its adoption:

H-3346

1 Amend Senate File 269 as passed by the Senate as
 2 follows:
 3 1. Page 1, by striking lines 13 through 17.
 4 2. Page 5, by inserting after line 30 the
 5 following:
 6 "Sec._____. Section 258A.1, subsection 1, Code
 7 1985, is amended by striking paragraph "f" and
 8 relettering the remaining paragraphs.
 9 Sec._____. Chapter 118A, Code 1985 is repealed."

Renaud of Polk rose on a point of order that amendment
 H-3346 was not germane.

The Speaker ruled the point well taken and amendment
 H-3346 not germane.

Hanson of Delaware asked and received unanimous consent to
 withdraw amendment H-3327 filed by him on March 12, 1985.

Renaud of Polk moved that the bill be read a last time now and
 placed upon its passage which motion prevailed and the bill was
 read a last time.

On the question "Shall the bill pass?" (S.F. 269)

The ayes were, 97:

Arnould
 Black
 Buhr

Baxter
 Blanshan
 Carl

Beatty
 Brammer
 Carpenter

Bennett
 Branstad
 Carter

Chapman	Clark	Cochran	Conolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lónergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Doderer Hermann Sherzan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 329 DEFERRED

Norland of Worth asked and received unanimous consent that House File 329 be deferred and that the bill retain its place on the calendar.

House File 548, a bill for an act requiring a retroactive increase in medical assistance reimbursement rates for psychologists, effective upon publication, was taken up for consideration.

Carl of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 548)

The ayes were, 81:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Daggett	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Lohergan	McIntee	McKean
Metcalf	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Poncy	Renaud	Rensink
Rosenberg	Running	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 17:

Branstad	Corey	De Groot	Grandia
Handorf	Hummel	Kremer	Lageschulte
Maulsby	Miller	Pellett	Platt
Renken	Royer	Schnekloth	Van Maanen
Welden			

Absent or not voting, 2:

Hermann 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 469, a bill for an act to require a sufficient number of wells at each sanitary disposal project to adequately monitor ground water quality, was taken up for consideration.

The following amendment H-3354 filed by Johnson of Winneshiek from the floor, was adopted by unanimous consent:

H-3354

- 1 Amend House File 469 as follows:
- 2 1. Page 1, line 13, by inserting after the word
- 3 "shall" the word "include".

Johnson of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 469)

The ayes were, 84:

Arnould	Baxter	Black	Blansharr
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Hatch
Haverland	Holveck	Hughes	Hummel
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poney	Renaud
Rensink	Rosenberg	Royer	Running
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 14:

Bennett	Branstad	Corey	Daggett
De Groot	Grandia	Handorf	Hester
Jay	Maulsby	Renken	Schnekloth
Van Maanen	Weiden		

Absent or not voting, 2:

Beatty	Hermann
--------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 475, a bill for an act relating to the share of the surviving spouse in intestate succession, was taken up for consideration.

SENATE FILE 378 SUBSTITUTED FOR HOUSE FILE 475

Haverland of Polk asked and received unanimous consent to substitute Senate File 378 for House File 475.

Senate File 378, a bill for an act relating to the share of the surviving spouse in intestate succession, was taken up for consideration.

Haverland of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 378)

The ayes were, 99:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 1:

Hermann

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 475 WITHDRAWN

Haverland of Polk asked and received unanimous consent to withdraw House File 475 from further consideration by the House.

House File 549, a bill for an act relating to domestic abuse counseling; to coordination of certain domestic abuse programs by the department of human services; to compilation and dissemination of domestic abuse information by the department of public safety; to warrantless arrests of persons committing domestic abuse, and providing penalties; and to the establishment of a court fee for the entering of a final decree of dissolution of marriage, was taken up for consideration.

Sturgeon of Woodbury offered the following amendment H-3328 filed by him and Shoultz of Black Hawk:

H-3328

- 1 Amend House File 549 as follows:
- 2 1. Page 1, by striking line 31 and inserting the
- 3 following: "department of public safety. The
- 4 department of public safety shall receive and maintain
- 5 the".
- 6 2. Page 1, line 34, by inserting after the word
- 7 "department" the following: "of public safety".
- 8 3. Page 2, line 1, by inserting after the word
- 9 "department" the following: "of public safety".
- 10 4. Page 2, by striking lines 2 and 3 and
- 11 inserting the following: "disseminate the identifying
- 12 information to a criminal justice agency".
- 13 5. Page 2, line 5, by striking the word
- 14 "personnel" and inserting the following: "agency".
- 15 6. Page 2, line 11, by inserting after the word
- 16 "department" the following: "of public safety".
- 17 7. Page 2, by striking lines 17 through 20.

Jay of Appanoose offered the following amendment H—3353, to amendment H—3328, filed by him from the floor and moved its adoption:

H—3353

- 1 Amend amendment H—3328 to House File 549 as
- 2 follows:
- 3 1. Page 1, by inserting after line 17 the
- 4 following:
- 5 "_____. By striking page 6, line 31 through page 7,
- 6 line 4."
- 7 2. By renumbering as necessary.

Shoultz of Black Hawk rose on a point of order that amendment H—3353 was not germane.

The Speaker ruled the point well taken and amendment H—3353 not germane.

Jay of Appanoose moved that the rules be suspended to consider amendment H—3353.

A non-record roll call was requested.

The ayes were 35, nays 41.

The motion to suspend the rules lost.

On motion by Sturgeon of Woodbury, amendment H—3328 was adopted.

Shoultz of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 549)

The ayes were, 99:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett

De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 1:

Hermann

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 539, a bill for an act relating to the jurisdiction and control of the great river road, was taken up for consideration.

Sullivan of Van Buren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 539)

The ayes were, 99:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth

Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 1:

Hermann

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

ADOPTION OF HOUSE RESOLUTION 10

Norland of Worth called up for consideration House Resolution 10, to request the Iowa Congressional Delegation to provide wildlife food plots under the federal 1985 farm program.

Stueland of Clinton moved the adoption of the resolution.

The motion prevailed and the resolution was adopted.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 14th day of March, 1985: House File 87.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 361 Human Resources

Relating to merged area hospitals.

S.B. 362 Energy and Environmental Protection

Relating to hazardous wastes in impoundments and providing penalties.

S.B. 363 Energy and Environmental Protection

Creating the office of small business utility advocate.

S.B. 364 Agriculture

Eliminating the rights of a dissenting member or shareholder of a cooperative association that is being merged or consolidated to require the surviving or new association to purchase the member's or shareholder's interest in the merged or consolidated association.

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 the department of banking, state comptroller, department of general services, and office of disaster services and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 13, 1985.

COMMITTEE ON ECONOMIC DEVELOPMENT

Committee Bill (Formerly House File 468), relating to the establishment of an export trade division within the Iowa development commission.

Fiscal Note is not required.

Recommended **Do Pass** March 13, 1985.

COMMITTEE ON EDUCATION

Senate File 271, a bill for an act relating to refund of tuition policies of certain post-secondary institutions and to prescribe a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3348**, March 13, 1985.

Committee Bill (Formerly Study Bill 147), relating to the expenditure of moneys from the loan reserve account of the Iowa college aid commission.

Fiscal Note is not required.

Recommended **Do Pass** March 13, 1985.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly Study Bill 340), relating to the administration of maternal and child health programs and crippled children's programs by the department of health.

Fiscal Note is not required.

Recommended **Do Pass** March 13, 1985.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

CORRECTED COMMITTEE RECOMMENDATION on House File 130, a bill for an act relating to community service by providing that the state assumes liability for injuries to persons performing unpaid community service.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3351**, March 7, 1985.

CORRECTED COMMITTEE RECOMMENDATION on House File 268, a bill for an act relating to escapees from community-based correctional programs, and adopting penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—3352**, March 7, 1985.

COMMITTEE ON NATURAL RESOURCES AND OUTDOOR RECREATION

Committee Bill (Formerly Study Bill 91), relating to the payment of drainage assessments against lands under the jurisdiction of the state conservation commission.

Fiscal Note is not required.

Recommended **Do Pass** March 13, 1985.

Committee Bill (Formerly Study Bill 342), to require the display of a bill of sale, receipt, or other proof of ownership for the registration of a vessel and to repeal the requirement for the issuance of a certificate of origin on the sale of a vessel.

Fiscal Note is not required.

Recommended **Do Pass** March 13, 1985.

Committee Bill (Formerly Study Bill 343), to revise the procedures for the assessment of penalties under the laws regulating coal mining.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 13, 1985.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Committee Bill (Formerly Study Bill 270), relating to bonding by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by removing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, and by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes and making the provisions effective upon publication.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 13, 1985.

COMMITTEE ON TRANSPORTATION

House File 401, a bill for an act to permit suspension of motor vehicle licenses for nonpayment of motor vehicle related fines, court costs or surcharges.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3347**, March 13, 1985.

Committee Bill (Formerly Study Bill 316), requiring insurance for certain motor vehicle service contracts and providing a remedy.

Fiscal Note is not required.

Recommended **Do Pass** March 13, 1985.

AMENDMENTS FILED

H-3347	H.F.	401	Committee on Transportation
H-3348	S.F.	271	Committee on Education
H-3350	H.F.	186	Senate Amendment
H-3351	H.F.	130	Committee on Judiciary and Law Enforcement
H-3352	H.F.	268	Committee on Judiciary and Law Enforcement
H-3355	H.F.	570	Brammer of Linn Fey of Scott Arnould of Scott Halvorson of Clayton
H-3356	H.F.	531	Kremer of Buchanan
H-3357	H.F.	570	Zimmerman of Dallas
H-3358	H.F.	541	Doderer of Johnson Connolly of Dubuque

On motion by Norland of Worth, the House adjourned at 3:07 p.m., until 9:00 a.m., Friday, March 15, 1985.

JOURNAL OF THE HOUSE

Sixty-first Calendar Day — Forty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 15, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Delores Doench, pastor of the Congregational United Church of Christ, Cromwell.

The Journal of Thursday, March 14, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Daggett of Taylor on request of Stromer of Hancock; Carter of Henry on request of Gruhn of Dickinson; Lonergan of Boone on request of Arnould of Scott and Platt of Muscatine on request of Van Camp of Scott.

INTRODUCTION OF BILLS

House File 625, by committee on natural resources and outdoor recreation, a bill for an act to require the display of a bill of sale, receipt, or other proof of ownership for the registration of a vessel and to repeal the requirement for the issuance of a certificate of origin on the sale of a vessel.

Read first time and placed on the **calendar**.

House File 626, by committee on natural resources and outdoor recreation, a bill for an act to revise the procedures for the assessment of penalties under the laws regulating coal mining.

Read first time and placed on the **calendar**.

House File 627, by Groninga, a bill for an act adding four ex officio nonvoting legislative members to the state transportation commission.

Read first time and referred to committee on **transportation**.

House File 628, by Hermann, a bill for an act relating to an income tax checkoff for child abuse prevention.

Read first time and referred to committee on **ways and means**.

House File 629, by Groninga, a bill for an act relating to the membership of the state board of regents.

Read first time and referred to committee on **education**.

House File 630, by Peick, a bill for an act relating to portable school stop signs.

Read first time and referred to committee on **transportation**.

House File 631, by Swartz, a bill for an act relating to the operation and funding of community, supervised apartment living arrangements.

Read first time and referred to committee on **human resources**.

House File 632, by Van Camp, a bill for an act relating to escrow accounts on real property contracts for certain single-family or two-family dwellings.

Read first time and referred to committee on **small business and commerce**.

House File 633, by Halvorson of Clayton and Brammer, a bill for an act relating to mutualization of nonprofit health care service corporations.

Read first time and referred to committee on **small business and commerce**.

House File 634, by Carpenter, a bill for an act relating to the unemployment compensation disqualification for misconduct.

Read first time and referred to committee on **labor and industrial relations**.

House File 635, by committee on natural resources and outdoor recreation, a bill for an act relating to the payment of drainage assessments against lands under the jurisdiction of the state conservation commission.

Read first time and placed on the **calendar**.

House File 636, by Stromer, a bill for an act to appropriate funds to the state conservation commission for the payment of a drainage assessment and providing an effective date.

Read first time and referred to committee on **appropriations**.

House File 637, by Paulin, a bill for an act to limit eligibility for Sunday sales of alcoholic liquor and beer to those licensees and permittees for whom sales of prepared food and meeting room rental fees constitute fifty percent or more of gross receipts.

Read first time and referred to committee on **state government**.

House File 638, by Parker, a bill for an act exempting from the state individual and corporate income taxes of interest from certain bonds or notes issued by the state of Iowa or its political subdivisions for certain infrastructure projects and providing an effective date.

Read first time and referred to committee on **ways and means**.

House File 639, by Rosenberg, a bill for an act relating to the presence and removal of asbestos in public school buildings.

Read first time and referred to committee on **education**.

House File 640, by committee on local government, a bill for an act relating to the computation of interest penalties on delinquent property taxes.

Read first time and placed on the **calendar**.

House File 641, by committee on judiciary and law enforcement, a bill for an act relating to the violation of a custodial order and providing penalties.

Read first time and placed on the **calendar**.

House File 642, by committee on appropriations; a bill for an act relating to and making appropriations to the department of banking, state comptroller, department of general services, and office of disaster services and providing an effective date.

Read first time and placed on the **appropriations calendar**.

House File 643, by committee on energy and environmental protection, a bill for an act relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products, and subjecting violators to civil and criminal penalties.

Read first time and placed on the **calendar**.

House File 644, by Lloyd-Jones, a bill for an act to provide space on the driver's license to indicate the driver's blood type.

Read first time and referred to committee on **transportation**.

House File 645, by committee on local government, a bill for an act relating to the appointment of a clerk to the board of supervisors.

Read first time and placed on the **calendar**.

SENATE MESSAGES CONSIDERED

Senate File 101, by Hultman, a bill for an act relating to state banks by permitting a state bank to engage in securities activities and to organize, acquire or invest in a subsidiary to engage in nondepository activities permitted by state or federal law.

Read first time and referred to committee on **small business and commerce**.

Senate File 159, by Vande Hoef, a bill for an act eliminating penalties for registrations of snowmobiles which have not been registered for two subsequent registration periods.

Read first time and referred to committee on **natural resources and outdoor recreation**.

Senate File 261, by Neighbour, a bill for an act relating to the residence of township officers.

Read first time and **passed on file**.

Senate File 313, by Drake and Priebe, a bill for an act allowing certain truck tractors to be registered as special trucks.

Read first time and referred to committee on **transportation**.

Senate File 337, by committee on state government, a bill for an act relating to international trade and finance by providing for the creation of one or more international currency and barter exchanges for certain purposes, a committee to write a constitution and bylaws for an exchange, requirements with respect to the self-regulation of an exchange, application of the securities laws, and limitations on investments in exchange members.

Read first time and referred to committee on **economic development**.

Senate File 387, by committee on transportation, a bill for an act allowing a person to whom ownership of a vehicle has been transferred by a spouse, parent or child of the person, or by operation of law upon inheritance, devise or bequest, from the person's spouse, parent or child, or by a former spouse pursuant to a decree of dissolution of marriage, a credit to be applied to the registration fee of the transferred vehicle and requiring rules to be adopted to provide for the assignment of registration plates to the person.,

Read first time and referred to committee on **transportation**.

Senate File 391, by committee on transportation, a bill for an act exempting fire trucks and other fire apparatus from meeting air quality standards.

Read first time and referred to committee on **energy and environmental protection**.

Senate File 392, by committee on transportation, a bill for an act requiring insurance for certain motor vehicle service contracts and providing a remedy.

Read first time and passed on file.

Hughes of Union in the chair at 9:20 a.m.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 570, a bill for an act relating to the premium tax on insurance companies and associations and mutual service corporations operating under chapter 514 domiciled or doing business in the state, was taken up for consideration.

Brammer of Linn offered the following amendment H-3339 filed by him:

H-3339

- 1 Amend House File 570 as follows:
- 2 1. Page 1, line 11, by inserting after the word
- 3 "Iowa" the following: "with fifty or more employees,
- 4 exclusive of licensed agents".

Brammer of Linn offered the following amendment H-3359, to amendment H-3339, filed by him from the floor and moved its adoption:

H-3359

- 1 Amend amendment H-3339 to House File 570 as follows:
- 2 1. Page 1, by adding after line 4 the following:
- 3 "_____. Page 1, line 30, by inserting after the word
- 4 "contracts" the following: "covering residents in this
- 5 state".

Amendment H-3359 was adopted.

On motion by Brammer of Linn, amendment H-3339, as amended, was adopted.

Brammer of Linn offered the following amendment H-3355 filed by Brammer, et al., and moved its adoption:

H—3355

- 1 Amend House File 570 as follows:
 2 1. Page 1, by inserting after line 14 the
 3 following:
 4 "NEW SUBSECTION. 6. Notwithstanding subsections 1
 5 and 2 and in lieu of the premium tax provided in those
 6 sections, after the first five years of existence of a
 7 health maintenance organization established under
 8 chapter 514B, one percent of the gross amount of
 9 premiums received as provided in section 514B.31."
 10 2. Page 1, line 15, by striking the figure "6"
 11 and inserting the figure "7".
 12 3. Page 1, line 33, by striking the word and
 13 figure "and 6" and inserting the following: "6, and
 14 7".
 15 4. Renumber as necessary.

Amendment H—3355 was adopted.

Speaker Avenson in the chair at 9:40 a.m.

Zimmerman of Dallas asked and received unanimous consent to withdraw amendment H—3357 filed by her on March 14, 1985.

Halvorson of Clayton asked and received unanimous consent to suspend Rule 31.8 for the consideration of amendment H—3360, as follows, filed by him from the floor:

H—3360

- 1 Amend House File 570 as follows:
 2 1. Page 1, by inserting after line 34, the following:
 3 "Sec. _____. Section 514.15, Code 1985, is amended to
 4 read as follows:
 5 "514.15 Nonexempt from taxation—rate of tax on
 6 contracts.
 7 Every corporation organized under the provisions of
 8 this chapter is hereby declared to be a charitable
 9 and benevolent institution but its property and funds,
 10 including subscribers' contracts, shall not be exempt
 11 from taxation. The tax on subscriber contracts shall
 12 be at the rate of fifteen cents for each subscriber
 13 contract issued in the preceeding calendar year and
 14 shall be paid to the commissioner of insurance at the
 15 time of filing of each corporation's annual statement.
 16 For purposes of this section, the term "subscriber
 17 contract" shall mean only those benefit contracts

18 issued or delivered in Iowa by corporations subject to
 19 this chapter, including certificates issued under
 20 such contracts, and which provide coverage to residents
 21 of Iowa on a risk basis."

On motion by Halvorson of Clayton, amendment H—3360 was adopted.

Brammer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 570)

The ayes were, 62:

Arnould	Baxter	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Harbor
Hatch	Hughes	Jay	Jochum
Johnson	Kremer	Lloyd-Jones	McIntee
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Parker
Paulin	Peick	Pellett	Peterson
Rosenberg	Royer	Sherzan	Shoning
Shoultz	Siegrist	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Van Camp
Zimmerman	Mr. Speaker		

The nays were, 32:

Black	Corey	De Groot	Grandia
Handorf	Haverland	Hester	Holveck
Hummel	Knapp	Koenigs	Lageschulte
Mausby	McKean	Osterberg	Oxley
Pavich	Poncy	Renaud	Renken
Rensink	Running	Schnekloth	Skow
Spear	Stromer	Stueland	Swearingen
Torrence	Van Maanen	Varn	Woods

Absent or not voting, 6:

Carter	Daggett	Hermann	Lonergan
Platt	Weiden		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

House File 471, a bill for an act relating to ads which are published, broadcast, displayed or disseminated to the public by a public utility and making civil penalties applicable, was taken up for consideration.

Parker of Jasper moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 471)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holtveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellet	Peterson
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 1:

Corey

Absent or not voting, 5:

Carter	Daggett	Hermann	Loneragan
Platt			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 495, a bill for an act for the collection of support obligations relating to identifying information in petitions for dissolution of marriage and support orders, the payment and distribution of support payments to and by the clerk of the district court, the modification of support orders, and the recording of income tax refund or rebate payments by the clerk, was taken up for consideration.

Mullins of Kossuth offered the following amendment H-3334 filed by Mullins, et al.:

H-3334

1 Amend House File 495 as follows:

2 1. Page 1, by inserting before line 1, the
3 following:

4 "Sec. _____. Chapter 252D.1, Code 1985, is amended
5 by adding the following new unnumbered paragraph
6 before subsection 1:

7 NEW UNNUMBERED PARAGRAPH. As used in this chapter,
8 unless the context otherwise requires, "support" or
9 "support payments" means any amount which the court
10 may require a person to pay for the benefit of a
11 spouse who has not remarried or a child under a
12 temporary order or a final judgment or decree, and may
13 include alimony, child support, maintenance, and any
14 other term used to describe these obligations. These
15 obligations may include support for a child who is
16 between the ages of eighteen and twenty-two years and
17 who is regularly attending an approved school in
18 pursuance of a course of study leading to a high
19 school diploma or its equivalent, or regularly
20 attending a course of vocational technical training
21 either as a part of a regular school program or under
22 special arrangements adapted to the individual
23 person's needs, or is, in good faith, a full-time
24 student in a college, university, or area school, or
25 has been accepted for admission to a college,
26 university, or area school and the next regular term
27 has not yet begun; and may include support for a child
28 of any age who is dependent on the parties to the
29 dissolution proceedings because of physical or mental
30 disability."

31 2. Page 2, line 15, by inserting after the figure
32 "1" the following ", 2,".

33 3. Page 2, by inserting after line 24 the
34 following:

35 "Upon a finding of previous failure to pay child
36 support, the court may order the person obligated for

37 permanent child support to make an assignment of
38 periodic earnings, or trust income to the clerk of
39 court for the use of the person for whom the
40 assignment is ordered. The assignment of earnings
41 ordered by the court shall not exceed the amounts set
42 forth in 15 U.S.C. s. sec. 1673b (Supp. 1979). The
43 assignment is binding on the employer, trustee, or
44 other payor of the funds two weeks after service upon
45 that person of notice that the assignment has been
46 made. The payor shall withhold from the earnings, or
47 trust income payable to the person obligated the
48 amount specified in the assignment and shall transmit
49 the payments to the clerk. The payor may deduct from
50 each payment a sum not exceeding one dollar as a

Page 2

1 reimbursement for costs. An employer who dismisses an
2 employee due to the entry of an assignment order
3 commits a simple misdemeanor."

4 4. Page 3, by inserting after line 1, the
5 following:

6 "Sec. _____. Section 598.23, subsection 2, paragraph
7 a, Code 1985, is amended to read as follows:

8 a. Directs the defaulting party to assign; trust
9 income or a sufficient amount in salary or wages due,
10 or to become due in the future, from an employer or
11 successor employers, to the clerk of the court where
12 the order or judgment was granted for the purpose of
13 paying the sums in default as well as those the
14 payments to be made in the future. Where If the
15 assignment is of salary or wages due, the amount
16 assigned shall not exceed the amount set forth in 15
17 U.S.C. s. sec. 1673b (Supp. 1979) and the assignment
18 order shall be binding upon the employer only for
19 those amounts that represent child support and only
20 upon receipt by the employer of a copy of the order,
21 signed by the employee. For each payment deducted in
22 compliance with such request the direction, the payor
23 may deduct a sum not exceeding one dollar as a
24 reimbursement for costs. Compliance by a payor with
25 the court's order shall operate as a discharge of the
26 employer's liability to the payee as to the affected
27 portion of the payee's wages, or trust income. Any An
28 employer who dismisses an employee due to the entry of
29 an assignment order commits a simple misdemeanor."

30 5. Page 3, by inserting after line 12, the
31 following:

32 "Sec. _____. Section 627.11, Code 1985, is amended
33 to read as follows:

34 627.11 EXCEPTION UNDER DIVORCE DECREE FOR SPOUSAL

35 SUPPORT.

36 Where If the party in whose favor the order,
 37 judgment, or decree, or judgment for the support of a
 38 spouse was rendered has not remarried, the personal
 39 earnings of the debtor shall are not be exempt from
 40 any an order, judgment, or decree for temporary or
 41 permanent alimony hereafter rendered in this state
 42 support, as defined in section 252D.1, of a spouse,
 43 nor from any an installment of any such an order,
 44 judgment, or decree heretofore rendered within this
 45 state which, by the provisions thereof, may hereafter
 46 become due for the support of a spouse.

47 Sec._____. Section 627.12, Code 1985, is amended to
 48 read as follows:

49 627.12 EXCEPTION UNDER DECREE FOR CHILD SUPPORT OF
 50 MINORS.

Page 3

1 The personal earnings of the debtor shall are not
 2 be exempt from any an order, judgment, or decree for
 3 the support, as defined in section 252D.1, of a minor
 4 child, or children hereafter rendered in this state
 5 nor any from an installment of any such an order,
 6 judgment, or decree heretofore rendered in this state
 7 which, by the provisions thereof, may hereafter become
 8 due for the support of a child.

9 Sec._____. Section 642.21, subsection 1, Code 1985,
 10 is amended to read as follows:

11 1. The disposable earnings of an individual are
 12 exempt from garnishment to the extent provided by the
 13 federal Consumer Credit Protection Act, Title III, 15
 14 U.S.C. secs. 1671-1677. The maximum amount of an
 15 employee's earnings which may be garnished during any
 16 one calendar year is two hundred fifty dollars for
 17 each judgment creditor, except as provided in section
 18 chapter 252D and sections 598.22, 598.23, 627.11 and
 19 627.12, or when those earnings are reasonably expected
 20 to be in excess of twelve thousand dollars for that
 21 calendar year as determined from the answers taken by
 22 the sheriff or by the court pursuant to section 642.5,
 23 subsection 4. When the employee's earnings are
 24 reasonably expected to be more than twelve thousand
 25 dollars the maximum amount of those earnings which may
 26 be garnished during a calendar year for each creditor
 27 is as follows:

28 Sec._____. Section 252D.6, Code 1985, is repealed."

29 6. Title page, line 5, by inserting after the
 30 word "orders," the following: "providing exceptions
 31 to garnishment limitations,".

Clark of Cerro Gordo offered the following amendment H—3342, to amendment H—3334, filed by her and moved its adoption:

H—3342

- 1 Amend amendment H—3334 to House File 495 as follows:
- 2 1. Page 1, by striking line 6, and inserting the
- 3 following: "after subsection 3:".

Amendment H—3342 was adopted.

On motion by Mullins of Kossuth, amendment H—3334, as amended, was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Shoning of Woodbury on request of Stromer of Hancock.

Doderer of Johnson offered the following amendment H—3333 filed by her and moved its adoption:

H—3333

- 1 Amend House File 495 as follows:
- 2 1. Page 3, by inserting after line 12 the
- 3 following:
- 4 "Sec. _____, NEW SECTION. 642.23 SUPPORT
- 5 DISBURSEMENTS BY THE CLERK.
- 6 Notwithstanding the seventy-day period in section
- 7 626.16 for the return of an execution in garnishment
- 8 for the payment of a support obligation, the sheriff
- 9 shall promptly deposit any amounts collected with the
- 10 clerk of the district court, and the clerk shall
- 11 disburse the amounts, after subtracting applicable
- 12 fees, within five working days of deposit to the
- 13 person entitled to the support payments."
- 14 2. By numbering as necessary.

Amendment H—3333 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?" (H.F. 495)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Carter	Daggett	Hermann	Kremer
Loneragan	Miller	Platt	Shoning

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

HOUSE FILE 496 WITHDRAWN

Brammer of Linn asked and received unanimous-consent to withdraw House File 496 from further consideration by the House.

House File 541, a bill for an act to provide for the establishment of the Iowa higher education facilities program, was taken up for consideration.

Doderer of Johnson, offered the following amendment H—3358 filed by her and Connolly of Dubuque and moved its adoption:

H-3358

- 1 Amend House File 541 as follows:
- 2 1. Page 14, by striking lines 20 through 24.

Amendment H-3358 was adopted.

Connolly of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 541)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Cooper
Corey	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Carter	Connors	Daggett	Hermann
Lonergan	Platt	Shoning	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 215, a bill for an act requiring a free and appropriate public education for children requiring special education, was taken up for consideration.

Johnson of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 215)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoultz	Siegrist
Skow	Spear	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Carter	Daggett	Hermann	Lonergan
Platt	Shoning	Stromer	Welden

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 90, a bill for an act to prohibit adverse personnel actions against state employees based upon the employees' declining to participate in contributions or donations to charitable or community organizations, with report of committee recommending passage 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?" (S.F. 90)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneekloth
Sherzan	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Carter	Daggett	Groninga	Hermann
Lonergan	Platt	Shoning	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 428, a bill for an act relating to the use of gizzard shad as bait, with report of committee recommending passage was taken up for consideration.

Diemer of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 428)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Carter	Daggett	Hatch	Hermann
Lonergan	Platt	Shoning	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 149, a bill for an act relating to the acceptance of the federal rehabilitation Acts, was taken up for consideration.

Teaford of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 149)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Poncy	Renaud	Renken	Rensink
Rosenberg	Running	Schnekloth	Sherzan
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Carter	Daggett	Haverland	Hermann
Lonergan	Platt	Royer	Shoning
Welden			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER WITHDRAWN
(Senate File 32)

Maulsby of Calhoun called up for consideration the motion to reconsider Senate File 32, a bill for an act to establish a minimum

price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty, filed on March 12, 1985.

Connors of Polk in the chair at 11:28 a.m.

Maulsby of Calhoun moved to reconsider the vote by which Senate File 32 passed the House and was placed on its last reading on March 12, 1985.

Maulsby of Calhoun asked for unanimous consent to withdraw his motion to reconsider.

Objection was raised.

Maulsby of Calhoun moved to withdraw his motion to reconsider Senate File 32.

A non-record roll call was requested.

The ayes were 81, nays 1.

The motion prevailed and the motion to reconsider was withdrawn.

Speaker Avenson in the chair at 11:40 a.m.

MOTION TO RECONSIDER PREVAILED
(House File 315)

Zimmerman of Dallas called up for consideration the motion to reconsider House File 315, filed by her on March 11, 1985, and moved to reconsider the vote by which House File 315, a bill for an act relating to drug product selection, passed the House and was placed on its last reading on March 11, 1985.

A non-record roll call was requested.

The ayes were 75, nays none.

The motion prevailed and the House reconsidered House File 315, placing out of order the motion to reconsider filed by Sherzan of Polk on March 11, 1985.

Sherzan of Polk offered the following amendment H—3329 filed by him and Zimmerman of Dallas:

H—3329

- 1 Amend House File 315 as follows:
- 2 1. Page 1, by striking lines 13 through 15 and
- 3 inserting the following: "the pharmacist does so, the
- 4 pharmacist shall pass on to the patient or the patient's
- 5 adult representative no less than fifty percent of the
- 6 savings which results from the product selection."
- 7 2. Page 1, by striking lines 27 through 30.
- 8 3. By renumbering as necessary.

Carpenter of Polk offered the following amendment H—3361, to amendment H—3329, filed by her from the floor and moved its adoption:

H—3361

- 1 Amend amendment H—3329 to House File 315 as follows:
- 2 1. Page 1, line 5, by striking the word "fifty" and
- 3 inserting the word "seventy-five".

Roll call was requested by Schnekloth of Scott and Halvorson of Clayton.

Rule 76 was invoked.

On the question "Shall amendment H—3361, to amendment H—3329, be adopted?"

The ayes were, 45:

Beatty	Bennett	Branstad	Buhr
Carpenter	Clark	Corey	De Groot
Diemer	Grandia	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Haverland
Hester	Holveck	Hummel	Johnson
Kremer	Lageschulte	Maulsby	McIntee
McKean	Metcalf	Miller	Mullins
Ollie	Paulin	Renaud	Renken
Rensink	Royer	Schnekloth	Siegrist
Spear	Stromer	Stueland	Swearingen
Van Camp	Van Maanen	Varn	Welden
Woods			

The nays were, 47:

Arnould	Baxter	Black	Blanshan
Brammer	Carl	Chapman	Cochran
Connolly	Cooper	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. N.	Hatch	Hughes	Jay
Jochum	Knapp	Koenigs	Lloyd-Jones
Muhlbauer	Norland	O'Kane	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Poncy	Rosenberg	Running
Sherzan	Shoultz	Skow	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Torrence	Zimmerman	Mr. Speaker	

Absent or not voting, 8:

Carter	Connors	Daggett	Hermann
Lonergan	Pellett	Platt	Shoning

Amendment H—3361 lost.

On motion by Sherzan of Polk, amendment H—3329 was adopted.

Zimmerman of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 315)

The ayes were, 79:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Poncy
Renaud	Rosenberg	Royer	Running
Sherzan	Shoultz	Siegrist	Skow

Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Van Camp	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 14:

Bennett	Branstad	Carpenter	Corey
De Groot	Grandia	Handorf	Metcalf
Miller	Renken	Rensink	Schneklöth
Torrence	Van Maanen		

Absent or not voting, 7:

Carter	Daggett	Hermann	Louergan
Pellett	Platt	Shoning	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENTS CONSIDERED

Spear of Lee called up for consideration **House File 186**, a bill for an act amending the Code chapters relating to the Iowa department of corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with adult offenders, and modifying statutes relating to inmate work and work release, departmental employees as chauffeurs, and to district court reports of criminal convictions, amended by the Senate, and moved that the House concur in the following Senate amendment H—3350:

H—3350

- 1 Amend House File 186 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 9, line 22, by striking the word "law"
- 4 and inserting the following: "the inmate's written
- 5 designation or policies prescribed by the board".
- 6 2. Page 11, line 12, by striking the words
- 7 "medical unit" and inserting the following: "forensic
- 8 psychiatric hospital".
- 9 3. Page 11, by striking lines 21 through 25 and
- 10 inserting the following:
- 11 "2. The superintendent of the center shall secure
- 12 the".
- 13 4. Page 11, line 29, by striking the words
- 14 "medical unit" and inserting the following: "forensic
- 15 psychiatric hospital".

- 16 5. Page 12, line 17, by striking the word
 17 "center" and inserting the following: "forensic
 18 psychiatric hospital".
- 19 6. Page 13, line 8, by striking the word "center"
 20 and inserting the following: "forensic psychiatric
 21 hospital".
- 22 7. Page 13, line 9, by striking the word "center"
 23 and inserting the following: "forensic psychiatric
 24 hospital".
- 25 8. Page 13, line 12, by striking the word
 26 "center" and inserting the following: "forensic
 27 psychiatric hospital".
- 28 9. Page 13, line 21, by striking the figure "1."
 29 10. Page 13, by striking lines 29 through 35.
 30 11. Page 15, by inserting after line 15 the
 31 following:
 32 "Sec._____. Section 242.4, Code 1985, is amended to
 33 read as follows:
 34 242.4 INSTRUCTION AND EMPLOYMENT.
 35 The state director shall cause the children in the
 36 state training school to be instructed on the
 37 Constitutions of the United States and of this state
 38 as is required in the common schools, and in such
 39 branches of useful knowledge as are adapted to their
 40 age and capacity, including the effect of alcoholic
 41 liquors, stimulants, and narcotics on the human
 42 system, and in some regular course of labor, either
 43 mechanical, agricultural, or manufacturing, as is best
 44 suited to their age, strength, ~~disposition,~~ capacity,
 45 reformation, and well-being."
 46 12. Page 15, by inserting after line 24 the
 47 following:
 48 "Sec._____. Section 244.3, subsection 1, Code 1985,
 49 is amended by striking the subsection."
 50 13. Page 17, line 1, by inserting after the words

Page 2

- 1 "and women" the following: "prisoners".
 2 14. Page 17, by striking lines 3 through 12.
 3 15. Title page, line 4, by inserting after the
 4 word "with" the following: "both minor and".
 5 16. Title page, line 5, by striking the words
 6 "inmate work and work release" and inserting the
 7 following: "allowances paid to inmates for work,
 8 absconding from work release, temporary confinement of
 9 work release violators".
 10 17. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H—3350.

Spear of Lee moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 186)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Carter	Daggett	Hermann	Hester
Loneragan	Pellett	Platt	Shoning
Welden			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Oxley of Linn called up for consideration **House File 41**, a bill for an act to make a provision relating to farm implement franchises retroactive to January 1, 1984 and providing an effective date by publication, amended by the Senate, and moved that the House concur in the following Senate amendment H-3310:

H-3310

- 1 Amend House File 41 as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Title page, line 1, by striking the words "to
- 4 make a provision".
- 5 2. Title page, line 2, by striking the words and
- 6 numbers "retroactive to January 1, 1984".

The motion prevailed and the House concurred in the Senate amendment H-3310.

Oxley 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. 41)

The ayes were, 87:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Woods	Mr. Speaker	

The nays were, none.

Absent or not voting, 13:

Carpenter	Carter	Daggett	Doderer
-----------	--------	---------	---------

Groth
Platt
Zimmerman

Hermann
Sherzan

Loneragan
Shoning

Pellett
Welden

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

ADOPTION OF HOUSE RESOLUTION 7

Holveck of Polk called up for consideration House Resolution 7 as follows and moved its adoption:

1 HOUSE RESOLUTION 7
2 By Committee On Ethics
3 A House Resolution relating to the code of ethics
4 of the house of representatives.
5 *Whereas*, section 68B.10 of the Iowa Code requires
6 the ethics committee in the house to prepare rules
7 relating to the code of ethics; and
8 *Whereas*, according to the statute, the rules are
9 not in effect until approved by the members of the
10 house; *Now Therefore*,
11 *Be It Resolved By The House Of Representatives*,
12 That the house code of ethics for the seventy-first
13 general assembly shall be:
14 HOUSE CODE OF ETHICS
15 Recognizing that members of the general assembly
16 are honorable citizens who are active in the business,
17 religious and public service affairs of their
18 community, state, and nation, the following rules were
19 adopted pursuant to chapter 68B to assist the members
20 in the conduct of their legislative affairs.
21 1. A member of the house shall not accept economic
22 or investment opportunity under circumstances where
23 the member knows, or should know, that there is a
24 reasonable possibility that the opportunity is being
25 afforded with the intent to influence the member's
26 conduct in the performance of official duties.
27 2. A member of the house shall not charge to or
28 accept from a person, partnership or corporation known
29 to have a legislative interest, a price, fee,
30 compensation, or other consideration for the sale or

Page 2

1 lease of any property or the furnishing of services
2 which is in excess of that which the member would
3 ordinarily charge another.
4 3. A member of the house, in order to further the

5 member's own economic interests, or those of any other
6 person, shall not disclose or use confidential
7 information acquired in the course of the member's
8 official duties.

9 4. A member of the house may appear before a state
10 agency in any representation case. Whenever a member
11 of the house appears before a state agency, the member
12 shall carefully avoid all conduct which might in any
13 way lead members of the general public to conclude
14 that the member is using the member's official
15 position to further the member's professional success
16 or general interest.

17 5. In order to permit the general assembly to
18 function effectively, members of the house will, of
19 necessity, be required to vote on bills and
20 participate in committee work which will affect their
21 employment and other areas in which they may have a
22 monetary interest. Action on bills and in committee
23 work which specifically deal with a member's specific
24 employment or specific investment, as opposed to a
25 profession, trade, or business in general, should be
26 avoided. In making a decision relating to a member's
27 activity on particular bills or in committee work
28 which are subject to this code, the following factors
29 should be considered:

30 a. Whether a substantial threat to the member's

Page 3

1 independence of judgment has been created by the
2 conflict situation.

3 b. The effect of the member's participation on
4 public confidence in the integrity of the legislature.

5 c. Whether the member's participation is likely to
6 have any significant effect on the disposition of the
7 matter.

8 d. The need for the member's particular
9 contribution, such as special knowledge of the subject
10 matter, to the effective functioning of the
11 legislature.

12 The member may, however, decide to participate in a
13 manner contrary to the economic interest which creates
14 the conflict situation, but if the member abstains,
15 the member should disclose that fact to the
16 legislative body.

17 6. Members of the house are urged to familiarize
18 themselves with chapters 68B, 721 and 722 and section
19 711.4 of the Code.

20 7. Members of the house shall not charge any
21 amount or item to a charge account to be paid for by a
22 lobbyist or any organization a lobbyist represents.

23 8. Complaints against a member of the house or a
 24 lobbyist operating in the house shall be in writing,
 25 made under oath and filed with the ethics committee of
 26 the house. If the ethics committee determines that
 27 the complaint sets out an apparent violation of the
 28 law or code of ethics or rules regulating lobbyists,
 29 it shall set the matter for hearing, notify the
 30 accused of the right to appear in person, to be

Page 4

1 represented by counsel, to present statements and
 2 evidence and to cross-examine witnesses. The
 3 committee shall hold a hearing and consider all
 4 relevant evidence and shall make its recommendations
 5 to the house.

6 9. Advisory opinions may be rendered as set out in
 7 section 68B.10 of the Code upon request of a member of
 8 the general assembly.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 8

Holveck of Polk called up for consideration House Resolution 8
 as follows and moved its adoption:

1 HOUSE RESOLUTION 8

2 By Committee On Ethics

3 A House Resolution relating to the rules for
 4 lobbyists in the house of representatives.

5 *Whereas*, section 68B.10 of the Iowa Code requires
 6 the ethics committee in the house to prepare rules
 7 relating to lobbyists and lobbying activities; and

8 *Whereas*, law requires approval of these rules by
 9 the members of the house before taking effect; *Now*

10 *Therefore*,

11 *Be It Resolved By The House Of Representatives*,

12 That the rules governing lobbyists for the seventy-
 13 first general assembly shall be:

14 HOUSE RULES GOVERNING LOBBYISTS

15 1. Definitions:

16 a. For the purposes of these rules, "lobbyist" is
 17 defined as a person who does any of the following:

18 (1) Is paid compensation to encourage the passage,
 19 defeat, or modification of legislation.

20 (2) Expends money in an attempt to encourage the
 21 passage, defeat, or modification of legislation.

22 (3) Represents an organization which has as one of

23 its purposes the encouragement of the passage, defeat,
24 or modification of legislation.

25 (4) Is a federal, state, or local official or
26 employee who represents the official position of his
27 or her department, commission, board, or agency, and
28 who attempts to encourage the passage, defeat, or
29 modification of legislation.

30 b. The term "lobbyist" shall not include within

Page 2

1 its definition:

2 (1) Designated representatives of political
3 parties organized in the state of Iowa and
4 representing more than two percent of the total votes
5 cast for governor or president in the preceding
6 general election.

7 (2) Representatives of the news media engaged only
8 in the reporting and disseminating of news.

9 (3) Officials and employees of federal, state, and
10 local government who in the course of their official
11 duties submit legislation or amendments to a
12 representative or a house committee, or who are
13 requested or required to provide information to a
14 representative, or who are requested or required to
15 appear before a house committee, and who do not
16 encourage the passage, defeat, or modification of
17 legislation.

18 (4) Any elected state official.

19 (5) Constituents of a legislator in lobbying their
20 legislator.

21 2. All lobbyists shall on or before the day their
22 lobbying activity begins, register with the chief
23 clerk of the house by filing a lobbyist registration
24 form listing:

25 a. Name, permanent business and residential
26 addresses, temporary residential and business
27 addresses during the legislative session, if any; and
28 telephone numbers.

29 b. The name and address of each individual,
30 company, firm, corporation, union, association or

Page 3

1 cause for which the person lobbies.

2 c. The general subjects of legislation in which
3 the lobbyist is or may be interested, the file number
4 of the bills and resolution (if known) which will be
5 lobbied, whether the lobbyist intends to lobby for or
6 against each bill or resolution (if known), and on
7 whose behalf the lobbyist is lobbying the bill or

8 resolution.

9 Only one registration statement need be filed by a
10 lobbyist, even if the lobbyist represents more than
11 one client.

12 3. All information filed under these rules shall
13 be public record and open to public inspection at any
14 reasonable time:

15 4. Employees of federal, state, and local
16 government offices who are designated representatives
17 of their agency shall not lobby on behalf of such
18 offices without a letter of authorization from such
19 office.

20 5. Lobbyists shall only be permitted on the floor
21 of the house pursuant to rule 20 of the rules of the
22 house.

23 6. A fee or bonus shall not be paid to any
24 lobbyist with reference to any legislative action that
25 is conditioned wholly or in part upon the results
26 attained by the lobbyist.

27 7. A lobbyist, or employer of a lobbyist, shall
28 not offer economic or investment opportunity or
29 promise of employment to any member of the house with
30 intent to influence conduct in the performance of

Page 4

1 official duties.

2 8. a. As used in this rule, the word "gift" and
3 the phrases "immediate family member" and "public
4 disclosure" have the meaning provided in section 68B.2
5 of the Code.

6 b. A person who provides a gift which exceeds
7 fifteen dollars in value in any one occurrence to a
8 member, officer, or employee of the house or the
9 immediate family members of a member, officer, or
10 employee of the house shall report the gift. The
11 report shall show the nature, amount, date, donee, and
12 donor of the gift. If more than one person shares in
13 the expense of providing a gift as defined in section
14 68B.2, subsection 9, which exceeds fifteen dollars in
15 value and which is required to be reported, each of
16 those the natural persons and legal entities sharing
17 in the expense shall report the gift ~~even though that~~
18 regardless of the amount of the person's or legal
19 entity's share of the expense ~~does not exceed fifteen~~
20 dollars in value. However, if a legal entity other
21 than a natural person makes the gift, the legal entity
22 shall report the gift as a donor. If a gift is made
23 to a group of persons, the gift shall be reported if
24 the average value of the gift provided to those
25 persons participating exceeds fifteen dollars in value

26 and those members, officers and employees and their
27 immediate family members participating shall be listed
28 in the report. A member, officer, or employee and the
29 immediate family members of a member, officer, or
30 employee shall not accept more than one gift which is

Page 5

1 required to be reported from the same person in any
2 one occurrence.

3 c. The report shall be filed in the office of the
4 chief clerk of the house by the fifteenth day of the
5 month following the month in which a gift is provided
6 which is required to be reported. The chief clerk
7 shall also file and maintain any report filed by the
8 members, officers or employees who desire to report a
9 gift made to them or their immediate family members.
10 Subject to the approval of the committee on ethics,
11 the chief clerk of the house shall prepare forms for
12 the filing of these reports and make them available to
13 any person who is required to file a report. The
14 reports filed shall be maintained by the chief clerk
15 of the house and be available for public inspection as
16 provided in chapter 22 of the Code. The committee on
17 ethics may authorize the chief clerk of the house to
18 prepare and make available to the public an annual
19 summary of the reports filed under this rule.

20 d. A person is prohibited from providing a gift to
21 a member, officer, or employee of the house which has
22 a value of fifty dollars or more, pursuant to section
23 68B.5 of the Iowa Code. In determining the value of a
24 gift, a gift is not divisible by the number of persons
25 or legal entities participating in providing the gift.

26 9. The chief clerk of the house, subject to the
27 approval of the house ethics committee, shall
28 prescribe forms and procedures for compliance with
29 these rules.

The motion prevailed and the resolution was adopted.

PASSED ON FILE
(Senate File 375)

The Speaker announced that Senate File 375, previously referred to the committee on judiciary and law enforcement, was withdrawn from committee and passed on file.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 15, 1985, he approved and transmitted to the Secretary of State the following bill:

House File 87, an act relating to the procedure for adding moneys in a school district's budget for moneys collected under section 302.3, Code 1981, and removing those moneys from the one hundred two percent budget guarantee for school districts for the school year beginning July 1, 1985 and succeeding school years.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Wednesday, March 6; Thursday, March 7 and Friday, March 8, 1985. Had I been present, I would have voted "aye" on House Files 196, 338, 451, 452, 453, 456, 460, 462, 476; Senate Files 117 and 286; and "nay" on House File 35.

LONERGAN of Boone

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on March 15, 1985 and is on file in the office of the Chief Clerk:

March 14, 1985

Mr. Joseph O'Hern
Chief Clerk of the House
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 6 claims of a general nature. This supplements our filing of January 2, 1985.

Index is attached showing number of claim, name and address of claimant, amount of claim, and action taken.

Very truly yours,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

JOSEPH O'HERN
Chief Clerk of the House

**OFFICE OF STATE COMPTROLLER
STATE APPEAL BOARD**

Claim Number	Name of Claimant Nature of Claim	Amount of Claim	Amount Approved
2465-71-25	L & B Trucking Corporation Johnson Street Road Keokuk, Iowa 52632 License Fee Refund	Undetermined	Denied
2832-71-25	Vernon H. Northcutt d/h/a New Sharon Trucking Box 55 New Sharon, Iowa License Fee Refund	\$323.75	Denied
2662-71-25	Pan American Van Lines, Inc. 18420 S. Santa Fe Avenue Box 923 Long Beach, California 90801 License Fee Refund	4.96	Denied
2663-71-25	J. J. Keller & Associates, Inc. On behalf of CDB, Inc. 145 W. Wisconsin Avenue Neenah, Wisconsin 54956 Refund of Authority Stamps	74.00	Denied
2671-71-25	Manatt's Inc. Old Highway 6 Brooklyn, Iowa 52211 License Fee Refund	3,185.00	Denied
2699-71-25	Craig S. Veber 2788 Willow Drive Apt. 2 Bettendorf, Iowa 52722 License Fee Refund	112.00	Denied

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 365 Economic Development

Relating to the creation of an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space.

S.B. 366 Agriculture

Relating to real property which is subject to foreclosure or forfeiture.

S.B. 367 Human Resources

Relating to the operation and funding of community, supervised apartment living arrangements.

S.B. 368 Economic Development

To amend the Iowa Product Development Corporation Act and the Iowa Uniform Commercial Code relating to the issuance of bonds and the filing of certain Uniform Commercial Code continuation statements for bonds.

S.B. 369 Human Resources

Relating to the prospective repeal of chapter 225C and the enforcement of certain service standards for the mentally ill and mentally retarded.

S.B. 370 Judiciary and Law Enforcement

Including in the definition of theft certain acts relating to public utilities and making penalties applicable.

S.B. 371 Local Government

Relating to the insurance premium tax applicable to an association of cities' self-insured workers' compensation plan.

S.B. 372 Local Government

Relating to the control of animals, the protection of animals by antirabies vaccination, providing a penalty for violations, and providing an effective date.

S.B. 373 Judiciary and Law Enforcement

Relating to the providing of medical service to dependent adults and minor children by court order.

S.B. 374 Small Business and Commerce

Creating a procedure for a domestic mutual life insurance company to become a domestic stock life insurance company.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 5

State Government: Spear, Chair; Beatty and Daggett.

House File 97 (Reassigned)

Labor and Industrial Relations: Sherzan, Chair; Bennett, Connors, Hummel and Running.

House File 447

Labor and Industrial Relations: Running, Chair; Hester and Renaud.

House File 463

Local Government: O'Kane, Chair; Connors and Diemer.

House File 480

Ways and Means: Parker, Chair; Hanson and Oxley.

House File 481

Ways and Means: Tabor, Chair; Connolly and Schneklath.

House File 486

Ways and Means: Arnould, Chair; Miller and O'Kane.

House File 490

Ways and Means: Fey, Chair; Groth and Renken.

House File 501

Labor and Industrial Relations: Peick, Chair; Bennett and Fey.

House File 504

Local Government: Beatty, Chair; Diemer and O'Kane.

House File 510

Transportation: Jay, Chair; Cooper and Platt.

House File 511

Judiciary and Law Enforcement: Woods, Chair; Carl and Lageschulte.

House File 512

Agriculture: Fogarty, Chair; Bennett and Halvorson of Webster.

House File 514

Agriculture: Osterberg, Chair; Gruhn and Van Maanen.

House File 515

Transportation: Peterson, Chair; Jay and Royer.

House File 516

Transportation: Koenigs, Chair; Fogarty and Royer.

House File 518

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

House File 519

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

House File 520

State Government: Arnould, Chair; Buhr and Renken.

House File 521

Local Government: Beatty, Chair; Cooper and Renken.

House File 522

Human Resources: Sturgeon, Chair; Hester and Shoultz.

House File 523

Local Government: O'Kane, Chair; Cooper and Renken.

House File 525

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 526

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 527.

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

House File 529

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 530

Judiciary and Law Enforcement: Jay, Chair; Lageschulte and Siegrist.

House File 532

Labor and Industrial Relations: Renaud, Chair; Metcalf and Poncy.

House File 533

Agriculture: Koenigs, Chair; Branstad, De Groot, Gruhn and Hatch.

House File 537

Local Government: Buhr, Chair; Beatty and Renken.

House File 542

State Government: Teaford, Chair; Doderer and Hanson.

House File 545

Labor and Industrial Relations: Running, Chair; Hester and Renaud.

House File 546

Labor and Industrial Relations: Running, Chair; Hester and Renaud.

House File 551

Local Government: O'Kane, Chair; Beatty and Renken.

House File 557

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

House File 560

Agriculture: Osterberg, Chair; Carter and Rensink.

House File 561

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 563

Transportation: Koenigs, Chair; De Groot and Sullivan.

House File 565

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 567

State Government: Arnould, Chair; Buhr and Renken.

House File 568

State Government: Pavich, Chair; Beatty and Van Maanen.

House File 569

Local Government: O'Kane, Chair; Cooper and Renken.

House File 575

Judiciary and Law Enforcement: Siegrist, Chair; Jay and Kremer.

House File 576

Agriculture: Blanshan, Chair; Skow and Stueland.

House File 577

Transportation: Corey, Chair; Fey and Jay.

House File 579

Transportation: Fogarty, Chair; Gruhn and Pellett.

House File 591

Energy and Environmental Protection: Sturgeon, Chair; De Groot and Lonergan.

House File 592

Energy and Environmental Protection: Peterson, Chair; Skow and Torrence.

House File 593

Transportation: Platt, Chair; Fogarty and Peterson.

House File 595

Labor and Industrial Relations: Running, Chair; Hester and Renaud.

House File 596

Labor and Industrial Relations: Running, Chair; Hester and Renaud.

House File 597

Local Government: Groninga, Chair; Connors and Royer.

House File 598

Transportation: Renaud, Chair; Harbor and Pavich.

House File 601

Labor and Industrial Relations: Peick, Chair; Brammer and Kremer.

House File 603

Transportation: Cooper, Chair; Fey and Royer.

House File 607

Transportation: Woods, Chair; Platt and Renaud.

House File 608

Energy and Environmental Protection: Hatch, Chair; Carl and Mullins.

House File 610

Local Government: Groninga, Chair; O'Kane and Platt.

House File 615

Local Government: Groninga, Chair; Connors and Royer.

House File 620

Labor and Industrial Relations: Running, Chair; Hester and Renaud.

Senate File 9

Transportation: Muhlbauer, Chair; Harbor and Peterson.

Senate File 81

State Government: Pavich, Chair; Beatty and Van Maanen.

Senate File 85

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

Senate File 120

State Government: Hammond, Chair; Carpenter and Spear.

Senate File 168

Labor and Industrial Relations: Renaud, Chair; Connors and Hester.

Senate File 174

Transportation: Koenigs, Chair; Pavich and Platt.

Senate File 194

Local Government: O'Kane, Chair; Hester and Spear.

Senate File 200

Judiciary and Law Enforcement: Running, Chair; Lageschulte and Peterson.

Senate File 209

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Senate File 227

Transportation: Koenigs, Chair; De Groot and Sullivan.

Senate File 245

Judiciary and Law Enforcement: Peterson, Chair; Holveck and Siegrist.

Senate File 259

Education: Johnson, Chair; Branstad and Spear.

Senate File 264

Agriculture: Halvorson of Webster, Chair; Gruhn, Handorf, Hughes and Pellett.

Senate File 290

Transportation: Fey, Chair; Pellett and Peterson.

Senate File 296

Local Government: O'Kane, Chair; Groninga and Platt.

Senate File 297

Transportation: Woods, Chair; Renaud and Royer.

Senate File 299

Judiciary and Law Enforcement: McIntee, Chair; Holveck, Maulsby, Renaud, Running, Schnekloth and Woods.

Senate File 306

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Senate File 315

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekieth and Tabor.

Senate File 328

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

Senate File 342

Agriculture: Osterberg, Chair; Carter and Rensink.

Senate File 355

Local Government: O'Kane, Chair; Diemer and Platt.

Senate File 364

Labor and Industrial Relations: Sherzan, Chair; Bennett, Connors, Hummel and Running.

Senate File 365

State Government: Doderer, Chair; Blanshan and Carpenter.

Senate File 375

Judiciary and Law Enforcement: Chapman, Chair; Jay, Kremer, Maulsby and Peterson.

Senate File 376

Judiciary and Law Enforcement: Knapp, Chair; Kremer and Renaud.

Senate File 377

Judiciary and Law Enforcement: Kremer, Chair; Peterson and Tabor.

Senate Concurrent Resolution 19

Transportation: Sullivan, Chair; Cooper and Harbor.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 296

State Government: Spear, Chair; Swearingen and Teaford.

Study Bill 324 (Corrected)

Local Government: O'Kane, Chair; Groninga and Platt.

Study Bill 328

Local Government: O'Kane, Chair; Daggett and Teaford.

Study Bill 329

Labor and Industrial Relations: Peick, Chair; Hester and Running.

Study Bill 330

Education: Hughes, Chair; Groth and Swearingen.

Study Bill 331

Judiciary and Law Enforcement: Jay, Chair; Kremer and Siegrist.

Study Bill 332

Ways and Means: Groninga, Chair; Holveck and Miller.

Study Bill 333

Ways and Means: Connolly, Chair; Chapman and Renken.

Study Bill 334

State Government: Cochran, Chair; Pavich and Van Maanen.

Study Bill 335

State Government: Cochran, Chair; Pavich and Van Maanen.

Study Bill 336

Agriculture: Fogarty, Chair; Branstad, De Groot, Gruhn and Skow.

Study Bill 337

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 338

Human Resources: Sturgeon, Chair; Clark, Lonergan, Ollie and Torrence.

Study Bill 340

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 341

State Government: Arnould, Chair; Buhr and Renken.

Study Bill 342

Natural Resources and Outdoor Recreation: Gruhn, Chair; Fogarty and McKean.

Study Bill 343

Natural Resources and Outdoor Recreation: Paulin, Chair; Cooper and Grandia.

Study Bill 346

Local Government: Grandia, Chair; Cooper and O'Kane.

Study Bill 347

Local Government: O'Kane, Chair; Daggett and Platt.

Study Bill 348

Energy and Environmental Protection: Hughes, Chair; Mullins, Osterberg, Paulin and Peterson.

Study Bill 349

Human Resources: Sturgeon, Chair; Hester and Shoultz.

Study Bill 350

Local Government: Buhr, Chair; Daggett and O'Kane.

Study Bill 353

State Government: Lloyd-Jones, Chair; Arnould and Swearingen.

Study Bill 354

State Government: Lloyd-Jones, Chair; Arnould and Swearingen.

Study Bill 355

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 356

Transportation: Peterson, Chair; Harbor and Sullivan.

Study Bill 357

Transportation: Fogarty, Chair; Cooper and Corey.

Study Bill 362

Energy and Environmental Protection: Osterberg, Chair; Johnson and Lageschulte.

Study Bill 363

Energy and Environmental Protection: Osterberg, Chair; Parker, Paulin, Sturgeon and Van Camp.

Study Bill 364

Agriculture: Muhlbauer, Chair; Fogarty and Handorf.

Study Bill 366

Agriculture: Cochran, Chair; Carter, Rensink, Skow and Van Maanen.

Study Bill 371

Local Government: O'Kane, Chair; Buhr and Daggett.

Study Bill 372

Local Government: Cooper, Chair; Hester and Royer.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly Study Bill 278), relating to drainage and drainage districts.

Fiscal Note is not required.

Recommended Amend and Do Pass March 14, 1985.

Committee Bill (Formerly Study Bill 300), creating an Iowa sheep and wool promotion board, and providing a penalty.

Fiscal Note is not required.

Recommended Amend and Do Pass March 14, 1985.

COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House File 416), relating to the disposal of hazardous wastes by land burial.

Fiscal Note is not required.

Recommended Do Pass March 14, 1985.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 124, a bill for an act permitting the sentencing of juveniles at least twelve years old to community service work programs.

Fiscal Note is not required.

Recommended Do Pass March 14, 1985.

House File 128, a bill for an act creating a program for the establishment and support of dispute resolution centers to provide informal procedures for the resolution of minor disputes, authorizing the imposition of an additional fee upon the filing of civil actions in counties served by such centers, and making an appropriation.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H - 3362, March 14, 1985.

Committee Bill (Formerly Study Bill 169), relating to procedures for determining ownership of certain vehicles and component parts seized by peace officers.

Fiscal Note is not required.

Recommended Amend and Do Pass March 14, 1985.

Committee Bill (Formerly Study Bill 293), relating to the violation of a custodial order and providing penalties.

Fiscal Note is not required.

Recommended Do Pass March 14, 1985.

COMMITTEE ON LOCAL GOVERNMENT

House File 523, a bill for an act related to the right of cities to lease or lease-purchase real and personal property.

Fiscal Note is not required.

Recommended Do Pass March 14, 1985.

Committee Bill (Formerly House File 327), relating to the appointment of a clerk to the board of supervisors.

Fiscal Note is not required.

Recommended Amend and Do Pass March 14, 1985.

Committee Bill (Formerly Study Bill 324), relating to the issuance of bonds for general purposes by cities and counties.

Fiscal Note is not required.

Recommended Amend and Do Pass March 14, 1985.

Committee Bill (Formerly Study Bill 346), relating to the computation of interest penalties on delinquent property taxes.

Fiscal Note is not required.

Recommended Do Pass March 14, 1985.

Committee Bill (Formerly Study Bill 350), relating to the authorization of a school corporation to establish a self-funded medical plan for its employees.

Fiscal Note is not required.

Recommended Amend and Do Pass March 14, 1985.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly Study Bill 90), relating to the reporting of fires and emergency responses to the state fire marshal and the payment of fees for the fire reports.

Fiscal Note is required.

Recommended Amend and Do Pass March 14, 1985.

Committee Bill (Formerly House File 405), relating to the schools subject to the provisions of chapter 601A on sex discrimination in education.

Fiscal Note is not required.

Recommended Amend and Do Pass March 14, 1985.

AMENDMENTS FILED

H-3362	H.F.	128	Committee on Judiciary and Law Enforcement
H-3363	H.F.	572	Spear of Lee Corey of Louisa
H-3364	H.F.	244	Swartz of Marshall
H-3365	S.F.	271	Groninga of Cerro Gordo
H-3366	H.F.	244	Sherzan of Polk

On motion by Norland of Worth, the House adjourned at 12:26 p.m., until 10:00 a.m., Monday, March 18, 1985.

JOURNAL OF THE HOUSE

Sixty-fourth Calendar Day – Forty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 18, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father Michael Wagner, pastor of the St. Mary's Catholic Church, Storm Lake.

The Journal of Friday, March 15, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Daggett of Taylor, until his arrival, on request of Stromer of Hancock; Sherzan of Polk, for the morning session, on request of Running of Linn; Osterberg of Linn, until his arrival, on request of Cooper of Lucas; Pellett of Cass, for March 18, 19 and 20, 1985, on request of Stueland of Clinton; Lonergan of Boone, until her arrival, on request of Arnould of Scott; Paulin of Plymouth on request of Carpenter of Polk.

INTRODUCTION OF BILLS

House File 646, by committee on local government, a bill for an act relating to the issuance of bonds for general purposes by cities and counties.

Read first time and placed on the **calendar**.

House File 647, by committee on energy and environmental protection, a bill for an act relating to the disposal of hazardous wastes by land burial.

Read first time and placed on the **calendar**.

House File 648, by committee on state government, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education.

Read first time and placed on the **calendar**.

House File 649, by committee on energy and environmental protection, a bill for an act relating to water wells by providing for regulation of water wells and the registration of water well contractors.

Read first time and placed on the **calendar**.

House File 650, by Groninga, a bill for an act relating to the eligibility for urban revitalization tax exemptions.

Read first time and referred to committee on **local government**.

House File 651, by Cochran and Clark, a bill for an act relating to definitions computing time and age.

Read first time and referred to committee on **state government**.

House File 652, by Hatch, a bill for an act authorizing the creation of self-supported improvement districts within residential areas which are designated as historic districts.

Read first time and referred to committee on **local government**.

House File 653, by Maulsby, a bill for an act relating to unemployment compensation benefits for individuals who are unemployed due to employers going out of business.

Read first time and referred to committee on **labor and industrial relations**.

House File 654, by Skow and Halvorson of Clayton, a bill for an act relating to workers' compensation liability under the comparative fault tort law.

Read first time and referred to committee on **labor and industrial relations**.

House File 655, by Running, a bill for an act relating to medical malpractice actions.

Read first time and referred to committee on **small business and commerce**.

House File 656, by Skow and Black, a bill for an act relating to the labeling of foods, by requiring certain foods to be labeled with information concerning the country of original production.

Read first time and referred to committee on **agriculture**.

House File 657, by Parker, a bill for an act relating to the repeal of the Iowa venture capital fund Act.

Read first time and referred to committee on **economic development**.

House File 658, by Connors, Running, Van Camp, Peick, Branstad, Daggett, Woods, Poncy, Sherzan, Renken and Paulin, a bill for an act to establish the veterans small business development network and making an appropriation.

Read first time and referred to committee on **appropriations**.

House File 659, by Fey and Arnould, a bill for an act related to the license requirements for armored car services.

Read first time and referred to committee on **state government**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 14, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 311, a bill for an act to provide that demolition contracts are public improvements.

Also: That the Senate has on March 14, 1985, passed the following joint resolution in which the concurrence of the House is asked:

Senate Joint Resolution 3, proposing an amendment to the Constitution of the State of Iowa to allow the general assembly to specify by law when acts of the general assembly take effect.

Also: That the Senate has on March 14, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 385, a bill for an act to provide for payment of prevailing wage rates on public construction projects and to provide enforcement through the labor commissioner and providing penalties.

Also: That the Senate has on March 14, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 401, a bill for an act relating to the harboring of a runaway child and providing a penalty.

K. MARIE THAYER, Secretary

The House stood at ease at 10:22 a.m., until the fall of the gavel.

The House resumed session at 11:50 a.m., Connors of Polk in the chair.

CONSIDERATION OF BILLS Regular Calendar

House File 454, a bill for an act requiring monthly notification to the county treasurer of outstanding arrest warrants for certain offenses, with report of committee recommending amendment and passage, was taken up for consideration.

Beatty of Warren offered the following amendment H—3284 filed by the committee on local government and moved its adoption:

H—3284

- 1 Amend House File 454 as follows:
- 2 1. Page 1, by striking lines 11 and 12, and
- 3 inserting the following: "December 1 by the last day
- 4 of each year month, submit to notify the county
- 5 treasurer of that county an alphabetized list of all".

The committee amendment H—3284 was adopted.

Spear of Lee asked and received unanimous consent to withdraw amendment H—3279 filed by him on March 7, 1985.

Beatty of Warren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 454)

The ayes were, 86:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Oxley	Parker	Pavich	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sullivan	Swearingen	Tabor	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Mr. Speaker (Connors)		

The nays were, none.

Absent or not voting, 14:

Haverland	Hermann	Lonergan	Mullins
Ollie	Osterberg	Paulin	Peick
Pellett	Sherzan	Sturgeon	Swartz
Teaford	Zimmerman		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 494, a bill for an act authorizing economic development as a purpose for approval of an urban renewal plan and an urban renewal project, with report of committee recommending passage, was taken up for consideration.

Spear of Lee offered the following amendment H—3325 filed by him and moved its adoption:

H—3325

1 Amend House File 494 as follows:

- 2 1. Page 1, line 31, by striking the word "morals"
 3 and inserting the following: "morals".
 4 2. Page 3, line 8, by striking the word "morals."
 5 and inserting the following: "morals".

Amendment H - 3325 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. 494)

The ayes were, 87:

Arnould	Avenson	Baxter	Beatty
Behnett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Norland
O'Kane	Oxley	Parker	Pavich
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sullivan	Swearingen	Tabor
Torrance	Van Camp	Van Maanen	Varn
Welden	Woods	Mr. Speaker (Connors)	

The nays were, none.

Absent or not voting, 13:

Hermann	Lonergan	Mullins	Ollie
Osterberg	Paulin	Peick	Pellett
Sherzan	Sturgeon	Swartz	Teaford
Zimmerman			

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 11:58 a.m.

IMMEDIATE MESSAGES

(House Files 454 and 494)

Norland of Worth asked and received unanimous consent to immediately message House Files 454 and 494 to the Senate.

Black of Jasper in the chair at 12:06 p.m.

MOTION TO RECONSIDER

(House File 570)

I move to reconsider the vote by which House File 570 passed the House on Friday, March 15, 1985.

HARBOR of Mills

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 18th day of March, 1985: House Files 70, 415 and 421.

JOSEPH O'HERN

Chief Clerk of the House

Report adopted.

COMMUNICATIONS RECEIVED

The following communications were received and are on file in the office of the Chief Clerk:

STATE OF WYOMING

House Joint Resolution 2, relating to railroad rates.

House Joint Resolution 6, requesting appropriate action by the federal government to reduce interest rates.

CERTIFICATE OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that a certificate of recognition has been issued as follows:

1985-4 Devin Embray, Knoxville, winning State Wrestling Championship in Class 1A - 185 lbs.

JOSEPH O'HERN
Chief Clerk of the House

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 47 (Revised) Small Business and Commerce**

Relating to consumer frauds and providing penalties.

S.B. 375 Labor and Industrial Relations

Creating a shared-work program to reduce unemployment and provide partial benefits to employees affected.

S.B. 376 Judiciary and Law Enforcement

Establishing parole programs for all inmates under the jurisdiction of the director of the Iowa department of corrections, which programs must be successfully completed prior to an inmate's release from custody on parole.

S.B. 377 Local Government

Relating to the removal of trees, shrubs, brush, and other growth within highway rights-of-way.

S.B. 378 Judiciary and Law Enforcement

Relating to the establishment of a pretrial release commission to create, review and modify uniform criteria regarding the consideration of all defendants in criminal proceedings.

S.B. 379 State Government

Relating to the membership of the Administrative Rules Review Committee.

S.B. 380 State Government

To establish nonpartisan mobile deputy registrars.

S.B. 381 Energy and Environmental Protection

Regarding the methodology used for evaluating the efficiency of public utility management for certain public utilities and providing effective dates.

RESOLUTION FILED

HCR 25, by Varn, a concurrent resolution relating to the board of regents ten-year building program.

Referred to committee on **appropriations**.

AMENDMENTS FILED

H-3367	S.F.	27	O'Kane of Woodbury
H-3368	H.F.	631	Swartz of Marshall
H-3369	H.F.	631	Swartz of Marshall
H-3370	H.F.	547	Ollie of Clinton
H-3371	H.F.	531	Swartz of Marshall Holveck of Polk

On motion by Norland of Worth, the House adjourned at 12:22 p.m., until 9:00 a.m., Tuesday, March 19, 1985.

JOURNAL OF THE HOUSE

Sixty-fifth Calendar Day – Forty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 19, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father John W. Stark, pastor of the St. Joseph Catholic Church, Elkader.

The Journal of Monday, March 18, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jochum of Dubuque, until his arrival, on request of Varn of Johnson; Swartz of Marshall, for the morning session, on request of Parker of Jasper.

PETITION FILED

The following petition was received and placed on file:

By Swearingen of Keokuk, from seventy-five constituents from District 63 favoring increasing appropriations to the State Transit Assistance Fund to insure continuation of public transit service to Iowans.

INTRODUCTION OF BILLS

House File 660, by committee on state government, a bill for an act relating to the reporting of fires and emergency responses to the state fire marshal and the payment of fees for the fire reports.

Read first time and placed on the **calendar**.

House File 661, by committee on local government, a bill for an act relating to the authorization of a school corporation to establish a self-funded medical plan for its employees.

Read first time and placed on the **calendar**.

House File 662, by Kremer, a bill for an act relating to income of persons eligible to claim a special assessment credit as a part of extraordinary property tax relief.

Read first time and referred to committee on **ways and means**.

House File 663, by McIntee, a bill for an act relating to the confidentiality of affidavits of search warrants, sworn statements made for the purpose of obtaining a warrant and inventories of seized property.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 664, by committee on judiciary and law enforcement, a bill for an act relating to procedures for determining ownership and disposition of certain seized or abandoned vehicles, component parts and personal property in the custody of a peace officer or police authority.

Read first time and placed on the **calendar**.

House File 665, by Sullivan, a bill for an act relating to the operation of motorboats.

Read first time and referred to committee on **natural resources and outdoor recreation**.

House File 666, by Rosenberg, a bill for an act providing for a victim impact statement as a part of a presentence investigation report.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 667, by Brammer, a bill for an act creating a procedure for a domestic mutual life insurance company to become a domestic stock life insurance company.

Read first time and referred to committee on **small business and commerce**.

House File 668, by Sullivan, a bill for an act to provide for a rifle season for the taking of deer.

Read first time and referred to committee on **natural resources and outdoor recreation**.

House File 669, by Carpenter, a bill for an act relating to the unemployment compensation benefit eligibility of employees of educational institutions during periods in which the employees' contracts are in effect.

Read first time and referred to committee on **labor and industrial relations**.

House File 670, by Tabor, a bill for an act relating to the termination of a county library district.

Read first time and referred to committee on **local government**.

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 3, by Small, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the general assembly to specify by law when acts of the general assembly take effect.

Read first time and referred to committee on **state government**.

Senate File 385, by committee on labor and industrial relations, a bill for an act to provide for payment of prevailing wage rates on public construction projects and to provide enforcement through the labor commissioner and providing penalties.

Read first time and referred to committee on **labor and industrial relations**.

Senate File 401, by committee on judiciary, a bill for an act relating to the harboring of a runaway child and providing a penalty.

Read first time and referred to committee on **judiciary and law enforcement**.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 15, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 395, a bill for an act permitting the articles of incorporation of a trust company existing and operating on January 1, 1970 and which is authorized to act only as a trust company to be renewed in perpetuity.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS Regular Calendar

House File 588, a bill for an act relating to the joint trial of defendants charged in the same indictment or information, was taken up for consideration.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 588)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Schnekieth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear

Stromer	Stueland	Sturgeon	Sullivan
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn/	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Connolly	Groninga	Groth	Hermann
Jochum	Loneragan	Pellett	Running
Swartz			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 587, a bill for an act relating to the authorization of contempt powers for juvenile court referees and providing penalties, was taken up for consideration.

Chapman of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 587)

The ayes were, 58:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Carl	Carter
Chapman	Clark	Cochran	Connors
Cooper	Corey	Daggett	Diemer
Fey	Fogarty	Halvorson, R. A.	Halvorson, R. N.
Handorf	Hanson	Hatch	Haverland
Hester	Holveck	Hughes	Jay
Johnson	Koenigs	Kremer	Lageschulte
McIntee	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Parker	Paulin	Platt	Poncy
Renaud	Rosenberg	Sherzan	Shoultz
Siegrist	Skow	Spear	Stromer
Sturgeon	Sullivan	Tabor	Van Camp
Zimmerman	Mr. Speaker		

The nays were, 31:

Brammer	Branstad	Buhr	Carpenter
De Groot	Doderer	Grandia	Gruhn
Hammond	Harbor	Hummel	Knapp

Lloyd-Jones	Maulsby	McKean	Osterberg
Oxley	Pavich	Peick	Peterson
Renken	Rensink	Royer	Schnekloth
Shoning	Stueland	Swearingen	Teaford
Torrence	Van Maanen	Varn	

Absent or not voting, 11:

Connolly	Groninga	Groth	Hermann
Joehum	Loneragan	Pellett	Running
Swartz	Welden	Woods	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 531 DEFERRED

Norland of Worth asked and received unanimous consent that House File 531 be deferred and that the bill retain its place on the calendar.

House File 550, a bill for an act making appellate procedure in discretionary reviews, criminal appeals, postconviction relief appeals and civil appeals more uniform and consistent, was taken up for consideration.

Rosenberg of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 550)

The ayes were, 89:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Johnson
Knapp	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley

Parker	Paulin	Pavich	Peick
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 11:

Connolly	Groninga	Groth	Hermann
Jochum	Koenigs	Lonergan	Pellett
Running	Swartz	Welden	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House Files 550, 587 and 588)

Norland of Worth asked and received unanimous consent to immediately message House Files 550, 587 and 588 to the Senate.

On motion by Norland of Worth, the House was recessed at 9:35 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

SPECIAL PRESENTATION

Lageschulte of Bremer presented to the House the Waverly-Shell Rock High School Chamber Choir, accompanied by Al Hagen, Director.

The Chamber Choir is one of six which has been selected to represent the United States at the International Youth and Music Festival in Vienna, Austria, July 13 through July 18, 1985.

The Choir sang the selection "Heileg" by Mendelssohn for the members of the House, who rose and expressed their appreciation.

INTRODUCTION OF BILLS

House File 671, by Tabor, a bill for an act relating to joint exercise of powers to finance hydroelectric power facilities.

Read first time and referred to committee on **energy and environmental protection**.

House File 672, by Doderer, a bill for an act relating to the adoption of a uniform marital property Act with modifications.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 673, by Carl, a bill for an act relating to the use of estate for unpaid support.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 674, by Carl, a bill for an act relating to the sale of bonds and notes by the Iowa housing finance authority.

Read first time and referred to committee on **state government**.

House File 675, by Harbor, a bill for an act relating to the eligibility requirements under the unemployment compensation law concerning attachment and reattachment to the work force and the employer account charging provisions involving voluntary quits.

Read first time and referred to committee on **labor and industrial relations**.

HOUSE FILES 319 AND 291 DEFERRED

Norland of Worth asked and received unanimous consent that House Files 319 and 291 be deferred and that the bills retain their place on the calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Rensink of Sioux, for the afternoon session, on request of Schneklath of Scott.

CONSIDERATION OF BILLS
Regular Calendar

House File 531, a bill for an act prohibiting certain practices by a financial institution which makes or offers to make a real estate mortgage loan, requiring certain disclosures, and providing penalties, previously deferred, was taken up for consideration.

Swartz of Marshall offered the following amendment H-3371 filed by him and Holveck of Polk and moved its adoption:
H-3371

1 Amend House File 531 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 535A.1, subsection 3, Code
5 1985, is amended to read as follows:

6 3. "Financial institution" means any bank, credit
7 union, insurance company, mortgage banking company or
8 savings and loan association, industrial loan company,
9 or like institution or any other person who makes
10 mortgage loans and which operates or has a place of
11 business in this state. "Financial institution" does
12 not include an individual who makes less than five
13 mortgage loans a year.

14 Sec. 2. Section 535A.6, Code 1985, is amended to
15 read as follows:

16 535A.6 AGGRIEVED PARTY.

17 Any person who has been aggrieved as a result of a
18 violation of sections 535A.1 to 535A.8 535A.9 and
19 220.6, subsection 4, may bring an action in the
20 district court of the county in which the violation
21 occurred or in the county where the financial
22 institution involved is located.

23 Upon a finding that a financial institution has
24 committed a violation of either section 535A.2, or
25 535A.4, or 535A.9 the court may award actual damages,
26 court costs and attorney fees.

27 Sec. 3. Section 535A.7, Code 1985, is amended to
28 read as follows:

29 535A.7 CRIMINAL PENALTY.

30 Any person who knowingly engages in a practice
31 which violates the provisions of section 535A.2, or
32 535A.4 or 535A.9 is guilty of a serious misdemeanor.

33 Sec. 4. NEW SECTION. 535A.9 TYING ARRANGEMENTS
34 PROHIBITED.

35 1. A financial institution which makes or offers
36 to make real estate mortgage loans shall not:

37 a. Grant or offer to grant a loan on the prior
38 condition, that the borrower is required to contract

39 with any specific person or organization for either of
40 the following:

41 (1) Services of a real estate agent or broker.

42 (2) Insurance services as an agent, broker, or
43 underwriter.

44 b. Use confidential credit status information for
45 solicitation purposes either directly or indirectly by
46 an affiliate subsidiary.

47 c. Attempt or permit a real estate or insurance
48 subsidiary to attempt to create the impression in its
49 advertising or in any communication that the customers
50 of the subsidiary shall have priority access to the

Page 2

1 funds of the financial institution or are entitled to
2 preferential interest rates or other terms.

3 2. This section does not apply to the Iowa housing
4 finance authority or a program operated pursuant to
5 chapter 220."

6 2. Title page, lines 3 and 4 by striking the
7 words "providing penalties" and inserting the
8 following: "making penalties applicable".

Amendment H—3371 was adopted, placing out of order amend-
ment H—3356 filed by Kremer of Buchanan on March 14, 1985.

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. 531)

The ayes were, 90:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	Ollie
Osterberg	Oxley	Paulin	Pavich

Peick	Peterson	Poney	Renaud
Ranken	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 4:

O'Kane	Parker	Platt	Rosenberg
--------	--------	-------	-----------

Absent or not voting, 6:

Branstad	Carter	Connors	Hermann
Pellett	Rensink		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 379, a bill for an act relating to rules for diabetes education programs, with report of committee recommending passage was taken up for consideration.

Zimmerman of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 379)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones

Loneragan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Peterson	Poncy	Renaud
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Van Camp	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 4:

Platt	Renken	Torrence	Van Maanen
-------	--------	----------	------------

Absent or not voting, 4:

Connors	Hermann	Pellett	Rensink
---------	---------	---------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 418, a bill for an act requiring the state department of transportation to accept payment by check of proportional registration fees and assessing a penalty, with report of committee recommending amendment and passage was taken up for consideration.

Pavich of Pottawattamie offered the following amendment H-3308 filed by the committee on transportation and moved its adoption:

H₁-3308

- 1 Amend House File 418 as follows:
- 2 1. Page 1, by striking lines 9 through 11 and
- 3 inserting the following: "drawn."
- 4 2. Title page, line 3, by striking the words "and
- 5 assessing a penalty".

The committee amendment H-3308 was adopted.

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?" (H.F. 418)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Platt	Poncy	Renaud
Renken	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 1:

Corey

Absent or not voting, 4:

Connors	Hermann	Pellett	Rensink
---------	---------	---------	---------

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 555, a bill for an act to establish the Iowa community cultural grants program within the office for planning and programming, was taken up for consideration.

Connolly of Dubuque moved, that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 555)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Djemer	Doderer	Fey	Fogarty
Grandia	Groninga	Gröth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Peterson	Platt	Poncy
Renaud	Renken	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 1:

Van Camp

Absent or not voting, 4:

Connors	Hermann	Pellett	Rensink
---------	---------	---------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 558, a bill for an act relating to the liabilities of mental health advocates, was taken up for consideration.

Haverland of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 558)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Peterson	Platt	Poney
Renaud	Renken	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Van Camp	Van Maanen	Varn	Weiden
Woods	Zimmerman	Mr. Speaker	

The nays were, 2:

Grandia Torrence

Absent or not voting, 3:

Hermann Pellett Rensink

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 572, a bill for an act regulating the gross weights of rubbish vehicles and making penalties applicable, was taken up for consideration.

Spear of Lee offered the following amendment H—3363 filed by him and Corey of Louisa and moved its adoption:

H—3363

- 1 Amend House File 572 as follows:
- 2 1. Page 1, line 4, by striking the words
- 3 "compacted rubbish" and inserting the following:

- 4 "~~compacted rubbish~~ compacted rubbish".
 5 2. Page 1, line 22, by striking the words
 6 "Compacted rubbish" and inserting the following:
 7 "~~Compacted rubbish~~ Compacted rubbish".
 8 3. Page 1, line 34, by striking the words
 9 "~~compacted rubbish~~" and inserting the following:
 10 "~~compacted rubbish~~".

A non-record roll call was requested.

The ayes were 48, nays 8.

Amendment H—3363 was adopted.

Woods of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 572)

The ayes were, 86:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fey	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Maulsby	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Peterson
Platt	Poney	Renaud	Renken
Rosenberg	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 5:

Doderer	Grandia	Hummel	McKean
Royer			

Absent or not voting, 9:

Fogarty	Hermann	Loneragan	McIntee
Pellett	Rensink	Stromer	Teaford
Welden			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 584, a bill for an act relating to information contained on interstate probation and parole compact transfer requests, was taken up for consideration.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 584)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Platt
Poncy	Renaud	Renken	Rosenberg
Running	Schnekloth	Sherzan	Shoning
Shultz	Siegrist	Skow	Spear
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 9:

Hermann	Jochum	Kremer	McIntee
O'Kane	Pellett	Rensink	Royer
Stromer			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 319, a bill for an act relating to accrued interest from certain gifts received by the commission for the blind, with report of committee recommending passage was taken up for consideration.

Hanson of Delaware offered the following amendment H—3338 filed by him:

H—3338

- 1 Amend House File 319 as follows:
- 2 1. Page 1, by striking lines 1 through 5 and
- 3 inserting the following:
- 4 "Section 1. Section 453.7, subsection 2, Code
- 5 1985, is amended to read as follows:
- 6 2. Interest or earnings on investments and time
- 7 deposits made in accordance with the provisions of
- 8 sections 12.8, 452.10, 453.1 and 453.6 shall be
- 9 credited to the general fund of the governmental body
- 10 making the investment or deposit, with the exception
- 11 of funds or proceeds resulting from gifts made by
- 12 private parties to the governmental body, specific
- 13 funds for which investments are otherwise provided by
- 14 law, constitutional funds, or when legally diverted to
- 15 the state sinking fund for public deposits. Funds so
- 16 excepted shall receive credit for interest or earnings
- 17 derived from such investments or time deposits made
- 18 from such funds. Such interest or earnings on any
- 19 fund created by direct vote of the people shall be
- 20 credited to the fund to retire any such indebtedness
- 21 after which the fund itself shall be credited."

Beatty of Warren rose on a point of order that amendment H—3338 was not germane.

The Speaker ruled the point well taken and amendment H—3338 not germane.

The following amendment H—3374 filed by Beatty of Warren from the floor was adopted by unanimous consent:

H-3374

- 1 Amend House File 319 as follows:
- 2 1. Page 1, line 2, by striking the word and
- 3 figure "section 8.33" and inserting the following:
- 4 "sections 8.33 and 453.7".

Beatty of Warren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 319)

The ayes were, 82:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Peterson	Poncy	Renaud
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Siegrist	Skow
Spear	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Van Camp	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 12:

Bennett	Carpenter	Grandia	Hanson
Kremer	Maulsby	McKean	Metcalf
Platt	Renken	Torrence	Welden

Absent or not voting, 6:

Hermann	McIntee	Pellett	Rensink
Shultz	Stromer		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE RULE 34 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend House Rule 34 for the March 20, 1985 Daily Debate Calendar.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 531, 379, 418, 555, 558, 572, 584 and 319.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Friday, March 15, 1985. Had I been present, I would have voted "aye" on House Files 41, 186, 315, 428, 471, 495, 541 and Senate Files 90, 149, 215; "nay" on House File 570.

DAGGETT of Taylor

COMMUNICATION RECEIVED

The following communication was received and is on file in the office of the Chief Clerk:

STATE OF MICHIGAN

Senate Resolution 53, memorializing the Reagan Administration, the Congress of the United States, and the Governor of Michigan to take steps to address the financial dilemma of Michigan agriculture.

STUDY BILL COMMITTEE ASSIGNMENTS**S.B. 382 Economic Development**

Related to the adoption and implementation of a comprehensive trade promotion and development strategy.

S.B. 383 Agriculture

Relating to custom livestock feeders.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly Study Bill 330), relating to the calculation of enrollment for increasing enrollment school districts and providing that the Act takes effect upon its publication.

Fiscal Note is required.

Recommended **Do Pass** March 18, 1985.

Committee Bill (Formerly Study Bill 359A), relating to plans and programs for educational development in Iowa.

Fiscal Note is required.

Recommended **Do Pass** March 18, 1985.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly Study Bill 349), relating to the adjudication of a truant or runaway as a child in need of assistance under the juvenile justice code.

Fiscal Note is required.

Recommended **Do Pass** March 18, 1985.

Committee Bill (Formerly Study Bill 355), relating to the immunization of persons enrolled in postsecondary educational institutions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 18, 1985.

COMMITTEE ON NATURAL RESOURCES AND OUTDOOR RECREATION

House File 242, a bill for an act to increase the biennial registration fee for snowmobiles from twelve dollars to twenty dollars.

Fiscal Note is not required.

Committee Action: **Failed to Pass** March 18, 1985.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

Committee Bill (Formerly House File 43), limiting the time a state bank may hold repossessed real property.

Fiscal Note is not required.

Recommended Amend and Do Pass March 18, 1985.

Committee Bill (Formerly House File 472), relating to abandoned property, by providing for a civil action, providing for the issuance of injunctions and other orders, and providing for appointing a receiver with certain powers, duties, and liability.

Fiscal Note is not required.

Recommended Amend and Do Pass March 18, 1985.

Committee Bill (Formerly Study Bill 47 Revised), relating to consumer frauds and providing penalties.

Fiscal Note is not required.

Recommended Amend and Do Pass March 18, 1985.

COMMITTEE ON TRANSPORTATION

House File 366, a bill for an act relating to the giving of notices under chapter 321 or any other law regulating the operation of vehicles.

Fiscal Note is not required.

Recommended Do Pass March 18, 1985.

AMENDMENTS-FILED

H-3372	H.F.	244	Van Camp of Scott
H-3373	H.F.	635	Spear of Lee
H-3376	S.F.	101	Schnekloth of Scott

On motion by Norland of Worth, the House adjourned at 2:27 p.m., until 9:00 a.m., Wednesday, March 20, 1985.

JOURNAL OF THE HOUSE

Sixty-sixth Calendar Day — Forty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 20, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Marvin Arnpriester, pastor of the United Methodist Church, Carroll.

The Journal of Tuesday, March 19, 1985 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By Fogarty of Palo Alto, from seventy-nine constituents requesting the Iowa general assembly to increase appropriations to the State Transit Assistance Fund to insure continuation of public transit service to Iowans.

By Johnson of Winneshiek, from twenty-seven senior citizens in District 31 favoring increasing the appropriations to the Iowa State Transit Assistance Fund; and from sixty-three employees of Allamakee County opposing the use of IPERS funds for any purpose other than retirement benefits.

INTRODUCTION OF BILLS

House File 676, by committee on economic development, a bill for an act relating to the establishment of an export trade division within the Iowa development commission.

Read first time and placed on the calendar.

House File 677, by committee on agriculture, a bill for an act creating an Iowa sheep and wool promotion board, and providing a penalty.

Read first time and placed on the calendar.

House File 678, by committee on agriculture, a bill for an act relating to drainage and drainage districts.

Read first time and placed on the **calendar**.

House File 679, by Swartz and Groninga, a bill for an act relating to a deduction from the state individual income tax for income from the production in Iowa of new products on which the taxpayer has pending or received a patent, and providing an effective date.

Read first time and referred to committee on **ways and means**.

House File 680, by Hanson, a bill for an act to create temporary liquor licenses and beer permits to run from one to fourteen days.

Read first time and referred to committee on **state government**.

House File 681, by committee on human resources, a bill for an act relating to the immunization of persons enrolled in nonprofit postsecondary educational institutions.

Read first time and placed on the **calendar**.

House File 682, by committee on education, a bill for an act relating to the calculation of enrollment for increasing enrollment school districts and providing that the Act takes effect upon its publication.

Read first time and placed on the **calendar**.

House File 683, by committee on human resources, a bill for an act relating to the adjudication of a truant or runaway as a child in need of assistance under the juvenile justice code.

Read first time and placed on the **calendar**.

House File 684, by committee on small business and commerce, a bill for an act relating to the economy of the state by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by increasing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, by changing the name of the Iowa housing finance authority,

by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes, by requiring that real estate brokers' trust accounts be deposited in interest-bearing accounts and the interest transferred quarterly to the treasurer of state and used by the Iowa housing finance authority to pay commitment costs for programs for first time home buyers, by providing that the Iowa housing finance authority initiate a self-sustaining title guarantee program for titles of real property on which there is a mortgage that is being sold in the secondary mortgage market, by providing for conditions and restrictions on loans and dealings between state banks and affiliates, by providing for certain investment powers of state-chartered savings and loan associations and savings banks, by revising the requirements of amendments to a uniform commercial code financing statement, by providing for an alternative nonjudicial voluntary foreclosure procedure including providing for redemption periods of creditors and lienholders under the procedure and providing for an effective date.

Read first time and placed on the **calendar**.

House File 685, by Harbor, a bill for an act creating a linked deposit program to provide moneys for below-market interest rates for eligible small business and farming organizations and providing penalties.

Read first time and referred to committee on **economic development**.

House File 686, by committee on education, a bill for an act relating to plans and programs for educational development in Iowa.

Read first time and placed on the **calendar**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 18, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 199, a bill for an act relating to leaves of absence for a public employee who is a candidate for elective public office.

Also: That the Senate has on March 18, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 218, a bill for an act relating to the return of juveniles alleged to be delinquent from another state under the interstate compact on juveniles.

Also: That the Senate has on March 18, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 293, a bill for an act creating a fire service institute.

Also: That the Senate has on March 18, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 407, a bill for an act relating to the licensing of real estate brokers and real estate salespersons and providing for an effective date.

Also: That the Senate has on March 18, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 413, a bill for an act relating to farm-to-market road fund allocations.

Also: That the Senate has on March 18, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 414, a bill for an act relating to rights of a person possessing a teaching certificate with a coaching endorsement and not issued a teaching contract who is employed by a school district.

Also: That the Senate has on March 18, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 18, regarding the eligibility of certain farm families for food stamp assistance.

K. MARIE THAYER, Secretary

HOUSE FILE 467 DEFERRED

Norland of Worth asked and received unanimous consent that House File 467 be deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS Regular Calendar

House File 49, a bill for an act relating to the issuance of prisoner of war plates, with report of committee recommending passage 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?" (H.F. 49)

The ayes were, 96:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Grandia	Hermann	Jochum	Pellett
---------	---------	--------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 255, a bill for an act relating to the election of hospital trustees, with report of committee recommending passage, was taken up for consideration.

Buhr of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 255)

The ayes were 96:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Grandia	Hermann	Jochum	Pellett
---------	---------	--------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 540, a bill for an act relating to the mining of ores and minerals other than coal and authorizing a penalty, was taken up for consideration.

Welden of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 540)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Grandia	Hatch	Hermann	Jochum
Pellett	Shoning		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 244, a bill for an act relating to programs relating to substance abuse, with report of committee recommending amendment and passage was taken up for consideration.

Loneragan of Boone offered the following amendment H-3311 filed by the committee on human resources:

H-3311

1 Amend House File 244 as follows:

2 1. Page 1, by inserting after line 19, the
3 following:

4 "Sec. _____ Section 125.12, subsections 1, 2, and
5 3, Code 1985, are amended to read as follows:

6 1. The commission shall establish a comprehensive
7 and co-ordinated program for the treatment of
8 substance abusers, and intoxicated persons, and
9 concerned family members. Subject to the approval of
10 the commission, the director shall divide the state
11 into appropriate regions for the conduct of the
12 program and establish standards for the development of
13 the program on the regional level. In establishing
14 the regions, consideration shall be given to city and
15 county lines, population concentrations and existing
16 substance abuse treatment services. In determining
17 the regions, the director shall is not be required to
18 follow the regional map as prepared by the office for
19 planning and programming.

20 2. The program of the commission shall include:

21 a. Emergency treatment provided by a facility
22 affiliated with or part of the medical service of a
23 general hospital.

24 b. Inpatient treatment.

25 c. Intermediate Residential treatment.

26 d. Outpatient and follow-up treatment and
27 rehabilitation.

28 e. Prevention and education.

29 f. Assessment.

30 g. Halfway house treatment.

31 3. The director shall provide for adequate and
32 appropriate treatment for substance abusers, and
33 intoxicated persons, and concerned family members
34 admitted under sections 125.33 and 125.34, or under
35 section 125.75, 125.81, or 125.91. Treatment shall
36 not be provided at a correctional institution except
37 for inmates.

38 Sec. _____ Section 125.13, subsection 1, unnumbered
39 paragraph 2, Code 1985, is amended to read as follows:

40 Four Three types of licenses may be issued by the
41 department. A standard renewable license may be
42 issued for one or two years. Licenses may also be
43 issued for one hundred eighty or two hundred seventy
44 days, or one year. Treatment programs applying for
45 their initial license may be issued a license for two
46 hundred seventy days. A license issued for one
47 hundred eighty or two hundred seventy days shall not
48 be renewed or extended. A one-year license shall be
49 issued no more than two consecutive times."

50 2. Page 2, by inserting after line 6, the

Page 2

1 following:

2 "Sec. _____, Section 125.32, unnumbered paragraph 1
3 and subsections 2 and 4, Code 1985, are amended to
4 read as follows:

5 The commission shall adopt and may amend and repeal
6 rules for acceptance of persons into the treatment
7 program, subject to the provisions of chapter 17A,
8 considering available treatment resources and
9 facilities, for the purpose of early and effective
10 treatment of substance abusers, and intoxicated
11 persons, and concerned family members. In
12 establishing the rules the commission shall be guided
13 by the following standards:

14 2. A patient shall be initially assigned or
15 transferred to outpatient or intermediate treatment,
16 unless the patient is found to require inpatient,
17 residential, or halfway house treatment.

18 4. An individualized treatment plan shall be
19 prepared and maintained on a current basis for each
20 patient after the assessment process.

21 Sec. _____, Section 125.33, subsections 2 through 4,
22 Code 1985, are amended to read as follows:

23 2. Subject to rules adopted by the commission, the
24 administrator or the administrator's designee in
25 charge of a facility may determine who shall be
26 admitted for treatment or rehabilitation. If a person
27 is refused admission, the administrator, or the
28 administrator's designee, subject to rules adopted by
29 the commission, shall refer the person to another
30 facility for treatment if possible and appropriate.

31 3. A substance abuser seeking treatment or
32 rehabilitation and who is either addicted or dependent
33 on a chemical substance shall may first be examined
34 and evaluated by a licensed physician and surgeon or
35 osteopathic physician and surgeon who shall may
36 prescribe a proper course of treatment and medication,
37 if needed. The licensed physician and surgeon or
38 osteopathic physician and surgeon may further
39 prescribe a course of treatment or rehabilitation and
40 authorize another licensed physician and surgeon or
41 osteopathic physician and surgeon or facility to
42 provide the prescribed treatment or rehabilitation
43 services. Treatment or rehabilitation services may be
44 provided to a person individually or in a group. Any
45 A facility providing or engaging in such treatment or
46 rehabilitation shall not report or disclose to a law
47 enforcement officer or law enforcement agency the name
48 of any person receiving or engaged in such the
49 treatment or rehabilitation; nor shall any a person
50 receiving or participating in such treatment or

Page 3

1 rehabilitation report or disclose the name of any
2 other person engaged in or receiving such treatment or
3 rehabilitation or that such the program is in
4 existence, to a law enforcement officer or law
5 enforcement agency. Such information shall not be
6 admitted in evidence in any court, grand jury, or
7 administrative proceeding. However, any a person
8 engaged in or receiving such treatment or
9 rehabilitation may authorize the disclosure of the
10 person's name and individual participation.

11 4. If a patient receiving inpatient or residential
12 care leaves a facility, the patient shall be
13 encouraged to consent to appropriate outpatient or
14 intermediate halfway house treatment. If it appears
15 to the administrator in charge of the facility that
16 the patient is a substance abuser who requires help,
17 the director may arrange for assistance in obtaining
18 supportive services and residential facilities.

19 Sec. _____, Section 125.34, subsection 3, Code 1985,
20 is amended to read as follows:

21 3. A person who arrives at a facility and
22 voluntarily submits to examination shall be examined
23 by a licensed physician as soon as possible, but not
24 later than twelve hours after the person arrives at
25 the facility. The person may then be admitted as a
26 patient or referred to another health facility. The
27 referring facility shall arrange for transportation."

28 3. Page 3, line 4, by inserting after the word
29 "facility" the following: "or its designee other than
30 a state mental health institute".

31 4. Page 3, line 6, by striking the word "admit"
32 and inserting the following: "seek an admission of".

33 5. Page 3, line 11, by striking the word and
34 figure "paragraph 1" and inserting the following:
35 "paragraphs 1 and 2".

36 6. Page 3, by inserting after line 25, the
37 following:

38 "The contract may be in such the form and contain
39 provisions as agreed upon by the parties. Such The
40 contract shall provide that the facility shall admit
41 and treat substance abusers regardless of where they
42 have residence. If one payment for care, maintenance,
43 and treatment is not made by the patient or those
44 legally liable therefor within thirty days after
45 discharge for the patient, the payment shall be made
46 by the department directly to the facility. Payments
47 shall be made each month and shall be based upon the
48 facility's average daily per patient charge rate of
49 payment for services negotiated between the department
50 and the contracting facility. Provisions of this If a

Page 4

1 facility projects a temporary cash flow deficit, the
2 department may make cash advances at the beginning of
3 each fiscal year to the facility. The repayment
4 schedule for advances shall be part of the contract
5 between the department and the facility. This section
6 shall does not pertain to patients treated at the
7 mental health institutes."

8 7. By striking page 4, line 12 through page 6,
9 line 24.

10 8. Page 6, by striking lines 32 and 33 and
11 inserting the following: "year, shall transfer the
12 estimated amounts to be received from section 123.36,
13 subsection 8 and section 123.143, subsection 1 to
14 the".

15 9. Page 7, by striking line 1, and inserting the
16 following: "subsection 1, one half of the transferred
17 amount".

18 10. Page 7, by striking line 17, and inserting
19 the following:

20 "2. Of these funds, one half of the transferred
21 amount".

22 11. Page 7, line 20, by inserting after the word
23 "year." the following: "The department shall use this
24 additional prevention program money for grants to a
25 county, person, or nonprofit agency operating a
26 prevention program. A grant to a county, person, or
27 nonprofit agency is subject to the following
28 conditions:

29 a. The money shall be paid to the county, person,
30 or nonprofit agency after submission of the
31 requirements in paragraph "b" on the basis of one
32 dollar for each three dollars designated for
33 prevention by the county, person, or nonprofit agency.

34 b. The county, person, or nonprofit agency shall
35 submit a description of the program.

36 c. The county, person, or nonprofit agency shall
37 submit an annual financial report and the results
38 obtained before June 10 of the same fiscal year in
39 which the money is granted."

40 12. By striking page 7, line 28 through page 8,
41 line 4 and inserting the following: "1985, is amended
42 by striking the paragraph.

43 Sec._____. Section 331.508, subsection 3, Code
44 1985, is amended by striking the subsection.

45 Sec._____. Section 331.552, subsection 10, Code
46 1985, is amended by striking the subsection.

47 Sec._____. Section 331.756, subsection 26, Code
48 1985, is amended by striking the subsection.

49 Sec._____. Sections 125.45, 125.47, 125.49 to
50 125.53, and 125.57, Code 1985, are repealed."

Van Camp of Scott offered the following amendment H—3372, to the committee amendment H—3311, filed by him and moved its adoption:

H—3372

- 1 Amend amendment H—3311 to House File 244 as
- 2 follows:
- 3 1. Page 4, line 25, by striking the word “,
- 4 person.”.
- 5 2. Page 4, line 26, by striking the word “,
- 6 person.”.
- 7 3. Page 4, line 29, by striking the word “,
- 8 person.”.
- 9 4. Page 4, line 33, by striking the word “,
- 10 person.”.
- 11 5. Page 4, line 34, by striking the word “,
- 12 person.”.
- 13 6. Page 4, line 36, by striking the word “,
- 14 person.”.

A non-record roll call was requested.

The ayes were 41, nays 50.

Amendment H—3372 lost.

Swartz of Marshall offered the following amendment H—3364, to the committee amendment H—3311, filed by him and moved its adoption:

H—3364

- 1 Amend amendment H—3311, to House File 244 as
- 2 follows:
- 3 1. Page 4, by striking lines 31 and 32 and
- 4 inserting the following: “requirements in paragraph
- 5 “b” on the basis of two dollars for each dollar
- 6 designated for”.
- 7 2. Page 4, by striking line 39 and inserting the
- 8 following: “which the money is granted.
- 9 The department may consider in kind contributions
- 10 received by a county, person, or nonprofit agency for
- 11 matching purposes required in paragraph “a”.”
- 12 3. Page 4, by inserting before line 40 the
- 13 following:
- 14 “_____ . Page 7, by inserting after line 26 the
- 15 following:

16 "Sec. _____, Section 230.15, unnumbered paragraph 2,
17 Code 1985, is amended to read as follows:

18 A substance abuser is legally liable for the total
19 amount of the cost of providing care, maintenance, and
20 treatment for the substance abuser while a voluntary
21 or committed patient. When a portion of the cost is
22 paid by a county, the substance abuser is legally
23 liable to the county for the amount paid. The
24 substance abuser shall assign any claim for
25 reimbursement under any contract of indemnity, by
26 insurance or otherwise, providing for the abuser's
27 care, maintenance, and treatment in a state hospital
28 to the state. Any payments received by the state from
29 or on behalf of a substance abuser shall be in part
30 credited to the county in proportion to the share of
31 the costs paid by the county. Nothing in this section
32 shall be construed to prevent a relative or other
33 person from voluntarily paying the full actual cost or
34 any portion of the care and treatment of any mentally
35 ill person or substance abuser as established by the
36 department of human services."

37 4. Page 4, by striking line 50 and inserting the
38 following: "125.53, and 125.57, Code 1985, are
39 repealed."

40 "Sec. _____, Notwithstanding section 125.59,
41 subsection 2, the department of substance abuse shall
42 distribute one half of the amount transferred to the
43 department under section 125.59 as specified in 1984
44 Iowa Acts, chapter 1312, section 2, subsection 2 for
45 the fiscal year beginning July 1, 1985 and ending June
46 30, 1986."

Amendment H—3364 was adopted.

On motion by Lonergan of Boone, the committee amendment H—3311, as amended, was adopted.

Sherzan of Polk offered the following amendment H—3366 filed by him and moved its adoption:

H—3366

1 Amend House File 244 as follows:
2 1. Page 2, line 35, by striking the word
3 "emergency" and inserting the following: "emergency,
4 referral by a facility or a program accredited by the
5 joint commission on the accreditation of hospitals or
6 the American osteopathic association,".

Amendment H—3366 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?" (H.F. 244)

The ayes were, 98:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond,
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Platt
Poney	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Weiden	Woods
Zimmerman	Mr. Speaker		

The nays were, none,

Absent or not voting, 2:

Hermann Pellett

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 274, a bill for an act relating to the modification of boundary lines of a proposed school corporation and to the hearing schedule, the notice of an election and the election ballot for reorganization of school corporations and the division of assets and liabilities after reorganization, with report of committee recommending amendment and passage, was taken up for consideration.

Haverland of Polk offered the following amendment H-3315 filed by the committee on education and moved its adoption:

H-3315

1 Amend House File 274 as follows:

2 1. Page 1, line 17, by striking the word "five"
3 and inserting the following: "five ten".

4 2. Page 1, by striking lines 25 through 28 and
5 inserting the following: "all requests timely filed
6 for boundary line changes of property owners who
7 reside on property adjacent to the proposed boundary
8 lines".

9 3. Page 2, line 11, by striking the word "at" and
10 inserting the following: "within ten days following
11 the conclusion of".

12 4. By striking page 4, line 30 through page 5,
13 line 21 and inserting the following:

14 "Sec. _____ Section 275.29, Code 1985, is amended
15 to read as follows:

16 **275.29 DIVISION OF ASSETS AND LIABILITIES AFTER**
17 **REORGANIZATION.**

18 Between July 1 and July 20, the board of directors
19 of the newly formed ~~community~~ school district shall
20 meet with the boards of all the old districts, or
21 parts of districts, affected by the organization of
22 the new school corporation for the purpose of reaching
23 joint agreement on an equitable division of the assets
24 of the several school corporations or parts of school
25 corporations and an equitable distribution of the
26 liabilities of the affected corporations or parts of
27 corporations. In addition, if outstanding bonds are
28 in existence in any district, the boards shall meet
29 together prior to March 15 prior to the school year
30 the reorganization is effective to determine the
31 distribution of the bonded indebtedness between the
32 districts so that the newly formed district may
33 certify its budget under the procedures specified in
34 chapter 24. The boards shall consider the mandatory
35 levy required in section 76.2 and shall assure the
36 satisfaction of outstanding obligations of each
37 affected school corporation.

38 Sec. _____ Section 275.31, Code 1985, is amended to
39 read as follows:

40 **275.31 TAXES TO EFFECT EQUALIZATION.**

41 If necessary to equalize ~~such~~ the division and
42 distribution, the board or boards may provide for the
43 levy of additional taxes, which shall be sufficient to
44 satisfy the mandatory levy required in section 76.2 or
45 other liabilities of the districts, upon the property
46 of any a corporation or part of a corporation and for

47 the distribution of the same tax revenues so as to
 48 effect such equalization. When the board or boards
 49 are considering the equalization levy, the division
 50 and distribution shall not impair the security for

Page 2

1 outstanding obligations of each affected corporation."

The committee amendment H-3315 was adopted.

Haverland of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 274)

The ayes were, 89:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Paulin	Pavich
Peick	Peterson	Platt	Renaud
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 5:

Branstad	Grandia	Maulsby	Renken
Van Maanen			

Absent or not voting, 6:

Hermann	Jochum	Parker	Pellett
Poney	Welden		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 553, a bill for an act relating to federal disaster assistance to state and local governments and providing an effective date, was taken up for consideration.

Buhr of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 553)

The ayes were, 98:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Müllins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Platt
Poney	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Hermann	Pellett
---------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 20, 1985, he approved and transmitted to the Secretary of State the following bill:

Senate File 117, an act relating to the Iowa Family Farm Development Authority by revising definitions, amending requirements relating to the board, and imposing conditions on loans made by the authority to a beginning farmer.

PROOF OF PUBLICATION (House File 575)

Published copy of House File 575 and verified proof of publication of said bill in the Van Buren County Register, a weekly newspaper printed and published in Keosauqua, Van Buren County, Iowa, on February 14, 1985 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

REPORT OF HOUSE RULES AND ADMINISTRATION COMMITTEE

MR. SPEAKER: Pursuant to House Concurrent Resolution 2, your committee on rules and administration submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Secretary II	Clarretta J. De Groot	13-2 to 15-2		2-22-85
Secretary II	Joan M. Koenigs	13-1 + 1 to 15-1 + 1		3-8-85
Secretary II	Mary E. Maulsby	13-1 + 2 to 15-1 + 2		3-8-85
Secretary II	Luella R. Van Maanen	13-2 + 1 to 15-2 + 1		2-22-85
Secretary II	E. Diana Winters	13-1 + 1 to 15-1 + 2		2-22-85
Administrative Assistant II	John Beumler	13-1 + 1 to 15-1		3-8-85

TOM FEY, Chair

APPOINTMENTS BY THE SPEAKER

The Speaker announced the following appointments:

Energy Policy Council
(Section 93., Code of Iowa)

Representative David Osterbergserves at the pleasure of
the Speaker (replaces
Ralph Rosenberg)

Representative Don Paulinserves at the pleasure of
the Speaker (replaces
Sue Mullins)

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 384 Local Government

Exempting county insurance programs from state insurance laws.

S.B. 385 State Government

Amending 1984 Iowa Acts, chapter 1314, relating to comparable
worth pay adjustments for state employees.

S.B. 386 Labor and Industrial Relations

Relating to unemployment compensation by providing for a final
period of employment exempted from the voluntary quit dis-
qualification, by abolishing the maximum dollar amount of yearly
expenditures from the special employment security contingency
fund, and by including certain sickness and accident disability
payments in the definition of wages, and providing effective dates.

S.B. 387 Local Government

Authorizing the levy of a property tax for the county conservation
board reserve fund by referendum.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully
reports that the following committee recommendations have been
received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly House File 169), providing a soil conservation tax credit for certain uses of agricultural land.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 19, 1985.

Committee Bill (Formerly House File 407), relating to the sale or lease of agricultural land to a beginning farmer by providing for an income and franchise tax deduction for income or rent received from the sale or lease of agricultural land to a beginning farmer and providing for an interest rate buy-down program for beginning farmers for land acquisition.

Fiscal Note is not required.

Recommended **Do Pass** March 19, 1985.

Committee Bill (Formerly House File 479), relating to the financial requirements of grain dealers.

Fiscal Note is not required.

Recommended **Do Pass** March 19, 1985.

Committee Bill (Formerly Study Bill 277), relating to the Iowa dairy industry commission.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 19, 1985.

Committee Bill (Formerly Study Bill 279), regarding the filing of documents for evidencing a landlord, thresher's or cornsheller's lien.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 19, 1985.

COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House File 228), requiring the department of water, air and waste management to initiate and conduct a pilot program to collect and dispose of small amounts of hazardous wastes that are being stored in residences and small businesses.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 19, 1985.

Committee Bill (Formerly Study Bill 73), relating to the lease by state agencies of real and personal properties and facilities for use as or in connection with any energy conservation measure.

Fiscal Note is not required.

Recommended Do Pass March 19, 1985.

Committee Bill (Formerly Study Bill 348), to create Iowa commerce commission pilot programs for energy conservation improvements.

Fiscal Note is not required.

Recommended Amend and Do Pass March 19, 1985.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 204, a bill for an act relating to the waiver of the juvenile court's jurisdiction for the alleged commission of public offenses.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—3380, March 19, 1985.

House File 526, a bill for an act relating to interpreters for certain hearing impaired persons.

Fiscal Note is not required.

Recommended Do Pass March 19, 1985.

House File 575, a bill for an act to legalize proceedings taken by the board of directors of the Van Buren community school district relating to the sale of certain land.

Fiscal Note is not required.

Recommended Do Pass March 19, 1985.

Committee Bill (Formerly House File 141), amending the juvenile justice code relating to the content of delinquency petitions, notices of delinquency proceedings, recordings of delinquency hearings, mandatory minimum sentences of juveniles waived to adult court, waivers of the right to remain silent, and civil commitment procedures for allegedly delinquent juveniles, and relating to notices of child-in-need of assistance hearings, evidence required to remove alleged sexual offenders from the home, and the receipt of social investigation reports, and relating to the provision of services to correct abusive situations in termination-of-parental-rights cases.

Fiscal Note is not required.

Recommended Amend and Do Pass March 19, 1985.

Committee Bill (Formerly Study Bill 161), relating to the psychological testing of law enforcement officers and candidates.

Fiscal Note is required.

Recommended Amend and Do Pass March 19, 1985.

Committee Bill (Formerly Study Bill 250), creating the offense of child endangerment and providing penalties.

Fiscal Note is not required.

Recommended Amend and Do Pass March 19, 1985.

Committee Bill (Formerly Study Bill 360), relating to the use of juvenile records in the sentencing of a person for an offense other than a simple or serious misdemeanor.

Fiscal Note is not required.

Recommended **Do Pass** March 19, 1985.

Committee Bill (Formerly Study Bill 370), including in the definition of theft certain acts relating to public utilities and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 19, 1985.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Senate File 364, a bill for an act relating to the scope of negotiation in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3379**, March 19, 1985.

COMMITTEE ON LOCAL GOVERNMENT

House File 498, a bill for an act relating to the qualifications of a weed commissioner or a deputy weed commissioner.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3377**, March 19, 1985.

House File 537, a bill for an act relating to special elections to fill vacancies in city councils.

Fiscal Note is not required.

Recommended **Do Pass** March 19, 1985.

House File 569, a bill for an act relating to the administration of special land use districts.

Fiscal Note is not required.

Recommended **Do Pass** March 19, 1985.

Committee Bill (Formerly Study Bill 8), relating to veterans preference in public employment and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 19, 1985.

COMMITTEE ON STATE GOVERNMENT

House File 346, a bill for an act relating to the licensing and regulation of mobile homes and mobile home parks.

Fiscal Note is not required.

Committee Action: **Failed to Pass** March 19, 1985.

Committee Bill (Formerly House File 332), relating to discrimination on the basis of gender and marital status.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 19, 1985.

Committee Bill (Formerly House File 470), relating to educational leave and educational assistance for state employees.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 19, 1985.

Committee Bill (Formerly Study Bill 211), relating to the licensure of dietitians and nutritionists.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 19, 1985:

Committee Bill (Formerly Study Bill 296), relating to the duties of the citizens' aide.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 19, 1985.

House Concurrent Resolution, (Formerly Study Bill 353), a concurrent resolution to encourage the establishment of the United States Institute of Peace in Iowa.

Fiscal Note is not required.

Recommended **Do Pass** March 19, 1985.

Committee Bill (Formerly Study Bill 354), to establish an Iowa peace institute, to prescribe its duties, and to make an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 19, 1985.

AMENDMENTS FILED

H-3377	H.F.	498	Committee on Local Government
H-3378	H.F.	642	Renaud of Polk Varn of Johnson
H-3379	S.F.	364	Committee on Labor and Industrial Relations
H-3380	H.F.	204	Committee on Judiciary and Law Enforcement
H-3381	H.F.	412	Baxter of Des Moines
H-3382	H.F.	467	Hanson of Delaware
H-3383	H.F.	547	Jochum of Dubuque Harbor of Mills
H-3384	H.F.	498	Royer of Page Black of Jasper
H-3385	H.F.	268	Spear of Lee

On motion by Norland of Worth, the House adjourned at 10:08 a.m., until 9:00 a.m., Thursday, March 21, 1985.

JOURNAL OF THE HOUSE

Sixty-seventh Calendar Day—Forty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 21, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Waunita McConnell, former minister of Faith United Methodist Church, Russell.

The Journal of Wednesday, March 20, 1985 was approved.

LEGISLATIVE PHYSICIAN FOR THE DAY

Dr. Larry Boeke, West Union.

PETITIONS FILED

The following petitions requesting the Iowa General Assembly to increase appropriations to the State Transit Assistance Fund to insure continuation of public transit service to Iowans have been received and placed on file:

By Hermann of Scott, from forty-one constituents.

By Johnson of Winneshiek, from twenty-two constituents of District 31.

By Van Maanen of Mahaska, from twenty-one constituents.

By Welden of Hardin, from ninety-eight constituents from District 18.

The following petition was received and placed on file:

By Varn of Johnson, from thirty teachers and administrators opposing Senate File 403, relating to the enrollment of certain pupils in contiguous school districts upon request of parent or guardian.

INTRODUCTION OF BILLS

House File 687, by Buhr, a bill for an act relating to the imposition of fines as part of a sentence for the conviction of a criminal offense, and providing penalties.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 688, by committee on judiciary and law enforcement, a bill for an act relating to the use of juvenile records in the sentencing of a person for an offense other than a simple or serious misdemeanor.

Read first time and placed on the **calendar**.

House File 689, by Platt, a bill for an act to require that an odometer reading be placed on the registration receipt each time a vehicle is registered or a vehicle registration is renewed, and providing a penalty.

Read first time and referred to committee on **transportation**.

House File 690, by McIntee, a bill for an act relating to the prosecution of a charge of operating a motor vehicle under the influence.

Read first time and referred to committee on **judiciary and law enforcement**.

House File 691, by committee on judiciary and law enforcement, a bill for an act relating to the psychological testing of law enforcement officers and candidates.

Read first time and placed on the **calendar**.

House File 692, by committee on agriculture, a bill for an act relating to the Iowa dairy industry commission.

Read first time and placed on the **calendar**.

SENATE MESSAGES CONSIDERED

Senate File 199, by Miller of Des Moines, a bill for an act relating to leaves of absence for a public employee who is a candidate for elective public office.

Read first time and referred to committee on **state government**.

Senate File 218, by Taylor, a bill for an act relating to the return of juveniles alleged to be delinquent from another state under the interstate compact on juveniles.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 293, by Miller of Des Moines, a bill for an act creating a fire service institute.

Read first time and referred to committee on **state government**.

Senate File 407, by committee on state government, a bill for an act relating to the licensing of real estate brokers and real estate salespersons and providing for an effective date.

Read first time and referred to committee on **state government**.

Senate File 413, by committee on transportation, a bill for an act relating to farm-to-market road fund allocations.

Read first time and referred to committee on **transportation**.

Senate File 414, by committee on education, a bill for an act relating to rights of a person possessing a teaching certificate with a coaching endorsement and not issued a teaching contract who is employed by a school district.

Read first time and referred to committee on **education**.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 20, 1985, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 225, a bill for an act relating to economic development by creating a five-year state lottery, making appropriations for economic development programs and activities; and providing an effective date.

K. MARIE THAYER, Secretary

MOTION TO WITHDRAW FROM COMMITTEE LOST
(House File 393)

Pursuant to Rule 60, McIntee of Black Hawk moved to withdraw from committee and place on the calendar House File 393, a bill for an act relating to the operation of a motor vehicle while under the influence of alcohol or a drug.

Roll call was requested by McIntee of Black Hawk and Stromer of Hancock.

Rule 75 was invoked.

On the question "Shall House File 393 be withdrawn from committee?"

The ayes were, 40:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hester	Hummel	Kremer
Lageschulte	Maulsby	McIntee	McKean
Metcalf	Miller	Mullins	Paulin
Pellett	Platt	Renken	Rensink
Royer	Schnekloth	Shoning	Siegrist
Stromer	Stueland	Sturgeon	Swearingen
Torrence	Van Camp	Van Maanen	Welden

The nays were, 55:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Connors	Cooper	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Lonergan	Muhlbauer	Norland	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Peterson	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Teaford	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 5:

Hermann	O'Kane	Sullivan	Swartz
Tabor			

The motion lost.

MOTION TO SUSPEND RULE 57 LOST

McIntee of Black Hawk moved to suspend Rule 57 to place House File 393 on the committee on judiciary and law enforcement committee notice and agenda for the March 21 committee meeting.

Roll call was requested by Stromer of Hancock and Harbor of Mills.

On the question "Shall Rule 57 be suspended on House File 393?"

The ayes were, 39:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hester	Hummel	Kremer
Lageschulte	Maulsby	McIntee	McKean
Metcalf	Miller	Mullins	Paulin
Pellett	Platt	Renken	Rensink
Royer	Schnekloth	Shoning	Siegrist
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Weiden	

The nays were, 55:

Arnould	Baxter	Black	Blanshan
Brammer	Buhr	Carl	Carter
Chapman	Cochran	Connolly	Connors
Cooper	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. N.
Hammond	Hatch	Haverland	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Lloyd-Jones	Lonergan
Muhlbauer	Norland	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Teaford	Varn
Woods	Zimmerman	Mr. Speaker	

Absent or not voting, 6:

Beatty
Swartz

Hermann
Tabor

O'Kane

Sullivan

The motion lost.

On motion by Norland of Worth, the House was recessed at 9:38 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

INTRODUCTION OF BILLS

House File 693, by Ollie, Stueland, Fey, Arnould, Platt, Van Camp, Torrence, Schneklath, Baxter, Hester, Carter, Corey, Siegrist, Spear, Halvorson of Clayton and Sullivan, a bill for an act exempting from the sales, services and use tax the sale of fuel used by ships, barges or waterborne vessels for certain commercial purposes on rivers bordering the state if the fuel is delivered while the vessel is afloat on such a river.

Read first time and referred to committee on **ways and means**.

House File 694, by Pavich, O'Kane, Woods, Running, Groninga, Carpenter, Shoning, Buhr, Lloyd-Jones, Platt and Clark, a bill for an act allocating certain moneys collected under the use tax to the public transit assistance fund.

Read first time and referred to committee on **ways and means**.

House File 695, by Parker, a bill for an act creating an Iowa infrastructure bank to provide funding for the construction or reconstruction of the state's infrastructure.

Read first time and referred to committee on **ways and means**.

House File 696, by committee on small business and commerce, a bill for an act relating to abandoned property, by providing for a civil action, providing for the issuance of injunctions and other

orders, and providing for appointing a receiver with certain powers, duties, and liability.

Read first time and placed on the **calendar**.

House File 697, by committee on energy and environmental protection, a bill for an act relating to the lease by state agencies of real and personal properties and facilities for use as or in connection with any energy conservation measure.

Read first time and placed on the **calendar**.

House File 698, by committee on small business and commerce, a bill for an act relating to consumer frauds and providing penalties.

Read first time and placed on the **calendar**.

House File 699, by committee on agriculture, a bill for an act relating to the sale or lease of agricultural land to a beginning farmer by providing for an income and franchise tax deduction for income or rent received from the sale or lease of agricultural land to a beginning farmer and providing for an interest rate buy-down program for beginning farmers for land acquisition, and providing an effective date.

Read first time and referred to committee on **ways and means**.

House File 700, by committee on judiciary and law enforcement, a bill for an act relating to the endangering of certain persons and providing penalties.

Read first time and placed on the **calendar**.

House File 701, by committee on judiciary and law enforcement, a bill for an act amending the juvenile justice code relating to the content of delinquency petitions, notices of delinquency proceedings, recordings of delinquency hearings, waivers of the right to remain silent, and civil commitment procedures for allegedly delinquent juveniles, and relating to notices of child-in-need-of-assistance hearings, evidence required to remove alleged sexual offenders from the home, contents of petitions, the receipt of social

investigation reports, and transferring guardianships, and relating to the provision of services to correct abusive situations in termination-of-parental-rights cases.

Read first time and placed on the **calendar**.

House File 702, by committee on judiciary and law enforcement, a bill for an act including in the definition of theft certain acts relating to public utilities and cable television services and making penalties applicable.

Read first time and placed on the **calendar**.

SENATE AMENDMENT CONSIDERED

Parker of Jasper called up for consideration **House File 225**, a bill for an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date, amended by the Senate amendment H—3386 as follows:

H-3386

1 Amend House File 225 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 2, line 17, by striking the word
4 "chapter" and inserting the following: "chapter,
5 except as provided in section 99E.14, subsection 2".

6 2. Page 4, by striking lines 12 through 35 and
7 inserting the following:

8 "2. Subject to the approval of the board, the
9 commissioner may enter into contracts for the
10 operation and marketing of the lottery, except that
11 the board may by rule designate classes of contracts
12 other than major procurements which do not require
13 prior approval by the board. A major procurement
14 shall be as the result of competitive bidding with the
15 contract being awarded to the responsible vendor
16 submitting the lowest and best proposal. However,
17 before a contract for a major procurement is awarded,
18 the division of criminal investigation of the
19 department of public safety shall conduct a thorough
20 background investigation of the vendor, any parent or
21 subsidiary corporation of the vendor, all shareholders
22 of five percent or more interest of the vendor or
23 parent or subsidiary corporation of the vendor, and
24 all officers and directors of the vendor or parent or
25 subsidiary corporation of the vendor to whom the
26 contract is to be awarded. The vendor shall submit to
27 the division of criminal investigation appropriate
28 investigation authorizations to facilitate this
29 investigation. A contract for a major procurement
30 awarded or entered into by the commissioner with an
31 individual or business organization shall require that
32 individual or business organization to establish a
33 permanent office in this state. As used in this
34 subsection, "major procurement" means consulting
35 agreements and the major procurement contract with a
36 business organization for the printing of tickets, or
37 for purchase or lease of equipment or services
38 essential to the operation of a lottery game."

39 3. Page 8, by inserting after line 16 the
40 following:

41 "5. Whenever possible when the lottery agency
42 awards a contract under subsection 2, for the lease,
43 purchase, or servicing of a machine to be used in the
44 conducting of a lottery game including, but not
45 limited to, a video lottery machine or machine used in
46 lotto, the lottery agency shall give preference to
47 awarding the contract to a person whose primary place
48 of business is in Iowa."

49 4. Page 8, line 21, by inserting after the figure
50 "99E.20." the following: "Four percent of the annual

Page 2

1 revenue from the sale of lottery tickets or shares
2 shall be deducted as the sales tax on the tickets or
3 shares and shall be transferred to the general fund."

4 5. Page 9, by inserting after line 3 the
5 following:

6 "c. The contractual expenses required in this
7 paragraph. The division of criminal investigation
8 shall be the primary state agency responsible for
9 investigating criminal violations of the law under
10 this chapter. The commissioner shall contract with
11 the department of public safety for investigative
12 services, including the employment of special agents
13 and support personnel, and procurement of necessary
14 equipment to carry out the responsibilities of the
15 division of criminal investigation under the terms of
16 the agreement and this chapter."

17 6. Page 11, by striking lines 22 through 24 and
18 inserting the following:

19 "4. The commissioner shall contract with the
20 department of human services to conduct annual studies
21 of the extent to which the lottery creates a
22 compulsive gambling problem among lottery players and
23 the impact of gambling on affected families."

24 7. Page 13, line 4, by inserting after the word
25 "division." the following: "The position of director
26 is exempt from the provisions of chapter 19A."

27 8. Page 19, by striking lines 10 through 14 and
28 inserting the following:

29 "Sec. _____ Section 422.43, subsection 2, Code
30 1985, is amended to read as follows:

31 2. There is imposed a tax of four percent upon the
32 gross receipts derived from the operation of all forms
33 of amusement devices and games of skill, games of
34 chance, raffles and bingo games as defined in chapter
35 99B, operated or conducted within the state of Iowa,
36 the tax to be collected from the operator in the same
37 manner as is provided for the collection of taxes upon
38 the gross receipts of tickets or admission as provided
39 in this section. The tax shall also be imposed upon
40 the gross receipts derived from the sale of lottery
41 tickets or shares pursuant to chapter 99E. The tax on
42 the lottery tickets or shares shall be included in the
43 sales price and distributed to the general fund as
44 provided in section 99E.10."

45 9. Page 20, by inserting after line 30 the
46 following:

47 "DIVISION II

48 Sec. 201. NEW SECTION. 18.170 TITLE.

49 Sections 18.171 through 18.175 may be cited as the
50 "Iowa small minority business procurement Act."

Page 3

1 **Sec. 202. NEW SECTION. 18.171 DEFINITIONS.**

2 When used in sections 18.170 through 18.175, unless
3 the context otherwise requires:

4 1. "Small business" means a business organized for
5 profit which has its principal place of business in
6 Iowa and which is neither dominant in its field of
7 operation nor an affiliate or subsidiary of a business
8 dominant in its field of operation.

9 2. "Dominant in its field of operation" means
10 exercising a controlling or major influence in a
11 business activity in which a number of businesses are
12 engaged. The following businesses are dominant in
13 their field of operation:

14 a. Manufacturing businesses which employ more than
15 one hundred persons and whose gross receipts for the
16 preceding three fiscal years exceeded a total of
17 fifteen million dollars.

18 b. General construction businesses which had gross
19 receipts exceeding a total of six million dollars in
20 the preceding three fiscal years.

21 c. Speciality construction businesses which had
22 gross receipts exceeding three million dollars in the
23 preceding three fiscal years.

24 d. Nonmanufacturing businesses which employ more
25 than twenty-five persons and which had gross receipts
26 exceeding three million dollars in the preceding three
27 fiscal years.

28 3. "Affiliate or subsidiary of a business dominant
29 in its field of operation" means a business which is
30 at least twenty percent owned by a business dominant
31 in that field of operation, or by partners, officers,
32 directors, majority shareholders, or their equivalent
33 of a business dominant in that field of operation.

34 4. "Socially or economically disadvantaged person"
35 means a person who has been deprived of the
36 opportunity to develop and maintain a competitive
37 position in the economy because of any of the
38 following circumstances:

39 a. Cultural, social, or economic circumstances or
40 background.

41 b. Physical location if the person resides or is
42 employed in an area declared a labor surplus area by
43 the United States department of commerce.

44 c. Other similar cause as defined by rules adopted
45 by the director pursuant to chapter 17A.

46 **Sec. 203. NEW SECTION. 18.172 PROCUREMENT FROM**
47 **SMALL MINORITY BUSINESSES.**

48 **1. SMALL MINORITY BUSINESS SET-ASIDES.**

49 Notwithstanding section 18.6, the director may
50 designate and set aside for awarding to small

Page 4

1 businesses owned and operated by socially or
2 economically disadvantaged persons approximately five
3 percent of the value of anticipated total state
4 procurement of goods and services, including
5 construction, but not including utility services
6 pursuant to section 18.8, each fiscal year. The
7 director may divide the procurements so designated
8 into contract award units of economically feasible
9 production runs to facilitate offers or bids from
10 these small businesses. In designating set-aside
11 procurements, the director may vary the included
12 procurements so that a variety of goods and services
13 produced by different small businesses may be set
14 aside each year.

15 2. NEGOTIATED PRICE OR BID CONTRACT. The director
16 may use either a negotiated price or bid contract
17 procedure in the awarding of a contract under this
18 set-aside program. The amount of an award shall not
19 exceed by more than five percent the director's
20 estimated price for the goods or services, if they
21 were to be purchased on the open market or under the
22 competitive bidding procedures of section 18.6, and
23 not under this set-aside program. Surety bonds
24 guaranteed by the federal small business
25 administration are acceptable security for a
26 construction award under this section.

27 3. DETERMINATION OF ABILITY TO PERFORM. Before
28 announcing a set-aside award, the director shall
29 evaluate whether the small business scheduled to
30 receive the award is able to perform the set-aside
31 contract. This determination shall include
32 consideration of production and financial capacity and
33 technical competence.

34 4. PROCUREMENT PROCEDURES. All laws and rules
35 pertaining to solicitations, bid evaluations, contract
36 awards, and other procurement matters apply to
37 procurements set aside for small businesses to the
38 extent there is no conflict. If sections 18.171
39 through 18.175 conflict with other laws or rules, then
40 sections 18.171 through 18.175 govern.

41 Sec. 204. NEW SECTION. 18.173 ROLE OF
42 DEVELOPMENT COMMISSION.

43 The director of general services may assist the
44 director of the Iowa development commission in
45 publicizing the set-aside program, attempting to
46 locate small businesses able to perform set-aside
47 awards, and encouraging program participation. When
48 the director of general services determines that a
49 small minority business is unable to perform under a
50 set-aside contract, the director of general services

Page 5

1 shall inform the director of the Iowa development
2 commission who shall assist the small business in
3 attempting to remedy the causes of the inability to
4 perform. In assisting the small business, the
5 director of the Iowa development commission in
6 cooperation with the director of general services may
7 use any management or financial assistance programs
8 available through state or governmental agencies or
9 private sources. Primary responsibility under this
10 section rests with the director of the Iowa
11 development commission.

12 Sec. 205. NEW SECTION. 18.174 CERTIFICATION.

13 The director shall adopt by rule standards and
14 procedures for certifying that small businesses owned
15 and operated by socially or economically disadvantaged
16 persons are eligible to participate in the set-aside
17 program. The procedure for determination of
18 eligibility may include self-certification by a
19 business, provided the director retains the ability to
20 verify a self-certification. The director of general
21 services shall maintain a current directory of small
22 businesses which have been certified under this
23 section.

24 Sec. 206. NEW SECTION. 18.175 REPORTS.

25 1. DIRECTOR OF GENERAL SERVICES. The director of
26 general services shall submit an annual report to the
27 governor and the general assembly with a copy to the
28 director of the Iowa development commission relating
29 progress towards realizing the objectives and goals of
30 sections 18.171 through 18.174 during the preceding
31 fiscal year. The report shall include the following
32 information:

33 a. The total dollar value and number of potential
34 set-aside awards identified and the percentage of
35 total state procurements this figure reflects.

36 b. The total dollar value and number of set-aside
37 contracts awarded to small businesses owned and
38 operated by economically or socially disadvantaged
39 persons with appropriate designation as to the total
40 number and value of set-aside contracts awarded to
41 each small business, and the percentages of the total
42 state procurements the figures of total dollar value
43 and the number of set-asides reflect.

44 c. The number of contracts which were designated
45 and set aside pursuant to section 18.172, but which
46 were not awarded to a small business, the estimated
47 total dollar value of these awards, the lowest offer
48 or bid on each of these awards made by the small
49 business and the price at which these contracts were
50 awarded pursuant to the normal procurement procedures.

Page 6

1 2. DIRECTOR OF THE IOWA DEVELOPMENT COMMISSION.

2 The director of the Iowa Development Commission shall
3 submit an annual report to the governor and the
4 general assembly with a copy to the director of
5 general services. The report shall include the
6 following information:

7 a. The efforts undertaken to publicize the set-
8 aside program during the preceding year.

9 b. The efforts undertaken to identify small
10 businesses owned and operated by socially or
11 economically disadvantaged persons, and the efforts
12 undertaken to encourage participation in the set-aside
13 program.

14 c. The efforts undertaken by the director to
15 remedy the inability of these small businesses to
16 perform on potential set-aside awards.

17 d. The director's recommendations for
18 strengthening the set-aside program and delivery of
19 services to these small businesses.

20 Sec. 207. Section 28.7, Code 1985, is amended by
21 adding the following new subsection:

22 NEW SUBSECTION. Aid in the set aside of
23 procurements for small businesses owned and operated
24 by economically or socially disadvantaged persons
25 pursuant to sections 18.171 to 18.175."

26 10. By striking page 20, line 31 through page 51,
27 line 27 and inserting the following:

28 "DIVISION III

29 Sec. 301.

30 1. The treasurer of state shall, for the fiscal
31 year beginning July 1, 1985 and ending June 30, 1986,
32 make allotments of the moneys within the Iowa plan
33 fund for economic development created in section
34 99E.10 to separate accounts within that fund as
35 follows:

36 a. The first ten million five hundred ninety-two
37 thousand dollars to the "Jobs Now Capitals" account.

38 b. After the allotment in paragraph "a", ten
39 million dollars to the "Community Economic Betterment"
40 account, eight million five hundred thousand dollars
41 to the "Jobs Now" account, and twelve million five
42 hundred thousand dollars to the "Education and
43 Agriculture Research and Development" account.

44 c. After the allotments have been made under
45 paragraphs "a" and "b", the excess is allotted equally
46 to the community economic betterment account and to
47 the "Surplus" account.

48 d. Before the treasurer makes the allotments under
49 paragraphs "a", "b", and "c", the treasurer shall
50 repay to the general fund the loan for start-up

Page 7

1 purposes of the Iowa lottery, shall repay to the
2 general fund the sum of one million twenty thousand
3 dollars which was appropriated for the fiscal year
4 beginning July 1, 1985 from the general fund to the
5 department of general services for capitol building
6 restoration and major repairs, and shall repay to the
7 general fund the sum of five million two hundred fifty
8 thousand dollars which was appropriated for the fiscal
9 period beginning July 1, 1985 and ending June 30, 1989
10 from the general fund to the department of general
11 services for the engineering, planning and
12 construction of a new state historical building under
13 1984 Iowa Acts, chapter 1316, section 4.

14 2. There is appropriated, subject to subsection 9,
15 from the allotment made to the community economic
16 betterment account under subsection 1 for the fiscal
17 year beginning July 1, 1985 and ending June 30, 1986
18 to the Iowa development commission the amount in that
19 account, or so much thereof as may be necessary, to be
20 used for the following purposes:

21 a. Principal buy-down program to reduce the
22 principal of a business loan.

23 b. Interest buy-down program to reduce the
24 interest on a business loan.

25 c. Grants and loans to aid in economic
26 development.

27 d. Site development or infrastructure costs
28 directly related to a project resulting in new
29 employment.

30 Only a political subdivision of the state may apply
31 to receive funds for any of the above purposes. The
32 political subdivision shall make application to the
33 commission specifying the purpose for which the funds
34 will be used. In ranking applications for funds, the
35 commission shall consider the proportion of political
36 subdivision match to be provided, the proportion of
37 private contributions to be provided, the total number
38 of jobs to be created, the recapture, if any, of these
39 funds by the political subdivision that will occur,
40 level of need in the political subdivision, and impact
41 of proposed project on the economy of the political
42 subdivision. The commission shall not provide more
43 than one million dollars for any project, unless at
44 least two-thirds of the members of the commission vote
45 for providing more. However, after the first ten
46 million dollars in the community economic betterment
47 account have been provided to political subdivisions,
48 the amount that may be provided by the commission for
49 a project from additional moneys credited to that
50 account is not subject to the one million dollar

Page 8

1 limitation.

2 An eligible road construction project is one
3 involving highway improvements which support and
4 assist economic development.

5 The commission shall take applications from state,
6 city, or county government entities for road
7 construction projects. The commission shall
8 prioritize the projects and determine which projects
9 shall be funded. However, the approval of the
10 department of transportation is necessary for
11 planning, design, construction and maintenance and
12 other activities as provided in section 307.24. The
13 commission shall make the final selection of which
14 projects will be funded. Matching funds on a dollar-
15 for-dollar basis for each project funded shall be
16 required. The source of the matching funds shall be
17 determined by the type of project. Thus a match from
18 the primary road fund is required for a project
19 involving a primary road. The department of
20 transportation does not have the right to reject a
21 project for which a match of primary road funds is
22 required. If the department of transportation
23 disapproves of a project for which a match of primary
24 road funds is required, the reasons shall be supplied
25 to the applicant and commission. But the commission
26 may still approve such project, and once approved,
27 matching funds are to be provided.

28 In prioritizing the road construction projects and
29 determining which shall be funded, the commission
30 shall consider the economic benefits of the project to
31 the local community and the state as a whole,
32 including but not limited to the number of direct and
33 indirect jobs created.

34 3. There is appropriated, subject to subsection 9,
35 from the allotment made to the jobs now account under
36 subsection 1 for the fiscal year beginning July 1,
37 1985 and ending June 30, 1986 to the following funds,
38 agencies, boards or commissions the following amounts,
39 or so much thereof as may be necessary, to be used for
40 the following purposes:

41 a. To the state conservation commission the sum of
42 two million five hundred thousand (2,500,000) dollars
43 for the development of parks, recreation areas,
44 forest, fish and wildlife areas, and natural areas,
45 and for related technical services for carrying out
46 these projects. Not more than five hundred thousand
47 (500,000) dollars shall be set aside to match private
48 funds available for the acquisition of natural areas
49 with unique or unusual features. Not more than four
50 hundred thousand (400,000) dollars shall be set aside

Page 9

1 for the acquisition of land for expansion or
2 development of state forests and state fish and
3 wildlife areas. Not more than seven hundred fifty
4 thousand (750,000) dollars shall be set aside for use
5 in providing grants-in-aid to county conservation
6 boards for carrying out acquisition and development
7 projects as provided in chapter 111A. Any of the
8 above funds can be matched with any available federal
9 funds or with any available federal or local funds in
10 the case of grants-in-aid to county conservation
11 boards.

12 b. To the energy policy council the sum of one
13 hundred fifty thousand (150,000) dollars to provide
14 for energy management auditing services and
15 administrative costs associated with the establishment
16 of lease-purchase conservation projects for state
17 buildings. The appropriation under this paragraph is
18 contingent upon the passage and enactment into law of
19 Senate File 303.

20 c. To the Iowa product development fund the sum of
21 two million (2,000,000) dollars for the purposes
22 provided in section 28.89.

23 d. To the office for planning and programming the
24 sum of one million (1,000,000) dollars for additional
25 and supplemental funding for the child care services
26 program and the displaced homemakers program in
27 connection and coordination with the federal Job
28 Training Partnership Act of 1982 and funding for a
29 child care grants program to provide grants of up to
30 ten thousand dollars for start-up funding for before
31 and after school programs using school facilities,
32 infant care programs, child care information and
33 referral centers, and on-site employer day care. An
34 application for a grant under the child care grants
35 program shall include a study documenting a need for
36 the service or program for which the grant is sought
37 and a plan for implementation of the service or
38 program which plan includes a listing of other sources
39 of income, the staff to be employed, and the method to
40 make the service or program self supporting within
41 three years.

42 e. To the office for planning and programming the
43 sum of two hundred fifty thousand (250,000) dollars
44 for the purposes of the community cultural grants
45 program established under 1983 Iowa Acts, chapter 207,
46 section 92.

47 f. To the Iowa development commission the sum of
48 two million six hundred thousand (2,600,000) dollars
49 for the purposes designated as follows:

50 (1) Business incubators.

Page 10

1 (2) Satellite centers under division VI of this
2 Act.

3 (3) Federal procurement offices.

4 (4) Tourism and marketing.

5 (5) Iowa main street program.

6 4. There is appropriated, subject to subsection 9,
7 from the allotment made to the education and
8 agriculture research and development account under
9 subsection 1 for the fiscal year beginning July 1,
10 1985 and ending June 30, 1986 to the following funds,
11 agencies, boards or commissions the following amounts,
12 or so much thereof as may be necessary, to be used for
13 the following purposes:

14 a. To the Iowa college aid commission the sum of
15 seven hundred fifty thousand (750,000) dollars for the
16 forgivable loan program established in division VIII
17 of this Act. However, funds shall not be transferred
18 to the college aid commission until the college aid
19 commission certifies to the treasurer of state that
20 the association of private colleges and universities
21 and the board of regents will provide an equivalent
22 amount of seven hundred fifty thousand (750,000)
23 dollars for the forgivable loan program for the same
24 fiscal year.

25 b. To the Iowa development commission the sum of
26 three hundred thousand (300,000) dollars to develop
27 and administer programs to encourage foreign trade.
28 Prior to providing funds for any activity under this
29 paragraph the Iowa development commission shall seek
30 the input of public and private institutions of higher
31 education, relevant government agencies, boards and
32 departments, and private sector businesses involved in
33 foreign trade for the purpose of coordinating trade
34 related resources already available and those created
35 pursuant to this Act in Iowa higher education
36 institutions. The commission shall also, after
37 seeking input from these entities, initiate the
38 development of trade related curricula and curricula
39 to support potential growth sectors and develop new
40 programs to provide trade assistance to small and
41 medium-sized Iowa businesses including, but not
42 limited to, those created under this paragraph. The
43 commission shall work with Iowa businesses engaged in
44 foreign trade and public and private institutions of
45 higher education to create a comprehensive plan
46 designed to promote and develop the trade of Iowa's
47 agricultural and manufactured products and services in
48 foreign markets and shall coordinate the plan with
49 other public and private foreign trade efforts
50 including those created pursuant to this Act. The

Page 11

1 Iowa development commission shall require, where
2 feasible, that recipients of moneys appropriated in
3 this section certify to the Iowa development
4 commission that they will provide contributions,
5 either in-kind or financial, equal to up to fifty
6 percent of the moneys the recipient will receive under
7 this section. The programs are as follows:

8 (1) To establish internships with Iowa businesses
9 involved in foreign trade, with foreign businesses,
10 with foreign governments, and with the Iowa
11 development commission. A student who is enrolled in
12 an Iowa institution of higher education in a course of
13 study that could involve the student in foreign trade
14 is eligible to apply for an internship. College
15 credit will be given in a manner determined by the
16 institution of enrollment. Money granted for
17 internships shall be used for travel expenses and a
18 stipend for the interns.

19 (2) To establish a program in which professors
20 employed at Iowa institutions of higher education who
21 are familiar with the language and customs of foreign
22 countries are utilized as cultural advisors for the
23 Iowa development commission and for Iowa businesses
24 participating in trade missions and other foreign
25 trade activities.

26 (3) To establish a program of short courses useful
27 to assist Iowans in developing skills needed to
28 participate in foreign trade, including but not
29 limited to courses in foreign language, foreign
30 culture and business practices, and foreign trade
31 strategies. The short courses shall be developed in
32 cooperation with Iowa institutions of higher
33 education.

34 (4) To develop a data base of information useful
35 in foreign trade.

36 (5) To establish a clearinghouse listing of state
37 residents who have political, social, or business
38 contacts in foreign countries.

39 (6) To provide assistance in foreign language
40 translation for correspondence and other purposes.

41 (7) To establish a program for conducting a
42 business risk analysis for Iowa businesses seeking
43 markets in foreign countries. Iowa businesses would
44 file requests for the risk analysis with the Iowa
45 development commission. The Iowa development
46 commission shall contract with an Iowa higher
47 education institution for an analysis of conditions in
48 a specific foreign country as requested by an Iowa
49 business, including but not limited to, rate of
50 exchange projections for the currency, political

Page 12

1 climate, cultural mores relating to business
2 etiquette, market climate, and assessment of the
3 political and social status of the business' personal
4 contacts.

5 c. To the state board of regents the sum of two
6 hundred thousand (200,000) dollars to be used by the
7 agricultural experiment station at Iowa state
8 university of science and technology for value added
9 research.

10 d. To the Iowa development commission the sum of
11 ten million (10,000,000) dollars to be allocated by
12 the Iowa development commission for economic
13 development and research and development purposes at
14 an institution of higher education under the control
15 of the state board of regents or at an independent
16 college or university of the state. The institutions
17 under control of the state board of regents may
18 present proposals to the state board of regents for
19 the use of the funds. The proposals may include, but
20 are not limited to, endowing faculty chairs,
21 conducting studies and research, establishing centers,
22 purchasing equipment, and constructing facilities in
23 the areas of entrepreneurial studies, foreign language
24 translation and interpretation, management
25 development, genetics, molecular biology, laser
26 science and engineering, biotechnology, third crop
27 development, and value-added projects. The proposals
28 shall include certification from the institution,
29 college or university that it will receive from other
30 sources an amount equal to the amount requested in the
31 proposal. The state board of regents shall, for
32 institutions under its control, determine the specific
33 proposals for which it requests funding and submit
34 them to the Iowa development commission. An
35 independent college or university shall submit
36 requests directly to the Iowa development commission.
37 The Iowa development commission shall disburse to the
38 regents' institutions or an independent college or
39 university the moneys for the various proposals
40 requested unless the Iowa development commission
41 disapproves of a specific proposal as inconsistent
42 with the plan for economic development for this state.
43 The applicants may submit additional proposals for
44 those not approved by the Iowa development commission.

45 e. To the state board of regents the sum of two
46 hundred thousand (200,000) dollars to be used by Iowa
47 state university for the establishment of Iowa farm
48 management program. The cooperative extension service
49 shall administer the program with provisions for
50 cooperation and assistance through the department of

Page 13

1 public instruction. The program may be offered in
2 conjunction with programs offered at the merged area
3 schools and at school districts. The cooperative
4 extension service may allocate moneys appropriated in
5 this section for the program to area schools and
6 school districts participating in the program. The
7 cooperative extension service may accept gifts from
8 other sources to supplement moneys appropriated in
9 this section.

10 f. To the legislative council the sum of fifty
11 thousand (50,000) dollars to be used by the
12 alternative crops and livestock study committee
13 created in this paragraph. There is established a
14 twelve-member alternative crops and livestock study
15 committee to study the feasibility of alternative
16 crops and livestock enterprises. The members shall
17 consist of three farmers, three representatives from
18 the agriculture industry, two faculty members from the
19 Iowa state university and four members of the general
20 assembly. The majority and minority leaders of the
21 senate shall each appoint two nonlegislative members
22 and one legislative member from the senate and the
23 speaker and minority leader of the house of
24 representatives shall each appoint two nonlegislative
25 members and one legislative member from the house.
26 The appointers shall consult with each other before
27 making their appointments to ensure the requirements
28 of the makeup of the committee are met.
29 Nonlegislative members shall receive a per diem of
30 forty dollars and be reimbursed for their travel and
31 other necessary expenses actually incurred in the
32 performance of their official duties. Legislative
33 members shall receive, when the general assembly is
34 not in session, a per diem of forty dollars and their
35 travel and other expenses incurred in the performance
36 of their official duties from funds appropriated by
37 section 2.12. The committee shall submit its final
38 report along with any recommendations to the
39 legislative council by January 1, 1986.

40 g. To the Iowa college aid commission for the
41 summer institute program established pursuant to this
42 paragraph the sum of one million (1,000,000) dollars.
43 Institutions of higher education in the state may
44 submit proposals to the council for post secondary
45 education for eight week summer institute programs to
46 upgrade the skills of Iowa teachers in the subject
47 areas of math, science, foreign languages and such
48 other areas as the department of public instruction has
49 indicated a teaching shortage exists. The proposals
50 shall provide for the institutional reimbursement for

Page 14

1 the costs of instruction, materials, and room and
2 board for the participants as well as for a weekly
3 stipend of one hundred fifty dollars per week for each
4 participant. The council for post secondary education
5 shall select the institutions at which the summer
6 institutes shall be conducted. The council for post
7 secondary education in consultation with the Iowa
8 college aid commission shall establish the criteria
9 for the selection of the teachers to participate in
10 the programs.

11 5. There is appropriated, subject to subsection 9,
12 from the allotment made to the jobs now capitals
13 account under subsection 1 for the fiscal year
14 beginning July 1, 1985 and ending June 30, 1986 to the
15 following council, office, and departments the
16 following amounts, or so much thereof as may be
17 necessary, to be used for the following purposes:

18 a. To the executive council for allocation to the
19 nonprofit corporation organized to facilitate the
20 state's involvement in the Iowa world trade center
21 pursuant to division V of this Act the sum of nine
22 million two hundred fifty thousand (9,250,000) dollars
23 to fund the construction of the state-owned portion of
24 the Iowa world trade center as provided in division V
25 of this Act.

26 b. To the department of public defense the sum of
27 two hundred forty-three thousand thirty-five (243,035)
28 dollars for the architect, engineering, equipment and
29 construction of the armory in Carroll.

30 c. To the department of public instruction the sum
31 of one million (1,000,000) dollars to be allocated to
32 the merged area schools filing requests with the
33 department for the purchase of equipment. The
34 department of public instruction shall allocate moneys
35 to an area school based upon the ability of the area
36 school to provide matching contributions, either in-
37 kind or financial, and the potential for creation of
38 jobs and economic development. The maximum grant to
39 an area school shall not exceed two hundred fifty
40 thousand (250,000) dollars.

41 d. To the office of the governor the sum of one
42 hundred thousand (100,000) dollars or so much as may
43 be needed for a feasibility study of costs and
44 benefits of a joint telecommunications partnership to
45 be entered into between the state and private firms.
46 The study shall be contracted out to a private firm in
47 the state which is experienced in telecommunications
48 and which has the capability to analyze the technical
49 and economic potential and feasibility of a
50 telecommunications satellite and fiber optics system

Page 15

1 with state and worldwide capability. The study shall
2 be developed to insure input from the telephone,
3 banking, insurance, television, and other business
4 sectors in the state as well as from the educational
5 community.

6 6. If the moneys to be allotted to the economic
7 betterment account, jobs now account or education and
8 agriculture research and development account are less
9 than the amount specified in subsection 1, paragraph
10 "b", the moneys appropriated to the funds, agencies,
11 boards or commissions for the purposes specified in
12 subsection 2, 3 or 4, as applicable, shall be reduced
13 by the same percentage decrease in the appropriate
14 allotment.

15 7. The moneys appropriated in subsections 2, 3, 4
16 and 5, except in subsection 3, paragraph "c", shall
17 remain in the appropriate account of the Iowa plan
18 fund until such time as the agency, board, commission,
19 or overseer of the fund to which moneys are
20 appropriated has made a request to the treasurer for
21 use of moneys appropriated to it and the amount needed
22 for that use. The treasurer shall withdraw this
23 amount from the amount appropriated to that entity and
24 remit it to the entity not earlier than thirty days
25 after receipt of the request. Notwithstanding section
26 8.33, moneys remaining of the appropriations made from
27 any of the accounts within the Iowa plan fund on June
28 30, 1986 shall not revert to any fund but shall remain
29 in that account to be used for the purposes for which
30 they were appropriated and the moneys remaining in
31 that account shall not be considered in making the
32 allotments for the next fiscal year.

33 8. The agency, board, commission, or overseer of
34 the fund to which moneys are appropriated under this
35 section shall make every effort to maximize the impact
36 of these moneys through government and private
37 matching funds.

38 9. Notwithstanding that moneys are appropriated in
39 subsections 2, 3, 4 and 5, no moneys shall be
40 available to any agency, council, board, commission,
41 office, or overseer of a fund to which moneys were
42 appropriated in subsections 2, 3, 4, and 5 until the
43 seventy-first general assembly during the 1986 session
44 takes appropriate action to reaffirm the amount of
45 each specific appropriation or to increase, decrease
46 or eliminate the amount of each specific
47 appropriation.

48 Sec. 302.

49 1. The treasurer of state shall, for the fiscal
50 years beginning July 1, 1986, July 1, 1987, July 1,

Page 16

1 1988, and July 1, 1989, make allotments of the moneys
2 within the Iowa plan fund for economic development
3 created in section 99E.10 to separate accounts within
4 that fund as follows:

5 a. In each of the fiscal years beginning July 1,
6 1986 and July 1, 1987 the first ten million two
7 hundred fifty thousand dollars, in the fiscal year
8 beginning July 1, 1988 the first three million two
9 hundred fifty thousand dollars and in the fiscal year
10 beginning July 1, 1989 the first one million dollars
11 to the jobs now capitals account.

12 b. In each of the four fiscal years after the
13 allotment in paragraph "a", ten million dollars to the
14 community economic betterment account, eight million
15 five hundred thousand dollars to the jobs now account,
16 and twelve million five hundred thousand dollars to
17 the education and agriculture research and development
18 account.

19 c. After the allotments have been made under
20 paragraphs "a" and "b" in each of the fiscal years,
21 the excess is allotted equally to the community
22 economic betterment account and to the "Surplus"
23 account.

24 2. There is appropriated moneys in the community
25 economic betterment account for each of the fiscal
26 years beginning July 1, 1986, July 1, 1987, July 1,
27 1988, and July 1, 1989 to the Iowa development
28 commission to be used for the following purposes in
29 the amounts, or so much thereof as may be necessary,
30 as provided in section 303 of this Act:

31 a. Principal buy-down program to reduce the
32 principal of a business loan.

33 b. Interest buy-down program to reduce the
34 interest on a business loan.

35 c. Grants and loans to aid in economic
36 development.

37 d. Site development or infrastructure costs
38 directly related to a project resulting in new
39 employment.

40 The conditions, criteria and limitations specified
41 in section 301, subsection 2 of this Act applies to
42 the providing of moneys under this subsection.

43 3. There is appropriated moneys in the jobs now
44 account for each of the fiscal years beginning July 1,
45 1986, July 1, 1987, July 1, 1988, and July 1, 1989 to
46 the following funds, agencies, boards or commissions
47 in the amounts, or so much thereof as may be
48 necessary, as provided in section 303 of this Act to
49 be used for the following purposes:

50 a. To the state conservation commission for the

Page 17

1 purposes designated in section 301, subsection 3,
2 paragraph "a" of this Act.

3 b. To the Iowa product development fund for the
4 purposes provided in section 28.89.

5 c. To the office for planning and programming for
6 the purposes designated in section 301, subsection 3,
7 paragraphs "d" and "e" of this Act.

8 d. To the Iowa development commission for the
9 purposes designated in section 301, subsection 3,
10 paragraph "f" of this Act.

11 4. There is appropriated moneys in the education
12 and agriculture research and development account for
13 each of the fiscal years beginning July 1, 1986, July
14 1, 1987, July 1, 1988, and July 1, 1989 to the
15 following funds, agencies, boards or commissions in
16 the amounts, or so much thereof as may be necessary,
17 as provided in section 303 of this Act to be used for
18 the following purposes:

19 a. To the Iowa college aid commission for the
20 forgivable loan program established in division VIII
21 of this Act.

22 b. To the Iowa development commission for the
23 purposes and under the conditions specified in section
24 301, subsection 4, paragraphs "b" and "d" of this Act.

25 c. To the state board of regents for the purposes
26 and under the conditions specified in section 301,
27 subsection 4, paragraph "e" of this Act.

28 d. To the Iowa college aid commission for the
29 purposes and under the conditions specified in section
30 301, subsection 4, paragraph "g" of this Act.

31 5. There is appropriated from the allotment made
32 to the jobs now capitals account under subsection 1
33 for the fiscal years beginning July 1, 1986, July 1,
34 1987 and July 1, 1988 to the executive council for
35 allocation to the nonprofit corporation organized to
36 facilitate the state's involvement in the Iowa world
37 trade center pursuant to division V of this Act the
38 sum of nine million two hundred fifty thousand
39 (9,250,000) dollars for each of the fiscal years
40 beginning July 1, 1986 and July 1, 1987 and the sum of
41 two million two hundred fifty thousand (2,250,000)
42 dollars for the fiscal year beginning July 1, 1988 to
43 fund the construction of the state-owned portion of
44 the Iowa world trade center as provided in division V
45 of this Act.

46 6. If the moneys to be allotted in a fiscal year
47 to the community economic betterment account, jobs now
48 account or education and agriculture research and
49 development account is less than the amount specified
50 for that fiscal year in subsection 1, paragraph "b"

Page 18

1 the moneys appropriated for that fiscal year to the
2 funds, agencies, boards or commissions for the
3 purposes specified in subsection 2, 3 or 4, as
4 applicable, shall be reduced by the same percentage
5 decrease in the appropriate allotment.

6 7. The moneys appropriated in subsections 2, 3, 4
7 and 5, except in subsection 3, paragraph "b", shall
8 remain in the appropriate account of the Iowa plan
9 fund until such time as the agency, board, commission,
10 or overseer of the fund to which moneys are
11 appropriated has made a request to the treasurer for
12 use of moneys appropriated to it and the amount needed
13 for that use. The treasurer shall withdraw this
14 amount from the amount appropriated to that entity and
15 remit it to the entity not earlier than thirty days
16 after receipt of the request. Notwithstanding section
17 8.33, moneys remaining of the appropriations made for
18 a fiscal year from any of the accounts within the Iowa
19 plan fund on June 30 of that fiscal year, shall not
20 revert to any fund but shall remain in that account to
21 be used for the purposes for which they were
22 appropriated and the moneys remaining in that account
23 shall not be considered in making the allotments for
24 the next fiscal year.

25 8. The agency, board, commission, or overseer of
26 the fund to which moneys are appropriated under this
27 section shall make every effort to maximize the impact
28 of these moneys through government and private
29 matching funds.

30 Sec. 303. For each of the fiscal years beginning
31 July 1, 1986, July 1, 1987, July 1, 1988, and July 1,
32 1989, the Iowa partnership for economic progress
33 advisory committee established under division IV of
34 this Act shall submit to the general assembly by March
35 1 preceding the beginning of the fiscal year planned
36 expenditures from the allotment to be made for that
37 fiscal year to the community economic betterment
38 account, the jobs now account, and the education and
39 agriculture research and development account to each
40 of the funds, agencies, boards or commissions for the
41 purposes specified in subsections 2, 3, and 4 of
42 section 302 of this Act. The Iowa partnership for
43 economic progress shall include a description of
44 planned expenditures to be made of the moneys in the
45 surplus account.

46 Plans may provide for increased or decreased
47 expenditures if the allotment available for those
48 appropriations is greater than or less than the
49 allotment specified in subsection 1 of section 302 of
50 this Act. In order to enable the Iowa partnership for

Page 19.

1 economic progress to prepare its plans for future
2 expenditures, it has authority to review applications
3 and uses of the moneys appropriated from each
4 allotment. However, this authorized review does not
5 authorize the Iowa partnership for economic progress
6 to veto or deny any application or use and such review
7 shall not cause any delay in the approval of an
8 application or use.

9 DIVISION IV

10 Sec. 401. NEW SECTION. TITLE.

11 This chapter may be cited as the "Economic
12 Development Reorganization Act".

13 Sec. 402. NEW SECTION. DEFINITIONS.

14 As used in this chapter, unless the context
15 otherwise requires:

16 1. "Commission" means the Iowa development
17 commission.

18 2. "Committee" or "advisory committee" means the
19 Iowa partnership for economic progress advisory
20 committee, established in section 405 of this Act.

21 3. "Programs and services" means economic
22 development programs, services and agencies as
23 described in section 403 of this Act.

24 Sec. 403. NEW SECTION. GOVERNOR'S REORGANIZATION
25 PLAN.

26 By December 1, 1985, the governor shall submit to
27 the general assembly a proposal for the reorganization
28 and coordination of all state economic development
29 programs and services under one comprehensive
30 department of economic development. In the course of
31 developing the reorganization plan, the governor shall
32 consult with the advisory committee. For purposes of
33 this chapter, economic development programs and
34 services shall include, but are not limited to, those
35 which provide one or more of the following:

36 a. Community development.

37 b. Planning and management assistance.

38 c. Technical assistance.

39 d. Education and job training.

40 e. Financial assistance for programs and services
41 described in paragraphs "a" through "d" and other
42 programs and services, including those that are
43 federally funded but administered by the state, and
44 other federal and local funding programs.

45 Sec. 404. NEW SECTION. INTERIM COORDINATING
46 AGENCY.

47 Upon enactment of this chapter, and until the
48 establishment of a central department of economic
49 development, the Iowa development commission shall be
50 the interim coordinating agency for federal, state and

Page 20

1 local economic development programs and services. The
2 commission shall adopt, amend, and repeal rules under
3 chapter 17A as it deems necessary to function as the
4 interim coordinating agency. Statewide delivery of
5 programs and services, except for programs and
6 services under the federal Job Training Partnership
7 Act of 1982, shall be accomplished through a network
8 of sixteen regions which shall correspond to the
9 merged areas or the boundaries of the federal Job
10 Training Partnership Act of 1982 service delivery
11 areas, which are already in existence. However, this
12 section does not alter the administration and delivery
13 network of the small business development centers and
14 the center for industrial research and service
15 program, with those programs retaining their
16 administrative authority and providing managerial
17 assistance to small business.

18 Sec. 405. NEW SECTION. ADVISORY COMMITTEE
19 ESTABLISHED.

20 The Iowa partnership for economic progress is
21 established to serve as an advisory committee to the
22 commission pending the creation of a department of
23 economic development, at which time the committee will
24 act as an advisory body to the new department. The
25 commission, and ultimately the department of economic
26 development, shall provide the committee with
27 administrative staff personnel in accordance with
28 chapter 19A, and shall provide other assistance as
29 necessary.

30 Sec. 406. NEW SECTION. COMPOSITION OF ADVISORY
31 COMMITTEE.

32 1. The committee shall consist of thirteen members
33 appointed by the governor subject to confirmation by
34 the senate. Members shall be appointed for four-year
35 terms beginning and ending in accordance with section
36 69.19.

37 2. Members shall be appointed from agriculture,
38 local government, business, labor and education as
39 follows:

40 a. Two members actively engaged in farming.
41 Appointments shall be made from lists of nominees
42 submitted by agricultural associations representing at
43 least twenty-five members.

44 b. Six members from business, including one
45 representative from small business, one representative
46 from insurance and two representatives from
47 agribusiness. Appointees shall be an owner,
48 president, chief executive officer, board member or
49 other senior officer of the firm or organization they
50 represent. Appointments shall be made from lists of

Page 21

1 nominees submitted by business, trade or industrial
2 associations representing at least twenty-five
3 members.

4 c. Two members from organized labor. Appointments
5 shall be made from lists of nominees submitted by any
6 organizations authorized to bargain on behalf of
7 people employed in this state.

8 d. Two members from education. Appointments shall
9 be made from lists of nominees submitted by the board
10 of regents, the association of independent colleges
11 and universities, or the association of community
12 college trustees.

13 e. One member from local government. Appointment
14 shall be made from lists of nominees submitted by the
15 Iowa state association of counties and the league of
16 municipalities.

17 Sec. 407. NEW SECTION. ADVISORY COMMITTEE DUTIES.

18 1. The committee's duties and responsibilities
19 shall include, but are not limited to the following:

20 a. To provide assistance as needed or requested by
21 the governor in the development of the governor's
22 proposal for economic development reorganization and
23 coordination. In order to facilitate the committee's
24 assistance of the governor's office, all economic
25 development agencies and programs shall submit
26 reorganization and coordination proposals and
27 recommendations to the committee within six months of
28 the effective date of this chapter.

29 b. To submit plans to the general assembly
30 relative to the disbursement of lottery revenues
31 pursuant to division III of this Act.

32 c. To collaborate with the commission on the
33 review of all disbursements of lottery revenues.

34 d. To assist the commission in the development and
35 administration of a statewide regional delivery
36 network for programs and services.

37 e. To review, coordinate and implement other
38 economic development proposals that emerge from
39 studies now underway or recently completed.

40 f. To assist in the coordination of federal,
41 state, local and private sector programs and services.
42 g. To analyze, at regular and frequent intervals,
43 the trends and growth opportunities in major sectors
44 of the economy, particularly those represented in the
45 Iowa economy.

46 h. To analyze, at regular and frequent intervals,
47 the general economic, demographic, state fiscal and
48 business climate indicators that define Iowa's
49 position relative to regional and national trends.

50 i. To initiate special economic development

Page 22

1 studies as deemed necessary.

2 Sec. 408. NEW SECTION. ORGANIZATION OF ADVISORY
3 COMMITTEE.

4 The committee shall annually elect from its
5 membership a chairperson and shall adopt rules to
6 govern its proceedings. Election of the chairperson
7 shall be held at the committee's first meeting in each
8 calendar year. The committee shall meet at least once
9 a month and otherwise as often as necessary. Members
10 shall be compensated for their actual and necessary
11 expenses incurred in the performance of their duties
12 in accordance with section 28.2. All per diem and
13 expense moneys paid to the members shall be paid from
14 funds appropriated to the commission.

15 Sec. 409. Notwithstanding the provisions of
16 section 406 of this Act, of the initial appointees to
17 the committee three members shall be appointed for
18 one-year terms, three members shall be appointed for
19 two-year terms, three members shall be appointed for
20 three-year terms, and four members shall be appointed
21 for four-year terms. The initial appointees'
22 successors shall be appointed to terms of four years
23 each except that a person chosen to fill a vacancy
24 shall be appointed only for the unexpired term of the
25 committee member replaced.

26 DIVISION V

27 Sec. 501. NEW SECTION. 18C.1 DECLARATION OF
28 POLICY AND PURPOSE FOR STATE INVOLVEMENT IN IOWA WORLD
29 TRADE CENTER.

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, and
33 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 of
36 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 the
40 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 promotion, development, maintenance, and expansion of
45 exports and trade opportunities are public purposes
46 and uses for which public moneys may be expended,
47 advanced, loaned, or granted; that such activities
48 serve a public purpose in improving export and trade
49 opportunities or otherwise benefiting the people of
50 this state; and that the state's purchase, operation

Page 23

1 and marketing of a building or facility as part of a
2 world trade center will aid in accomplishing these
3 purposes.

4 Sec. 502. NEW SECTION. 18C.2 CREATION OF
5 SELECTION ADVISORY COMMITTEE.

6 1. There is created an Iowa world trade center
7 selection advisory committee, hereafter referred to as
8 "the committee". The committee shall be comprised of
9 five members with one member appointed by the
10 governor, one member appointed by the speaker of the
11 house of representatives, one member appointed by the
12 minority leader of the house of representatives, one
13 member appointed by the majority leader of the senate,
14 and one member appointed by the minority leader of the
15 senate. No two members shall be from the same
16 congressional district. Vacancies shall be filled in
17 the same manner as the appointment of the original
18 members. Members shall not be compensated for their
19 services.

20 2. The committee shall elect from among its
21 members a chairperson. Meetings shall be held at the
22 call of the chairperson or whenever two committee
23 members request it. Three members shall constitute a
24 quorum and the affirmative vote of three members shall
25 be necessary for any action taken by the committee.

26 Sec. 503. NEW SECTION. 18C.3 DUTIES OF THE
27 COMMITTEE.

28 1. It shall be the duty of the Iowa world trade
29 center selection advisory committee to accept and
30 review proposals from private groups to organize,
31 construct, operate, and market the Iowa world trade
32 center. In submitting a proposal, the private group
33 shall also submit a study outlining the feasibility of
34 its proposal. A private group submitting a proposal
35 must include among its investors a significant number
36 of Iowa-based companies and individuals. The
37 committee is empowered to contract for an independent
38 analysis of a proposal submitted. The committee is
39 empowered to recommend for ratification by the
40 executive council a proposal to obligate, but not in
41 excess of thirty million dollars, the state in the
42 construction of the Iowa world trade center under the
43 recommended proposal. However, a proposal shall not
44 be recommended unless the proposal provides that the
45 private group shall provide moneys at least equal to
46 the amount which the committee has recommended for
47 obligation by the state. The proposal recommended by
48 the committee must include an agreement from the
49 private group that construction of the Iowa world
50 trade center will begin no later than November 30,

Page 24

1 1986, and that a nonprofit corporation will be created
2 by the private group pursuant to section 18C.4 to
3 facilitate the state's involvement in the
4 construction, operation, and marketing of the Iowa
5 world trade center. In approving a proposal of a
6 private group, the committee may employ other
7 selection criteria that are consistent with the above
8 standards. Once the committee has recommended a
9 contract proposal, it shall be submitted for
10 ratification to the executive council. The committee
11 shall present a proposal by August 1, 1986 for
12 ratification by the executive council.

13 2. The committee shall cease to exist upon
14 ratification of the contract submitted to the
15 executive council.

16 3. The members of the committee, upon ratification
17 of the contract by the executive council, shall
18 automatically become the state's representatives on
19 the board of directors of the nonprofit corporation
20 organized to facilitate the state's involvement in the
21 Iowa world trade center pursuant to section 18C.4.

22 Sec. 504. NEW SECTION. 18C.4 STATE PARTICIPATION
23 IN THE WORLD TRADE CENTER.

24 1. The state recognizes the nonprofit corporation
25 organized pursuant to the contract ratified by the
26 executive council as the entity that will facilitate
27 the state's involvement in the construction, operation
28 and marketing of the Iowa world trade center. The
29 board of directors of the nonprofit corporation shall
30 consist of nine members.

31 2. State representation on the nonprofit
32 corporation's board of directors shall consist of five
33 directors serving six year terms. The initial
34 directors shall be the five members appointed to the
35 committee pursuant to section 18C.2. Vacancies shall
36 be filled in the same manner as the appointment of the
37 original directors.

38 3. Private representation on the nonprofit
39 corporation's board of directors shall consist of four
40 directors chosen pursuant to the corporation's
41 articles of incorporation.

42 4. Amendments to the nonprofit corporation's
43 articles of incorporation relating to the governance
44 of the corporation shall not be made without all of
45 the following:

46 a. A majority approval of the entire board of
47 directors.

48 b. A majority approval of the five directors
49 appointed to represent the state interests.

50 c. A majority approval by the four directors

Page 25

1 appointed to represent the private interests.

2 5. The nonprofit corporation shall:

3 a. Provide for the management, operation, and
4 marketing of the state-owned portion of the Iowa world
5 trade center. A fee may be negotiated which will be
6 paid by the state for necessary services provided to
7 or for the state-owned portion. The management,
8 operation, and marketing may be done by entering into
9 a service agreement with a management firm. If such
10 an agreement is entered into, the board of directors
11 shall require periodic reports from the firm on the
12 operation, marketing, costs, and revenues of the
13 state-owned portion.

14 b. Provide for the leasing of space in the state-
15 owned portion to the extent space is available and the
16 leasing of it will fulfill the purposes of the state's
17 involvement in the Iowa world trade center.

18 c. Use, operate, and market the state-owned
19 portion for the purposes of promoting, developing,
20 maintaining, and expanding export and trade
21 opportunities for agricultural, commercial, and
22 manufactured products and services and other products
23 and services of the state in order to protect and
24 advance the welfare and interests of residents of the
25 state.

26 6. The nonprofit corporation organized pursuant to
27 the contract ratified by the executive council as the
28 entity that will facilitate the state's involvement in
29 the construction, operation, and marketing of the Iowa
30 world trade center shall not be construed to be a
31 state agency, board, commission, department, or other
32 administrative unit of the state.

33 Sec. 505. Chapter 18, Code 1985, is amended by
34 adding the following new section:

35 **NEW SECTION. IOWA WORLD TRADE CENTER.**

36 This chapter does not apply to the management,
37 operation, and ownership of the Iowa world trade
38 center.

39 Sec. 506. Section 422.45, Code 1985, is amended by
40 adding the following new subsection:

41 **NEW SUBSECTION.** The gross receipts of all sales of
42 goods, wares, or merchandise used, or from services
43 rendered, furnished or performed in the construction
44 and equipping of the Iowa world trade center for that
45 portion of the project funded by the state of Iowa as
46 authorized in division V of this Act. This subsection
47 is repealed November 30, 1989.

48 **DIVISION VI**

49 Sec. 601. Section 28.7, Code 1985, is amended by
50 adding the following new subsection:

Page 26

1 NEW SUBSECTION. Establish, oversee, and operate,
2 to the extent practicable, a centrally located
3 marketing center as provided in section 28.101.

4 Sec. 602, Chapter 28, Code 1985, is amended by
5 adding the following new section as a separate
6 division:

7 NEW SECTION. 28.101 PRIMARY RESEARCH AND
8 MARKETING CENTER.

9 1. The commission shall establish as soon as
10 practicable a marketing center within the commission,
11 to be known as "The Primary Research and Marketing
12 Center for Business and International Trade". The
13 purpose of this center is to provide, in a central
14 location, an inventory of the products and services of
15 Iowa businesses. This information is to provide Iowa
16 businesses with a source for locating and contacting
17 potential buyers of their products and services; to
18 aid in opening new markets for Iowa businesses; and to
19 provide a marketing center for new businesses to
20 utilize within the state. The director of the
21 commission is the executive director of the center and
22 shall coordinate activities at the satellite centers.
23 In operating and overseeing the primary research and
24 marketing center for business and international trade,
25 the duties and responsibilities of the commission
26 include the following:

27 a. Cataloging the products and services unique to
28 economic development offered by and purchased by
29 businesses located in the state.

30 b. Developing a marketing plan to include a
31 listing of target markets within the state, the United
32 States, and international communities for specific
33 products and services already available within the
34 state and products and services which could be made
35 available within the state.

36 c. Stimulating research in and development and
37 production of new products by state businesses.

38 d. Marketing management which includes keeping
39 abreast of the changing market demands, developing new
40 approaches to tap potential markets, and financing.

41 e. Assisting Iowa businesses to enter the
42 international marketplace through the development of
43 export sales strategies and the procurement of export
44 financing, including the use of bartering
45 transactions.

46 f. Coordinating the satellite centers.

47 g. Training for and coordination of a computer
48 system to be used by this center and its satellite
49 centers. Wherever practicable the commission shall
50 work with educational institutions involved with

Page 27

1 either the primary research and marketing center for
2 business and international trade or the satellite
3 centers to develop methods and programs that will
4 allow the involvement of students in the development
5 of a computer cataloging system.
6 h. Coordinating the delivery of programs and
7 services with other state, local, and federal economic
8 development programs and activities including, but not
9 limited to, those available at institutions of higher
10 learning in this state, the United States department
11 of commerce, and other appropriate agencies.
12 2. To aid in fulfilling the purpose of the primary
13 research and marketing center for business and
14 international trade, the commission may provide grants
15 to establish satellite centers throughout the state.
16 To facilitate establishment of satellite centers, the
17 state is divided up into sixteen regional economic
18 delivery areas as determined by the boundaries of the
19 federal Job Training Partnership Act of 1982 service
20 delivery areas, in existence on the effective date of
21 this section. Each regional delivery area wishing to
22 receive a grant from the commission to establish a
23 satellite center in its area shall create a regional
24 coordinating council which shall develop a plan for
25 the area to coordinate all federal, state, and local
26 economic development services within the area. After
27 developing this plan, the council may seek a grant for
28 a satellite center by submitting the coordinating plan
29 and an application for a grant to the Iowa development
30 commission. A grant shall not be awarded within the
31 regional economic delivery area without the approval
32 of the regional coordinating plan by the Iowa
33 partnership for economic progress created in division
34 IV of this Act. The Iowa partnership for economic
35 progress may rescind its approval of a regional
36 coordinating plan upon thirty days notice, if the Iowa
37 partnership for economic progress determines that the
38 stated purpose of the plan is not being carried out.
39 The Iowa partnership for economic progress may then
40 accept an alternative proposal for a regional
41 coordinating plan. If a regional coordinating council
42 is awarded a grant for a satellite center, it shall
43 employ a center director at the satellite center. The
44 center director's duties, and responsibilities include
45 the following:
46 a. Overseeing the center's computer system and
47 computer data input including the entry of the
48 cataloged products and services of businesses located
49 in the area.
50 b. Managing the center.

Page 28

1 c. Communicating with the primary research and
2 marketing center for business and international trade.

3 d. Coordinating local marketing activities and
4 efforts of local business.

5 e. Coordinating delivery of all federal, state,
6 and local economic development programs and services
7 within the area. However, this duty and
8 responsibility does not alter the administration and
9 delivery network of the small business development
10 centers and the center for industrial research and
11 service.

12 f. Performing other duties and responsibilities
13 assigned to the center by the primary center.

14 Each satellite center's duties and responsibilities
15 involve conducting primary and secondary research or
16 assisting local colleges, universities, and businesses
17 in developing primary research programs. Primary and
18 secondary research shall be used for analyzing changes
19 in the marketplace, forecasting changes in consumer
20 wants and needs, and possible modifications of
21 products and services to meet the changes.

22 A regional coordinating council may enter into an
23 agreement under chapter 28E with other regional
24 coordinating councils for the purpose of fostering
25 tourism within their areas. Regional coordinating
26 councils shall be considered public agencies for
27 purposes of chapter 28E.

28 The regional coordinating council of each regional
29 economic delivery area shall consist of at least six
30 members who shall be selected from state and local
31 government, business, and education which are
32 representative of the region. Beginning with the
33 fiscal year beginning July 1, 1987, only applications
34 from political subdivisions located within regions
35 with an approved regional coordinating plan will be
36 accepted for moneys from the community betterment
37 account established in the Iowa plan fund for economic
38 development in division III of this Act. A political
39 subdivision shall submit a copy of the application to
40 the regional coordinating council at the same time as
41 the application is submitted to the Iowa development
42 commission.

43 DIVISION VII

44 Sec. 701. NEW SECTION. 261.64 FORGIVABLE LOAN 45 PROGRAM.

46 There is established a forgivable student loan
47 program to be administered by the college aid
48 commission. An individual is eligible for the
49 reimbursement payments plan under the program if the
50 individual meets all of the following conditions:

Page 29

1 1. Is an Iowa resident student enrolled at an
2 accredited private institution as defined in section
3 261.9, subsection 5 or at an institution under the
4 control of the state board of regents.

5 2. Has filed an application for the loan with the
6 college aid commission, using the procedures specified
7 in section 261.16.

8 3. Meets the requirements for a tuition grant.

9 Sec. 702. NEW SECTION. 261.65 FORGIVABLE LOAN
10 ADMINISTRATION.

11 The college aid commission shall administer the
12 forgivable loan program in the same manner as
13 specified in section 261.15 for the tuition grant
14 program. The maximum loan that a student is eligible
15 to receive is an amount equal to the maximum tuition
16 grant awarded by the commission for the same fiscal
17 year. A student is eligible to receive both a tuition
18 grant and a forgivable loan. The interest rate for
19 the forgivable loan shall be equal to the interest
20 rate being collected by an eligible lender under the
21 Iowa guaranteed student loan program for the year in
22 which the forgivable loan is made.

23 Sec. 703. NEW SECTION. 261.66 INTEREST AND
24 PRINCIPAL PAYMENT.

25 A student receiving a forgivable loan under section
26 261.64 shall begin paying the annual cost of interest
27 immediately following graduation on an annual basis
28 for five years. If the student remains an Iowa
29 resident and is employed in a teaching position in an
30 area in which a teaching shortage exists, as
31 determined by the department of public instruction,
32 for five years immediately following graduation, the
33 student is not responsible for payment of the
34 principal amount of the loan and shall not pay
35 interest on the loan. If the commission determines
36 that the student does not meet the criteria for
37 elimination of the principal and interest payments,
38 the commission shall establish by rule a plan for
39 repayment of the principal and interest over a ten-
40 year period. If a student who is required to make the
41 repayment does not make the required payments, the
42 commission shall provide for collecting the payments.

43 There is created a forgivable loan repayment fund
44 for deposit of payments made by the recipients.
45 Payments made by the recipients of the loans shall be
46 credited to the fund and may be used to make
47 additional loans under the program. Moneys in the
48 fund shall not revert to the general fund of the state
49 at the close of a fiscal year.

50 Sec. 704. This Act, being deemed of immediate

Page 30

- 1 importance, takes effect from and after its
 2 publication in The Clinton Herald, a newspaper
 3 published in Clinton, Iowa, and in The Altoona Herald-
 4 Mitchellville Index, a newspaper published in Altoona,
 5 Iowa."
- 6 11. Title page, line 4, by inserting after the
 7 word "activities;" the following: "providing for set-
 8 asides in state procurement contracts for small
 9 minority businesses;".
- 10 12. Title page, line 13, by striking the word
 11 "board" and inserting the following: "selection
 12 advisory committee".
- 13 13. Title page, line 17, by inserting after the
 14 words "and to" the following: "become part of the
 15 nonprofit corporation formed to".
- 16 14. Title page, by striking line 20 and inserting
 17 the following: "a".
- 18 15. Title page, lines 22 and 23, by striking the
 19 words "either employed as a teacher or in the private
 20 sector" and inserting the following: "employed as a
 21 teacher".
- 22 16. By renumbering, relettering, or redesignating
 23 and correcting internal references as necessary.

The House stood at ease at 1:44 p.m., until the fall of the gavel.

The House resumed session and consideration of the Senate amendment H—3386 to House File 225 at 3:01 p.m., Speaker Avenson in the chair.

Parker of Jasper offered amendment H—3391, to the Senate amendment H—3386, filed by Connolly, Ollie, Parker and Groninga from the floor. Division was requested as follows:

H—3391

- 1 Amend the Senate amendment H—3386 to House File 225
 2 as amended, passed and reprinted by the House as
 3 follows:

H—3391A

- 4 1. By striking page 1, line 49 through page 2,
 5 line 3.
 6 • 2. Page 2, line 20, by striking the words "annual
 7 studies" and inserting the following: "a study".
 8 3. Page 2, by striking lines 27 through 44.

H-3391B

9 4. Page 7, line 14, by striking the words "
10 subject to subsection 9,".

H-3391A

11 5. Page 7, by inserting after line 29 the
12 following:
13 "e. Road construction projects."

H-3391B

14 6. Page 8, line 34, by striking the words "
15 subject to subsection 9,".
16 7. Page 10, line 6, by striking the words "
17 subject to subsection 9,".

H-3391A

18 8. Page 10, line 16, by striking the figure
19 "VIII" and inserting the following: "VII".

H-3391B

20 9. Page 14, line 11, by striking the words "
21 subject to subsection 9,".

H-3391A

22 10. Page 15, line 16, by striking the words "
23 except in subsection 3, paragraph "c",,".

H-3391B

24 11. Page 15, by striking lines 38 through 47.

H-3391A

25 12. Page 16, by inserting after line 39 the
26 following:

27 "e. Road construction projects."

28 13. Page 17, line 31, by inserting after the
29 figure "5." the following: "a."

30 14. Page 17, line 20, by striking the figure
31 "VIII" and inserting the following: "VII".

32 15. Page 17, by inserting after line 45 the
33 following:

34 "b. There is appropriated from the allotment made
35 to the jobs now capitals account under subsection 1
36 for each of the fiscal years beginning July 1, 1986,

37 July 1, 1987, July 1, 1988 and July 1, 1989 to the
 38 department of public instruction the sum of one
 39 million (1,000,000) dollars for the purposes and under
 40 the conditions specified in section 301, subsection 5,
 41 paragraph "c" of this Act."

42 16. Page 18, line 7, by striking the words "
 43 except in subsection 3, paragraph "b"."

44 17. Page 20, by striking lines 8 through 17 and
 45 inserting the following: "of fifteen subregions which
 46 shall correspond to the merged areas as defined in
 47 section 280A.2 and which are already in existence.

48 18. Page 20, line 46, by striking the words "two
 49 representatives" and inserting the following: "one
 50 representative".

Page 2

H-3391B

1 19. Page 24, line 1, by striking the figure
 2 "1986" and inserting the figure "1985".

3 20. Page 24, line 11, by striking the figure
 4 "1986" and inserting the figure "1985".

H-3391A

5 21. Page 27, by striking lines 17 through 21 and
 6 inserting the following: "state is divided up into
 7 fifteen regional economic delivery areas which have
 8 the same area boundaries as merged areas, as defined
 9 in section 280A.2, in existence on the effective date
 10 of this section. Each regional delivery area wishing
 11 to".

12 22. Page 28, by striking lines 7 through 11 and
 13 inserting the following: "within the area."

On motion by Parker of Jasper, amendment H-3391A was adopted.

Parker of Jasper moved the adoption of amendment H-3391B, to the Senate amendment H-3386.

Roll call was requested by Stromer of Hancock and Bennett of Ida.

On the question "Shall amendment H-3391B, to the Senate amendment H-3386, be adopted?"

The ayes were, 52:

Arnould

Baxter

Beatty

Black

Blanshan	Brammer	Buhr	Carl
Chapman	Cochran	Connolly	Connors
Cooper	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. N.
Hammond	Hatch	Haverland	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Loneragan	Muhlbauer
Norland	Ollie	Parker	Pavich
Peick	Peterson	Poncy	Renaud
Rosenberg	Sherzan	Spear	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 40:

Bennett	Carpenter	Clark	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hester	Hummel	Kremer	Lageschulte
Maulsby	McIntee	McKean	Metcalf
Miller	Mullins	Osterberg	Oxley
Paulin	Pellett	Platt	Renken
Royer	Schneklath	Shoning	Siegrist
Skow	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Welden

Absent or not voting, 8:

Branstad	Carter	Hermann	Lloyd-Jones
O'Kane	Rensink	Running	Shoultz

Amendment H—3391B was adopted.

The House stood at ease at 3:48 p.m., until the fall of the gavel.

The House resumed session and consideration of the Senate amendment H—3386, as amended, to House File 225 at 4:10 p.m., Speaker Avenson in the chair.

The following amendment H—3397, to the Senate amendment H—3386, filed by Parker of Jasper from the floor was adopted by unanimous consent:

H—3397

- 1 Amend the Senate amendment H—3386 to House File 225
- 2 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 13, line 48, by striking the letter "s"
- 5 and inserting the word "as".

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk, for the remainder of the day and March 22, 1985, on request of Lonergan of Boone; Rensink of Sioux on request of Stromer of Hancock.

Lonergan of Boone offered the following amendment H—3400, to the Senate amendment H—3386, filed from the floor by Lonergan, Spear, Osterberg, Running, Poncy, McKean, Lageschulte, Shoning and Kremer, and moved its adoption:

H—3400

- 1 Amend the Senate amendment H—3386 to House File 225
- 2 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 6, lines 36 and 37, by striking the words
- 5 "ten million five hundred ninety-two thousand" and
- 6 inserting the following: "one million three hundred
- 7 forty-two thousand".
- 8 2. Page 14, line 15, by striking the word
- 9 "council,".
- 10 3. Page 14, by striking lines 18 through 25.
- 11 4. Page 16, lines 6 and 7, by striking the words
- 12 "ten million two hundred fifty thousand" and inserting
- 13 the following: "one million".
- 14 5. Page 16, lines 8 and 9, by striking the words
- 15 "three million two hundred fifty thousand" and
- 16 inserting the following: "one million".
- 17 6. Page 17, by striking lines 31 through 45.
- 18 7. By striking page 22, line 26 through page 25,
- 19 line 47.
- 20 8. Page 30, by striking lines 10 through 15 and
- 21 inserting the following:
- 22 "_____. Title page, by striking lines 13 through 17."

Roll call was requested by Lonergan of Boone and McKean of Jones.

Rule 75 was invoked.

On the question "Shall amendment H—3400, to the Senate amendment H—3386, be adopted?"

The ayes were, 48:

Bennett	Brammer	Chapman	Clark
Cooper	Corey	Daggett	De Groot
Fogarty	Grandia	Gruhn	Halvorson, R. A.
Handorf	Hanson	Hummel	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lonergan	Maulsby	McKean	Miller
Mullins	O'Kane	Osterberg	Oxley
Peick	Platt	Poncy	Renken
Rosenberg	Royer	Running	Schneklath
Shoning	Shoultz	Skow	Spear
Stueland	Sturgeon	Swearingen	Torrence
Van Camp	Van Maanen	Varn	Welden

The nays were, 49:

Arnould	Baxter	Beatty	Black
Blanshan	Branstad	Buhr	Carl
Carpenter	Carter	Cochran	Connolly
Diemer	Doderer	Fey	Groninga
Groth	Halvorson, R. N.	Hammond	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Jay	Jochem	Lloyd-Jones
McIntee	Metcalf	Muhlbauer	Norland
Ollie	Parker	Paulin	Pavich
Pellett	Peterson	Renaud	Sherzan
Siegrist	Stromer	Sullivan	Swartz
Tabor	Teaford	Woods	Zimmerman

Mr. Speaker

Absent or not voting, 3:

Connors	Hermann	Rensink
---------	---------	---------

Amendment H—3400 lost.

Doderer of Johnson offered the following amendment H—3403, to the Senate amendment H—3386, filed from the floor by Doderer, Carpenter, Fey, Brammer, Swartz, Hanson, Chapman, O'Kane, Mullins, Buhr, Rosenberg and Jay, and moved its adoption:

H—3403

- 1 Amend the Senate amendment H—3386 to House File 225
- 2 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 20, line 41, by striking the word "shall"
- 5 and inserting the following: "may".

- 6 2. Page 20, line 41, by inserting after the word
7 "nominees" the following: "which shall be".
- 8 3. Page 20, line 50, by striking the word "shall"
9 and inserting the following: "may".
- 10 4. Page 21, line 1, by inserting after the word
11 "nominees" the following: "which shall be".
- 12 5. Page 21, line 5, by striking the word "shall"
13 and inserting the following: "may".
- 14 6. Page 21, line 5, by inserting after the word
15 "nominees" the following: "which shall be".
- 16 7. Page 21, line 8, by striking the word "shall"
17 and inserting the following: "may".
- 18 8. Page 21, line 9, by inserting after the word
19 "nominees" the following: "which shall be".
- 20 9. Page 21, line 14, by striking the word "shall"
21 and inserting the following: "may".
- 22 10. Page 21, line 14, by inserting after the word
23 "nominees" the following: "which shall be".
- 24 11. Page 21, by inserting after line 16 the
25 following:
26 "f. Each list of nominees submitted shall contain
27 an equal number of females and males."

Amendment H—3403 was adopted.

Hanson of Delaware offered the following amendment H—3402, to the Senate amendment H—3386, filed by him from the floor and moved its adoption:

H—3402

- 1 Amend the Senate amendment H—3386 to House File
2 225 as amended, passed and reprinted by the House as
3 follows:
- 4 1. By striking page 6, line 29 through page 22,
5 line 25 and inserting the following:
6 "Sec. 301. There is appropriated, subject to
7 section 303, from the Iowa plan fund for economic
8 development created in section 99E.10 for each fiscal
9 year of the fiscal period beginning July 1, 1985 and
10 ending June 30, 1990 to the Iowa development
11 commission the sum of ten million (10,000,000)
12 dollars, or so much thereof as may be necessary, to be
13 used for the following purposes:
14 a. Principal buy-down program to reduce the
15 principal of a business loan.
16 b. Interest buy-down program to reduce the
17 interest on a business loan.
18 c. Business equity investments.
19 d. Grants and loans to aid in economic

20 development.

21 e. Site development or infrastructure costs
22 directly related to a project resulting in new
23 employment.

24 f. SBA loan participation program.

25 Except for paragraph "f", only a political
26 subdivision of the state may apply to receive funds
27 for any of the above purposes. The political
28 subdivision shall make application to the commission
29 specifying the purpose for which the funds will be
30 used. In ranking applications for funds, the
31 commission shall consider the proportion of political
32 subdivision match to be provided, the proportion of
33 private contributions to be provided, the total number
34 of jobs to be created, the recapture, if any, of these
35 funds by the political subdivision that will occur,
36 level of need in the political subdivision, and impact
37 of proposed project on the economy of the political
38 subdivision. The commission shall not provide more
39 than one million dollars for any project.

40 The commission may establish an SBA loan
41 participation program. This program shall allow for
42 the purchase by the commission of up to ninety percent
43 participation in loans made by financial institutions
44 in this state to small businesses which loans have
45 been guaranteed by the United States small business
46 administration. Before participating in any loan, the
47 commission may enter into an agreement with the
48 financial institution on the interest rate that will
49 be applied to the state's participation and that this
50 rate will be passed on to the borrower. The

Page 2

1 commission may establish rules for the program which
2 may include, but not be limited to, the amount in
3 dollars of the state's participation in any loan, the
4 type and size of the small business eligible, the
5 number of new jobs as a result of a loan, and a risk
6 rating system which, if set up, shall be done in
7 conjunction with banks familiar with these types of
8 loans.

9 Sec. 302. There is appropriated, subject to
10 section 303, from the Iowa plan fund for economic
11 development created in section 99E.10 to the following
12 state agencies for each fiscal year of the fiscal
13 biennium beginning July 1, 1985, and ending June 30,
14 1987, the following amounts, or so much thereof as is
15 necessary, to be used in the manner designated:

	1985-1986	1986-1987
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
16		
17		
18	1. BOARD OF REGENTS:	
19	a. For allocation to the Iowa	
20	state university of science and tech-	
21	nology for construction of a home	
22	economics building	\$3,500,000 \$
23	b. For allocation to the Iowa	
24	state university of science and	
25	technology for remodeling Gillman	
26	Hall	\$ 1,000,000
27	c. For allocation to the Iowa	
28	state university of science and	
29	technology for remodeling of the	
30	agriculture diversification center	\$ 45,000 \$
31	d. For allocation to the Iowa	
32	state university of science and	
33	technology for remodeling of the food	
34	crop research center	\$ 350,000 \$
35	e. For allocation to the state	
36	university of Iowa for chemistry/botany	
37	remodeling	\$ 1,250,000
38	f. For allocation to the	
39	university of northern Iowa for	
40	remodeling of Latham Hall	\$ 750,000
41	2. DEPARTMENT OF PUBLIC DEFENSE:	
42	a. For construction of an	
43	armory at Carroll, Iowa	\$ 245,000 \$
44	b. For construction of an	
45	addition to the armory facility at	
46	Cedar Rapids, Iowa	\$ 265,000 \$
47	c. For construction of an	
48	armory & maintenance shop at	
49	Mason City, Iowa	\$ 425,000
50	3. STATE CONSERVATION COMMISSION:	

Page 3

1	For construction, replacement,	
2	development and alterations to state	
3	parks and preserves, state forest	
4	facilities and state waters including	
5	artificial lake development; shoreline	
6	erosion and siltation control; river,	
7	stream and lake access; and engineer-	
8	ing and planning services or to supplement	
9	any prior appropriation for such	
10	purpose	\$1,000,000 \$ 750,000
11	4. DEPARTMENT OF GENERAL	
12	SERVICES:	
13	For capital improvements on	

14 buildings in the capital complex
 15 including the Lucas state office
 16 building \$ 750,000 \$ 475,000
 17 5. COMMISSION FOR THE BLIND:
 18 To correct code and life safety
 19 deficiencies, correct inefficient
 20 building utilization and incorporate
 21 energy conservation practices \$ 345,000 \$ 350,000
 22 6. DEPARTMENT OF CORRECTIONS:
 23 For capital maintenance projects
 24 at institutions under the control of
 25 the department \$ 500,000 \$
 26 Sec. 7. Unobligated or unencumbered funds remaining on June 30,
 27 1988 from funds appropriated by this section shall revert to the Iowa
 28 plan fund for economic development on September 30, 1988.
 29 Sec. 303.
 30 9. Notwithstanding that moneys are appropriated in
 31 sections 301 and 302, no moneys shall be available to any
 32 agency, council, board, commission, office, or overseer
 33 of a fund to which moneys were appropriated in
 34 sections 301 and 302 until the seventy-first general
 35 assembly during the 1986 session takes appropriate action
 36 to reaffirm the amount of each specific appropriation
 37 or to increase, decrease or eliminate the amount of each
 38 specific appropriation.
 39 Sec. 304. All moneys in the Iowa plan fund for
 40 economic development created in section 99E.10 not
 41 needed for the appropriations and purposes in sections 301 and
 42 302 shall be transferred to the state general fund at the
 43 end of each fiscal year.
 44 Sec. 304. Section 422.45, Code 1985, is amended by
 45 adding the following new subsection:
 46 **NEW SUBSECTION.** The gross receipts from the sale
 47 after July 1, 1985 of farm machinery and equipment,
 48 including parts which are depreciable for state and
 49 federal income tax purposes, if the following conditions
 50 are met:

Page 4

- 1 a. The farm machinery and equipment shall be directly
- 2 and primarily used in production of agricultural
- 3 products.
- 4 b. The farm machinery and equipment shall constitute
- 5 self-propelled implements or implements customarily drawn
- 6 or attached to self-propelled implements.
- 7 Vehicles subject to registration, as defined in
- 8 section 423.1, or replacement parts for such vehicles,
- 9 shall not be eligible for this exemption."
- 10 2. Page 30, by inserting after line 9 the following:
- 11 " _____. Title page, by striking lines 5 through 12
- 12 and inserting the following: "for the exemption of
- 13 the sale of farm machinery and equipment from the state
- 14 sales, services and use tax;"

Roll call was requested by Hanson of Delaware and Stromer of Hancock.

On the question "Shall amendment H—3402, to the Senate amendment H—3386, be adopted?"

The ayes were, 41:

Bennett	Branstad	Cochran	Corey
Daggett	De Groot	Diemer	Fogarty
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hester	Hummel	Kremer
Lageschulte	Maulsby	McIntee	McKean
Miller	Mullins	Paulin	Peick
Pellett	Platt	Renken	Rosenberg
Royer	Running	Schneklath	Shoning
Siegrist	Skow	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Maanen
Welden			

The nays were, 52:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Connolly	Cooper
Doderer	Fey	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Hatch
Haverland	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Loneran	Muhlbauer	Norland
Ollie	Osterberg	Oxley	Parker
Pavich	Peterson	Poncy	Renaud
Sherzan	Shoultz	Spear	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 7:

Carpenter	Clark	Connors	Hermann
Metcalf	O'Kane	Rensink	

Amendment H—3402 lost.

Parker of Jasper moved that the House concur in the Senate amendment H—3386, as amended.

Roll call was requested by Bennett of Ida and Stromer of Hancock.

On the question "Shall the House concur in the Senate amendment H—3386, as amended?"

The ayes were, 49:

Arnould	Baxter	Beatty	Black
Blanshan	Buhr	Carl	Carter
Chapman	Cochran	Connolly	Cooper
Doderer	Fey	Fogarty	Groninga
Groth	Halvorson, R. N.	Hatch	Haverland
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Lloyd-Jones	Metcalf
Muhlbauer	Norland	Ollie	Parker
Pavich	Peterson	Poncy	Renaud
Rosenberg	Sherzan	Shoultz	Spear
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 46:

Bennett	Brammer	Branstad	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Gruhn	Halvorson, R. A.
Handorf	Hanson	Harbor	Hester
Holveck	Hummel	Kremer	Lageschulte
Lonergan	Maulsby	McIntee	McKean
Miller	Mullins	O'Kane	Osterberg
Oxley	Paulin	Peick	Pellett
Platt	Renken	Royer	Running
Schneklath	Shoning	Skow	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Maanen	Welden		

Absent or not voting, 5:

Connors	Hammond	Hermann	Rensink
Siegrist			

The motion prevailed and the House concurred in the Senate amendment H—3386, 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.

Rule 75 was invoked.

On the question "Shall the bill pass?" (H.F. 225)

The ayes were, 48:

Arnould	Baxter	Beatty	Black
Blanshan	Buhr	Carl	Carter
Cochran	Connolly	Cooper	Diemer
Fey	Fogarty	Groninga	Groth
Halvorson, R. N.	Hammond	Hatch	Hughes
Jay	Jochum	Knapp	Koenigs
Lloyd-Jones	Muhlbauer	Norland	Ollie
Parker	Pavich	Peterson	Poncy
Renaud	Rosenberg	Sherzan	Shoultz
Siegrist	Skow	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Van Camp
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 49:

Bennett	Brammer	Branstad	Carpenter
Chapman	Clark	Corey	Daggett
De Groot	Doderer	Grandia	Gruhn
Halvorson, R. A.	Handorf	Hanson	Harbor
Haverland	Hester	Holveck	Hummel
Johnson	Kremer	Lageschulte	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Mullins	O'Kane	Osterberg
Oxley	Paulin	Pejck	Pellett
Platt	Renken	Royer	Running
Schnekloth	Shoning	Spear	Stromer
Stueland	Swearingen	Torrence	Van Maanen
Welden			

Absent or not voting, 3:

Connors	Hermann	Rensink
---------	---------	---------

The bill, having failed to receive a constitutional majority was declared to have failed to pass the House.

The House stood at ease at 5:15 p.m., until the fall of the gavel.

The House resumed session at 6:37 p.m., Speaker Avenson in the chair.

RULE 57 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend House Rule 57, relating to committee notice and agenda, for the committee on local government meeting on March 21, 1985 and the committees on agriculture, judiciary and law enforcement and state government meetings on March 22, 1985.

**MOTION TO RECONSIDER
(House File 225)**

I move to reconsider the vote by which House File 225 failed to pass the House on March 21, 1985.

DODERER of Johnson

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 21, 1985, he approved and transmitted to the Secretary of State the following bills:

House File 70, an act relating to the conducting of going-out-of-business sales and providing for penalties.

House File 415, an act relating to the designation of persons to accept bond money and securities.

House File 421, an act relating to the custody of children by an abandoned spouse.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Wednesday, March 20, 1985. Had I been present, I would have voted "aye" on House Files 49, 255 and 540.

GRANDIA of Marion

PRESENTATION OF VISITOR

Osterberg of Linn presented to the House Andre' Robero, Rotary Exchange Student from Brazil. He is presently attending Mt. Vernon High School, Mt. Vernon, and was accompanied by Peter and Jo Wilch.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 388 Judiciary and Law Enforcement

Relating to the board of parole.

S.B. 389 Judiciary and Law Enforcement

Relating to the publications of legal notices.

S.B. 390 Judiciary and Law Enforcement

Relating to the service of process on an individual's spouse at a place other than the individual's dwelling house or usual place of abode.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

House File 629, a bill for an act relating to the membership of the state board of regents.

Fiscal Note is required.

Recommended **Do Pass** March 20, 1985.

House File 639, a bill for an act relating to the presence and removal of asbestos in public school buildings.

Fiscal Note is not required.

Recommended **Do Pass** March 20, 1985.

Committee Bill (Formerly House File 213), relating to the authority of the state board of public instruction over extracurricular interscholastic activities of school districts.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 20, 1985.

Committee Bill (Formerly Study Bill 259), to allow school districts to raise a transportation assistance amount beginning with the school year beginning July 1, 1986.

Fiscal Note is not required.

Recommended **Do Pass** March 20, 1985.

Committee Bill (Formerly Study Bill 311), relating to programs for improving the education system, including mathematics, science, and foreign language courses and teaching, and education research, and to make appropriations.

Fiscal Note is required.

Recommended **Do Pass** March 20, 1985.

COMMITTEE ON HUMAN RESOURCES

House File 413, a bill for an act to include domestic violence as compensable from the victims reparations fund provided the offender and victim were not residing together at the time of the act.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H-3389**, March 20, 1985.

House File 631, a bill for an act relating to the operation and funding of community, supervised apartment living arrangements.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H-3388**, March 20, 1985.

Committee Bill (Formerly Study Bill 361), relating to merged area hospitals.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 1985.

Committee Bill (Formerly Study Bill 369), relating to the prospective repeal of chapter 225C and the enforcement of certain service standards for the mentally ill and mentally retarded.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 20, 1985.

COMMITTEE ON SMALL BUSINESS AND COMMERCE

House File 392, a bill for an act to establish the small business economic policy commission.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3390**, March 20, 1985.

Committee Bill (Formerly House File 105), requiring a seller to post a bond in certain door-to-door sales and applying a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 1985.

Committee Bill (Formerly Study Bill 60), relating to the abandonment of funds or a deposit in a banking or financial organization.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 1985.

Committee Bill (Formerly Study Bill 227), relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 20, 1985.

Committee Bill (Formerly Study Bill 234), to prohibit discrimination in payment or reimbursement to a person defined as a physician for services provided or a condition treated within the lawful scope of practice and making corporations organized by chiropractors for establishing, maintaining and operating a medical and surgical service plan subject to chapter 514.

Fiscal Note is not required.

Committee Action: **Failed to Pass** March 20, 1985.

Committee Bill (Formerly Study Bill 352), relating to motor vehicle law including insurance coverage requirements for motor vehicles in this state and the giving of notices by the state department of transportation, and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 1985.

Committee Bill (Formerly Study Bill 374), relating to insurance by providing for the mutualization and demutualization of life insurance companies and nonprofit health care service corporations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 1985.

House Concurrent Resolution 21, a concurrent resolution relating to the proposal to abolish the United States Small Business Administration.

Fiscal Note is not required.

Recommended **Do Pass and Laid Over Under Rule 25** March 20, 1985.

COMMITTEE ON TRANSPORTATION

House File 579, a bill for an act relating to the removal of trees, brush, and underbrush, and other growth within the highway right-of-way.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H - 3387**, March 20, 1985.

House File 593, a bill for an act exempting certain motor vehicle accidents involving peace officers and members of fire departments from being included in the person's operating record.

Fiscal Note is not required.

Recommended **Do Pass** March 20, 1985.

House File 607, a bill for an act imposing an additional excise tax on regular grade gasoline and crediting the net proceeds of the additional tax to the primary road fund, making penalties applicable.

Fiscal Note is required.

Committee Action: **Failed to Pass** March 20, 1985.

House File 627, a bill for an act adding four ex officio nonvoting legislative members to the state transportation commission.

Fiscal Note is not required.

Recommended **Do Pass** March 20, 1985.

House File 630, a bill for an act relating to portable school stop signs.

Fiscal Note is not required.

Committee Action: **Failed to Pass** March 20, 1985.

House File 644, a bill for an act to provide space on the driver's license to indicate the driver's blood type.

Fiscal Note is not required.

Recommended **Do Pass** March 20, 1985.

Committee Bill (Formerly Study Bill 49), relating to the giving of notices under chapter 321 or any other law regulating the operation of vehicles.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 1985.

Committee Bill (Formerly Study Bill 356), relating to the application for registration and titling of vehicles and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 20, 1985.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly Study Bill 229), relating to the purchase of motor fuel by a regional transit system, providing for a tax refund, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 1985.

Committee Bill (Formerly Study Bill 288), excluding the tax imposed by any Iowa cigarette tax act in the computation of the basic cost of cigarettes under the Iowa unfair cigarette sales act.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 1985.

Committee Bill (Formerly Study Bill 320), relating to the filing of a protest because of a clerical or mathematical error having been made in the assessment of a person's property.

Fiscal Note is not required.

Recommended **Do Pass** March 20, 1985.

RESOLUTION FILED

SCR 18, by Bruner, a concurrent resolution regarding the eligibility of certain farm families for food stamp assistance.

Referred to committee on **human resources**.

AMENDMENTS FILED

H-3387	H.F.	579	Committee on Transportation
H-3388	H.F.	631	Committee on Human Resources
H-3389	H.F.	413	Committee on Human Resources

H-3390	H.F.	392	Committee on Small Business and Commerce
H-3393	H.F.	571	Loneragan of Boone
H-3394	H.F.	629	Spear of Lee
H-3395	H.F.	412	Baxter of Des Moines
H-3396	H.F.	678	Spear of Lee
H-3398	H.F.	618	O'Kane of Woodbury
H-3399	H.F.	627	Harbor of Mills
H-3401	H.F.	664	Woods of Polk
H-3404	H.F.	547	Loneragan of Boone
H-3405	H.F.	571	Carpenter of Polk
			Jay of Appanoose
			Doderer of Johnson
			Rosenberg of Story
			Royer of Page

On motion by Norland of Worth, the House adjourned at 6:29 p.m., until 9:30 a.m., Friday, March 22, 1985.

JOURNAL OF THE HOUSE

Sixty-eighth Calendar Day — Forty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 22, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Roger Miller, pastor of the Central Christian Church, Jefferson.

The Journal of Thursday, March 21, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Maulsby of Calhoun on request of Stromer of Hancock.

PETITIONS FILED

The following petition was received and placed on file:

By Swearingen of Keokuk, from thirteen retired teachers favoring state tax exemption for social security benefits, and from thirteen retired teachers favoring House File 272.

INTRODUCTION OF BILLS

House File 703, by committee on small business and commerce, a bill for an act creating a procedure for a domestic mutual life insurance company to become a domestic stock life insurance company.

Read first time and placed on the calendar.

House File 704, by committee on small business and commerce, a bill for an act relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties.

Read first time and placed on the calendar.

House File 705, by committee on small business and commerce, a bill for an act relating to the ownership of real property by providing for the holding of repossessed real property by a state bank, providing for redemption periods, providing for the transfer of title without judicial foreclosure, permitting certain persons to take and foreclose on security interests in agricultural land and to own agricultural land for purposes of research and experimentation, and providing for the execution of foreclosure judgments.

Read first time and placed on the **calendar**.

House File 706, by committee on local government, a bill for an act relating to veterans' preference in public employment.

Read first time and placed on the **calendar**.

House File 707, by committee on state government, a bill for an act relating to the selection of a retirement benefit option under the Iowa public employees' retirement system.

Read first time and placed on the **calendar**.

House File 708, by committee on agriculture, a bill for an act providing a soil conservation tax credit for certain uses of agricultural land, and providing an effective date.

Read first time and referred to committee on **ways and means**.

House File 709, by committee on energy and environmental protection, a bill for an act relating to the hazardous chemicals interagency coordinating council.

Read first time and placed on the **calendar**.

House File 710, by committee on transportation, a bill for an act relating to the establishment and the regulation of vehicular traffic within rural residence districts, making penalties applicable.

Read first time and placed on the **calendar**.

House File 711, by committee on transportation, a bill for an act relating to the application for registration and titling of vehicles and providing penalties.

Read first time and placed on the **calendar**.

House File 712, by committee on agriculture, a bill for an act regarding the filing of documents for evidencing a thresher's or cornsheller's lien.

Read first time and placed on the **calendar**.

House File 713, by committee on state government, a bill for an act relating to educational leave and educational assistance for state employees.

Read first time and placed on the **calendar**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 20, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 244, a bill for an act for the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions.

Also: That the Senate has on March 20, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 381, a bill for an act relating to the enticing away of a minor and providing a penalty.

K. MARIE THAYER, Secretary

HOUSE FILE 616 DEFERRED

Arnould of Scott asked and received unanimous consent that House File 616 be deferred and that the bill retain its place on the calendar.

Haverland of Polk in the chair at 10:34 a.m.

CONSIDERATION OF BILLS Appropriations Calendar

House File 642, a bill for an act relating to and making appropriations to the department of banking, state comptroller, department of general services, and office of disaster services and providing an effective date, was taken up for consideration.

Renaud of Polk offered the following amendment H—3378 filed by him and Varn of Johnson and moved its adoption:

H—3378

- 1 Amend House File 642 as follows:
- 2 1. Page 2, by inserting after line 30 the
- 3 following:
- 4 "Sec. 7. Notwithstanding section 8.33, funds
- 5 appropriated by 1984 Iowa Acts, chapter 1304, section
- 6 2, subsection 17, paragraph "b", for the editing and
- 7 printing of the Iowa official register which are
- 8 unobligated on June 30, 1985 shall not revert but
- 9 shall be used until June 30, 1986 and shall be used
- 10 for the postage expense of distribution."

Amendment H—3378 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. 642)

The ayes were, 97:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Loneragan	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor

Teaford
Varn
Mr. Speaker
(Haverland)

Torrence
Welden

Van Camp
Woods

Vah Maanen
Zimmerman

The nays were, none.

Absent or not voting, 3:

Connors

Hermann

Maulsby

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 571, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, citizens' aide, women, veterans' services, vocational rehabilitation, substance abuse, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1985 and ending June 30, 1986, was taken up for consideration.

Arnould of Scott asked and received unanimous consent that House File 571 be temporarily deferred and that the bill retain its place on the calendar.

IMMEDIATE MESSAGE

(House File 642)

Arnould of Scott asked and received unanimous consent to immediately message House File 642 to the Senate.

The House stood at ease at 10:55 a.m., until the fall of the gavel.

The House resumed session at 12:12 p.m., Speaker Avenson in the chair.

The House stood at ease at 12:13 p.m., until the fall of the gavel.

The House resumed session at 1:03 p.m., Speaker Avenson in the chair.

The House stood at ease at 1:06 p.m., until the fall of the gavel.

The House resumed session at 1:32 p.m., Speaker Avenson in the chair.

MOTION TO RECONSIDER PREVAILED
(House File 225)

Doderer of Johnson called up for consideration the motion to reconsider House File 225, filed by her on March 21, 1985, and moved to reconsider the vote by which House File 225, a bill for an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities; providing for the reorganization of state economic development programs and activities with the Iowa development commission acting as the interim coordinating agency for economic development until the new department of economic development is created; creating an Iowa partnership for economic progress advisory committee to advise the Iowa development commission and the general assembly on economic development matters and the uses to be made of the revenues from the state lottery; creating an Iowa world trade center board to accept proposals from private groups on the construction of the Iowa world trade center, to select from those proposals one proposal under which the state will purchase space in the Iowa world trade center, and to operate, manage and lease this state-owned space; establishing a primary research and marketing center for business and international trade and satellite centers; creating a First In the Nation in Education foundation; creating a forgivable loan program for loans to students who remain residents of Iowa and are either employed as a teacher or in the private sector under certain circumstances; making appropriations for economic development programs and activities; and providing an effective date, failed to pass the House and was placed on its last reading on March 21, 1985.

Roll call was requested by Halvorson of Clayton and Harbor of Mills.

Rule 75 was invoked.

On the question "Shall the House reconsider House File 225?"

The ayes were, 53:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly

Cooper	Doderer	Fey	Fogarty
Groning	Groth	Halvorson, R. N.	Hammond
Hatch	Haverland	Holveck	Hughes
Jay	Jochum	Johnson	Knapp
Koenigs	Lloyd-Jones	Muhlbauer	Norland
O'Kane	Ollie	Parker	Pavich
Peterson	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 43:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Gruhn	Halvorson, R. A.	Handorf
Hanson	Harbor	Hester	Hummel
Kremer	Lageschulte	Lonergan	McIntee
McKean	Metcalf	Miller	Mullins
Oxley	Paulin	Peick	Pellett
Platt	Renken	Rensink	Royer
Schnekloth	Shoning	Siegrist	Spear
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Welden	

Absent or not voting, 4:

Connors	Hermann	Maulsby	Osterberg
---------	---------	---------	-----------

The motion prevailed and the House reconsidered House File 225.

Norland of Worth asked for unanimous consent to reconsider the Senate amendment H—3386.

Objection was raised.

Norland of Worth moved to reconsider the vote by which the House concurred in the Senate amendment H—3386, as amended, found on pages 939 through 968 of the House Journal.

Roll call was requested by Stromer of Hancock and Halvorson of Clayton.

On the question "Shall the House reconsider the Senate amendment H—3386, as amended?"

The ayes were, 54:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Cooper	Doderer	Fey	Fogarty
Groninga	Groth	Halvorson, R. N.	Hammond
Hatch	Haverland	Holveck	Hughes
Jay	Jochum	Johnson	Knapp
Koenigs	Lloyd-Jones	Muhlbauer	Norland
O'Kane	Ollie	Oxley	Parker
Pavich	Peterson	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 42:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Gruhn	Halvorson, R. A.	Handorf
Hanson	Harbor	Hester	Hummel
Kremer	Lageschulte	Loneragan	McIntee
McKean	Metcalf	Miller	Mullins
Paulin	Peick	Pellett	Platt
Renken	Rensink	Royer	Schnekloth
Shoning	Siegrist	Spear	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Maanen	Welden		

Absent or not voting, 4:

Connors	Hermann	Maulsby	Osterberg
---------	---------	---------	-----------

The motion prevailed and the House reconsidered the Senate amendment H—3386, as amended.

O'Kane of Woodbury in the chair at 1:51 p.m.

Lloyd-Jones of Johnson offered the following amendment H—3417, to the Senate amendment H—3386, filed by Doderer of Johnson from the floor and moved its adoption:

H—3417

- 1 Amend Senate amendment H—3386 to House File 225 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 2, line 50, by striking the words "small
- 4 minority" and inserting the words "female and minority
- 5 small".

- 6 2. Page 3, by striking lines 47 and 48 and
 7 inserting the following: "FEMALE AND MINORITY SMALL
 8 BUSINESSES.
 9 1. FEMALE AND MINORITY SMALL BUSINESS SET-ASIDES."
 10 3. Page 4, line 1, by inserting after the word
 11 "by" the words "females and".
 12 4. Page 4, line 49, by striking the words "small
 13 minority" and inserting the words "female or
 14 minority".
 15 5. Page 5, line 15, by inserting after the word
 16 "by" the words "females and".
 17 6. Page 5, line 38, by inserting after the word
 18 "by" the words "females and".
 19 7. Page 6, line 10, by inserting after the word
 20 "by" the words "females and".
 21 8. Page 6, line 24, by inserting after the word
 22 "by" the words "females and".

A non-record roll call was requested.

The ayes were 59, nays 21.

Amendment H—3417 was adopted.

Speaker Avenson in the chair at 2:14 p.m.

Parker of Jasper offered the following amendment H—3412, to the Senate amendment H—3386, filed from the floor by Parker, Groninga, Connolly and Ollie and moved its adoption:

H—3412

- 1 Amend the Senate amendment H--3386 to House File 225
 2 as amended, passed and reprinted by the House as
 3 follows:
 4 1. Page 6, line 36, by striking the words "ten
 5 million five hundred" and inserting the following:
 6 "eleven million".
 7 2. Page 14, by inserting after line 29 the
 8 following:
 9 "_____. To the department of public defense for the
 10 purposes and in the amounts designated as follows:
 11 (1) To connect the armory in Cedar Rapids to the
 12 city water and sewer lines and for related architect
 13 and engineering services the sum of two hundred
 14 thirty-four thousand three hundred thirty-five
 15 (234,335) dollars.
 16 (2) For the architect, engineering, equipment and
 17 construction of an addition to the armory in Cedar
 18 Rapids the sum of two hundred sixty-four thousand
 19 sixty-four (264,064) dollars."

Roll call was requested by Bennett of Ida and Harbor of Mills.

On the question "Shall amendment H-3412, to the Senate amendment H-3386, be adopted?"

The ayes were, 48:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Cooper	Doderer	Fey	Fogarty
Groninga	Gruhn	Hatch	Haverland
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Lloyd-Jones	Muhlbauer
Norland	Ollie	Parker	Pavich
Peick	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Skow
Sullivan	Swartz	Tabor	Teaford
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 46:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Groth	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hester	Holveck	Hummel	Kremer
Lageschulte	McIntee	McKean	Metcalf
Miller	Mullins	O'Kane	Paulin
Pellett	Peterson	Platt	Renken
Rensink	Royer	Schneklath	Shoning
Siegrist	Spear	Stromer	Stueland
Sturgeon	Swearingen	Torrence	Van Camp
Van Maanen	Welden		

Absent or not voting, 6:

Connors	Hermann	Lonergan	Maulsby
Osterberg	Oxley		

Amendment H-3412 was adopted.

Parker of Jasper offered the following amendment H-3413, to the Senate amendment H-3386, filed by him and Sherzan of Polk from the floor and moved its adoption:

H-3413

- 1 Amend the Senate amendment H-3386 to House File 225
- 2 as amended, passed and reprinted by the House as

3 follows:

4 1. Page 23, line 50, by striking the word and
5 numeral "November 30" and inserting the following:
6 "December 15".

A non-record roll call was requested.

The ayes were 46, nays 35.

Amendment H—3413 was adopted.

Skow of Guthrie in the chair at 2:39 p.m.

Hanson of Delaware offered the following amendment H—3422, to the Senate amendment H—3386, filed by him from the floor and moved its adoption:

H—3422

1 Amend the Senate amendment H—3386 to House File 225
2 as amended, passed and reprinted by the House as
3 follows:

4 1. By striking page 2, line 48 through page 6,
5 line 25 and inserting the following:
6 "Sec. 201. NEW SECTION. PROCUREMENT FROM SMALL
7 BUSINESS.

8 1. Notwithstanding section 18.6, the director
9 shall designate and set aside for awarding to small
10 businesses five percent of the value of anticipated
11 total state procurement of all goods and services each
12 fiscal year. For purposes of this section, "small
13 business" means the same as defined in section 220.1,
14 subsection 28. The director may use either a
15 negotiated price or bid contract procedure in the
16 awarding of a contract under this set-aside program.

17 2. The director shall adopt by rule standards and
18 procedures for certifying that small businesses are
19 eligible to participate in the set-aside program. The
20 procedure for determination of eligibility may include
21 self-certification by a business, provided the
22 director retain the ability to verify a self-
23 certification. The director of general services shall
24 maintain a current directory of small businesses which
25 have been certified under this section. Rules shall
26 also be adopted by the director for carrying out the
27 purposes of this section." "

28 2. Page 30, line 9, by striking the word
29 "minority".

A non-record roll call was requested.

The ayes were 31, nays 58.

Amendment H—3422 lost.

Parker of Jasper moved that the House concur in the Senate amendment H—3386, as amended.

Roll call was requested by Stromer of Hancock and McKean of Jones.

On the question "Shall the House concur in the Senate amendment H—3386, as amended?"

The ayes were, 51:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carter	Chapman	Cochran
Connolly	Cooper	Doderer	Fey
Fogarty	Groninga	Groth	Halvorson, R. N.
Hammond	Hatch	Haverland	Hughes
Jay	Jochum	Johnson	Knapp
Koenigs	Lloyd-Jones	Muhlbauer	Norland
O'Kane	Ollie	Parker	Pavich
Peterson	Poncy	Renaud	Rosenberg
Sherzan	Shoultz	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Varn
Woods	Zimmerman	Mr. Speaker (Skow)	

The nays were, 44:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Gruhn	Halvorson, R. A.	Handorf
Hanson	Harbor	Hester	Holveck
Hummel	Kremer	Lageschulte	Lonergan
McIntee	McKean	Miller	Mullins
Osterberg	Oxley	Paulin	Peick
Pellet	Platt	Renken	Rensink
Royer	Schneklath	Shoning	Siegrist
Spear	Stromer	Stueland	Swearingen
Terrence	Van Camp	Van Maanen	Welden

Absent or not voting, 5:

Connors	Hermann	Maulsby	Metcalf
Running			

The motion prevailed and the House concurred in the Senate amendment H—3386, as amended.

Speaker Avenson in the chair at 2:47 p.m.

The House stood at ease at 2:48 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 225 at 2:55 p.m., Speaker Avenson in the chair.

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.

Rule 75 was invoked.

On the question "Shall the bill pass?" (H.F. 225)

The ayes were, 55:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Cooper	Doderer	Fey	Fogarty
Groninga	Groth	Halvorson, R. N.	Hammond
Hatch	Haverland	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	McIntee	Metcalf	Muhlbauer
Norland	O'Kane	Ollie	Parker
Pavich	Peterson	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Siegrist	Skow	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 42:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Gruhn	Halvorson, R. A.	Handorf
Hanson	Harbor	Hester	Holveck
Hummel	Kremer	Lageschulte	Lonerган

McKean	Miller	Mullins	Osterberg
Oxley	Paulin	Peick	Pellett
Platt	Renken	Rensink	Royer
Schnekloth	Shoning	Spear	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Maanen	Welden		

Absent or not voting, 3:

Connors	Hermann	Maulsby
---------	---------	---------

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 225)

Norland of Worth asked and received unanimous consent to immediately message House File 225 to the Senate.

Appropriations Calendar

The House resumed consideration of **House File 571**, a bill for an act relating to the funding of state agencies for designated service programs including health programs, civil rights, citizens' aide, women, veterans' services, vocational rehabilitation, substance abuse, and programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1985 and ending June 30, 1986, temporarily deferred.

Carpenter of Polk offered the following amendment H-3405 filed by Carpenter, et al., and moved its adoption:

H-3405

- 1 Amend House File 571 as follows:
- 2 1. Page 2, line 8, by striking the word "nine"
- 3 and inserting the following: "eight".
- 4 2. Page 2, line 11, by striking the figure
- 5 "272,315" and inserting the following: "244,715".
- 6 3. Page 2, line 15, by striking the word "twenty-
- 7 four" and inserting the following: "twenty-five".
- 8 4. Page 2, line 18, by striking the figure
- 9 "765,454" and inserting the following: "793,054".

Amendment H-3405 was adopted.

Lonergan of Boone offered the following amendment H—3393 filed by her:

H—3393

- 1 Amend House File 571 as follows:
- 2 1. Page 4, by striking lines 1 through 7.

Swartz of Marshall offered the following amendment H—3406, to amendment H—3393, filed by him from the floor and moved its adoption:

H—3406

- 1 Amend H—3393 to House File 571 as follows:
- 2 1. Page 1, line 2, by inserting after the figure
- 3 "7" the following: "and inserting the following:
- 4 "As a condition of the appropriation made by this
- 5 subsection, the state department of health shall
- 6 conditionally issue a license under section 135C.12
- 7 for the fiscal year beginning July 1, 1985 to any
- 8 community, supervised apartment living arrangement for
- 9 mentally retarded or developmentally disabled adults
- 10 which received per diem funding from the department of
- 11 human services for the prior fiscal year." "

Amendment H—3406 was adopted.

On motion by Lonergan of Boone, amendment H—3393, 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?" (H.F. 571)

The ayes were, 96:

Arnould	Baxter	Beatty	Bennett
Black	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson

Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varh
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Blanshan	Connors	Hermann	Maulsby
----------	---------	---------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE (House File 571)

Norland of Worth asked and received unanimous consent to immediately message House File 571 to the Senate.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Tuesday, March 19, 1985. Had I been present, I would have voted "aye" on House Files 319, 572 and 584.

McINTEE of Black Hawk

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Sixteen sixth grade students from Northeast Elementary School, Glenwood, accompanied by Mary Crum. By Harbor of Mills.

Six cheerleaders from Camanche High School, Camanche. By Ollie of Clinton.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 391 Agriculture

Relating to motor vehicle fuel.

SUBCOMMITTEE ASSIGNMENTS

House File 500

Small Business and Commerce: Holveck, Chair; Halvorson of Clayton and Swartz.

House File 508

Ways and Means: Arnould, Chair; O'Kane and Schnekloth.

House File 528

Ways and Means: Fey, Chair; Arnould and Lageschulte.

House File 538

Ways and Means: Fey, Chair; Arnould and Lageschulte.

House File 574

Education: Varn, Chair; Hughes and Maulsby.

House File 578

Ways and Means: O'Kane, Chair; Daggett and Parker.

House File 580

State Government: Teaford, Chair; Carter and Shoning.

House File 581

Small Business and Commerce: Holveck, Chair; Halvorson of Clayton and Swartz.

House File 583

State Government: Pavich, Chair; Beatty and Van Maanen.

House File 590

Small Business and Commerce: Sherzan, Chair; Brammer and Diemer.

House File 594

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 599

State Government: Cochran, Chair; Pavich and Van Maanen.

House File 600

Education: Running, Chair; Carpenter and Poncy.

House File 602

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

House File 605

State Government: Doderer, Chair; Blanshan and Carpenter.

House File 606

Small Business and Commerce: Hummel, Chair; Hatch and Sherzan.

House File 609

Ways and Means: O'Kane, Chair; De Groot and Tabor.

House File 612

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 613

Human Resources: Carl, Chair; Arnould and Mullins.

House File 614

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 621

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

House File 622

Human Resources: Carl, Chair; Arnould and Mullins.

House File 623

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 624

Small Business and Commerce: Brammer, Chair; Halvorson of Clayton and Swartz.

House File 627

Transportation: Koenigs, Chair; Lageschulte and Pavich.

House File 628

Ways and Means: Chapman, Chair; Arnould and Carpenter.

House File 629

Education: Haverland, Chair; Connolly and Miller.

House File 630

Transportation: Peterson, Chair; Gruhn and Van Camp.

House File 631

Human Resources: Sturgeon, Chair; Hester and Shoultz.

House File 634

Labor and Industrial Relations: Renaud, Chair; Haverland and Hummel.

House File 637

State Government: Pavich, Chair; Beatty and Van Maanen.

House File 638

Ways and Means: O'Kane, Chair; Groth and Hanson.

House File 639

Education: Tabor, Chair; Branstad and Zimmerman.

House File 644

Transportation: Royer, Chair; Jay and Lloyd-Jones.

House File 650

Local Government: O'Kane, Chair; Peick and Platt.

House File 651

State Government: Doderer, Chair; Blanshan, Carpenter, Hammond and Swearingen.

House File 652

Local Government: Groninga, Chair; Buhr and Diemer.

House File 653

Labor and Industrial Relations: Poncy, Chair; Fey and Metcalf.

House File 654

Labor and Industrial Relations: Peick, Chair; Grandia and Ollie.

House File 656

Agriculture: Carter, Chair; Rensink and Skow.

House File 657

Economic Development: Parker, Chair; Schneklath and Varn.

House File 659

State Government: Arnould, Chair; Cochran and Renken.

House File 662

Ways and Means: Cochran, Chair; Daggett and Oxley.

House File 663

Judiciary and Law Enforcement: Peterson, Chair; Siegrist and Tabor.

House File 666

Judiciary and Law Enforcement: Knapp, Chair; Kremer and Peterson.

House File 669

Labor and Industrial Relations: Renaud, Chair; Kremer and Running.

House File 670

Local Government: Grandia, Chair; Black and Cooper.

House File 671

Energy and Environmental Protection: Osterberg, Chair; Parker, Paulin, Sturgeon and Van Camp.

House File 672

Judiciary and Law Enforcement: Carl, Chair; Holveck and Shoning.

House File 673

Judiciary and Law Enforcement: Clark, Chair; Carl and Haverland.

House File 675

Labor and Industrial Relations: Renaud, Chair; Fey and Kremer.

Senate File 313

Transportation: Pavich, Chair; De Groot and Sullivan.

Senate File 319

Education: Zimmerman, Chair; Handorf and Running.

Senate File 337

Economic Development: Baxter, Chair; Branstad and Parker.

Senate File 361

Education: Groth, Chair; Haverland, Hughes, Siegrist and Swearingen.

Senate File 385

Labor and Industrial Relations: Sherzan, Chair; Corey and Running.

Senate File 387

Transportation: Woods, Chair; De Groot and Renaud.

Senate File 391

Energy and Environmental Protection: Lageschulte, Chair; Hatch and Paulin.

Senate File 401

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS**Study Bill 344**

State Government: Blanshan, Chair; Halvorson of Webster and Siegrist.

Study Bill 345

Ways and Means: Fey, Chair; Arnould and Lageschulte.

Study Bill 358

Economic Development: Groninga, Chair; Connolly, McIntee, Ollie and Paulin.

Study Bill 361

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 365

Economic Development: Groninga, Chair; Baxter and Branstad.

Study Bill 368

Economic Development: Parker, Chair; Branstad and Groninga,

Study Bill 369

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Study Bill 373

Judiciary and Law Enforcement: Clark, Chair; Carl and Haverland.

Study Bill 374

Small Business and Commerce: Brammer, Chair; Halvorson of Clayton and Swartz.

Study Bill 375

Labor and Industrial Relations: Sherzan, Chair; Connors and Corey.

Study Bill 376

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schnekloth and Tabor.

Study Bill 377

Local Government: Black, Chair; Cooper and Hester.

Study Bill 379

State Government: Doderer, Chair; Halvorson of Webster and Swearingen.

Study Bill 380

State Government: Arnould, Chair; Buhr and Renken.

Study Bill 381

Energy and Environmental Protection: Parker, Chair; Osterberg, Paulin, Sturgeon and Van Camp.

Study Bill 382

Economic Development: Baxter, Chair; Branstad and Groninga.

Study Bill 383

Agriculture: Hughes, Chair; Muhlbauer and Van Maanen.

Study Bill 385

State Government: Doderer, Chair; Blanshan and Carpenter.

Study Bill 386

Labor and Industrial Relations: Sherzan, Chair; Connors and Corey.

Study Bill 388

Judiciary and Law Enforcement: Jay, Chair; Halvorson of Clayton, Knapp, Lageschulte, McKean, Rosenberg and Tabor.

Study Bill 389

Judiciary and Law Enforcement: Brammer, Chair; Doderer and Kremer.

Study Bill 390

Judiciary and Law Enforcement: Siegrist, Chair; Jay and Woods.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 514, a bill for an act to require highway authorities to submit annual road construction programs to county soil conservation district commissioners for review and recommendations relating to soil erosion controls and drainage controls.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—3411, March 22, 1985.

House File 656, a bill for an act relating to the labeling of foods, by requiring certain foods to be labeled with information concerning the country of original production.

Fiscal Note is not required.

Recommended Do Pass March 22, 1985.

Committee Bill (Formerly Study Bill 336), relating to the authority of the department of water, air and waste management over the activities of drainage districts.

Fiscal Note is not required.

Recommended Do Pass March 22, 1985.

Committee Bill (Formerly Study Bill 366), relating to real property which is subject to foreclosure or forfeiture.

Fiscal Note is not required.

Recommended Amend and Do Pass March 22, 1985.

Committee Bill (Formerly Study Bill 383), relating to custom livestock feeders.

Fiscal Note is not required.

Recommended Amend and Do Pass March 22, 1985.

COMMITTEE ON ECONOMIC DEVELOPMENT

House File 252, a bill for an act to establish an Iowa small and high risk business new jobs training program, authorizing an area school to levy a tax to provide matching funds, and making an appropriation.

Fiscal Note is required.

Recommended Amend and Do Pass with amendment H—3410, March 21, 1985.

Pursuant to Rule 31.7, House File 252 was referred to the committee on appropriations.

COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House File 608), relating to the hazardous chemicals interagency coordinating council.

Fiscal Note is not required.

Recommended Do Pass March 21, 1985.

Committee Bill (Formerly House File 362), imposing a tonnage fee and groundwater fee on solid waste deposited in sanitary landfills to provide for the long-term care of closed sanitary landfills and the administration of groundwater monitoring and quality programs and subjecting violators to a penalty.

Fiscal Note is not required.

Recommended Amend and Do Pass March 21, 1985.

Committee Bill (Formerly House File 671), relating to joint exercise of powers to finance hydroelectric power facilities.

Fiscal Note is not required.

Recommended Do Pass March 21, 1985.

Committee Bill (Formerly Study Bill 381), regarding the methodology used for evaluating the efficiency of public utility management for certain public utilities and providing effective dates.

Fiscal Note is not required.

Recommended Amend and Do Pass March 21, 1985.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

House File 164, a bill for an act relating to the payment of commissions to commission salespersons and providing a penalty.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-3409, March 21, 1985.

House File 381, a bill for an act relating to workers' compensation benefits for injuries or death to volunteer fire fighters involving intoxication.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-3408, March 21, 1985.

House File 501, a bill for an act relating to the inspection of boilers and unfired steam pressure vessels.

Fiscal Note is not required.

Recommended Do Pass March 21, 1985.

House File 601, a bill for an act providing that the worker right to know provisions of the hazardous chemicals risks right to know Act apply to a certified pesticide applicator's employees who are not themselves certified under chapter 206.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 1985.

COMMITTEE ON LOCAL GOVERNMENT

House File 150, a bill for an act relating to fees collected by the sheriff.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3407**, March 21, 1985.

House File 610, a bill for an act establishing a municipal equipment financing program within the Iowa housing finance authority for the purpose of issuing bonds to assist municipalities in financing equipment.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 1985.

House File 652, a bill for an act authorizing the creation of self-supported improvement districts within residential areas which are designated as historic districts.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 1985.

House File 670, a bill for an act relating to the termination of a county library district.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 1985.

Committee Bill (Formerly Study Bill 51), requiring a separate award of real estate taxes, personal property taxes and special assessments to the county treasurer by the compensation commission as damages in condemnation.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 1985.

Committee Bill (Formerly Study Bill 347), relating to certain tax levies of political subdivisions and area schools.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 21, 1985.

COMMITTEE ON STATE GOVERNMENT

House File 605, a bill for an act extending the state policy of determining compensation for work based on comparable worth to all political subdivisions of the state, and providing an effective date.

Fiscal Note is not required.

Committee Action: **Failed to Pass** March 22, 1985.

Committee Bill (Formerly House File 165), to include a physician's assistant on the board of medical examiners.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 21, 1985.

Committee Bill (Formerly House File 458), relating to the selection of a retirement benefit option under the Iowa public employees' retirement system.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 21, 1985.

Committee Bill (Formerly Study Bill 291), to provide limitations on leaves of absence of public employees for certain military purposes.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 1985.

Committee Bill (Formerly Study Bill 344), relating to insurance coverage on facilities under the control of the state board of regents including catastrophic property losses.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 1985.

Committee Bill (Formerly Study Bill 385), amending 1984 Iowa Acts, chapter 1314, relating to comparable worth pay adjustments for state employees.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 22, 1985.

AMENDMENTS FILED

H-3407

H.F. 150

Committee on Local
Government

H-3408	H.F.	381	Committee on Labor and Industrial Relations
H-3409	H.F.	164	Committee on Labor and Industrial Relations
H-3410	H.F.	252	Committee on Economic Development
H-3411	H.F.	514	Committee on Agriculture
H-3414	S.F.	27	Blanshan of Greene
H-3415	H.F.	413	Spear of Lee
H-3416	H.F.	556	Skow of Guthrie
H-3418	H.F.	681	Spear of Lee
H-3420	H.F.	684	Swartz of Marshall
H-3421	H.F.	681	Spear of Lee
H-3423	S.F.	422	Varn of Johnson Carl of Poweshiek
H-3424	H.F.	508	Schnekloth of Scott
H-3425	H.F.	647	Van Camp of Scott

On motion by Norland of Worth, the House adjourned at 3:22 p.m., until 10:00 a.m., Monday, March 25, 1985.

JOURNAL OF THE HOUSE

Seventy-first Calendar Day — Forty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 25, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Paul Frederiksen, pastor of the United Methodist Church, Ventura.

The Journal of Friday, March 22, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Shoultz of Black Hawk, until his arrival, on request of Teaford of Black Hawk; Maulsby of Calhoun on request of Stromer of Hancock; Jay of Appanoose, until his arrival, on request of Sullivan of Van Buren; Connors of Polk on request of Arnould of Scott; Lonergan of Boone, for the morning session, on request of Arnould of Scott.

PETITION FILED

The following petition was received and placed on file:

By Schnekloth of Scott, from eighty-four constituents favoring increasing appropriations to the State Transit Assistance Fund, to insure public transit service to Iowans.

INTRODUCTION OF BILLS

House File 714, by committee on ways and means, a bill for an act relating to the filing of a protest because of a clerical or mathematical error having been made in the assessment of a person's property.

Read first time and placed on the **ways and means calendar**.

House File 715, by committee on energy and environmental protection, a bill for an act to create Iowa commerce commission pilot programs for energy conservation improvements.

Read first time and placed on the **calendar**.

House File 716, by committee on ways and means, a bill for an act repealing the Iowa unfair cigarette sales Act.

Read first time and placed on the **ways and means calendar**.

House File 717, by committee on ways and means, a bill for an act relating to the purchase of motor fuel by a regional transit system, providing for a tax refund, and providing penalties.

Read first time and placed on the **ways and means calendar**.

House File 718, by committee on education, a bill for an act relating to the imposition of a property tax and an income surtax for payment of principal and interest due on bonds issued by a school district and for school transportation purposes and to provide an appropriation.

Read first time and referred to committee on **ways and means**.

House File 719, by committee on small business and commerce, a bill for an act requiring the posting of a bond for certain door-to-door sales of consumer products and services and providing a penalty.

Read first time and placed on the **calendar**.

GOVERNOR'S VETO MESSAGE

A copy of the following communication was received and placed on file:

March 22, 1985

The Honorable Robert T. Anderson
Lieutenant Governor
State Capitol Building
L O C A L

Dear Governor Anderson:

Senate File 32, an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 32 is the so-called minimum pricing bill. This bill would make it illegal for Iowa farmers to sell a commodity below a minimum price in Iowa and in other states participating in the pricing system. The minimum price would go into effect for a particular commodity after states with at least sixty percent of the national production of that commodity adopt an established price. However, commodity purchases

from farmers in states outside of the pricing territory and sales to processors in those states would not be subject to the minimum pricing requirements. In addition, the bill authorizes the Secretary of Agriculture to establish, under certain conditions, an authorized level of production for agricultural commodities in Iowa. Iowa farmers could thus have their production of commodities limited by a directive of the Secretary of Agriculture. Any Iowan found to have sold or purchased an agricultural commodity for less than the minimum price will be subject to imprisonment of up to one year and a fine of up to \$10,000, or both.

Proponents of Senate File 32 argue that the bill will increase the income of Iowa farmers by forcing purchasers to accept higher prices for Iowa agricultural commodities. In addition, the proponents of Senate File 32 suggest that regardless of the substantial doubts about the effectiveness of this legislation, it could send a message to national policymakers of the need for additional action to address farm financial problems.

I understand and sympathize with the concerns of proponents of this legislation. Indeed, the financial problems facing agriculture are more serious than at any time since the Great Depression of the 1930's. Agricultural economists at Iowa State University have indicated that up to forty percent of Iowa farmers are having some financial difficulties.

The reasons for these financial problems are quite clear: interest rates, after deducting for inflation, remain at an all time high and the prices received for farm commodities have dropped significantly over the past year. In Iowa, farm income has dropped by over \$2.2 billion from the record level achieved in 1981 and there are projections for a further decline this year. Cash receipts for Iowa farmers have dropped 11.5 percent since 1981 and exports of Iowa agricultural commodities are down by almost 28 percent.

These numbers do not tell the whole story. Too many Iowa farm families are facing the pain and hurt of being forced off the farm and many of our small businesses have shut their doors because of reduced agricultural sales. The entire rural fabric of our state is being severely tested by these economic troubles.

It is important to note that Iowa is not the only state experiencing farm troubles and that these problems are not of our own doing. From New York to California, the farm problem is spreading as debts pile up and commodity prices shrink. Moreover, the high interest rates that have forced up the cost of production are the result of national policies and huge federal budget deficits. The reduced prices for agricultural commodities are, in a large part, the result of these same national policies which have distorted the value of the dollar and have thus put an effective 30 to 50 percent tax on all of our agricultural exports.

As Governor of the leading farm state in the nation, I was one of the first to recognize this problem, to call it to the attention of the national policymakers, to identify the reasons behind our agricultural difficulties, and to lay out a plan for national action to address them. Almost one year ago I called for a federal debt restructuring program to provide farmers with a short-term debt relief they need to get a crop in the ground this spring. I personally visited with the President and outlined to him the seriousness of the agricultural credit crisis and the problems with his proposed farm bill. And, I am leading an effort among the nation's Governors to prevent a reduction in target prices and loan support levels for agricultural commodities in 1985 and to provide for long-term solutions to our agricultural problems.

And, we have made some progress. We have obtained a substantial revised debt restructuring plan which is workable and is being used by many bankers throughout the state of Iowa. Preliminary action by Congress indicates a willingness to maintain the present price support levels for agricultural commodities and an interest in exploring ways to restore profitability to agriculture for the long term.

Indeed, we need both short-term and long-term answers to our problems. In the short-term, even the proponents of the minimum pricing bill indicate that it could do little to relieve the debt problem which threatens many Iowa farmers from getting the credit they need to get the crop in the ground this spring. It would take several years, at minimum, to fully develop the minimum pricing mechanism. Moreover, legal experts have indicated that the constitutionality of a minimum pricing mechanism has not yet been determined. Therefore, it is likely that a court test on the constitutionality of this system would further hold up implementation of such a system.

In the short term, we need to continue to focus our efforts on restructuring farm debt to give farmers time to work out of their present financial difficulties. In this regard, legislation I have proposed to establish a limited moratorium on farm foreclosures would be useful in encouraging participation in a debt restructuring program.

For the long term, proponents of the minimum pricing bill are correct in noting that the solution to long-term agricultural problems will require restoration of profitability to farming.

And, the only way to restore profitability is to ensure better prices for farm commodities. We must look for all workable ways to increase the prices for these commodities in the future. I am committed to thoroughly and carefully reviewing all alternatives which may increase the price Iowa farmers receive for their products.

Therefore, I conducted such a review of this minimum pricing proposal. I solicited input from farmers on both sides of this issue and received advice from our state's top agricultural economists.

As a result of this review and after careful analysis of the available information, I have determined that I cannot sign Senate File 32 into law. Recognizing the importance of agriculture to our state's economy, I cannot, as Governor, approve legislation which the experts tell me will have the likely result of reducing, not increasing farm income.

A thorough study of the probable impacts of the Iowa minimum price proposal conducted by the Economics Department at Iowa State University concluded that there is a high probability that Iowa would suffer a net loss of income if this proposal went into effect.

The reasons for the probable loss of income to Iowa farmers are clear. To control price, you must control the market and 60 percent of U.S. corn and soybean products amounts to only 9 percent of world grain and soybean production. The exercise of market power to dictate price would be more effective if done on a nationwide basis. That would also prevent the evasion problems that would doom a state-by-state proposal.

According to the ISU study, the state-by-state approach offered in Senate File 32 includes no effective control over the supply of agricultural commodities. As the result, many Iowa livestock and processing industries would likely purchase their commodities from states that are not participating in the price scheme. Therefore, the study concludes that only the transportation industry, not the Iowa farmer, would benefit from this legislation.

Many Iowa farmers would be left without a market for their products. Those with sufficient marketing expertise would most likely seek willing buyers outside of the pricing territory and the others could be forced to allow their products to perish. This would be a particular problem for Iowa livestock producers since livestock cannot be stored but must be marketed once the appropriate market weight is reached.

In short, the ISU study concluded that the supply control mechanism in Senate File 32 is not sufficient to ensure higher incomes for Iowa farmers. In fact, the law would most likely reduce income to Iowa farmers by denying markets for their products. In addition, the study determined that even with an effective supply control system, a state by state minimum pricing proposal would encourage the substitution of other crops for those produced by Iowa farmers. Thus, it would continue to result in a reduction of prices for the commodities now produced by Iowa farmers. Indeed, the study determined that, if the bill were corrected to prevent the evasion of the law which it now encourages, the negative economic impact of Senate File 32 would be even more staggering—a loss of approximately 86,000 Iowa jobs and \$6.7 billion in economic activity.

Given the present state of the Iowa agricultural economy, we cannot afford to adopt proposals which could reduce farm income or substantially reduce the number of jobs available in Iowa.

Finally, proponents of this legislation argue that, regardless of the effectiveness of the proposal, it would send a message to Washington of the seriousness of the agricultural problems facing the Midwest. Signing this proposal would send a message to these policymakers, but I am convinced it would be the wrong message.

Allowing Senate File 32 to go into law could have the effect of taking the pressure off national policymakers who must take action to restore profitability to agriculture. At this critical time, we must not reduce the pressure on national agricultural officials; we must increase our efforts to secure long-term agricultural policies which will increase the income received by Iowa farmers.

As part of that effort, I plan to continue to lead the nation's Governors in an effort to convince Washington of the need to provide for profitable agriculture. I plan to go to the White House on March 28 to personally take that message to our nation's leaders.

Moreover, I am concerned that signing this legislation would send the wrong message to Iowa farmers. It could have the impact of giving Iowa farmers the false hope that the prices they receive for their products will be miraculously increased. Indeed, as even the proponents acknowledge, the minimum price mechanism could not be put into effect for several years and even then ISU experts note that it would have a negative impact on farm income. Iowa farmers do not need a cruel hoax; they need real help in the form of debt restructuring and higher prices. And, I plan to continue my efforts to secure both.

Finally, I am concerned that signing Senate File 32 would send the wrong message to other states which have traditionally looked to Iowa for leadership on farm issues. If Iowa puts into effect a law which would have the impact of reducing farm income and have little chance of working, I am concerned that we could permanently damage our credibility on farm issues. As a national leader in developing credible solutions to our farm problems, the state of Iowa must not shirk its important responsibility.

In summary, the proponents of Senate File 32 have appropriately identified the long-term need to increase farm income if we are to solve our agricultural problems. However, this legislation would likely reduce farm income, not increase it. In addition, I am concerned that signing this legislation would take the pressure off Washington to act to address our agricultural problems and would provide only false hopes to Iowa farmers at this critical time. Instead, we need to redouble our efforts to demand changes in national farm policy to keep our farmers on the land and restore profitability to agriculture.

Therefore, for the above reasons, I hereby respectfully disapprove of Senate File 32.

Sincerely,
Terry E. Branstad
Governor

CONSIDERATION OF BILLS Regular Calendar

House File 359, a bill for an act relating to fees for boiler inspections, with report of committee recommending amendment and passage was taken up for consideration.

Peick of Linn offered the following amendment H—3208 filed by the committee on labor and industrial relations and moved its adoption:

H—3208

- 1 Amend House File 359 as follows:
- 2 1. Page 1, by striking lines 25 through 28 and
- 3 inserting the following:
- 4 "The commissioner shall adopt rules to charge and
- 5 collect fees for inspection of boilers and pressure
- 6 units by the boiler inspector. Fees may be set by
- 7 rule not more than once each year. Fees established
- 8 by the commissioner shall be based upon the costs of
- 9 administering the provisions of this chapter, and
- 10 shall give due regard to the time spent by bureau of

- 11 labor personnel in performing duties, and to any
 12 travel expenses incurred."

The committee amendment H—3208 was adopted.

Peick 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. 359)

The ayes were, 86:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Cooper
Corey	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 7:

Branstad	Daggett	De Groot	Grandia
Renken	Van Maanen	Welden	

Absent or not voting, 7:

Connors	Hermann	Jay	Lonergan
Maulsby	Shoultz	Siegrist	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 497, a bill for an act relating to procedures for the establishment of priorities for property tax exemptions for wetlands, recreational lakes, forest covers, rivers and streams, river and stream banks, and open prairies, 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?" (H.F. 497)

The ayes were, 93: -

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hapdorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Connors	Hermann	Jay	Lonergan
Maulsby	Shoultz	Siegrist	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 360, a bill for an act to include group homes for children in need of assistance as a residential use of property for zoning purposes, with report of committee recommending passage was taken up for consideration.

Beatty of Warren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 360)

The ayes were, 89:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fogarty	Grandia
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Haverland	Hester	Holveck	Hughes
Hummel	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Poncy	Pellet	Peterson
Platt	Rosenberg	Renaud	Renken
Rensink	Sherzan	Royer	Running
Schnekloth	Stromer	Shoning	Skow
Spear	Swartz	Stueland	Sturgeon
Sullivan	Torrence	Swearingen	Tabor
Teaford	Welden	Van Camp	Van Maanen
Varn		Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 11:

Connors	Fey	Groninga	Hatch
Hermann	Jay	Kremer	Loneragan
Maulsby	Shoultz	Siegrist	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 130, a bill for an act relating to community service by providing that the state assumes liability for injuries to persons performing unpaid community service, with report of committee recommending amendment and passage, was taken up for consideration.

Rosenberg of Story offered the following amendment H—3351 filed by the committee on judiciary and law enforcement and moved its adoption:

H—3351

- 1 Amend House File 130 as follows:
- 2 1. Page 1, line 5, by striking the word and
- 3 figure "section 907.13" and inserting the following:
- 4 "section sections 907.13 and 910.2".
- 5 2. Page 1, line 11, by inserting after the word
- 6 "or" the following: "is permanently or temporarily
- 7 incapacitated".
- 8 3. Page 1, line 12, by striking the word and
- 9 figure "section 907.13" and inserting the following:
- 10 "sections 907.13 and 910.2".
- 11 4. Page 1, line 27, by striking the word and
- 12 figure "section 907.13" and inserting the following:
- 13 "sections 907.13 and 910.2".

The committee amendment H—3351 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. 130)

The ayes were, 88:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Cooper
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones

McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 5:

Branstad	Corey	Grandia	Van Maanen
Welden			

Absent or not voting, 7:

Connors	Hermann	Jay	Lonergan
Maulsby	Shoultz	Siegrist	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 124, a bill for an act permitting the sentencing of juveniles at least twelve years old to community service work programs, with report of committee recommending passage was taken up for consideration.

Chapman of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 124)

The ayes were, 90:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jochum

Johnson	Koenigs	Kremer	Lageschulte
Lloyd-Jones	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 3:

Doderer	Knapp	Peterson
---------	-------	----------

Absent or not voting, 7:

Connors	Hermann	Jay	Lonergan
Maulsby	Shoultz	Sullivan	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 366, a bill for an act relating to the giving of notices under chapter 321 or any other law regulating the operation of vehicles, with report of committee recommending passage was taken up for consideration.

Van Camp 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. 366)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland

Hester	Holveck	Hughes	Hummel
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Connors	Hermann	Jay	Lloyd-Jones
Lonergan	Maulsby	Shoultz	Tabor

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 660, a bill for an act relating to the reporting of fires and emergency responses to the state fire marshal and the payment of fees for the fire reports, 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?" (H.F. 660)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jochum	Johnson	Knapp	Koenigs

Kremer	Lageschulte	Lloyd-Jones	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Connors	Hermann	Jay	Lonergan
Maulsby	Shultz		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 648, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education, was taken up for consideration.

Hammond of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 648)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Bianshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	McIntee	McKean

Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 4:

Grandia	Handorf	Van Maanen	Welden
---------	---------	------------	--------

Absent or not voting, 5:

Connors	Hermann	Lonergan	Maulsby
Metcalf			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 645, a bill for an act relating to the appointment of a clerk to the board of supervisors, was taken up for consideration.

Oxley of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 645)

The ayes were, 84:

Arnould	Baxter	Beatty	Bennett
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Cooper	Daggett
Diemer	Doderer	Fey	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Kremer	Lageschulte	Lloyd-Jones
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Pellett	Peterson

Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shultz
Siegrist	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 12:

Black	Branstad	Corey	De Groot
Fogarty	Grandia	Handorf	Koenigs
Paulin	Skow	Van Maanen	Welden

Absent or not voting, 4:

Connors	Hermann	Lonergah	Maulsby
---------	---------	----------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES 647 AND 649 DEFERRED

Norland of Worth asked and received unanimous consent that House Files 647 and 649 be deferred and that the bills retain their place on the calendar.

House File 664, a bill for an act relating to procedures for determining ownership and disposition of certain seized or abandoned vehicles, component parts and personal property in the custody of a peace officer or police authority, was taken up for consideration.

Woods of Polk offered the following amendment H—3401 filed by him and moved its adoption:

H—3401

- 1 Amend House File 664 as follows:
- 2 1. Page 2, line 14, by inserting after the word
- 3 "police" the word "authority".

Amendment H—3401 was adopted.

Woods of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 664)

The ayes were, 96:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklott	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Connors	Hermann	Loneragan	Maulsby
---------	---------	-----------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 204, a bill for an act relating to the waiver of the juvenile court's jurisdiction for the alleged commission of public offenses, with report of committee recommending amendment and passage was taken up for consideration.

Chapman of Linn offered the following amendment H—3380, filed by the committee on judiciary and law enforcement and moved its adoption:

H—3380

- 1 Amend House File 204 as follows:
- 2 1. Page 2, line 2, by striking the word "or" and
- 3 inserting the words "or and".
- 4 2. Page 2, by inserting after line 12 the
- 5 following:
- 6 "Sec. 2. Section 232.45, Code 1985, is amended by
- 7 adding after subsection 10 the following new
- 8 subsection:
- 9 NEW SUBSECTION. 11. The waiver does not apply to
- 10 other delinquent acts which are not alleged in the
- 11 delinquency petition presented at the waiver hearing."

The committee amendment H—3380 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. 204)

The ayes were, 96:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear

Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Connors	Hermann	Lonergan	Maulsby
---------	---------	----------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 523, a bill for an act related to the right of cities to lease or lease-purchase real and personal property, with report of committee recommending passage was taken up for consideration.

The following amendment H-3427 filed by O'Kane of Woodbury from the floor was adopted by unanimous consent:

H-3427

- 1 Amend House File 523 as follows:
- 2 1. Page 2, line 2, by striking the numeral "503" and
- 3 inserting the numeral "682".

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. 523)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones

McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Connors	Hermann	Lonergan	Maulsby
Teaford			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 626, a bill for an act to revise the procedures for the assessment of penalties under the laws regulating coal mining, was taken up for consideration.

Paulin of Plymouth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 626)

The ayes were, 96:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
McIntee	McKean	Metcalf	Miller

Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Connors	Hermann	Lonefgan	Maulsby
---------	---------	----------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 641, a bill for an act relating to the violation of a custodial order and providing penalties, was taken up for consideration.

Clark of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 641)

The ayes were, 96:

Arnould	Baxter	Beatty	Bennett
Black	Bianshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker

Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklöth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Connors	Hermann	Lonergan	Maulsby
---------	---------	----------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 625, a bill for an act to require the display of a bill of sale, receipt, or other proof of ownership for the registration of a vessel and to repeal the requirement for the issuance of a certificate of origin on the sale of a vessel, was taken up for consideration.

Gruhn of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 625)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson

Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Connors	Hermann	Kremer	Loneragan
Maulsby	Shoning		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 646, a bill for an act relating to the issuance of bonds for general purposes by cities and counties, was taken up for consideration.

O'Kane of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 646)

The ayes were, 89:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Cooper	Corey
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running

Schneklath	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Maanen	Varn	Wedden	Woods
Mr. Speaker			

The nays were, 5:

Bennett	Daggett	Hester	McIntee
Van Camp			

Absent or not voting, 6:

Carter	Connors	Hermann	Loneragan
Maulsby	Zimmerman		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 647, a bill for an act relating to the disposal of hazardous wastes by land burial, previously deferred, was taken up for consideration.

Van Camp of Scott offered the following amendment H-3425 filed by him and moved its adoption:

H-3425

- 1 Amend House File 647 as follows:
- 2 1. Page 1, line 6, by inserting after the word
- 3 "burial" the following: "unless it can be proven that
- 4 a specific waste will not harm the public health or
- 5 the environment".

A non-record roll call was requested.

The ayes were 24, nays 50.

Amendment H-3425 lost.

Shultz of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 647)

The ayes were, 86:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Cochran	Connolly	Cooper	Corey
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Hatch
Haverland	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellet
Peterson	Platt	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, 10:

Bennett	Clark	Daggett	De Groot
Diemer	Grandia	Handorf	Hester
Renken	Van Maanen		

Absent or not voting, 4:

Connors	Hermann	Lonergan	Maulsby
---------	---------	----------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

ADOPTION OF SENATE CONCURRENT RESOLUTION 19

Hughes of Union called up for consideration Senate Concurrent Resolution 19, relating to the National Railroad Passenger Corporation.

Harbor of Mills offered the following amendment H—3309 filed by the committee on transportation and moved its adoption:

H-3309

- 1 Amend Senate Concurrent Resolution 19, as passed by
2 the Senate, as follows:
3 1. Page 1, line 12, by striking the words
4 "service, its financial position and" and inserting
5 the following: "service and its financial position,
6 and the".
7 2. Page 1, line 14, by striking the word "expect"
8 and inserting the following: "is expected".
9 3. Page 1, line 15, by striking the words "that
10 amount".
11 4. Page 1, line 18, by striking the word "to" and
12 inserting the following: "to the".
13 5. Page 1, line 26, by striking the word "sound"
14 and inserting the following: "sound a".
15 6. Page 1, by inserting after line 27 the
16 following:
17 "*Be It Further Resolved*, That the members of the
18 Iowa General Assembly urge the members of Congress
19 representing the State of Iowa to actively support
20 legislation to provide for continued Amtrak service
21 within the State of Iowa; and".

The committee amendment H-3309 was adopted.

On motion by Hughes of Union, the resolution, as amended, was adopted.

Hammond of Story in the chair at 11:38 a.m.

On motion by Norland of Worth, the House was recessed at 12:21 p.m., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

RULE 34 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend House Rule 34, relating to the daily debate calendar on House Files 616, 268, 618, 181 and 422.

HOUSE FILE 617 DEFERRED

Norland of Worth asked and received unanimous consent that House File 617 be deferred and that the bill retain its place on the calendar.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 124, 130, 204, 359, 360, 366, 497, 523, 625, 626, 641, 645, 646, 647, 660, 664, and Senate Concurrent Resolution 19.

CONSIDERATION OF BILLS Regular Calendar

House File 616, a bill for an act relating to the administration of maternal and child health programs and crippled children's programs by the department of health, was taken up for consideration.

Jochum of Dubuque asked for unanimous consent to refer House File 616 to the committee on state government.

Objection was raised.

Jochum of Dubuque moved to refer House File 616 to the committee on state government.

A non-record roll call was requested.

The ayes were 15, nays 60.

The motion lost.

Zimmerman of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 616)

The ayes were, 80:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cooper	Corey	Daggett
De Groót	Diemer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hester

Holveck	Hughes	Hummel	Jay
Johnson	Koenigs	Lageschulte	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Parker
Paulin	Peick	Pellet	Peterson
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Stromer
Stueland	Sturgeon	Sullivan	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Woods	Zimmerman	Mr. Speaker

The nays were, 15:

Branstad	Cochran	Connolly	Doderer
Jochum	Knapp	Lloyd-Jones	Oxley
Pavich	Platt	Poncy	Skow
Spear	Varn	Welden	

Absent or not voting, 5:

Connors	Hatch	Hermann	Kremer
Swartz			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 268, a bill for an act relating to escapees from community-based correctional programs, and adopting penalties, with report of committee recommending amendment and passage was taken up for consideration.

Rosenberg of Story offered the following amendment H—3352 filed by the committee on judiciary and law enforcement and moved its adoption:

H—3352

- 1 Amend House File 268 as follows:
- 2 1. Page 1, line 6, by striking the word "program"
- 3 and inserting the word "facility".
- 4 2. Page 1, line 13, by striking the word
- 5 "program" and inserting the word "facility".
- 6 3. Page 1, line 20, by striking the word
- 7 "program" and inserting the word "facility".

The committee amendment H—3352 was adopted.

Spear of Lee asked and received unanimous consent to withdraw amendment H—3385 filed by him on March 20, 1985.

The following amendment H—3437, filed by Spear of Lee from the floor, was adopted by unanimous consent:

H—3437

- 1 Amend House File 268 as follows:
- 2 1. Title page, line 2, by striking the word "programs"
- 3 and inserting the word "facilities".

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. 268)

The ayes were, 96:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Connors	Hatch	Hermann	Sherzan
---------	-------	---------	---------

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 618, a bill for an act relating to the self-inflicted injury or death of persons being held in a city or county jail or detention facility, was taken up for consideration.

O'Kane of Woodbury offered the following amendment H—3398 filed by him and moved its adoption:

H—3398

1 Amend House File 618 as follows:

- 2 1. Page 1, line 4, by striking the word "a" and
3 inserting the following: "an adult".

Amendment H—3398 was adopted.

Buhr of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 618)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Cochran	Connolly	Cooper	Corey
Daggett	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Royer	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 4:

Connors	Hatch	Hermann	Welden
---------	-------	---------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 422, a bill for an act relating to the license fee for commercial explosives, was taken up for consideration.

Teaford of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 422)

The ayes were, 77:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Cooper	Corey
De Groot	Diemer	Doderer	Fey

Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Harbor
Haverland	Hester	Holveck	Hughes
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Loneragan
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Peterson	Poncy
Renaud	Rensink	Rosenberg	Royer
Running	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Sturgeon	Swartz	Swearingen	Tabor
Teaford	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 19:

Bennett	Branstad	Grandia	Handorf
Hanson	Hummel	Kremer	Maulsby
Paulin	Pellett	Platt	Renken
Schnekloth	Stueland	Sullivan	Torrence
Van Camp	Van Maanen	Welden	

Absent or not voting, 4:

Connors	Daggett	Hatch	Hermann
---------	---------	-------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 181, 268, 422, 616 and 618.

MOTIONS TO RECONSIDER

(House File 648)

I move to reconsider the vote by which House File 648 passed the House on March 25, 1985.

HAMMOND of Story

(House File 648)

I move to reconsider the vote by which House File 648 passed the House on March 25, 1985.

RUNNING of Linn

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 25th day of March, 1985: House Files 186 and 311.

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 March 22, 1985, he approved and transmitted to the Secretary of State the following bill:

Senate File 378, an act relating to the share of the surviving spouse in intestate succession.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday afternoon, March 21, and Monday morning March 25, 1985. Had I been present, I would have voted "aye" on House Files 124, 130, 359, 360, 366, 497 and Senate amendment H—3386 to House File 225.

SIEGRIST of Pottawattamie

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-four seniors from Clay Central High School, Royal, accompanied by Lew Heller. By Fogarty of Palo Alto.

Three students from Garner-Hayfield Community Schools, Garner. By Stromer of Hancock.

Senior government class from Grinnell High School, Grinnell. By Black of Jasper and Carl of Poweshiek.

Senior high students from Harmony High School, Farmington, accompanied by Terry Forr. By Sullivan of Van Buren.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

- | | |
|--------|--|
| 1985-5 | Waverly-Shell Rock High School Chamber Choir, to represent North America at the Fourteenth International Youth and Music Festival in Vienna, Austria, in July, 1985. |
| 1985-6 | Denison Monarchs Basketball Team, represented Western Iowa in 2A All Iowa State Boys Basketball Competition. |

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

House File 438, a bill for an act relating to evidence of intent in cases alleging theft of library equipment.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3426**, March 22, 1985.

Committee Bill (Formerly House File 275), relating to the penalties for violations of chapter 728 involving the promotion of obscene material and the sexual exploitation of children.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 22, 1985.

Committee Bill (Formerly Study Bill 249), relating to the duty of a liquor control licensee to break empty liquor bottles.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 22, 1985.

Committee Bill (Formerly Study Bill 295), relating to guardianships and conservatorships.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 22, 1985.

Committee Bill (Formerly Study Bill 376), establishing preparole programs for all inmates under the jurisdiction of the director of the Iowa department of corrections, which programs must be successfully completed prior to an inmate's release from custody on parole.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 22, 1985.

Committee Bill (Formerly Study Bill 388), relating to the board of parole.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 1985.

Committee Bill (Formerly Study Bill 389), relating to the publications of legal notices.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 1985.

Committee Bill (Formerly Study Bill 390), relating to the service of process on an individual's spouse at a place other than the individual's dwelling house or usual place of abode.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 1985.

AMENDMENTS FILED

H—3426	H.F.	438	Committee on Judiciary and Law Enforcement
H—3428	H.F.	631	Clark of Cerro Gordo
H—3429	H.F.	649	Johnson of Winneshiek
H—3430	H.F.	700	Shoning of Woodbury
H—3431	H.F.	627	Spear of Lee
H—3432	S.F.	296	Schnekloth of Scott
H—3433	H.R.	11	Clark of Cerro Gordo Welden of Hardin

H-3434	H.F.	705	Schnekloth of Scott
H-3435	H.F.	704	Schnekloth of Scott
H-3436	H.F.	629	Spear of Lee
H-3438	H.F.	661	O'Kane of Woodbury
H-3439	H.F.	661	O'Kane of Woodbury Groth of Buena Vista Halvorson of Clayton
H-3440	H.F.	30	Spear of Lee
H-3441	H.F.	705	Parker of Jasper Swartz of Marshall
H-3442	H.F.	643	Osterberg of Linn
H-3443	H.F.	649	Welden of Hardin
H-3444	H.F.	686	Daggett of Taylor
H-3445	H.F.	643	Welden of Hardin

On motion by Norland of Worth, the House adjourned at 4:30 p.m., until 9:00 a.m., Tuesday, March 26, 1985.

JOURNAL OF THE HOUSE

Seventy-second Calendar Day — Forty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 26, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Rev. James Bearden, pastor of the Church of the Nazarene, Oskaloosa.

The Journal of Monday, March 25, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk, until his arrival, and Lonergan of Boone on request of Arnould of Scott; Lageschulte of Bremer, until his arrival, on request of Pellett of Cass; Carl of Poweshiek, until her arrival, on request of Lloyd-Jones of Johnson.

PETITIONS FILED

The following petitions were received and placed on file:

By Brammer of Linn from eighty-six constituents of District 52, opposing House File 570, an act relating to the premium tax on insurance companies and associations and mutual service corporations, operating under Chapter 514, domiciled or doing business in the state.

By Gruhn of Dickinson, from twenty-seven constituents favoring an increase to the appropriation to the Iowa State Transit Assistance Fund.

INTRODUCTION OF BILLS

House File 720, by committee on education, a bill for an act relating to the authority of the state board of public instruction over extracurricular interscholastic activities of school districts and to provide for the appointment of an advisory committee.

Read first time and placed on the **calendar**.

House File 721, by committee on judiciary and law enforcement, a bill for an act relating to the service of process on an individual's spouse at a place other than the individual's dwelling house or usual place of abode.

Read first time and placed on the **calendar**.

House File 722, by committee on education, a bill for an act relating to programs for improving the education system, including mathematics, science, and foreign language courses and teaching, and education research, and to make appropriations.

Read first time and referred to committee on **appropriations**.

House File 723, by committee on agriculture, a bill for an act relating to the authority of the department of water, air and waste management over the activities of drainage districts.

Read first time and referred to committee on **natural resources and outdoor recreation**.

House File 724, by committee on local government, a bill for an act requiring a separate award of real estate taxes, personal property taxes and special assessments to the county treasurer by the compensation commission as damages in condemnation.

Read first time and placed on the **calendar**.

House File 725, by committee on judiciary and law enforcement, a bill for an act relating to the board of parole.

Read first time and placed on the **calendar**.

House File 726, by committee on energy and environmental protection, a bill for an act relating to joint exercise of powers to finance hydro-electric power facilities.

Read first time and placed on the **calendar**.

House File 727, by committee on judiciary and law enforcement, a bill for an act establishing preparole programs for all inmates under the jurisdiction of the director of the Iowa department of corrections, which programs must be successfully completed prior to an inmate's release from custody on parole.

Read first time and placed on the calendar.

House File 728, by committee on energy and environmental protection, a bill for an act requiring the department of water, air and waste management to initiate and conduct a pilot program to collect and dispose of small amounts of hazardous wastes that are being stored in residences, schools, and small businesses.

Read first time and placed on the calendar.

House File 729, by committee on local government, a bill for an act relating to certain tax levies of political subdivisions and area schools.

Read first time and placed on the calendar.

SENATE MESSAGES CONSIDERED

Senate File 244, by committee on human resources, a bill for an act for the collection of support obligations relating to the posting of security, the ordering of assignments of income by the clerk of the district court or the child support recovery unit, the attachment of liens, and the modification of certain limitations on paternity actions.

Read first time and referred to committee on judiciary and law enforcement.

Senate File 381, by Mann, a bill for an act relating to the enticing away of a minor and providing a penalty.

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 March 22, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 587, a bill for an act relating to the authorization of contempt powers for juvenile court referees and providing penalties.

Also: That the Senate has on March 22, 1985, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 17, relating to a biennial memorial session.

Also: That the Senate has on March 22, 1985, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 18, relating to Pioneer Lawmakers Association meeting in a joint session with the Seventy-first General Assembly on Wednesday, April 17, 1985.

Also: That the Senate has on March 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 18, a bill for an act relating to the deposit of cremation ashes on private or public property.

Also: That the Senate has on March 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 359, a bill for an act relating to the declaration of value for real estate transfers, and providing an effective date.

Also: That the Senate has on March 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 370, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization.

Also: That the Senate has on March 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 374, a bill for an act relating to the giving of false information on a blood donor or sale application or to blood-taking personnel and providing a penalty.

Also: That the Senate has on March 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 423, a bill for an act relating to claims in estates for which there is insurance coverage.

Also: That the Senate has on March 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 424, a bill for an act relating to the ownership and operation of, and employment by child care centers, group day care homes, and family day care homes, and providing a penalty.

Also: That the Senate has on March 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 435, a bill for an act relating to the distribution of monthly employment and unemployment statistics by the department of job service.

Also: That the Senate has on March 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 445, a bill for an act exempting the director, deputy director and two administrative heads of the Iowa beer and liquor control department from the state merit system.

Also: That the Senate has on March 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 455, a bill for an act relating to the seizure and forfeiture of property which is obtained in violation of the law, unlawful to possess, used or possessed with criminal intent, relevant to a criminal prosecution, or which is the proceeds of criminal activity.

Also: That the Senate has on March 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 465, a bill for an act relating to agricultural limestone.

Also: That the Senate has on March 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 466, a bill for an act relating to the bonding requirements for a holder of a permit to sell seed.

Also: That the Senate has on March 22, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 467, a bill for an act relating to the predisposition investigation and report in a juvenile delinquency proceeding.

Also: That the Senate has on March 22, 1985, passed (with amendment S-3351 adopted) the following bill in which the concurrence of the House is asked:

Senate File 468, a bill for an act relating to the time for hearing of contested small claims.

Also: That the Senate has on March 22, 1965, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 25, declaring the opposition of the General Assembly to certain proposed federal program reductions.

Also: That the Senate has on March 22, 1965, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 27, relating to the judiciary.

K. MARIE THAYER, Secretary

CONSIDERATION OF BILLS

Regular Calendar

House File 552, a bill for an act relating to area education agencies, including the charging of user fees, budget publication, contracting for services, and filing of candidacy papers, was taken up for consideration.

Hanson of Delaware in the chair at 9:37 a.m.

Shoultz of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 552)

The ayes were, 78:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Cooper	Daggett
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Harbor	Hatch
Haverland	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lloyd-Jones	McIntee	McKean
Metcalf	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Platt	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Sherzan	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Van Camp	Varn	Woods
Zimmerman	Mr. Speaker (Hanson)		

The nays were, 17:

Bennett	Branstad	Corey	De Groot
Grandia	Handorf	Hester	Kremer
Maulsby	Miller	Pellett	Renken
Schnekloth	Shoning	Torrence	Van Maanen
Welden			

Absent or not voting, 5:

Carl	Connors	Hermann	Lageschulte
Loneragan			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES DEFERRED (House Files 329, 579, 585, 617 and 677)

Norland of Worth asked and received unanimous consent that House Files 329, 579, 585, 617 and 677 be deferred and that the bills retain their place on the calendar.

House File 639, a bill for an act relating to the presence and removal of asbestos in public school buildings, with report of committee recommending passage 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. 639)

The ayes were, 93:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lloyd-Jones	Maulsby	McIntee

McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker (Hanson)			

The nays were, none.

Absent or not voting, 7:

Carl	Connors	Hermann	Lageschulte
Loneragan	Swartz	Welden	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 413, a bill for an act to include domestic violence as compensable from the victims reparations fund provided the offender and victim were not residing together at the time of the act, with report of committee recommending amendment and passage was taken up for consideration.

Speaker Avenson in the chair at 9:53 a.m.

Shultz of Black Hawk offered the following amendment H-3389 filed by the committee on human resources:

H-3389

- 1 Amend House File 413 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 912.6, Code 1985, is amended
- 5 by adding the following new subsections after
- 6 subsection 1 and renumbering the subsequent
- 7 subsections:
- 8 NEW SUBSECTION. 2. Reasonable charges incurred
- 9 for counseling provided to victims of domestic abuse
- 10 or victims under eighteen years of age by a
- 11 psychologist licensed under chapter 154B or by an

12 individual holding at least a master's degree in
13 social work or counseling and guidance, not to exceed
14 five hundred dollars.

15 NEW SUBSECTION. 3. Reasonable charges incurred
16 for victim counseling provided by a victim counselor
17 as defined in section 236.17, as contained in 1985
18 Iowa Acts, House File 549, if enacted, not to exceed
19 five hundred dollars.

20 Sec. 2. Section 912.7, Code 1985, is amended by
21 adding the following new subsection after subsection 2
22 and renumbering the subsequent subsection:

23 NEW SUBSECTION. 3. Notwithstanding subsection 2,
24 paragraph "b" or "c", reparation for medical care
25 under section 912.6, subsection 1 or for counseling
26 under section 912.6, subsection 1, 2, or 3 shall be
27 made if the bodily injury or death for which
28 reparation is sought was caused by an act of domestic
29 abuse, as defined in section 236.2, committed by a
30 spouse of the victim or by a person living in the same
31 household with the victim, if the victim seeks and
32 receives victim counseling which qualifies for
33 reparation under section 912.6, subsection 1, 2, or 3,
34 and one of the following applies:

35 a. The act is the first act of domestic abuse
36 involving the alleged perpetrator reported by the
37 victim.

38 b. The act is the second act of domestic abuse
39 involving the same alleged perpetrator reported by the
40 victim, and a criminal complaint or trial information
41 is filed or a grand jury returns an indictment against
42 the alleged perpetrator.

43 Sec. 3. This Act applies to crime reports received
44 on or after the effective date of this Act by a local
45 police department or county sheriff department, or if
46 a crime report is not required, to reports received on
47 or after the effective date of this Act by the
48 department of human services or to reparation claims
49 filed on or after the effective date of this Act by a
50 licensed or certified professional providing immediate

Page 2

1 or short-term medical services or mental health
2 services to a child victim."

3 2. Title page, by striking lines 1 through 3 and
4 inserting the following: "An Act relating to
5 reparations for medical care and counseling under
6 chapter 912 for victims of domestic abuse and sexual
7 assault and for child victims."

Spear of Lee offered the following amendment H-3415, to the committee amendment H-3389, filed by him and moved its adoption:

H—3415

- 1 Amend the amendment, H—3389, to House File 413 as
- 2 follows:
- 3 1. Page 1, lines 9 and 10, by striking the words
- 4 "abuse or" and inserting the following: "abuse, as
- 5 defined in section 236.2, or to".

Amendment H—3415 was adopted.

On motion by Shoultz of Black Hawk, the committee amendment H—3389, as amended, was adopted.

Shoultz of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 413)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg,	Oxley	Parker	Paulin
Pavich	Peick	Pellet	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning \	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Carl
Lonergan

Connors

Hermann

Lageschulte

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

HOUSE FILES 631, 686 AND 700 TEMPORARILY DEFERRED

Norland of Worth asked and received unanimous consent that House Files 631, 686 and 700 be temporarily deferred and that the bills retain their place on the calendar.

House File 696, a bill for an act relating to abandoned property, by providing for a civil action, providing for the issuance of injunctions and other orders, and providing for appointing a receiver with certain powers, duties, and liability, was taken up for consideration.

Holveck of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 696)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poney	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer

Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Weiden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Carl	Connors	Hermann	Lageschulte
Lonergan			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 493, a bill for an act relating to the fees for and duration of operator's and chauffeur's licenses, was taken up for consideration.

Peterson of Carroll moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 493)

The ayes were, 66:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carter	Chapman	Clark	Cochran
Connolly	Corey	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Handorf
Harbor	Hatch	Haverland	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Koenigs	Lloyd-Jones	McIntee
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Parker
Pavich	Peick	Peterson	Platt
Poney	Renaud	Repsink	Rosenberg
Royer	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Sturgeon
Sullivan	Teaford	Van Camp	Varn
Woods	Mr. Speaker		

The nays were, 27:

Branstad	Carpenter	Cooper	Daggett
De Groot	Grandia	Halvorson, R. A.	Hanson
Hester	Knapp	Maulsby	McKean
Metcalf	Oxley	Paulin	Pellett
Renken	Running	Schnekloth	Stromer
Stueland	Swartz	Swearingen	Torrence
Van Maanen	Welden	Zimmerman	

Absent or not voting, 7:

Carl	Connors	Hermann	Kremer
Lageschulte	Lonerган	Tabor	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 649, a bill for an act relating to water wells by providing for regulation of water wells and the registration of water well contractors, was taken up for consideration.

Johnson of Winneshiek offered the following amendment H-3429 filed by him and moved its adoption:

H-3429

- 1 Amend House File 649 as follows:
- 2 1. Page 1, line 13, by inserting after the word
- 3 "water." the following: " "Water well" does not
- 4 include an open ditch or drain tiles."

Amendment H-3429 was adopted.

Welden of Hardin asked and received unanimous consent to withdraw amendment H-3443 filed by him on March 25, 1985.

Johnson of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 649)

The ayes were, 90:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad

Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Cooper
Corey	Daggett	De Groot	Diemer
Dederer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Koenigs	Kremer	Lloyd-Jones
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poney	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Staeland	Sturgeon	Sullivan	Swartz
Swearingen	Teaford	Torrence	Van Camp
Van Maanen	Vara	Weiden	Woods
Zimmerman	Mr. Speaker		

The nays were, 5:

Hester	Knapp	Maulsby	Stromer
Tabor			

Absent or not voting, 5:

Carl	Connors	Hermann	Lageschulte
Lonergan			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 401, a bill for an act to permit suspension of motor vehicle licenses for nonpayment of motor vehicle related fines, court costs or surcharges, with report of committee recommending amendment and passage was taken up for consideration.

Koenigs of Mitchell offered the following amendment H-3347 filed by the committee on transportation and moved its adoption:

H-3347

- 1 Amend House File 401 as follows:
- 2 1. Page 1, line 3, by striking the word "may" and
- 3 inserting the following: "shall".

- 4 2. Page 1, line 6, by striking the word "costs"
- 5 and inserting the following: "costs,".
- 6 3. Page 1, line 8, by striking the word "costs"
- 7 and inserting the following: "costs,".
- 8 4. Page 1, lines 9 through 12, by striking the
- 9 words "the clerk will notify the department of the
- 10 failure for purposes of instituting suspension
- 11 procedures, if the assessed fine, court costs, or
- 12 surcharge remains unpaid after sixty days." and
- 13 inserting the following: "if the assessed fine, court
- 14 costs, or surcharge remains unpaid after sixty days,
- 15 the clerk will notify the department of the failure
- 16 for purposes of instituting procedures to suspend the
- 17 person's driving privileges."
- 18 5. Page 1, line 20, by striking the word "may"
- 19 and inserting the following: "shall".

The committee amendment H-3347 was adopted.

The following amendment H-3446 filed by Kremer of Buchanan from the floor was adopted by unanimous consent:

H-3446

- 1 Amend House File 401 as follows:
- 2 1. Title page, line 1, by striking the word "permit"
- 3 and inserting the word "require".

Koenigs of Mitchell moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 401)

The ayes were, 89:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R./N.	Hammond	Handorf	Hanson
Hatch	Haverland	Hester	Holveck
Hughes	Jay	Jochum	Johnson
Koenigs	Kremer	Lloyd-Jones	McIntee
McKean	Metcalf	Miller	Muhlbauer

Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Running	Schnekloth
Sherzan	Shoning	Shultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 3:

Hummel	Knapp	Maulsby
--------	-------	---------

Absent or not voting, 8:

Carl	Connors	Harbor	Hermann
Lageschulte	Lonerган	Royer	Welden

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

The House stood at ease at 10:27 a.m., until the fall of the gavel.

The House, resumed session at 11:51 a.m., Speaker Avenson in the chair.

MEMORIAL COMMITTEE APPOINTED

Speaker Avenson announced the appointment of the following members to serve on the memorial committee in accordance with House Concurrent Resolution 17: The Honorable Mark Haverland, Chair; the Honorable Linda Beatty, the Honorable Joan L. Hester and the Honorable Kenneth De Groot.

On motion by Norland of Worth, the House was recessed at 11:55 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sherzan of Polk, until his return, on request of Renaud of Polk; Baxter of Des Moines, until her return, on request of Ollie of Clinton.

CONSIDERATION OF BILLS Regular Calendar

House File 640, a bill for an act relating to the computation of interest penalties on delinquent property taxes, was taken up for consideration.

Grandia of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 640)

The ayes were, 87:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Buhr	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Cooper	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Koenigs	Kremer
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Shoning
Shoultz	Siegrist	Skow	Spear
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 4:

Branstad	Hanson	Knapp	Stromer
----------	--------	-------	---------

Absent or not voting, 9:

Baxter	Carl	Connors	Corey
Hermann	Lageschulte	Lonergan	Osterberg
Sherzan			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 661 DEFERRED

Norland of Worth asked and received unanimous consent that House File 661 be deferred and that the bill retain its place on the calendar.

HOUSE FILE 643 DEFERRED

Norland of Worth asked and received unanimous consent that House File 643 be temporarily deferred and that the bill retain its place on the calendar.

House File 526, a bill for an act relating to interpreters for certain hearing impaired persons, with report of committee recommending passage was taken up for consideration.

Woods of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 526)

The ayes were, 94:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Shoning	Shultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Baxter	Connors	Hermann	Lageschulte
Loneragan	Sherzan		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 401, 413, 639, 696, 649, 640 and 526.

RULE 34 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 34, relating to the daily debate calendar, for the addendum to the March 26 Daily Debate Calendar.

House File 537, a bill for an act relating to special elections to fill vacancies in city councils, with report of committee recommending passage was taken up for consideration.

Buhr of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 537)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lloyd-Jones	Maulsby	McIntee

McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Pellett	Peterson	Poney
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 4:

Kremer	Paulin	Platt	Torrence
--------	--------	-------	----------

Absent or not voting, 4:

Connors	Hermann	Lageschulte	Loneragan
---------	---------	-------------	-----------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 569, a bill for an act relating to the administration of special land use districts, with report of committee recommending passage was taken up for consideration.

The following amendment H-3451, filed by Varn of Johnson from the floor, was adopted by unanimous consent:

H-3451

- 1 Amend House File 569 as follows:
- 2 1. Page 3, line 33, by striking the word "as" and
- 3 inserting in lieu thereof the word "as".

Varn of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 569)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman

Clark	Connolly	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lloyd-Jones
Maulsby	McKean	Metealf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Weiden	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 8:

Carter	Cochran	Connors	Gruhn
Hermann	Lageschulte	Loneragan	McIntee

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 461 DEFERRED

Norland of Worth asked and received unanimous consent that House File 461 be deferred and that the bill retain its place on the calendar.

House File 593, a bill for an act exempting certain motor vehicle accidents involving peace officers and members of fire departments from being included in the person's operating record, with report of committee recommending passage was taken up for consideration.

Platt of Muscatine moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 593)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Banshan	Branstad	Buhr
Carl	Carpenter	Carter	Clark
Cochran	Connolly	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbaüer	Mullins
Norland	O'Kane	Ollie	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Taber	Teaford
Torrence	Van Camp	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 1:

Chapman

Absent or not voting, 8:

Brammer	Connors	Hermann	Lageschulte
Loneragan	Osterberg	Renaud	Welden

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 627, a bill for an act adding four ex officio nonvoting legislative members to the state transportation commission, with report of committee recommending passage was taken up for consideration.

Harbor of Mills offered the following amendment H—3399 filed by him and moved its adoption:

H—3399

1 Amend House File 627 as follows:

- 2 1. Page 1, by striking lines 18 through 20 and
 3 inserting the following: "two years beginning on
 4 July 1 of each odd-numbered year. If, for any
 5 reason, a legislative member ceases to be a member
 6 of".

Amendment H—3399 was adopted.

Norland of Worth asked and received unanimous consent that House File 627 be temporarily deferred and that the bill retain its place on the calendar.

House File 644, a bill for an act to provide space on the driver's license to indicate the driver's blood type, with report of committee recommending passage was taken up for consideration.

Royer of Page moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 644)

The ayes were, 79:

Arnould	Baxter	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Daggett
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Poncy
Renaud	Rensink	Rosenberg	Royer
Running	Schneklloth	Sherzan	Shoning
Shoultz	Skow	Spear	Stromer
Stueland	Sullivan	Swartz	Swearingen
Tabor	Teaford	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 15:

Black	Cooper	Corey	De Groot
-------	--------	-------	----------

Grandia	Gruhn	Hanson	Koenigs
Kremer	Platt	Renken	Siegrist
Sturgeon	Torrence	Van Camp	

Absent or not voting, 6:

Connors	Hermann	Lageschulte	Loneragan
Norland	Welden		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 688, a bill for an act relating to the use of juvenile records in the sentencing of a person for an offense other than a simple or serious misdemeanor, was taken up for consideration.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 688)

The ayes were, 91:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 2:

Doderer Rosenberg

Absent or not voting, 7:

Connors	Haverland	Hermann	Lageschulte
Lonergan	Miller	Welden	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 692, a bill for an act relating to the Iowa dairy industry commission, was taken up for consideration.

Koenigs of Mitchell moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 692)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lloyd-Jones	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Connors	Hermann	Lageschulte	Lonergan
Shoultz	Welden		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 698, a bill for an act relating to consumer frauds and providing penalties, was taken up for consideration.

Chapman of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 698)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lloyd-Jones	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poney	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Siegrist
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 3:

Grandia	Sturgeon	Tabor
---------	----------	-------

Absent or not voting, 5:

Connors
Shultz

Hermann

Lageschulte

Loneragan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 631, a bill for an act relating to the operation and funding of community, supervised apartment living arrangements, with report of committee recommending amendment and passage, (temporarily deferred) was taken up for consideration.

Swartz of Marshall offered the following amendment H-3388 filed by the committee on human resources:

H-3388

- 1 Amend House File 631 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. NEW SECTION. 225C.19 COMMUNITY ADULT
- 5 RESIDENTIAL LIVING ARRANGEMENTS.
- 6 1. As used in this section, "community adult
- 7 residential living arrangements" means the provision
- 8 of a residence, including available twenty-four hour
- 9 care or supervision, to mentally retarded or
- 10 developmentally disabled adults who are capable of
- 11 physical self-care but are unable to live
- 12 independently because of mental or physical
- 13 impairment, developmental delays, or inadequate social
- 14 or vocational skills, and who require some daily
- 15 supervision as well as planning for daily activities,
- 16 including educational and recreational activities, and
- 17 planning for daily services to be provided to the
- 18 adults, including medical, social, and rehabilitation
- 19 services.
- 20 2. The department shall adopt rules pursuant to
- 21 chapter 17A establishing minimum standards for the
- 22 operation of community adult residential living
- 23 arrangements. The department shall approve annually
- 24 all community adult residential living arrangements
- 25 which meet the minimum standards.
- 26 3. Approved community adult residential living
- 27 arrangements are entitled to receive funding on a per
- 28 diem basis from departmental funds available to pay
- 29 the expenses of treatment or care to residents of
- 30 community adult residential living arrangements.

31 Sec. 2. Section 135C.6, subsection 1, Code 1965,
32 is amended to read as follows:

33 1. ~~No~~ A person or governmental unit acting
34 severally or jointly with any other person or
35 governmental unit shall not establish or operate a
36 health care facility in this state without a license
37 for ~~such~~ the facility. A community adult residential
38 living arrangement, as defined in section 225C.19, is
39 not required to be licensed under this chapter, but is
40 subject to approval under section 225C.19."

41 2. Title page, by striking lines 1 and 2, and
42 inserting the following: "An Act relating to the
43 operation and funding of community adult residential
44 living arrangements."

Clark of Cerro Gordo asked and received unanimous consent to temporarily defer action on amendment H—3428, to the committee amendment H—3388.

Halvorson of Webster in the chair at 2:36 p.m.

Swartz of Marshall offered the following amendment H—3452, to the committee amendment H—3388, filed from the floor by Swartz, Clark and Sturgeon and moved its adoption:

H—3452

1 Amend the amendment, H—3388, to House File 631 as
2 follows:

3 1. By striking lines 4 through 44 and inserting
4 the following:

5 "Section 1. NEW SECTION. 225C.19 COMMUNITY,
6 SUPERVISED APARTMENT LIVING ARRANGEMENTS.

7 1. As used in this section, "community, supervised
8 apartment living arrangement" means the provision of a
9 residence in a noninstitutional setting to mentally
10 ill, mentally retarded, or developmentally disabled
11 adults who are capable of living semi-independently
12 but require minimal supervision.

13 2. The department shall adopt rules pursuant to
14 chapter 17A establishing minimum standards for the
15 operation of community, supervised apartment living
16 arrangements. The department shall certify annually
17 all community, supervised apartment living arrange-
18 ments which meet the minimum standards.

19 3. Certified community, supervised apartment
20 living arrangements are entitled to receive funding
21 from the state community mental health and mental
22 retardation services fund, federal and state social

23 services block grant funds, and other appropriate
 24 funding sources, consistent with state legislation and
 25 federal regulations. The funding may be provided on a
 26 per diem or grant basis, as appropriate.

27 Sec. 2. Section 135C.6, subsection 1, Code 1985,
 28 is amended to read as follows:

29 1. ~~No~~ A person or governmental unit acting
 30 severally or jointly with any other person or
 31 governmental unit shall not establish or operate a
 32 health care facility in this state without a license
 33 for such the facility. A community, supervised
 34 apartment living arrangement, as defined in section
 35 225C.19, is not required to be licensed under this
 36 chapter, but is subject to certification under section
 37 225C.19."

A non-record roll call was requested.

The ayes were 64, nays none.

Amendment H—3452 was adopted, placing out of order amend-
 ment H—3428 (previously deferred), to the committee amendment
 H—3388, filed by Clark of Cerro Gordo on March 25, 1985.

On motion by Swartz of Marshall, the committee amendment
 H—3388, as amended, was adopted placing out of order amend-
 ments H—3368 and H—3369 filed by Swartz of Marshall on March
 18, 1985.

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. 631)

The ayes were, 93:

Arnould	Avenson	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Clark	Cochran	Connolly	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum

Johnson	Knapp	Koenigs	Kremer
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Halvorson of Webster)			

The nays were, none.

Absent or not voting, 7:

Baxter	Carter	Connors	Hermann
Lageschulte	Lonergan	Tabor	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 686, a bill for an act relating to plans and programs for educational development in Iowa, temporarily deferred, was taken up for consideration.

Daggett of Taylor offered the following amendment H-3444 filed by him and moved its adoption:

H-3444

- 1 Amend House File 686 as follows:
- 2 1. Page 1, line 19, by inserting after the word
- 3 "develop" the word "recommended".
- 4 2. Page 2, by striking lines 12 through 17.
- 5 3. Page 2, by striking line 18 and inserting the
- 6 following:
- 7 "Following development of the recommended
- 8 standards, the department of".
- 9 4. Page 2, by striking lines 21 through 32.

Roll call was requested by Pellett of Cass and Stueland of Clinton.

On the question "Shall amendment H—3444 be adopted?"

The ayes were, 35:

Bennett	Branstad	Clark	Corey
Daggett	De Groot	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hester
Hummel	Kremer	Lageschulte	Maulsby
McKean	Miller	Mullins	Paulin
Pellet	Platt	Renken	Rensink
Royer	Schneklath	Shoning	Spear
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Welden	

The nays were, 62:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Cochran	Connolly	Connors	Cooper
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Hammond
Hatch	Haverland	Holveck	Hughes
Jay	Jochum	Johnson	Knapp
Koenigs	Lloyd-Jones	McIntee	Metcalf
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Parker	Pavich	Peick
Peterson	Poncy	Renaud	Rosenberg
Running	Sherzan	Shoultz	Siegrist
Skow	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Varn	Woods
Zimmerman	Mr. Speaker (Halvorson of Webster)		

Absent or not voting, 3:

Hermann	Lonergan	Oxley
---------	----------	-------

Amendment H—3444 lost.

Speaker Avenson in the chair at 3:52 p.m.

Shoultz of Black Hawk in the chair at 4:08 p.m.

Varn of Johnson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 686)

The ayes were, 82:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Daggett	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	McIntee
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Peterson	Platt	Poncy
Renaud	Rensink	Rosenberg	Royer
Running	Sherzan	Shoning	Siegrist
Skow	Spear	Stromer	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Van Camp	Varn	Woods
Zimmerman	Mr. Speaker (Shoultz)		

The nays were, 16:

Bennett	Corey	De Groot	Grandia
Handorf	Hummel	Kremer	Maulsby
McKean	Pellett	Renken	Schnekloth
Stueland	Torrence	Van Maanen	Welden

Absent or not voting, 2:

Hermann	Loneragan
---------	-----------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 537, 569, 593, 644, 688, 692 and 631.

Speaker Avenson in the chair at 4:18 p.m.

House File 700, a bill for an act relating to the endangering of certain persons and providing penalties, was taken up for consideration.

Shoning of Woodbury asked and received unanimous consent to withdraw amendment H—3430 filed by him on March 25, 1985.

Carl of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 700)

The ayes were, 97:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Grath
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Hermann	Loneragan	Woods
---------	-----------	-------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 643, a bill for an act relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products, and subjecting violators to civil and criminal penalties, (temporarily deferred) was taken up for consideration.

Welden of Hardin offered the following amendment H-3445 filed by him and requested division as follows:

H-3445

1 Amend House File 643 as follows:

H-3445A

2 1. Page 5, by striking lines 1 through 26 and
3 inserting in lieu thereof the following:
4 "f. Requiring the placement of observation wells
5 at all existing underground tank locations when inventory
6 control systems are not properly maintained or where
7 there are reasonable grounds for the department to
8 suspect a tank leakage."

H-3445B

9 2. Page 8, by striking lines 6 through 22 and
10 inserting in lieu thereof the following: "Two obser-
11 vation wells, at least four inches in diameter, shall
12 be installed adjacent to each tank extending two feet
13 below the bottom of the excavation. In any permeable
14 soil where the bottom of the excavation is above the
15 ground water level there shall be an impervious
16 layer of concrete or other material, approved by the
17 department, sloped to drain to the observation wells."

Carl of Poweshiek in the chair at 4:36 p.m.

Welden of Hardin moved the adoption of amendment H-3445A.

A non-record roll call was requested.

The ayes were 25, nays 54.

Amendment H-3445A lost.

Welden of Hardin offered the following amendment H—3455, to amendment H—3445B filed by him from the floor and moved its adoption:

H—3455

- 1 Amend amendment H—3445 to House File 643 as
- 2 follows:
- 3 1. Page 1, by striking lines 15 through 17 and
- 4 inserting in lieu thereof the following: "ground
- 5 water level there shall be a four inch pipe section
- 6 connecting to the observation wells at the end of each
- 7 tank and the pipe shall have two-hundredths inch
- 8 maximum slotted openings."

Amendment H—3455 was adopted.

Welden of Hardin moved the adoption of amendment H—3445B, as amended.

Roll call was requested by Welden of Hardin and Harbor of Mills.

On the question "Shall amendment H—3445B, as amended, be adopted?"

The ayes were, 26:

Bennett	Carpenter	Corey	Daggett
De Groot	Grandia	Groth	Handorf
Hanson	Harbor	Hester	Hummel
Kremer	Maulsby	Metcalf	Paulin
Pellett	Renken	Schnekloth	Skow
Stromer	Stueland	Swearingen	Torrence
Van Maanen	Welden		

The nays were, 65:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carter	Chapman	Clark	Cochran
Connors	Cooper	Diemer	Doderer
Fey	Fogarty	Groninga	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Lageschulte
Lloyd-Jones	McIntee	McKean	Miller
Muhlbauer	Mullins	O'Kane	Ollie

Osterberg	Oxley	Parker	Pavich
Peick	Peterson	Platt	Poncy
Renaud	Rensink	Rosenberg	Running
Sherzan	Shoning	Shoultz	Siegrist
Spear	Sturgeon	Swartz	Teaford
Van Camp	Varn	Woods	Zimmerman
Madam Speaker (Carl)			

Absent or not voting, 9:

Branstad	Connolly	Halvorson, R. A.	Hermann
Lonergan	Norland	Royer	Sullivan
Tabor			

Amendment H—3445B, as amended, lost.

Osterberg of Linn offered the following amendment H—3442 filed by him:

H—3442

- 1 Amend House File 643 as follows:
- 2 1. Page 10, by inserting after line 26 the
- 3 following:
- 4 "Sec. _____. NEW SECTION. 455B.466 REGISTRATION OF
- 5 UNDERGROUND STORAGE TANK INSTALLERS.
- 6 It is unlawful for a person to install an
- 7 underground storage tank unless the person registers
- 8 annually as an underground storage tank installer with
- 9 the department and pays an annual registration fee of
- 10 ten dollars. The registration fee shall be credited
- 11 to the fund created under section 455B.463. The
- 12 registration shall include the name and address of the
- 13 applicant and other information required by rule of
- 14 the commission."
- 15 2. By renumbering sections as necessary.

Osterberg of Linn offered the following amendment H—3459, to amendment H—3442, filed from the floor by Osterberg, Hummel and Harbor and requested division as follows:

H—3459

- 1 Amend the amendment, H—3442, to House File 643 as
- 2 follows:

H-3459A

- 3 1. Page 1, by striking lines 2 through 14 and
4 inserting the following:
5 "_____. Page 2, by inserting after line 31 the
6 following:
7 "7. "Tank site" means a tank or grouping of tanks
8 within close proximity of each other located on the
9 facility for the purpose of storing regulated
10 substances."
11 2. Page 3, line 5, by striking the word "The" and
12 inserting the following: "Except as provided in
13 subsection 2, the".
14 3. Page 5, line 31, by inserting after the word
15 "tanks," the following: "compatibility of a tank
16 material with the".
17 4. Page 6, line 1, by inserting after the word
18 "tank," the following: "the degree of risk presented
19 by the regulated substance,".
20 5. Page 9, line 11, by inserting after the word
21 "with" the following: "and shall not exceed the
22 requirements of".

H-3459B

- 23 6. Page 9, line 13, by striking the words and
24 figure "subsection 1, paragraph "f" " and inserting the
25 following: "subsection 3, paragraph "d" ".

Osterberg of Linn asked and received unanimous consent to withdraw amendment H-3459B.

On motion by Osterberg of Linn, amendment H-3459A was adopted.

Osterberg of Linn offered the following amendment H-3462, to amendment H-3442 filed by him from the floor and moved its adoption:

H-3462

- 1 Amend amendment H-3442 to House File 643 as follows:
2 1. Page 1, by inserting after line 14, the following:
3 "_____. Page 9, line 13, by inserting after the
4 letter "f" the following: "and subsection 3, paragraph
5 "d"."

Amendment H-3462 was adopted.

Speaker Avenson in the chair at 5:27 p.m.,

Welden of Hardin asked and received unanimous consent to temporarily defer action on amendment H—3442, as amended.

Norland of Worth asked and received unanimous consent that House File 643 be temporarily deferred and that the bill retain its place on the calendar.

The House resumed consideration of **House File 627**, a bill for an act adding four ex officio nonvoting legislative members to the state transportation commission, temporarily deferred.

Spear of Lee offered the following amendment H—3431 filed by him:

H—3431

1 Amend House File 627 as follows:

2 1. Page 2, line 6, by striking the word "The" and
3 inserting the words "When the general assembly is not
4 in session, the".

5 2. Page 2, lines 7 and 8, by striking the words
6 "dollars, and" and inserting the words "dollars. The
7 ex officio nonvoting legislative members shall
8 receive".

9 3. Page 2, line 9, by striking the word "duties."
10 and inserting the following: "duties which are not
11 otherwise chargeable to their official duties as
12 legislators under section 2.10. The per diem and
13 actual and necessary expenses of the ex officio
14 nonvoting legislative members shall be paid from funds
15 appropriated by section 2.12."

16 4. Page 2, by inserting after line 18 the
17 following:

18 "Sec._____. Section 307.8, Code 1985, is amended to
19 read as follows:

20 307.8 EXPENSES.

21 Members of the commission, the director, and other
22 employees of the department shall be allowed their
23 actual and necessary expenses incurred in the
24 performance of their duties. All Except as provided
25 in section 307.6, all expenses and salaries shall be
26 paid from appropriations for such purposes and the
27 department shall be subject to the budget requirements
28 of chapter 8."

29 5. Renumber sections as necessary.

McKean of Jones offered the following amendment H—3457, to amendment H—3431, filed by him from the floor and moved its adoption:

H—3457

- 1 Amend amendment H—3431 to House File 627 as follows:
- 2 1. Page 1, by striking lines 5 through 8, and
- 3 inserting the following:
- 4 "_____, Page 2, by striking lines 7 and 8, and inserting
- 5 the following: "legislative members shall receive
- 6 reimbursement for their actual and necessary expenses".
- 7 2. Page 1, line 12, by striking the words "per diem
- 8 and".

Roll call was requested by McKean of Jones and Halvorson of Clayton.

On the question "Shall amendment H—3457 be adopted?"

The ayes were, 42:

Bennett	Branstad	Buhr	Carpenter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Hester
Hummel	Johnson	Kremer	Lageschulte
Maulsby	McKean	Metcalf	Miller
Mullins	Paulin	Pellett	Platt
Renken	Rensink	Rosenberg	Royer
Schnekloth	Shoning	Siegrist	Strömer
Stueland	Swearingen	Torrence	Van Camp
Van Maanen	Welden		

The nays were, 53:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Carl	Chapman
Cochran	Connors	Cooper	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Knapp	Koenigs	Lloyd-Jones	McIntee
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Peterson	Poncy	Renaud
Running	Sherzan	Shoultz	Skow
Spear	Sturgeon	Swartz	Tabor
Teaford	Varn	Woods	Zimmerman
Mr. Speaker			

Absent or not voting, 5:

Carter
Sullivan

Connolly

Hermann

Lonergan

Amendment H—3457 lost.

Spear of Lee moved the adoption of amendment H—3431.

A non-record roll call was requested.

The ayes were 62, nays 8.

Amendment H—3431 was adopted.

Stromer of Hancock rose on a point of order and invoked Rule 32 to refer House File 627 to the committee on appropriations.

RULE 32 SUSPENDED

Norland of Worth asked for unanimous consent to suspend Rule 32.

Objection was raised.

Norland of Worth moved to suspend Rule 32 on House File 627.

A non-record roll call was requested.

The ayes were 56, nays 36.

The motion prevailed and Rule 32 was suspended.

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.

Rule 75 was invoked.

On the question "Shall the bill pass?" (H.F. 627)

The ayes were, 47:

Arnould

Baxter

Beatty

Black

Blanshan	Brammer	Buhr	Carl
Chapman	Cochran	Connors	Cooper
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. N.	Hatch
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Muhlbauer
Norland	Ollie	Osterberg	Parker
Pavich	Peick	Peterson	Poncy
Renaud	Running	Sherzan	Shoultz
Siegrist	Skow	Sturgeon	Swartz
Varn	Woods	Mr. Speaker	

The nays were, 48:

Bennett	Branstad	Carpenter	Carter
Clark	Corey	Daggett	De Groot
Diemer	Grandia	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Hester
Hummel	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Mullins	O'Kane	Oxley
Paulin	Pellett	Platt	Renken
Rensink	Rosenberg	Royer	Schneklath
Shoning	Spear	Stromer	Stueland
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Welden	Zimmerman

Absent or not voting, 5:

Connolly	Haverland	Hermann	Lonergan
Sullivan			

The bill, having failed to receive a constitutional majority was declared to have failed to pass the House.

The House resumed consideration of **House File 643**, a bill for an act relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products, and subjecting violators to civil and criminal penalties, temporarily deferred, and amendment H-3442, as amended, (found on page 1088 of the House Journal).

On motion by Osterberg of Linn, amendment H-3442, as amended, was adopted.

Stromer of Hancock rose on a point of order and invoked Rule 32 to refer House File 643 to the committee on ways and means.

RULE 32 SUSPENDED

Norland of Worth moved to suspend Rule 32 on House File 643.

A non-record roll call was requested.

The ayes were 52, nays 34.

The motion prevailed and Rule 32 was suspended.

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. 643)

The ayes were, 75:

Arnould	Baxter	Beatty	Black
Brammer	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Connors
Corey	Diemer	Doderer	Fey
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Hatch
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Platt
Poncy	Renaud	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Siegrist	Skow	Spear
Stromer	Sturgeon	Swartz	Tabor
Teaford	Torrence	Van Camp	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 18:

Bennett	Blanshan	Branstad	Cooper
Daggett	De Groot	Fogarty	Grandia
Handorf	Harbor	Kremer	Maulsby
Pellett	Renken	Stueland	Swearingen
Van Maanen	Welden		

Absent or not voting, 7:

Cochran
Lonergan

Connolly
Shultz

Haverland
Sullivan

Hermann

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES
(House Files 686, 700 and 643)

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 686, 700 and 643.

MOTIONS TO RECONSIDER
(House File 493)

I move to reconsider the vote by which House File 493 passed the House on March 26, 1985.

PETERSON of Carroll

(House File 493)

I move to reconsider the vote by which House File 493 passed the House on March 26, 1985.

VAN CAMP of Clinton

(House File 493)

I move to reconsider the vote by which House File 493 passed the House on March 26, 1985.

HUMMEL of Benton

(House File 627)

I move to reconsider the vote by which House File 627 failed to pass the House on March 26, 1985.

SPEAR of Lee

(House File 698)

I move to reconsider the vote by which House File 698 passed the House on March 26, 1985.

CHAPMAN of Linn

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 26th day of March, 1985: House Files 41 and 395.

JOSEPH O'HERN

Chief Clerk of the House

Report adopted.

COMMUNICATION RECEIVED

The following communication was received and is on file in the office of the Chief Clerk:

IOWA INDUSTRIAL COMMISSIONER

The Thirty-sixth Biennial Report of the Iowa Industrial Commissioner, pursuant to Section 86.9, Code of Iowa.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Monday morning, March 25, 1985. Had I been present, I would have voted "aye" on House Files 124, 130, 204, 359, 360, 366, 497, 523, 625, 626, 641, 645, 646, 647, 648, 660 and 664.

LONERGAN of Boone

PRESENTATION OF VISITORS

Baxter of Des Moines presented to the House seventy Girl Scouts and their leaders from six councils covering most of the state of Iowa.

The Speaker announced that the following visitors were present in the House chamber:

Forty-one seniors from Nora Springs-Rock Falls High School, Nora Springs, accompanied by Frank Altman. By Clark of Cerro Gordo.

Fifty senior students from Highland High School, Riverside, accompanied by Chris Samuelson. By Corey of Louisa.

Nineteen honor students from Eagle Grove, Iowa, and nineteen honor students from Long Island, New York, accompanied by Mr. Scholten and Mr. Dalpian, Eagle Grove and Miss Carlin, Long Island. By Cochran of Webster and Stromer of Hancock.

Twelve American Government students from M.I.U. High School, Fairfield, accompanied by Richard Bell. By Swearingen of Keokuk.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 392 Ways and Means

Relating to the apportionment of net income of a farm corporation for purposes of the corporate income tax, with a retroactive effective date.

S.B. 393 Ways and Means

To permit the issuance by the treasurer of tax and revenue anticipation notes in anticipation of revenues and authorizing investment of note proceeds pending disbursement.

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, artistic, and historical programs of this state.

Fiscal Note is not required.

Recommended Amend and Do Pass March 25, 1985.

AMENDMENTS FILED

H-3447	H.F.	461	Loneragan of Boone
H-3448	H.F.	682	Hughes of Union
			Groth of Buena Vista
H-3449	H.F.	467	Halvorson of Clayton
H-3453	H.F.	547	Jochum of Dubuque
			Harbor of Mills
H-3454	H.F.	710	Spear of Lee
H-3456	H.F.	150	Sherzan of Polk
H-3458	H.F.	507	Chapman of Linn
			Jay of Appanoose
			Sherzan of Polk
H-3460	H.F.	547	Schnekloth of Scott
H-3461	H.F.	712	Hughes of Union
H-3463	H.F.	507	Halvorson of Clayton
			Harbor of Mills
H-3464	H.F.	507	Halvorson of Clayton
			Harbor of Mills
H-3465	H.F.	703	Schnekloth of Scott
H-3467	H.F.	547	Jay of Appanoose
			Tabor of Jackson
H-3468	H.F.	547	Mullins of Kossuth
			Schnekloth of Scott
			Van Camp of Scott
			Hammond of Story
H-3469	H.F.	547	Tabor of Jackson
			Mullins of Kossuth
			Hammond of Story
			Ollie of Clinton
H-3470	H.F.	507	Harbor of Mills
			Halvorson of Clayton
H-3471	H.F.	392	Hatch of Polk
H-3472	H.F.	547	Mullins of Kossuth

H-3474	H.F.	610	Zimmerman of Dallas
H-3475	H.F.	656	De Groot of Lyon
			Skow of Guthrie
H-3476	H.F.	547	Haverland of Polk
H-3477	H.F.	547	Haverland of Polk
H-3478	H.F.	547	Haverland of Polk
H-3479	H.F.	547	Haverland of Polk
H-3480	H.F.	610	Cochran of Webster
			Groninga of Cerro Gordo
			Parker of Jasper
H-3481	H.F.	507	Chapman of Linn
H-3482	H.F.	507	Swartz of Marshall
			Jay of Appanoose
H-3483	H.F.	493	Van Camp of Scott
H-3484	H.F.	547	Doderer of Johnson
			McKean of Jones
H-3485	H.F.	547	Zimmerman of Dallas
H-3486	H.F.	712	Hughes of Union

On motion by Norland of Worth, the House adjourned at 6:17 p.m., until 9:00 a.m., Wednesday, March 27, 1985.

JOURNAL OF THE HOUSE

Seventy-third Calendar Day—Forty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 27, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Father Anthony Aiello, pastor of Christ the King Catholic Church, Des Moines.

The Journal of Tuesday, March 26, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Black of Jasper and Skow of Guthrie, until their arrival, on request of Koenigs of Mitchell; Swartz of Marshall, until his arrival, on request of Brammer of Linn; Carl of Poweshiek, until her arrival, on request of Jay of Appanoose.

PETITIONS FILED

The following petitions were received and placed on file:

By Brammer of Linn, from thirty-four constituents of the 50th District opposing House File 570, relating to the premium tax on Blue Cross/Blue Shield.

By Sullivan of Van Buren, from Van Buren County residents and forty-seven Jefferson County residents favoring increasing appropriations to the State Transit Assistance Fund to insure continuation of public transit service to Iowans.

INTRODUCTION OF BILLS

House File 730, by committee on state government, a bill for an act relating to the licensure of dietitians and nutritionists.

Read first time and placed on the calendar.

House File 731, by Running, a bill for an act relating to a tax on the gross premiums from contracts of insurance for fire protection.

Read first time and referred to committee on **ways and means**.

House File 732, by committee on judiciary and law enforcement, a bill for an act relating to the penalties for violations of chapter 728 involving the promotion of obscene material and the sexual exploitation of children.

Read first time and placed on the **calendar**.

House File 733, by committee on small business and commerce, a bill for an act relating to motor vehicle law including insurance coverage requirements for motor vehicles in this state, the giving of notices by the state department of transportation, and creating the uninsured motorists' victim reparation fund, and providing a penalty and effective dates.

Read first time and placed on the **calendar**.

House File 734, by committee on state government, a bill for an act relating to insurance coverage on facilities under the control of the state board of regents including catastrophic property losses.

Read first time and placed on the **calendar**.

House File 735, by committee on state government, a bill for an act to establish an Iowa peace institute, to prescribe its duties, and to make an appropriation.

Read first time and referred to committee on **appropriations**.

House File 736, by committee on state government, a bill for an act to include a physician's assistant on the board of medical examiners.

Read first time and placed on the **calendar**.

House File 737, by committee on energy and environmental protection, a bill for an act regarding the methodology used for evaluating the efficiency of public utility management for certain public utilities.

Read first time and placed on the **calendar**.

House File 738, by committee on agriculture, a bill for an act relating to real property which is subject to foreclosure.

Read first time and placed on the **calendar**.

House File 739, by committee on judiciary and law enforcement, a bill for an act relating to the violation of laws concerning alcoholic liquor and beer by establishing the penalty for transporting an open container of alcoholic liquor or beer in a motor vehicle as a simple misdemeanor, and by removing the duty of a liquor control licensee to break empty liquor bottles.

Read first time and placed on the **calendar**.

House File 740, by committee on small business and commerce, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization.

Read first time and placed on the **calendar**.

House File 741, by committee on agriculture, a bill for an act relating to custom livestock feeders.

Read first time and placed on the **calendar**.

House File 742, by committee on human resources, a bill for an act relating to the prospective repeal of chapter 225C and the enforcement of certain service standards for the mentally ill and mentally retarded.

Read first time and placed on the **calendar**.

House File 743, by committee on judiciary and law enforcement, a bill for an act relating to guardianships and conservatorships.

Read first time and placed on the **calendar**.

House File 744, by committee on judiciary and law enforcement, a bill for an act relating to the publication of legal notices.

Read first time and placed on the **calendar**.

House File 745, by committee on state government, a bill for an act to provide limitations on leaves of absence of public employees for certain military purposes.

Read first time and placed on the **calendar**.

House File 746, by committee on human resources, a bill for an act relating to merged area hospitals.

Read first time and placed on the **calendar**.

SENATE MESSAGES CONSIDERED

Senate File 18, by Wells, a bill for an act relating to the deposit of cremation ashes on private or public property.

Read first time and referred to committee on **human resources**.

Senate File 359, by Waldstein, a bill for an act relating to the declaration of value for real estate transfers, and providing an effective date.

Read first time and referred to committee on **local government**.

Senate File 370, by Welsh, Gettings, Corning, Wells, Tieden, Miller of Des Moines and Jensen, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization.

Read first time and referred to committee on **small business and commerce**.

Senate File 374, by Lind, a bill for an act relating to the giving of false information on a blood donor or sale application or to blood-taking personnel and providing a penalty.

Read first time and referred to committee on **human resources**.

Senate File 423, by committee on judiciary, a bill for an act relating to claims in estates for which there is insurance coverage.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 424, by committee on human resources, a bill for an act relating to the ownership and operation of, and employment by child care centers, group day care homes, and family day care homes, and providing a penalty.

Read first time and referred to committee on **human resources**.

Senate File 435, by committee on labor and industrial relations, a bill for an act relating to the distribution of monthly employment and unemployment statistics by the department of job service.

Read first time and referred to committee on **labor and industrial relations**.

Senate File 445, by committee on state government, a bill for an act exempting the director, deputy director and two administrative heads of the Iowa beer and liquor control department from the state merit system.

Read first time and referred to committee on **state government**.

Senate File 455, by committee on judiciary, a bill for an act relating to the seizure and forfeiture of property which is obtained in violation of the law, unlawful to possess, used or possessed with criminal intent, relevant to a criminal prosecution, or which is the proceeds of criminal activity.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 465, by committee on agriculture, a bill for an act relating to agricultural limestone.

Read first time and referred to committee on **agriculture**.

Senate File 466, by committee on agriculture, a bill for an act relating to the bonding requirements for a holder of a permit to sell seed.

Read first time and referred to committee on **agriculture**.

Senate File 467, by committee on judiciary, a bill for an act relating to the predisposition investigation and report in a juvenile delinquency proceeding.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 468, by committee on judiciary, a bill for an act relating to the time for hearing of contested small claims.

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 March 25, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 150, a bill for an act relating to the appointment date for a secretary of a school board.

Also: That the Senate has on March 25, 1985, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 269, a bill for an act relating to and making appropriations to various state regulatory and licensing departments, boards, and commissions.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 172, a bill for an act increasing the maximum amount of credit life insurance that may be written to insure the life of a debtor.

Also: That the Senate has on March 26, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 203, a bill for an act relating to civil actions for punitive damages by restricting the discovery and disclosure of financial documents.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 308, a bill for an act relating to the appointment of assessors.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 314, a bill for an act to repeal the rebuttable presumption of negligence on the part of persons operating electrical transmission lines for injuries to person or property.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 440, a bill for an act relating to the fees for certificates issued by the board of educational examiners.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 449, a bill for an act relating to bonding by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 459, a bill for an act relating to real property which is subject to foreclosure.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 460, a bill for an act permitting the amendment of a filing statement under the uniform commercial code signed by only the secured party of the amendment is filed to show a change of the name of the secured party.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 485, a bill for an act relating to the investment powers of state chartered savings and loan associations and savings banks.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 490, a bill for an act to legalize and validate the proceedings and declaring each and all of the acts taken by the city of Forest City, city of Osage, city of Lake Mills, all in Iowa, in entering into, ratifying and confirming an agreement with Western Wisconsin Municipal Power Group dated and a certain transmission agreement between Western Wisconsin Municipal Power Group and Dairyland Power Cooperative to have been legally taken.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 502, a bill for an act relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 505, a bill for an act relating to the regulation of motor carriers and making penalties applicable.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 508, a bill for an act relating to the forcible entry or detention of real property.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 511, a bill for an act to extend the time for the completion of the flood plain mapping plan.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 514, a bill for an act relating to garnished accounts of supervised financial organizations.

Also: That the Senate has on March 25, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 521, a bill for an act providing that an order of the commissioner of insurance or a court enforcing chapter 507B shall not relieve or absolve a person affected by an order from any other liability or penalty that might be applicable under state or federal law.

Also: That the Senate has on March 25, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 28, requesting an interstate compact for controlling bovine brucellosis.

K. MARIE THAYER, Secretary

REQUEST FOR IMMEDIATE MESSAGE WITHDRAWN

Norland of Worth asked and received unanimous consent to withdraw his request for an immediate message on House File 643.

MOTION TO RECONSIDER PREVAILED (House File 643)

Norland of Worth called up for consideration the motion to reconsider House File 643, filed from the floor, and moved to reconsider the vote by which House File 643, a bill for an act relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products, and subjecting violators to civil and criminal penalties, passed the House and was placed on its last reading on March 26, 1985.

A non-record roll call was requested.

The ayes were 54, nays none.

The motion prevailed and the House reconsidered House File 643.

House File 643, a bill for an act relating to the authority of the department of water, air and waste management over underground tanks for storage of regulated substances and petroleum products, and subjecting violators to civil and criminal penalties, was taken up for consideration.

The following amendment H—3487 filed by Osterberg of Linn from the floor was adopted by unanimous consent:

H—3487

- 1 Amend House File 643 as follows:
- 2 1. Page 2, line 25, by striking the word "as" and
- 3 inserting the word "gas".

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. 643)

The ayes were, 73:

Arnould	Baxter	Beatty	Brammer
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Diemer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Platt
Poncy	Renaud	Rensink	Rosenberg
Royer	Running	Schnekloth	Shoning
Shoultz	Siegrist	Spear	Stromer
Sturgeon	Tabor	Teaford	Torrence

Van Camp
Mr. Speaker

Varn

Woods

Zimmerman

The nays were, 17:

Bennett
De Groot
Kremer
Stueland
Welden

Branstad
Grandia
Maulsby
Sullivan

Corey
Handorf
Pellett
Swearingen

Daggett
Harbor
Renken
Van Maanen

Absent or not voting, 10:

Black
Hermann
Skow

Blanshan
Jochum
Swartz

Carl
Lonergan

Doderer
Sherzan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES (House Files 552 and 643)

Norland of Worth asked and received unanimous consent to immediately message House Files 552 and 643 to the Senate.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for a committee on human resources meeting today.

On motion by Norland of Worth, the House was recessed at 9:32 a.m., until 11:45 a.m.

The House reconvened, Buhr of Polk in the chair.

On motion by Norland of Worth, the House was recessed at 12:22 p.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 12, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 383, a bill for an act relating to the ranking of certain expanding employers on the unemployment compensation contribution rate tables.

K. MARIE THAYER, Secretary

HOUSE FILE 713 TEMPORARILY DEFERRED

Norland of Worth asked and received unanimous consent that House File 713 be temporarily deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS
Regular Calendar

House File 652, a bill for an act authorizing the creation of self-supported improvement districts within residential areas which are designated as historic districts, 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?" (H.F. 652)

The ayes were, 97:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick

Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekieth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Carl	Hermann	Lonergan
------	---------	----------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 712, a bill for an act regarding the filing of documents for evidencing a thresher's or cornsheller's lien, was taken up for consideration.

Hughes of Union asked and received unanimous consent to withdraw amendment H—3461 filed by him on March 26, 1985.

Hughes of Union offered the following amendment H—3486 filed by him and moved its adoption:

H—3486

- 1 Amend House File 712 as follows:
- 2 1. Page 1, by striking lines 15 through 17 and
- 3 inserting the following: "statement in a book kept
- 4 for that purpose and index the same under the name of
- 5 the person for whom such service was performed under
- 6 this section in the manner provided by chapter 554 and
- 7 shall charge a four dollar filing fee if the statement
- 8 is on the standard form prescribed by the secretary of
- 9 state, and a five dollar filing fee if the statement
- 10 is on another form."
- 11 2. Page 1, by inserting before line 18 the fol-
- 12 lowing:
- 13 "Sec. _____. Section 571.4, Code 1985, is amended to
- 14 read as follows:
- 15 571.4 ENFORCEMENT — TIME LIMIT.
- 16 Proceedings to enforce said lien must be brought
- 17 within thirty days after the filing of said the

18 verified statement and cannot be brought thereafter
 19 after the lapse of the thirty days. The lienholder
 20 shall file with the secretary of state a file stamped
 21 copy of the petition to enforce the lien immediately
 22 upon commencing the action."

23 3. Page 1, by inserting before line 18 the
 24 following:

25 "Sec._____. NEW SECTION. 571.6 ACKNOWLEDGMENT OF
 26 SATISFACTION.

27 When a lien under this chapter is satisfied by
 28 payment of the claim, the lienholder shall acknowledge
 29 the satisfaction of the claim in writing to the
 30 secretary of state. If the lienholder failed to file
 31 an acknowledgement of satisfaction with the secretary
 32 of state within thirty days after written demand by a
 33 person having an interest in the crop, the lienholder
 34 is liable to the person for a penalty of twenty-five
 35 dollars, plus actual damages incurred as a result of
 36 the failure, plus attorney fees and court costs."

37 4. Title page, line 2, by inserting after the
 38 word "lien" the following: "and providing for a
 39 penalty".

Amendment H — 3486 was adopted.

Hughes of Union moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 712)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneran	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson

Platt	Poney	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Van Camp	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 6:

Branstad	Hester	Maulsby	Stueland
Torrence	Welden		

Absent or not voting, 2:

Carl	Hermann
------	---------

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 713, a bill for an act relating to educational leave and educational assistance for state employees, temporarily deferred, was taken up for consideration.

Carter of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 713)

The ayes were, 87:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Miller	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poney	Renaud

Renken	Rensink	Royer	Running
Schnekloth	Sherzan	Shoning	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 9:

Diemer	Doderer	Hammond	Metcalf
Mullins	Rosenberg	Shoultz	Swearingen
Teaford			

Absent or not voting, 4:

Carl	Hermann	Muhlbauser	Tabor
------	---------	------------	-------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 461, a bill for an act relating to the establishment, implementation, and enforcement of minimum hospital licensing standards, and providing civil and criminal penalties, was taken up for consideration.

Clark of Cerro Gordo offered the following amendment H—3337 filed by her:

H—3337

- 1 Amend House File 461 as follows:
- 2 1. Page 2, by striking lines 19 and 20, and
- 3 inserting the following: "application which
- 4 corresponds to the number of hospital beds to be
- 5 licensed. The department shall set the fee by
- 6 administrative rule."

Jochum of Dubuque asked and received unanimous consent that House File 461 be referred to the committee on appropriations.

(Amendment H—3337 pending.)

House File 507, a bill for an act making corrections and other changes relating to court reorganization, court fees, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures, was taken up for consideration.

The House stood at ease at 3:18 p.m., until the fall of the gavel.

The House resumed session and consideration of **House File 507** at 4:15 p.m., Connors of Polk in the chair.

Chapman of Linn offered the following amendment H-3458 filed by Chapman, et al., and moved its adoption:

H-3458

1 Amend House File 507 as follows:

2 1. Page 6, by striking lines 1 through 3 and
3 inserting the following: "docketing procedures,
4 excluding those for small claims actions and small
5 claims actions on appeal and simple misdemeanor
6 actions and simple misdemeanor actions on appeal,
7 twenty-five dollars."

8 2. Page 6, line 7, by striking the words "at
9 trial".

10 3. By striking page 8, lines 3 through 21 and
11 inserting the following:

12 "NEW UNNUMBERED PARAGRAPH. Until July 1, 1986 the
13 county shall remain responsible for the compensation
14 of and operating costs for court employees not
15 presently designated for state financing and for
16 miscellaneous costs of the judicial department related
17 to furnishings, supplies, and equipment purchased,
18 leased, or maintained for the use of judicial
19 officers, referees, and their staff. Effective July
20 1, 1986 the state shall assume the responsibility for
21 the compensation of and operating costs for court
22 employees presently designated for state financing and
23 for miscellaneous costs of the judicial department
24 related to furnishings, supplies, and equipment
25 purchased, leased, or maintained for the use of
26 judicial officers, referees, and their staff.

27 However, the county shall at all times remain
28 responsible for the provision of suitable courtrooms,
29 offices, and other physical facilities pursuant to
30 section 602.1303, subsection 1, including paint, wall
31 covering, and fixtures in the facilities.

32 "NEW UNNUMBERED PARAGRAPH. Until July 1, 1986 the
33 county shall remain responsible for the compensation
34 of and operating costs for probate referees and
35 judicial hospitalization referees and their staffs.
36 Effective July 1, 1986 the state shall assume the
37 responsibility for the compensation of and operating
38 costs for probate referees and judicial
39 hospitalization referees and their staffs."

- 40 4. Page 19, by inserting after line 8 the
41 following:
42 "Sec. 38. Section 22 of this Act applies
43 retroactively to July 1, 1983."

Amendment H—3458 was adopted.

Halvorson of Clayton asked and received unanimous consent to withdraw amendment H—3464 filed by him on March 26, 1985.

Swartz of Marshall offered the following amendment H—3482 filed by him and Jay of Appanoose and moved its adoption:

H—3482

- 1 Amend House File 507 as follows:
2 1. Page 6, by striking lines 4 through 9.
3 2. Page 13, by striking lines 3 and 4, and
4 inserting the following: "state."
5 3. By renumbering as necessary.

Amendment H—3482 was adopted.

Speaker Avenson in the chair at 4:55 p.m.

Harbor of Mills offered the following amendment H—3470 filed by him and Halvorson of Clayton and moved its adoption:

H—3470

- 1 Amend House File 507 as follows:
2 1. Page 7, line 23, by striking the words "One
3 fifth" and inserting the following: "Two fifths".
4 2. Page 7, line 26, by striking the words "Two
5 fifths" and inserting the following: "One fifth".
6 3. Page 12, line 29, by striking the word "Four"
7 and inserting the following: "Five".
8 4. Page 12, line 32, by striking the words "six
9 seven" and inserting the following: "six".
10 5. Page 12, line 34, by striking the words "two
11 dollars" and inserting the following: "one dollar".
12 6. Page 13, line 8, by striking the word "seven"
13 and inserting the following: "six".

Roll call was requested by Harbor of Mills and Halvorson of Clayton.

On the question "Shall amendment H—3470 be adopted?"

The ayes were, 49:

Bennett	Brammer	Buhr	Clark
Cochran	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fogarty
Grandia	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hester
Hummel	Knapp	Koenigs	Kremer
Lageschulte	Maulsby	McKean	Metcalf
Miller	Muhlbauer	Mullins	Paulin
Pellett	Platt	Renken	Rensink
Royer	Schnekloth	Shoning	Siegrist
Skow	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Welden
Zimmerman			

The nays were, 46:

Arnould	Baxter	Beatty	Black
Blanshan	Carpenter	Chapman	Connolly
Connors	Fey	Groninga	Groth
Gruhn	Hatch	Haverland	Holveck
Hughes	Jay	Jochum	Johnson
Lloyd-Jones	Lonergan	McIntee	Norland
O'Kane	Ollie	Osterberg	Parker
Pavich	Peick	Peterson	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Spear	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Varn
Woods	Mr. Speaker		

Absent or not voting, 5:

Branstad	Carl	Carter	Hermann
Oxley			

Amendment H—3470 was adopted.

Chapman of Linn offered the following amendment H—3481 filed by her and moved its adoption:

H—3481

- 1 Amend House File 507 as follows:
- 2 1. Page 12, by striking lines 27 through 29 and
- 3 inserting the following: "dollars. Other fees
- 4 imposed for small claims shall be the same as those
- 5 required in regular actions in district court, four
- 6 Four dollars of the docket fee shall remain be".

Amendment H—3481 was adopted, placing out of order lines 6 and 7 of amendment H—3470, previously adopted.

Halvorson of Clayton offered the following amendment H—3463 filed by him and Harbor of Mills and moved its adoption:

H—3463

- 1 Amend House File 507 as follows:
- 2 1. Page 19, by striking line 8.
- 3 2. By renumbering as necessary.

Amendment H—3463 was adopted.

Norland of Worth asked and received unanimous consent that House File 507 be deferred and placed on the calendar under unfinished business to be eligible for debate on March 28, 1985.

HOUSE FILE 547 DEFERRED

Norland of Worth asked and received unanimous consent that House File 547 be deferred and that the bill retain its place on the calendar.

House File 150, a bill for an act relating to fees collected by the sheriff, with report of committee recommending amendment and passage was taken up for consideration.

Woods of Polk offered the following amendment H—3407 filed by the committee on local government:

H—3407

- 1 Amend House File 150 as follows:
- 2 1. Page 1, line 5, by striking the word "fifteen"
- 3 and inserting the word "ten".
- 4 2. Page 1, line 6, by striking the word "fifteen"
- 5 and inserting the word "ten".
- 6 3. Page 1, line 7, by striking the word "eight"
- 7 and inserting the word "five".
- 8 4. Page 1, line 31, by striking the word "twenty"
- 9 and inserting the word "ten".
- 10 5. Page 1, line 35, by striking the words "the
- 11 time necessarily employed in" and inserting the words
- 12 "the time necessarily employed in".
- 13 6. Page 2, line 1, by striking the word "three"
- 14 and inserting the words "three eight".
- 15 7. Page 2, by striking line 2 and inserting the
- 16 following: "dollars per hour."
- 17 8. Page 2, line 4, by striking the words "cents
- 18 one dollar" and inserting the words "fifty cents".

Sherzan of Polk offered the following amendment H—3456, to the committee amendment H—3407, filed by him and moved its adoption:

H—3456

1. Amend amendment H—3407 to House File 150 as follows:

- 2 1. Page 1, line 3, by striking the word "ten" and
- 3 inserting the word "twelve".
- 4 2. Page 1, line 5, by striking the word "ten" and
- 5 inserting the word "twelve".
- 6 3. Page 1, line 7, by striking the word "five" and
- 7 inserting the word "six".
- 8 4. Page 1, line 9, by striking the word "ten" and
- 9 inserting the word "twelve".

Amendment H—3456 lost.

On motion by Woods of Polk, the committee amendment H—3407 was adopted.

Woods of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 150)

The ayes were, 98:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath

Sherzan	Shoning	Shultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 2:

Carl Hermann

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 610, a bill for an act establishing a municipal equipment financing program within the Iowa housing finance authority for the purpose of issuing bonds to assist municipalities in financing equipment, with report of committee recommending passage was taken up for consideration.

Cochran of Webster offered the following amendment H—3480 filed by Cochran, et al.:

H—3480

- 1 Amend House File 610 as follows:
- 2 1. Page 2, line 3, by inserting after the word
- 3 "subdivisions" the following: "including a licensed
- 4 hospital operated by a private nonprofit organization
- 5 or governmental entity".

Zimmerman of Dallas offered the following amendment H—3493, to amendment H—3480, filed by her from the floor and moved its adoption:

H—3493

- 1 Amend the amendment H—3480, to House File 610 as
- 2 follows:
- 3 1. Page 1, line 5, by inserting after the word
- 4 "entity" the following: "which has one hundred beds
- 5 or less, which is located in a nonmetropolitan
- 6 statistical area, and for which the equipment purchase
- 7 has been approved under certificate of need pursuant
- 8 to division VI of chapter 135".

A non-record roll call was requested.

The ayes were 48, nays 43.

Amendment H—3493 was adopted.

Cochran of Webster moved the adoption of amendment H—3480, as amended.

A non-record roll call was requested.

The ayes were 46, nays 20.

Amendment H—3480, as amended, was adopted.

Zimmerman of Dallas offered the following amendment H—3474 filed by her and moved its adoption:

H—3474

- 1 Amend House File 610 as follows:
- 2 1. Page 2, by striking lines 8 through 26.

Amendment H—3474 lost.

Groninga of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 610)

The ayes were, 69:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carpenter	Carter	Chapman	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. N.
Hammond	Hatch	Haverland	Holveck
Hughes	Jay	Johnson	Knapp
Koenigs	Kremer	Lloyd-Jones	McIntee
McKean	Miller	Muhlbauer	Norland
Ollie	Parker	Pavich	Peick
Peterson	Platt	Poncy	Renaud
Rensink	Rosenberg	Royer	Running

Schneklath	Sherzan	Shoultz	Siegrist
Skow	Spear	Stueland	Sturgeon
Swartz	Swearingen	Tabor	Teaford
Van Camp	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 25:

Branstad	Clark	Diemer	Doderer
Grandia	Handorf	Hanson	Harbor
Hester	Hummel	Joehum	Lageschulte
Lonergan	Maulsby	Metcalf	Mullins
Osterberg	Paulin	Pellett	Renken
Shoning	Stromer	Torrence	Van Maanen
Welden			

Absent or not voting, 6:

Carl	Halvorson, R. A.	Hermann	O'Kane
Oxley	Sullivan		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 652, 712, 713 and 150.

MOTION TO RECONSIDER (House File 610)

I move to reconsider the vote by which House File 610 passed the House on March 27, 1985.

CARPENTER of Polk

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Friday, March 22 and Monday, March 25, 1985. Had I been present, I would have voted "aye" on House Files 130, 204, 359, 360, 366, 497, 523, 571, 625, 626, 641, 642, 646, 648, 660 and 664; and "nay" on House Files 225 and 647.

MAULSBY of Calhoun

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 27, 1985, he approved and transmitted to the Secretary of State the following bills:

House File 186, an act amending the code chapters relating to the Iowa Department of Corrections by reorganizing the statutes, making changes to sexually discriminatory statutes dealing with both minor and adult offenders, and modifying statutes relating to allowances paid to inmates for work, absconding from work release, temporary confinement of work release violators, departmental employees as chauffeurs, and to district court reports of criminal convictions.

House File 311, an act to provide that demolition contracts are public improvements.

Senate File 90, an act to prohibit adverse personnel actions against state employees based upon the employees' declining to participate in contributions or donations to charitable or community organizations.

Senate File 149, an act relating to the acceptance of the federal rehabilitation acts.

Senate File 215, an act requiring a free and appropriate public education for children requiring special education.

COMMUNICATION FROM SECRETARY OF STATE

March 26, 1985

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 Senate File 286 was published in The Altoona Herald-Mitchellville Index, Altoona, Iowa on March 21, 1985 and in The Bancroft Register, Bancroft, Iowa on March 20, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

PRESENTATION OF VISITORS

Paulin of Plymouth presented to the House Ben Machens of West Germany. He is a foreign exchange student attending Kingsley High School, Kingsley. He was accompanied by Dave Poffle and Harley Hiemstra.

The Speaker announced that the following visitors were present in the House chamber:

Twenty-one students from the Mills County Teen Club, Mills County, accompanied by Laverne Obrecht. By Harbor of Mills.

Forty-one fifth grade students from Lakeview Elementary School, Centerville, accompanied by Helen Oglesby. By Jay of Appanoose.

Twenty-four high school students from Aurelia High School, Aurelia, accompanied by Cindy Goodwin. By Miller of Cherokee.

Thirty-five senior students from Denison High School, Denison, accompanied by Martin Peterson. By Muhlbauer of Crawford.

RESOLUTIONS FILED

HCR 26, by committee on state government, a concurrent resolution to encourage the establishment of the United States Institute of Peace in Iowa.

Laid over under **Rule 25**.

SCR 25, by committee on natural resources, a concurrent resolution declaring the opposition of the General Assembly to certain proposed federal program reductions.

Referred to committee on **natural resources and outdoor recreation**.

SCR 27, by committee on judiciary, a concurrent resolution relating to the judiciary.

Referred to committee on **judiciary and law enforcement**.

AMENDMENTS FILED

H-3488	H.F.	461	Welden of Hardin
H-3489	H.F.	629	McKean of Jones
			Lloyd-Jones of Johnson
H-3490	H.F.	461	Zimmerman of Dallas
H-3491	H.F.	648	Running of Linn
H-3492	H.F.	725	Spear of Lee

H-3494	H.F.	726	Jay of Appanoose Osterberg of Linn Loneragan of Boone
H-3495	H.F.	579	McKean of Jones Mullins of Kossuth
H-3496	H.F.	579	McKean of Jones
H-3497	H.F.	720	Siegrist of Pottawattamie
H-3498	H.F.	677	Zimmerman of Dallas Fogarty of Palo Alto
H-3499	H.F.	684	Swartz of Marshall Loneragan of Boone Oxley of Linn
H-3500	H.F.	661	O'Kane of Woodbury Halvorson of Clayton Groth of Buena Vista
H-3501	S.F.	271	Varn of Johnson Running of Linn Groth of Buena Vista Tabor of Jackson
H-3502	H.F.	102	Paulin of Plymouth
H-3503	H.F.	684	Groninga of Cerro Gordo Swartz of Marshall Arnould of Scott McIntee of Black Hawk Welden of Hardin
H-3504	H.F.	684	Skow of Guthrie Halvorson of Clayton Royer of Page Muhlbauer of Crawford Koenigs of Mitchell Black of Jasper Stueland of Clinton
H-3505	H.F.	701	Chapman of Linn Doderer of Johnson
H-3506	H.F.	737	De Groot of Lyon Osterberg of Linn
H-3507	H.F.	711	Varn of Johnson
H-3508	H.F.	684	Swartz of Marshall
H-3509	H.F.	701	Bennett of Ida
H-3510	H.F.	691	Brammer of Linn
H-3511	H.F.	684	Swartz of Marshall
H-3512	H.F.	682	Hughes of Union Groth of Buena Vista

H—3513	H.F.	507	Harbor of Mills Halvorson of Clayton Doderer of Johnson
H—3514	H.F.	684	Swartz of Marshall Chapman of Linn Hummel of Benton O’Kane of Woodbury Hanson of Delaware Brammer of Linn Rosenberg of Story Jay of Appanoose

On motion by Norland of Worth, the House adjourned at 6:05 p.m., until 9:00 a.m., Thursday, March 28, 1985.

JOURNAL OF THE HOUSE

Seventy-fourth Calendar Day — Fiftieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 28, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Harris Hostager, pastor of Our Saviour's Lutheran Church, Audubon.

The Journal of Wednesday, March 27, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Halvorson of Webster, until his arrival, on request of Cochran of Webster.

PETITIONS FILED

The following petitions were received and placed on file:

By Fogarty of Palo Alto, from fifty-nine constituents favoring requesting the Iowa General Assembly to increase appropriations to the State Transit Assistance Fund to insure continuation of public transit service to Iowans.

By O'Kane of Woodbury, from thirteen members of the Hawthorne-Leeds PTA opposing House File 368 and Senate File 185; and from fourteen employees of Hair by Stewarts in Sioux City opposing Senate File 312, relating to barber/beauty license removal.

INTRODUCTION OF BILLS

House File 747, by committee on appropriations, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, and historical programs of this state.

Read first time and placed on the **appropriations calendar**.

House File 748, by committee on agriculture, a bill for an act relating to the financial requirements of grain dealers.

Read first time and placed on the **calendar**.

House File 749, by committee on state government, a bill for an act relating to discrimination on the basis of gender, status as a veteran, and marital status.

Read first time and placed on the **calendar**.

House File 750, by committee on energy and environmental protection, a bill for an act imposing a tonnage fee on solid waste deposited in sanitary landfills to establish a groundwater fund for administering a groundwater monitoring program, the development of groundwater quality standards, alternative methods of solid waste disposal, and emergency landfill cleanup programs, and subjecting violators to a penalty.

Read first time and placed on the **calendar**.

SENATE MESSAGES CONSIDERED

Senate File 172, by Jensen, a bill for an act increasing the maximum amount of credit life insurance that may be written to insure the life of a debtor.

Read first time and referred to committee on **small business and commerce**.

Senate File 203, by Drake, a bill for an act relating to civil actions for punitive damages by restricting the discovery and disclosure of financial documents.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 308, by Rodgers, a bill for an act relating to the appointment of assessors.

Read first time and referred to committee on **local government**.

Senate File 314, by Rodgers, Drake and Miller of Des Moines, a bill for an act to repeal the rebuttable presumption of negligence on the part of persons operating electrical transmission lines for injuries to person or property.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 383, by committee on labor and industrial relations, a bill for an act relating to the establishment of a special unemployment compensation contribution rate for certain expanding employers.

Read first time and referred to committee on **labor and industrial relations**,

Senate File 440, by committee on education, a bill for an act relating to the fees for certificates issued by the board of educational examiners.

Read first time and referred to committee on **education**.

Senate File 449, by committee on small business and economic development, a bill for an act relating to bonding by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by removing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, and by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes and making the provisions effective upon publication.

Read first time and referred to committee on **small business and commerce**.

Senate File 460, by committee on commerce, a bill for an act permitting the amendment of a filing statement under the uniform commercial code signed by only the secured party if the amendment is filed to show a change of the name of the secured party.

Read first time and referred to committee on **small business and commerce**.

Senate File 485, by committee on commerce, a bill for an act relating to the investment powers of state chartered savings and loan associations and savings banks.

Read first time and referred to committee on **small business and commerce**.

Senate File 490, by committee on judiciary, a bill for an act to legalize and validate the proceedings and declaring each and all of the acts taken by the city of Forest City, city of Osage, city of Lake Mills, all in Iowa, in entering into, ratifying and confirming an agreement with Western Wisconsin Municipal Power Group dated and a certain transmission agreement between Western Wisconsin Municipal Power Group and Dairyland Power Cooperative to have been legally taken.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 502, by committee on commerce, a bill for an act relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties.

Read first time and **passed on file**.

Senate File 505, by committee on transportation, a bill for an act relating to the regulation of motor carriers and making penalties applicable.

Read first time and referred to committee on **transportation**.

Senate File 508, by committee on judiciary, a bill for an act relating to the forcible entry or detention of real property.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 511, by committee on natural resources, a bill for an act to extend the time for the completion of the flood plain mapping plan.

Read first time and referred to committee on **natural resources and outdoor recreation**.

Senate File 514, by committee on judiciary, a bill for an act relating to garnished accounts of supervised financial organizations.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 521, by committee on judiciary, a bill for an act providing that an order of the commissioner of insurance or a court enforcing chapter 507B shall not relieve or absolve a person affected by an order from any other liability or penalty that might be applicable under state or federal law.

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 March 26, 1985, passed (with amendment S-3427 adopted) the following bill in which the concurrence of the House is asked:

Senate File 14, a bill for an act relating to the training and racing of dogs that have been trained with the use of live animals in the course of the training and providing penalties.

Also: That the Senate has on March 26, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 295, a bill for an act relating to the duty of a liquor control licensee to break empty liquor bottles.

Also: That the Senate has on March 26, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 309, a bill for an act relating to dishonored checks, drafts, or orders for payment and providing penalties.

Also: That the Senate has on March 26, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 438, a bill for an act allowing licensed optometrists to administer and prescribe certain pharmaceutical agents.

Also: That the Senate has on March 26, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 444, a bill for an act relating to the time in which a defendant may waive the defendant's right to a jury trial.

Also: That the Senate has on March 26, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 456, a bill for an act relating to the licensure of private investigative and security agencies and providing an effective date.

Also: That the Senate has on March 26, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 515, a bill for an act relating to the election to become a senior judge.

Also: That the Senate has on March 26, 1985, concurred in the House amendment and adopted the following concurrent resolution in which the concurrence of the Senate was asked:

Senate Concurrent Resolution 19, relating to the National Railroad Passenger Corporation.

K. MARIE THAYER, Secretary

HOUSE FILE 547 DEFERRED

Norland of Worth asked and received unanimous consent that House File 547 be temporarily deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS Regular Calendar

House File 670, a bill for an act relating to the termination of a county library district, with report of committee recommending passage was taken up for consideration.

Grandia of Marion moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 670)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carpenter	Carter	Chapman
Clark	Cochran	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck

Hughes	Hummel	Jay	Jochum
Johnson	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 7:

Carl	Connolly	Halvorson, R. N.	Hermann
Knapp	Lonergan	Sullivan	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 656, a bill for an act relating to the labeling of foods, by requiring certain foods to be labeled with information concerning the country of original production, with report of committee recommending passage was taken up for consideration.

De Groot of Lyon asked and received unanimous consent to withdraw amendment H—3475 filed by him on March 26, 1985.

Skow of Guthrie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 656)

The ayes were, 76:

Arnould	Beatty	Bennett	Black
Blanshan	Brammer	Branstad	Carpenter
Clark	Cochran	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Handorf

Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Maulsby
McIntee	McKean	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Peick	Pellett	Peterson	Platt
Renaud	Rensink	Rosenberg	Royer
Schneklath	Shoning	Skow	Stromer
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Torrence	Van Camp	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 17:

Baxter	Buhr	Carter	Chapman
Doderer	Hammond	Johnson	Metcalf
Pavich	Poncy	Renken	Running
Shoultz	Siegrist	Spear	Teaford
Welden			

Absent or not voting, 7:

Carl	Connolly	Halvorson, R. N.	Hermann
Loneragan	Sherzan	Sullivan	

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 9:45 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Arnould of Scott 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 22, 1985, concurred in the House amendment to the Senate amendment, and on March 28, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 225, a bill for an act relating to economic development by creating a five-year state lottery, providing penalties, and providing revenues from the state lottery to be used for certain economic development programs and activities.

Also: That the Senate has on Thursday, February 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 332, a bill for an act relating to the providing of certain tax incentives to an industry which creates new jobs within the state.

Also: That the Senate has on March 7, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight.

K. MARIE THAYER, Secretary

HOUSE FILE 707 DEFERRED

Norland of Worth asked and received unanimous consent that House File 707 be deferred and that the bill retain its place on the calendar.

RULE 57 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a committee on ways and means meeting upon adjournment.

CONSIDERATION OF BILLS

Regular Calendar

House File 514, a bill for an act to require highway authorities to submit annual road construction programs to county soil conservation district commissioners for review and recommendations relating to soil erosion controls and drainage controls, with report of committee recommending amendment and passage was taken up for consideration.

Osterberg of Linn offered the following amendment H-3411 filed by the committee on agriculture and moved its adoption:

H-3411

- 1 Amend House File 514 as follows:
- 2 1. Page 1, line 16, by inserting after the word
- 3 "authority" the following: "send copies of the
- 4 preliminary construction plans and".

- 5 2. Page 1, line 17, by inserting after the word
6 "preliminary" the following: "construction".
7 3. Page 1, line 20, by striking the words
8 "preliminary plans on" and inserting the following:
9 "preliminary construction plans for".
10 4. Page 1, line 22, by striking the word "on" and
11 inserting the word "for".
12 5. Page 1, lines 22 and 23, by striking the words
13 "in the roadway".
14 6. Page 1, line 27, by inserting after the word
15 "conservation." the following: "The soil conservation
16 commissioners shall also ascertain whether any other
17 aspect of the road construction will affect soil
18 conservation."
19 7. Page 1, line 32, by striking the words "twenty
20 days following examination" and inserting the
21 following: "sixty days following receipt".
22 8. Page 2, by striking lines 3 through 6.

The committee amendment H—3411 was adopted.

Harbor of Mills asked for unanimous consent to rerefer House File 514 to the committee on transportation.

Objection was raised.

Harbor of Mills moved that House File 514 be rereferred to the committee on transportation.

A non-record roll call was requested.

The ayes were 35, nays 51.

The motion lost.

Norland of Worth asked and received unanimous consent that House File 514 be deferred and that the bill retain its place on the calendar.

House File 703, a bill for an act creating a procedure for a domestic mutual life insurance company to become a domestic stock life insurance company, was taken up for consideration.

Schnekloth of Scott asked and received unanimous consent to withdraw amendment H—3465 filed by him on March 26, 1985.

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. 703)

The ayes were, 90:

Avenson	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Harbor	Hatch	Haverland	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	McIntee
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Van Camp	Varn	Welden	Woods
Zimmerman	Mr. Speaker (Arnould)		

The nays were, 7:

Grandia	Handorf	Hester	McKean
Oxley	Torrence	Van Maanen	

Absent or not voting, 3:

Hermann	Maulsby	Parker
---------	---------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

MOTION TO RECONSIDER LOST
(House File 570)

Harbor of Mills called up for consideration the motion to reconsider House File 570, filed on March 18, 1985, and moved to recon-

sider the vote by which House File 570, a bill for an act relating to the premium tax on insurance companies and associations and mutual service corporations operating under chapter 514 domiciled or doing business in the state, passed the House and was placed on its last reading on March 15, 1985.

Roll call was requested by Harbor of Mills and Woods of Polk.

On the question "Shall House File 570 be reconsidered?"

The ayes were, 37:

Bennett	Black	Branstad	Clark
Corey	Daggett	De Groot	Grandia
Harbor	Haverland	Hester	Holveck
Hummel	Knapp	Lageschulte	McKean
Metcalf	Osterberg	Oxley	Pavich
Platt	Renaud	Renken	Rensink
Royer	Running	Schnekloth	Shoning
Spear	Stromer	Stueland	Swearingen
Torrence	Van Camp	Van Maanen	Varn
Woods			

The nays were, 60:

Avenson	Baxter	Beatty	Blanshan
Brammer	Buhr	Carpenter	Carter
Chapman	Cochran	Connolly	Connors
Cooper	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Hatch	Hughes	Jay
Jochum	Johnson	Koenigs	Kremer
Lloyd-Jones	Lonerган	McIntee	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Parker	Paulin	Peick
Pellett	Peterson	Poncy	Rosenberg
Sherzan	Shoultz	Siegrist	Skow
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Welden	Zimmerman	Mr. Speaker (Arnould)

Absent or not voting, 3:

Carl	Hermann	Maulsby
------	---------	---------

The motion lost.

Regular Calendar

House File 710, a bill for an act relating to the establishment and the regulation of vehicular traffic within rural residence districts, making penalties applicable, was taken up for consideration.

Spear of Lee offered the following amendment H—3454 filed by him and moved its adoption:

H—3454

- 1 Amend House File 710 as follows:
- 2 1. Page 1, by striking lines 27 through 30, and
- 3 inserting the following: "data considered pertinent
- 4 by the board of supervisors."

Amendment H—3454 was adopted.

Muhlbauer of Crawford moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 710)

The ayes were, 77:

Avenson	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carter	Chapman	Clark
Cochran	Connolly	Cooper	Diemer
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Loneragan	McIntee	McKean
Miller	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rosenberg	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Teaford
Torrence	Varn	Woods	Zimmerman
Mr. Speaker (Arnould)			

The nays were, 18:

Carpenter	Corey	Daggett	De Groot
Fey	Grandia	Halvorson, R. N.	Jay
Lloyd-Jones	Metcalf	O'Kane	Rensink
Royer	Sullivan	Tabor	Van Camp
Van Maanen	Welden		

Absent or not voting, 5:

Carl	Connors	Doderer	Hermann
Maulsby			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 711, a bill for an act relating to the application for registration and titling of vehicles and providing penalties, was taken up for consideration.

Varn of Johnson offered the following amendment H—3507 filed by him and moved its adoption:

H—3507

1 Amend House File 711 as follows:
 2 1. Page 2, by inserting after line 6 the
 3 following:
 4 "Sec. 3. Section 321.52, subsection 3, Code 1985,
 5 is amended to read as follows:
 6 3. When a vehicle for which a certificate of title
 7 is issued is junked or dismantled by the owner, the
 8 owner shall detach the registration plates and
 9 surrender the plates to the county treasurer, unless
 10 the plates are properly assigned to another vehicle.
 11 The owner shall also surrender the registration
 12 receipt and certificate of title to the county
 13 treasurer. Upon surrendering the certificate of
 14 title, the county treasurer shall issue to such
 15 person, without fee, a junking certificate, which
 16 shall authorize the holder to possess, transport or
 17 transfer ownership of the junked vehicle by
 18 endorsement of the junking certificate. The county
 19 treasurer shall hold the surrendered certificate of
 20 title, registration receipt and, if applicable, the
 21 registration plates for a period of fourteen days
 22 following the issuance of a junking certificate under
 23 this subsection. Within the fourteen-day period the
 24 person who was issued the junking certificate and to
 25 whom the vehicle was titled or assigned may surrender

26 to the county treasurer the junking certificate, and
 27 upon the person's payment of appropriate fees and
 28 taxes and payment of any credit for registration fees
 29 received by the person for the vehicle under section
 30 321.46, subsection 3, the county treasurer shall issue
 31 to the person a ~~restricted~~ certificate of title for
 32 the vehicle. After the expiration of the fourteen-day
 33 period, a county treasurer shall not issue a
 34 certificate of title ~~shall not again be issued for the~~
 35 ~~junked vehicle for which a junking certificate is~~
 36 ~~issued. The county treasurer shall cancel the record~~
 37 ~~of the vehicle and forward the certificate of title to~~
 38 ~~the department.~~

39 However, upon application the department upon a
 40 showing of good cause may issue a certificate of title
 41 after the fourteen-day period for a junked vehicle for
 42 which a junking certificate has been issued. For
 43 purposes of this subsection, "good cause" means that
 44 the junking certificate was obtained by mistake or
 45 inadvertence. If a person's application to the
 46 department is denied, the person may seek judicial
 47 review as provided under sections 17A.19 and 17A.20."

Amendment H — 3507 was adopted.

Peterson of Carroll moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 711)

The ayes were, 94:

Avenson	Baxter	Beatty	Bennett
Brammer	Branstad	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
McIntee	McKean	Metcalf	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink

Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker (Arnould)		

The nays were, none.

Absent or not voting, 6:

Black	Blanshan	Hermann	Maulsby
Miller	Mullins		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 709, a bill for an act relating to the hazardous chemicals interagency coordinating council, was taken up for consideration.

Hatch 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. 709)

The ayes were, 94:

Avenson	Baxter	Beatty	Bennett
Black	Brammer	Branstad	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp

Van Maanen
Zimmerman

Varn
Mr. Speaker
(Arnould)

Welden

Woods

The nays were, none.

Absent or not voting, 6:

Blanshan
Hermann

Carl
Maulsby

Connors

Hanson

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES 677 AND 681 DEFERRED

Norland of Worth asked and received unanimous consent that House Files 677 and 681 be deferred and that the bills retain their place on the calendar.

House File 661, a bill for an act relating to the authorization of a school corporation to establish a self-funded medical plan for its employees, was taken up for consideration.

O'Kane of Woodbury offered the following amendment H-3438 filed by him and moved its adoption:

H-3438

- 1 Amend House File 661 as follows:
- 2 1. Page 1, line 6, by inserting after the word
- 3 "hundred" the words "fifty".
- 4 2. Page 1, lines 7 and 8, by inserting after the
- 5 word "hundred" the words "fifty".
- 6 3. Page 3, by inserting after line 17 the
- 7 following:
- 8 "NEW SUBSECTION. 6. In order to insure
- 9 confidentiality of claims for medical and
- 10 hospitalization expenses, and to facilitate the
- 11 uniform processing and payment of claims, each self-
- 12 funded plan shall provide for and contract with a
- 13 third-party claims administrator for the processing of
- 14 all claims made against the self-funded plan."

Amendment H-3438 was adopted.

O'Kane of Woodbury offered the following amendment H-3439 filed by O'Kane, et al.:

H—3439

1 Amend House File 661 as follows:

2 1. Page 3, by inserting before line 18 the
3 following:

4 "Sec. _____. Section 279.28, Code 1985, is amended
5 by adding the following new unnumbered paragraph:
6 **NEW UNNUMBERED PARAGRAPH.** In purchasing insurance
7 for the school corporation, the board of directors
8 shall let the contract for insurance under competitive
9 bidding procedures if the board does not establish a
10 self-funded medical plan pursuant to section 279.12.
11 The board of directors shall publish notice not less
12 than twenty days before the date for filing bids and
13 the contract for insurance shall be awarded on the
14 basis of bidder competence and reasonable price."

O'Kane of Woodbury offered the following amendment H—3500, to amendment H—3439, filed by O'Kane, et al., and moved its adoption:

H—3500

1 Amend amendment H—3439 to House File 661 as
2 follows:

3 1. Page 1, by striking lines 6 through 14, and
4 inserting the following:

5 "**NEW UNNUMBERED PARAGRAPH.** In purchasing
6 insurance for the school corporation, the board of
7 directors shall request proposals for insurance if the
8 board does not establish a self-funded medical plan
9 pursuant to section 279.12. The board of directors
10 shall publish notice not less than twenty days before
11 the date for receiving proposals. The contract for
12 insurance shall be awarded on the basis of the
13 competence of the person or business submitting the
14 proposal and reasonable price."

Amendment H—3500 was adopted.

On motion by O'Kane of Woodbury, amendment H—3439, as amended, was adopted.

Buhr of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 661)

The ayes were, 93:

Avenson	Baxter	Beatty	Bennett
Black	Brammer	Branstad	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Arnould)			

The nays were, 3:

Groninga	Mullins	Paulin
----------	---------	--------

Absent or not voting, 4:

Blanshan	Carl	Hermann	Hester
----------	------	---------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 691 DEFERRED

Norland of Worth asked and received unanimous consent that House File 691 be deferred and that the bill retain its place on the calendar.

House File 629, a bill for an act relating to the membership of the state board of regents, with report of committee recommending passage was taken up for consideration.

Spear of Lee offered the following amendment H—3436 filed by him:

H—3436

- 1 Amend House File 629 as follows:
- 2 1. Page 1, line 15, by inserting after the word
- 3 "years." the following: "The ex officio nonvoting
- 4 members shall receive forty dollars per diem when the
- 5 general assembly is not in session and actual and
- 6 necessary expenses incurred while serving as ex
- 7 officio nonvoting members. The per diem and expenses
- 8 of the ex officio nonvoting members shall be paid from
- 9 funds appropriated by section 2.12."

McKean of Jones offered the following amendment H—3489, to amendment H—3436, filed by him and Lloyd-Jones of Johnson and moved its adoption:

H—3489

- 1 Amend amendment H—3436 to House File 629 as
- 2 follows:
- 3 1. Page 1, by striking lines 4 through 7 and
- 4 inserting the following: "members shall receive
- 5 reimbursement for their actual and necessary expenses
- 6 incurred while serving as ex officio nonvoting
- 7 members. The expenses".

Roll call was requested by McKean of Jones and Stromer of Hancock.

On the question "Shall amendment H—3489, to amendment H—3436, be adopted?"

The ayes were, 46:

Bennett	Branstad	Buhr	Carpenter
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Grandia	Halvorson, R. A.
Hammond	Handorf	Harbor	Hester
Holveck	Hummel	Johnson	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McKean	Metcalf	Miller	Mullins
O'Kane	Osterberg	Oxley	Paulin
Pellett	Platt	Renken	Rensink
Royer	Schneklath	Shoning	Siegrist
Stromer	Stueland	Torrence	Van Camp
Van Maanen	Welden		

The nays were, 51:

Avenson	Baxter	Beatty	Black
Blanshan	Brammer	Carl	Carter
Clark	Cochran	Connolly	Connors
Cooper	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hanson	Hatch
Haverland	Hughes	Jay	Jochum
Knapp	Koenigs	McIntee	Muhlbauer
Norland	Ollie	Parker	Pavich
Peick	Peterson	Poncy	Renaud
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan
Swartz	Tabor	Teaford	Varn
Woods	Zimmerman	Mr. Speaker (Arnould)	

Absent or not voting, 3:

Chapman	Hermann	Swearingen
---------	---------	------------

Amendment H — 3489 lost.

Spear of Lee moved the adoption of amendment H — 3436.

A non-record roll call was requested.

The ayes were 58, nays 31.

Amendment H — 3436 was adopted.

Spear of Lee offered the following amendment H — 3394 filed by him and moved its adoption:

H — 3394

- 1 Amend House File 629 as follows:
- 2 1. Page 1, line 23, by inserting after the word
- 3 "three" the following: "voting".

Amendment H — 3394 was adopted.

Norland of Worth asked and received unanimous consent that House File 629 be deferred and that the bill retain its place on the calendar.

House File 682, a bill for an act relating to the calculation of enrollment for increasing enrollment school districts and providing that the Act takes effect upon its publication, was taken up for consideration.

Hughes of Union offered the following amendment H—3448 filed by him and Groth of Buena Vista and moved its adoption:

H—3448

- 1 Amend House File 682 as follows:
- 2 1. Page 1, by striking lines 2 through 6 and
- 3 inserting the following: "1985, is amended to read as
- 4 follows:
- 5 a. Twenty-five percent of the basic enrollment for
- 6 the school year beginning July 1, 1979. However, if
- 7 the basic enrollment of a school district for a budget
- 8 year is more than fifteen percent higher than the
- 9 basic enrollment of the district for the base year,
- 10 the school district's basic enrollment for the budget
- 11 year shall be used in lieu of the basic enrollment for
- 12 the school year beginning July 1, 1979 for the
- 13 calculation required under this paragraph."

Hughes of Union offered the following amendment H—3512, to amendment H—3448, filed by him and Groth of Buena Vista and moved its adoption:

H—3512

- 1 Amend amendment H—3448 to House File 682 as
- 2 follows:
- 3 1. Page 1, by striking lines 11 through 13 and
- 4 inserting the following: "year shall be used
- 5 thereafter for the calculation required under this
- 6 paragraph in lieu of using the basic enrollment for
- 7 the school year beginning July 1, 1979."

Amendment H—3512 was adopted.

On motion by Hughes of Union, amendment H—3448, as amended, was adopted.

Hughes of Union moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 682)

The ayes were, 94:

Avenson	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fey	Fogarty
Grandia	Groninga	Groth	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschuite	Lloyd-Jones	Loneragan	Maulsby
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker (Arnould)		

The nays were, none.

Absent or not voting, 6:

Doderer	Gruhn	Hatch	Hermann
McIntee	Tabor		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 684, a bill for an act relating to the economy of the state by amending the definition of small business for purposes of the Iowa housing finance authority's program for which bonds may be issued, by increasing the limits on the amount of bonds and notes of the Iowa housing finance authority that may be outstanding or used for certain programs, by changing the name of the Iowa housing finance authority, by providing for allocation of the state ceiling on private activity bonds for tax exempt purposes, by requiring that real estate brokers' trust accounts be deposited in interest-bearing accounts and the interest transferred quarterly to the treasurer of

state and used by the Iowa housing finance authority to pay commitment costs for programs for first time home buyers, by providing that the Iowa housing finance authority initiate a self-sustaining title guarantee program for titles of real property on which there is a mortgage that is being sold in the secondary mortgage market, by providing for conditions and restrictions on loans and dealings between state banks and affiliates, by providing for certain investment powers of state-chartered savings and loan associations and savings banks, by revising the requirements of amendments to a uniform commercial code financing statement, by providing for an alternative nonjudicial voluntary foreclosure procedure including providing for redemption periods of creditors and lienholders under the procedure and providing for an effective date, was taken up for consideration.

The House stood at ease at 3:35 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 684 at 4:30 p.m., Speaker Avenson in the chair.

Swartz of Marshall offered the following amendment H-3508 filed by him and moved its adoption:

H-3508

- 1 Amend House File 684 as follows:
- 2 1. Page 6, by striking line 25 and inserting the
- 3 following: "is a written agreement between the buyer
- 4 and seller to the contrary. The broker shall not
- 5 benefit from interest received on funds of others in
- 6 the broker's possession."

Amendment H-3508 was adopted.

Skow of Guthrie offered amendment H-3504 filed by Skow, et al., and requested division as follows:

H-3504

- 1 Amend House File 684 as follows:

H-3504A

- 2 1. Page 6, by striking lines 12 through 25.

H-3504B

- 3 2. Page 9, by striking lines 7 through 15.
 4 3. Title page, by striking lines 9 through 14 and
 5 inserting the following: "private activity bonds for
 6 tax exempt purposes, by providing that the Iowa
 7 housing".

Skow of Guthrie asked and received unanimous consent to withdraw amendment H-3504B.

Connors of Polk in the chair at 4:52 p.m.

Skow of Guthrie moved the adoption of amendment H-3504A.

Roll call was requested by Branstad of Winnebago and Bennett of Ida.

On the question "Shall amendment H-3504A be adopted?"

The ayes were, 33:

Bennett	Black	Branstad	Carpenter
Cochran	Cooper	Daggett	Fogarty
Grandia	Groth	Halvorson, R. A.	Handorf
Harbor	Hatch	Hester	Koenigs
Lageschulte	Maulsby	Metcalf	Miller
Muhlbauer	Mullins	Pellett	Poncy
Renken	Royer	Running	Siegrist
Skow	Spear	Stueland	Torrence
Van Maanen			

The nays were, 65:

Arnould	Avenson	Baxter	Beatty
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Clark	Connolly
Corey	De Groot	Diemer	Doderer
Fey	Groninga	Gruhn	Halvorson, R. N.
Hammond	Hanson	Haverland	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Kremer	Lloyd-Jones
Lonergan	McIntee	McKean	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Platt	Renaud	Rensink
Rosenberg	Schneklath	Sherzan	Shoning
Shoultz	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Van Camp
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Connors)			

Absent or not voting, 2:

Hermann Stromer

Amendment H—3504A lost.

Swartz of Marshall offered the following amendment H—3514 filed by Swartz, et al.:

H—3514

1 Amend House File 684 as follows:
 2 1. Page 7, by inserting after line 15 the
 3 following:
 4 "Sec. 101. Section 220.1, Code 1985, is amended by
 5 adding the following new subsections:
 6 NEW SUBSECTION. 34. "Title Guaranty" means a
 7 guaranty against loss or damage caused by defective
 8 title to real property.
 9 NEW SUBSECTION. 35. "Division" means the title
 10 guaranty division."
 11 2. By striking page 7, line 16 through page 8,
 12 line 1, and inserting the following:
 13 "Sec. 102. Section 220.2, subsection 1, Code 1985,
 14 is amended by striking the subsection and inserting
 15 the following:
 16 1. The Iowa finance authority is established, and
 17 constituted a public instrumentality and agency of the
 18 state exercising public and essential governmental
 19 functions, to undertake programs which assist in
 20 attainment of adequate housing for low or moderate
 21 income families, elderly families, and families which
 22 include one or more persons who are handicapped or
 23 disabled, and to undertake the Iowa homesteading
 24 program and the small business loan program. The
 25 powers of the authority are vested in and shall be
 26 exercised by a board of nine members appointed by the
 27 governor subject to confirmation by the senate. No
 28 more than five members shall belong to the same
 29 political party. As far as possible the governor
 30 shall include within the membership persons who
 31 represent community and housing development
 32 industries, housing finance industries, the real
 33 estate sales industry, elderly families, minorities,
 34 lower income families, very low income families,
 35 handicapped and disabled families, average taxpayers,
 36 local government, and any other person specially
 37 interested in community housing.
 38 A title guaranty division is created within the
 39 authority. The powers of the division as relating to
 40 the issuance of title guaranties shall be vested in and
 41 exercised by a division board of five members
 42 appointed by the governor subject to confirmation by
 43 the senate. The membership of the board shall include

44 an attorney, an abstractor, a real estate broker, a
45 representative of a mortgage-lender and a
46 representative of the housing development industry.
47 The executive director of the authority shall appoint
48 a director of the title guaranty division who shall be
49 an attorney and shall serve as an ex officio member of
50 the board. The appointment of and compensation for

Page 2

1 the division director shall be exempt from the
2 provisions of chapter 19A.
3 a. Members of the board of the division shall be
4 appointed by the governor for staggered terms of six
5 years beginning and ending as provided in section
6 69.19. A person shall not serve on the division board
7 while serving on the authority board. A person
8 appointed to fill a vacancy shall serve only for the
9 unexpired portion of the term. A member is eligible
10 for reappointment. A member of the division board may
11 be removed from office by the governor for
12 misfeasance, malfeasance or willful neglect of duty or
13 for other just cause, after notice and hearing, unless
14 notice and hearing is expressly waived in writing.
15 b. Three members of the board shall constitute a
16 quorum. An affirmative vote of a majority of the
17 appointed members is necessary for any substantive
18 action taken by the division.
19 c. Members of the board are entitled to receive
20 forty dollars per diem for each day spent in
21 performance of duties as members and shall be
22 reimbursed for all actual and necessary expenses
23 incurred in the performance of duties as members.
24 d. Members of the board and the director shall
25 give bond as required for public officers in chapter
26 64.
27 e. Meetings of the board shall be held at the call
28 of the chair of the board or on written request of two
29 members.
30 f. Members shall elect a chair and vice chair
31 annually and other officers as they determine. The
32 director shall serve as secretary to the board.
33 g. The net earnings of the division, beyond that
34 necessary for reserves, backing, guaranties issued or
35 to otherwise implement the public purposes and
36 programs authorized, shall not inure to the benefit of
37 any person other than the state and are subject to
38 section 220.2, subsection 8."
39 3. Page 8, by inserting after line 7 the
40 following:
41 "Sec. 103. Section 220.3, Code 1985, is amended by
42 adding the following new subsection:

43 **NEW SUBSECTION. 14.** The abstract-attorney's title
 44 opinion system promotes land title stability for
 45 determining the marketability of land titles and is a
 46 public purpose. A public purpose will be served by
 47 providing, as an adjunct to the abstract-attorney's
 48 title opinion system, a low cost mechanism to provide
 49 for additional guaranties of real property titles in
 50 Iowa. The title guaranties will facilitate mortgage

Page 3

1 lenders participation in the secondary market and add
 2 to the integrity of the land-title transfer system in
 3 the state.

4 Sec. 104. Section 220.5, Code 1965, is amended by
 5 adding the following new subsection:

6 **NEW SUBSECTION. 16.** Through the title guaranty
 7 division, make and issue title guaranties on Iowa real
 8 property in a form acceptable to the secondary market,
 9 to fix and collect the charges for the guaranties and
 10 to procure reinsurance against any loss in connection
 11 with the guaranties."

12 4. By striking page 9, line 16 through page 10,
 13 line 13 and inserting the following:

14 "Sec. 105. **NEW SECTION. 220.91 TITLE GUARANTY**
 15 **PROGRAM.**

16 1. The authority through the title guaranty
 17 division shall initiate and operate a program in which
 18 the division shall offer guaranties of real property
 19 titles in this state. The terms, conditions and form
 20 of the guaranty contract shall be forms approved by
 21 the division board. The division shall fix a charge
 22 for the guaranty in an amount sufficient to permit the
 23 program to operate on a self-sustaining basis,
 24 including payment of administrative costs and the
 25 maintenance of an adequate reserve against claims
 26 under the title guaranty program. A title guaranty
 27 fund is created in the office of the treasurer of
 28 state. Funds collected under this program shall be
 29 placed in the title guaranty fund and are available to
 30 pay all claims, necessary reserves and all
 31 administrative costs of the title guaranty program.
 32 Moneys in the fund shall not revert to the general
 33 fund and interest on the moneys in the fund shall be
 34 retained as a part of the fund and shall not accrue to
 35 the general fund. If the authority board in
 36 consultation with the division board determines that
 37 there are surplus funds in the title guaranty fund
 38 after providing for adequate reserves and operating
 39 expenses of the division, the surplus funds shall be
 40 transferred to the commitment costs fund created
 41 pursuant to section 220.40.

42 2. A title guaranty issued under this program is
 43 an obligation of the division only and claims are

44 payable solely and only out of the moneys, assets and
45 revenues of the title guaranty fund and are not an
46 indebtedness or liability of the state. The state is
47 not liable on the guaranties.

48 3. With the approval of the authority board the
49 division and its board shall consult with the
50 insurance department in developing a guaranty contract

Page 4

1 acceptable to the secondary market and developing any
2 other feature of the program with which the department
3 may have special expertise. The department shall
4 establish the amount for a loss reserve fund. Except
5 as provided in this subsection, the title guaranty
6 program is not subject to the jurisdiction of or
7 regulation by the insurance department or the
8 commissioner of insurance.

9 4. Each participating mortgage lender, attorney
10 and abstractor shall pay an annual participation fee
11 to be eligible to participate in the title guaranty
12 program. The fee shall be set by the division,
13 subject to the approval of the authority.

14 5. The participation of abstractors, attorneys
15 and lenders shall be in accordance with rules
16 established by the division and adopted by the
17 authority pursuant to chapter 17A. Each participant
18 shall at all times maintain liability coverage in
19 amounts approved by the division. Upon payment of a
20 claim by the division, the division shall be
21 subrogated to the rights of the claimant against all
22 persons relating to the claim.

23 6. Prior to the issuance of a title guaranty, the
24 division shall require evidence that an abstract of
25 title to the property in question has been brought up-
26 to-date and certified by a participating abstractor in
27 a form approved by division rules and a title opinion
28 issued by a participating attorney in the form
29 approved in the rules stating the attorney's opinion
30 as to the title. The division shall require evidence
31 of the abstract being brought up-to-date and the
32 abstractor shall retain evidence of the abstract as
33 determined by the board.

34 7. The attorney rendering a title opinion shall be
35 authorized to issue a title guaranty certificate
36 subject to the rules of the authority. A person or
37 mortgage lender participating in the title guaranty
38 program shall not charge or receive any portion of the
39 charge for the guaranty as a result of their
40 participation in the title guaranty program.

41 8. A participating mortgage lender shall notify
42 the division when the mortgage covered by a title
43 guaranty has been satisfied of record.

44 9. The authority shall adopt rules pursuant to

45 chapter 17A that are necessary for the implementation
46 of the title guaranty program as established by the
47 division and that have been approved by the
48 authority."

49 5. Page 10, by inserting after line 22 the
50 following:

Page 5

1 "Sec. 106. Section 428A.1, unnumbered paragraph 1,
2 Code 1985, is amended to read as follows:

3 There is imposed on each deed, instrument, or
4 writing by which any lands, tenements, or other realty
5 in this state ~~shall be~~ are granted, assigned,
6 transferred, or otherwise conveyed, a tax determined
7 in the following manner: ~~When If there is no~~
8 consideration or ~~when if the deed, instrument or~~
9 writing is executed and tendered for recording as an
10 instrument corrective of title, and so states, there
11 ~~shall be is no tax. When If there is consideration~~
12 and the actual market value of the real property
13 transferred is in excess of five hundred dollars, the
14 ~~tax shall be fifty-five cents is one dollar~~ for each
15 five hundred dollars or fractional part of five
16 hundred dollars in excess of five hundred dollars.
17 The term "consideration" as used in this chapter,
18 means the full amount of the actual sale price of the
19 real property involved, paid or to be paid, including
20 the amount of an ~~incumbrance~~ encumbrance or lien on
21 the property, whether assumed or not by the grantee.
22 It shall be presumed that the sale price so stated
23 ~~shall include~~ includes the value of all personal
24 property transferred as part of the sale unless the
25 dollar value of ~~said the personal property is stated~~
26 on the instrument of conveyance. ~~When If the dollar~~
27 value of the personal property included in the sale is
28 so stated, it shall be deducted from the consideration
29 shown on the instrument for the purpose of determining
30 the tax.

31 Sec. 107. Section 428A.8, Code 1985, is amended to
32 read as follows:

33 **428A.8 REMITTANCE TO STATE TREASURER — PORTION**
34 **RETAINED IN COUNTY.**

35 On or before the tenth day of each month the county
36 recorder shall determine and pay to the treasurer of
37 state ~~seventy-five percent~~ forty-one and one-quarter
38 cents of each dollar of the receipts from the real
39 estate transfer tax collected during the preceding
40 month and the treasurer of state shall deposit the
41 receipts in the general fund of the state.

42 On or before the tenth day of each month the county
43 recorder shall determine and pay to the treasurer of
44 state forty-five cents of each dollar of the receipts
45 from the real estate transfer tax collected during the

46 previous month and the treasurer of state shall
47 deposit the receipts to the credit of the title
48 guaranty fund created in section 220.91.
49 The county recorder shall deposit the remaining
50 twenty-five percent thirteen and three-quarters cents

Page 6

1 of each dollar of the receipts in to the credit of the
2 county general fund.

3 The county recorder shall keep records and make
4 reports with respect to the real estate transfer tax
5 as the director of revenue prescribes."

6 6. Page 16, by inserting after line 25 the
7 following:

8 "Sec. 108. Section 535.8, subsection 2, paragraph
9 b, Code 1985, is amended by adding the following new
10 subparagraph:

11 (10) The cost of a title guaranty issued by the
12 Iowa finance authority pursuant to chapter 220."

13 7. Page 16, by inserting after line 35 the
14 following:

15 "Sec. 109. NEW SECTION. 535A.9 TITLE GUARANTY
16 PROGRAM DISCLOSED.

17 A financial institution shall advise prospective
18 borrowers of the availability of the title guaranty
19 program provided for in chapter 220 and also provide
20 the prospective borrower with information about the
21 title guaranty program as provided to the financial
22 institution by the title guaranty board."

23 8. Page 19, by inserting after line 4, the
24 following:

25 "Sec. 110. It is the intent of the general
26 assembly that sections 106 and 107 of this Act shall
27 be given only temporary effect and that on July 1,
28 1987 the amendments to sections 428A.1 and 428A.8
29 contained in those sections are repealed.

30 Sec. 111. It is the intent of the general assembly
31 that the Iowa finance authority shall not make any
32 title guaranties under the title guaranty program
33 prior to July 1, 1986."

34 9. Title page 1, by striking lines 16 and 17 and
35 inserting the following: "program for titles of real
36 property, creating a commitment costs fund, creating a
37 title guaranty fund, increasing the real estate
38 transfer tax,".

39 10. By striking title page 1, line 25 through
40 page 2, line 1 and inserting the following: "of
41 creditors and lienholders under the procedure,
42 permitting the charging of fees incurred under the
43 title guaranty program, requiring the disclosure of
44 the availability of the title guaranty program and
45 making penalties applicable, providing for an
46 effective date, and providing for the repeal of
47 portions of the Act."

Halvorson of Clayton offered amendment H—3520, to amendment H—3514 filed by him from the floor and requested division as follows:

H—3520

1 Amend amendment H—3514 to House File 684 as
2 follows:

H—3520A

3 1. Page 1, line 27, by inserting after the word
4 "senate," the following: "One member of the board
5 shall be the commissioner of insurance or the designee
6 of the commissioner."

H—3520B

7 2. Page 4, by inserting after line 48 the
8 following:
9 "10. If the division board, with the approval of
10 the authority board, and the commissioner of insurance
11 determines that the guarantees made under this program
12 are not acceptable to the government national mortgage
13 association and the federal national mortgage
14 association, then the commissioner of insurance shall
15 adopt rules to implement the national association of
16 insurance commissioner's model title insurance act and
17 shall administer the provisions of title insurance in
18 Iowa."

On motion by Halvorson of Clayton, amendment H—3520A, to amendment H—3514, was adopted.

Welden of Hardin offered the following amendment H—3529, to amendment H—3514, filed by him from the floor and moved its adoption:

H—3529

1 Amend amendment H—3514 to House File 684 as
2 follows:

3 1. Page 3, by striking lines 32 through 41
4 and insert in lieu thereof the following: "If the
5 authority board in consultation with the division
6 board determines that there are surplus funds in the
7 title guaranty fund after providing for adequate
8 reserves and operating expenses of the division, the
9 surplus funds shall revert to the general fund."

Amendment H—3529 lost.

The House resumed consideration of amendment H—3520B, to amendment H—3514.

Speaker Avenson in the chair at 5:08 p.m.

Halvorson of Clayton moved the adoption of amendment H—3520B, to amendment H—3514.

A non-record roll call was requested.

The ayes were 3, nays 61.

Amendment H—3520B lost.

Swartz of Marshall offered the following amendment H—3518, to amendment H—3514, filed by him from the floor and moved its adoption:

H—3518

- 1 Amend amendment H—3514 to House File 684 as
- 2 follows:
- 3 1. Page 6, by striking line 33 and inserting the
- 4 following: "prior to January 1, 1986."

Amendment H—3518 was adopted.

On motion by Swartz of Marshall amendment H—3514, as amended, was adopted.

Groninga of Cerro Gordo offered the following amendment H—3503 filed by Groninga, et al.:

H—3503

- 1 Amend House File 684 as follows:
- 2 1. Page 15, by inserting after line 27 the
- 3 following:
- 4 "Sec. _____ NEW SECTION. 527.14 LIABILITY OF
- 5 CONSUMER FOR UNAUTHORIZED TRANSFERS.
- 6 The respective liabilities of the financial
- 7 institution and the consumer for losses due to
- 8 unauthorized electronic funds transfers shall be
- 9 determined by reference to 12 C.F.R. §205.6, as
- 10 amended to and including March 1, 1985, relating to
- 11 consumer liability for unauthorized transfers."

- 12 2. Title page 1, line 19, by inserting after the
13 word "affiliates," the following: "providing for the
14 respective liabilities of the financial institution
15 and the consumer for losses due to unauthorized
16 electronic funds transfers,".
17 3. Renumber as necessary.

Lonergan of Boone rose on a point of order that amendment H—3503 was not germane.

The Speaker ruled the point well taken and amendment H—3503 not germane.

Swartz of Marshall offered the following amendment H—3511 filed by him and moved its adoption:

H—3511

- 1 Amend House File 684 as follows:
2 1. Page 17, line 20, by striking the words
3 "junior creditor or".
4 2. Page 17, line 23, by striking the words
5 "However, the" and inserting the following: "The
6 junior lienholders' ".
7 3. Page 17, line 27, by inserting after the word
8 "mortgage" the words and figures "including any
9 protective advances made pursuant to chapter 629".
10 4. Page 17, line 29, by striking the words
11 "creditor or".
12 5. Page 18, line 20, by striking the words
13 "creditors and lienholders" and inserting the
14 following: "lienholders as of the date of the
15 conveyance under paragraph "a",".
16 6. Page 18, line 21, by striking the words
17 "creditor and".
18 7. Page 18, line 24, by striking the words
19 "creditor and".
20 8. Page 18, line 27, by striking the word
21 "creditor" and inserting the word "lienholder".
22 9. Page 18, line 28, by inserting after the
23 figure "628.29." the following: "If a junior
24 lienholder fails to redeem its lien as provided in
25 subsection 1, its lien shall be removed from the
26 property."
27 10. Title page, line 25, by striking the words
28 "creditors and".

Amendment H—3511 was adopted.

Swartz of Marshall offered the following amendment H-3499 filed by Swartz, et al., and moved its adoption:

H-3499

1 Amend House File 684 as follows:

2 1. Page 18, by inserting after line 26 the
3 following:

4 "f. At the time the mortgagor signs the written
5 agreement pursuant to subsection 1, the mortgagee
6 shall furnish the mortgagor a completed form in
7 duplicate, captioned "Disclosure and Notice of
8 Cancellation". The form shall be attached to the
9 written agreement, shall be in ten point face type and
10 shall be in the following form:

11 "DISCLOSURE AND NOTICE OF CANCELLATION"

12

13

14 (enter date of transaction)

15 Under a forced foreclosure Iowa law requires that
16 you have the right to reclaim your property within one
17 year of the date of the foreclosure and that you may
18 continue to occupy your property during that time. If
19 you agree to a voluntary foreclosure under this
20 procedure you will be giving up your right to reclaim
21 or occupy your property.

22 Under a forced foreclosure, if your mortgage lender
23 does not receive enough money to cover what you owe
24 when the property is sold, you will still be required
25 to pay the difference. If your mortgage lender
26 receives more money than you owe, the difference must
27 be paid to you. If you agree to a voluntary
28 foreclosure under this procedure you will not have to
29 pay the amount of your debt not covered by the sale of
30 your property but you also will not be paid any extra
31 money, if any, over the amount you owe.

32 NOTE: There may be other advantages and disadvantages
33 including an effect on your income tax liability, to
34 you depending on whether you agree or do not agree to
35 a voluntary foreclosure. If you have any questions or
36 doubts, you are advised to discuss them with your
37 mortgage lender or an attorney.

38 You may cancel this transaction, without penalty or
39 obligation, within five business days from the above
40 date.

41 This transaction is entirely voluntary. You cannot
42 be required to sign the attached foreclosure
43 agreement.

44 This voluntary foreclosure agreement will become
 45 final unless you sign and deliver or mail this notice
 46 of cancellation to _____
 47 _____ before midnight of _____
 48 (name of mortgagee) (enter proper date)
 49 I HEREBY CANCEL THIS TRANSACTION.
 50 _____ " "

DATE SIGNATURE

Amendment H—3499 was adopted.

Swartz of Marshall offered the following amendment H—3420 filed by him and moved its adoption:

H—3420

- 1 Amend House File 684 as follows:
- 2 1. Page 18, line 1, by striking the word
- 3 "JUDICIAL" and inserting the following:
- 4 "NONJUDICIAL".
- 5 2. Page 18, line 6, by striking the word
- 6 "mortgage" and inserting the following: "mortgagee".

Amendment H—3420 was adopted.

Welden of Hardin offered the following amendment H—3517 filed by him from the floor and moved its adoption:

H—3517

- 1 Amend House File 684 as follows:
- 2 1. Title page, by striking everything before
- 3 the enacting clause and inserting in lieu thereof
- 4 the following:
- 5 "An Act relating to state government and pro-
- 6 viding for an effective date."

Amendment H—3517 lost.

Loneragan of Boone asked and received unanimous consent to suspend Rule 31.8 for the consideration of amendment H—3526 filed by her and Kremer of Buchanan from the floor as follows and moved its adoption:

H—3526

- 1 Amend House File 684 as follows:
- 2 1. Page 6, by striking line 15 and inserting the
- 3 following: "account in a bank, or a savings and loan
- 4 association, savings bank, or credit union for the".

Amendment H—3526 was adopted.

Parker of Jasper moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 684)

The ayes were, 80:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Connolly	Connors	Cooper	Corey
Diemer	Doderer	Fey	Fogarty
Groninga	Halvorson, R. N.	Hammond	Hanson
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lloyd-Jones	Loneragan	McIntee	McKean
Metcalf	Miller	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Peterson	Platt	Poney	Renaud
Rensink	Rosenberg	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Varn
Welden	Woods	Zimmerman	Mr. Speaker

The nays were, 18:

Bennett	Branstad	Cochran	Daggett
De Groot	Grandia	Gruhn	Halvorson, R. A.
Handorf	Harbor	Lageschulte	Maulsby
Muhlbauer	Pellet	Renken	Royer
Stueland	Van Maanen		

Absent or not voting, 2:

Groth	Hermann
-------	---------

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 547, a bill for an act relating to adoption and termination of parental rights and providing penalties, was taken up for consideration.

Norland of Worth asked and received unanimous consent that House File 547 be deferred and that the bill retain its place on the unfinished business calendar.

MOTION TO RECONSIDER LOST
(House File 648)

Hammond of Story called up for consideration the motion to reconsider House File 648, filed on March 25, 1985, and moved to reconsider the vote by which House File 648, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education, passed the House and was placed on its last reading on March 25, 1985.

A non-record roll call was requested.

The ayes were 25, nays 57.

The motion lost, placing out of order the motion to reconsider filed by Running of Linn on March 25, 1985 and amendment H-3491 filed by Running of Linn on March 27, 1985.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 670, 656, 703, 711, 709, 661, 682 and 684.

INTRODUCTION OF BILLS

House File 751, by committee on judiciary and law enforcement, a bill for an act relating to restitution by a child for attorneys' fees.

Read first time and placed on the **calendar**.

House File 752, by committee on ways and means, a bill for an act providing a monetary penalty for tax processing errors by the department of revenue.

Read first time and placed on the **ways and means calendar**.

House File 753, by committee on state government, a bill for an act relating to the implementation of comparable worth pay ad-

justments, amending 1984 Iowa Acts, chapter 1314, and providing for an effective date.

Read first time and placed on the calendar.

SENATE MESSAGES CONSIDERED

Senate File 14, by Dieleman, a bill for an act relating to the training and racing of dogs that have been trained with the use of live animals in the course of the training and providing penalties.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 295, by Miller of Des Moines, Readinger, Wells, Tieden and Carr, a bill for an act relating to the duty of a liquor control licensee to break empty liquor bottles.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 309, by Rodgers, a bill for an act relating to dishonored checks, drafts, or orders for payment and providing penalties.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 332, by committee on ways and means, a bill for an act relating to the providing of certain tax incentives to an industry which creates new jobs within the state, to the exemption from the sales, services and use taxes of and the refunding of the sales, services and use taxes paid on the gross receipts from the sale or rental of certain industrial machinery, equipment and computers and to providing a permanent exemption from property taxation for pollution control property and providing effective dates.

Read first time and referred to committee on **ways and means**.

Senate File 395, by committee on ways and means, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be

sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates.

Read first time and referred to committee on **ways and means**.

Senate File 438, by committee on human resources, a bill for an act allowing licensed optometrists to administer and prescribe certain pharmaceutical agents.

Read first time and referred to committee on **human resources**.

Senate File 444, by committee on judiciary, a bill for an act relating to the time in which a defendant may waive the defendant's right to a jury trial.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 456, by committee on judiciary, a bill for an act relating to the licensure of private investigative and security agencies and providing an effective date.

Read first time and referred to committee on **state government**.

Senate File 459, by committee on agriculture, a bill for an act relating to real property which is subject to foreclosure.

Read first time and referred to committee on **agriculture**.

Senate File 515, by committee on judiciary, a bill for an act relating to the election to become a senior judge.

Read first time and referred to committee on **judiciary and law enforcement**.

MOTIONS TO RECONSIDER
(Amendment H—3470 to House File 507)

I move to reconsider the vote by which amendment H—3470 to House File 507 was adopted by the House on March 27, 1985.

ZIMMERMAN of Dallas

(House File 710)

I move to reconsider the vote by which House File 710 passed the House on March 28, 1985.

CHAPMAN of Linn

PRESENTATION OF VISITORS

Skow of Guthrie presented foreign exchange student Chris Reichert from West Germany. He is attending high school in Guthrie Center.

The Speaker announced that the following visitors were present in the House chamber:

Forty-four eleventh and twelfth grade students from North High School, Sioux City, accompanied by Larry Twait, John Hejhal and John Iverson. By O'Kane, Shoning and Sturgeon of Woodbury.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON EDUCATION

Senate File 216, a bill for an act prohibiting discrimination on the basis of family name or consanguinity by the state board of regents.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—3515, March 27, 1985.

Senate File 254, a bill for an act relating to administrative endorsements and certificates issued by the board of educational examiners.

Fiscal Note is not required.

Recommended **Do Pass** March 27, 1985.

Senate File 257, a bill for an act to discontinue the issuance of the permanent professional certificate for teachers and providing an effective date.

Fiscal Note is required.

Recommended **Do Pass** March 27, 1985.

Senate File 361, a bill for an act relating to the authority of the state board of public instruction acting as the board of educational examiners to prescribe a reduced teaching load for certain teachers.

Fiscal Note is not required.

Recommended **Do Pass** March 27, 1985.

Senate File 366, a bill for an act to establish advisory committees for the board of educational examiners and to prescribe their duties.

Fiscal Note is not required.

Recommended **Do Pass** March 27, 1985.

COMMITTEE ON TRANSPORTATION

Senate File 9, a bill for an act relating to the operation of all-terrain vehicles subject to penalties provided by law.

Fiscal Note is not required.

Recommended **Do Pass** March 27, 1985.

Senate File 70, a bill for an act relating to the rights and duties of a person riding a bicycle on the highway, including a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 27, 1985.

Senate File 290, a bill for an act relating to the sale of antique motor vehicles.

Fiscal Note is not required.

Recommended **Do Pass** March 27, 1985.

COMMITTEE ON WAYS AND MEANS

House File 264, a bill for an act relating to the inspection of fruit-tree or forest reservations and making the Act retroactive.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3522**, March 27, 1985.

Committee Bill (Formerly House File 445), providing a monetary penalty for tax processing errors by the department of revenue.

Fiscal Note is required.

Recommended **Without Recommendation** March 27, 1985.

RESOLUTIONS FILED

HCR 27, by Platt, a concurrent resolution recognizing and commending the Iowa highway safety patrol on its fiftieth anniversary.

Laid over under **Rule 25**.

SCR 28, by committee on agriculture, a concurrent resolution to request an interstate compact for controlling bovine brucellosis.

Referred to committee on **agriculture**.

AMENDMENTS FILED

H-3515	S.F.	216	Committee on Education
H-3516	H.F.	507	Harbor of Mills
			Halvorson of Clayton
H-3519	H.F.	736	Spear of Lee
H-3521	H.F.	498	McKean of Jones
			Black of Jasper
			Johnson of Winneshiek
H-3522	H.F.	264	Committee on
			Ways and Means
H-3523	H.F.	707	Hanson of Delaware
H-3524	H.F.	707	Hanson of Delaware
H-3525	H.F.	556	Skow of Guthrie
H-3527	H.F.	732	Van Camp of Scott
H-3528	H.F.	547	Carl of Poweshiek
H-3530	H.F.	547	Carl of Poweshiek

H-3531	H.F.	547	Carl of Poweshiek
H-3532	H.F.	678	Hanson of Delaware
H-3533	H.F.	733	Beatty of Warren
H-3534	H.F.	392	Metcalf of Polk
H-3535	H.F.	719	Chapman of Linn
			Kremer of Buchanan
			Metcalf of Polk
H-3536	H.F.	741	Hughes of Union
H-3537	H.F.	507	Hammond of Story
			Chapman of Linn
H-3538	H.F.	392	Hatch of Polk
			Metcalf of Polk
H-3539	H.F.	707	Halvorson of Webster
Blanshan of Greene			Carter of Henry
Groth of Buena Vista			Sullivan of Van Buren
Hanson of Delaware			Shoning of Woodbury
Jay of Appanoose			O'Kane of Woodbury
Cochran of Webster			Bennett of Ida
Running of Linn			Sherzan of Polk
H-3540	H.F.	392	Hatch of Polk
H-3541	H.F.	717	Rosenberg of Story

On motion by Norland of Worth, the House adjourned at 6:00 p.m., until 9:00 a.m., Friday, March 29, 1985.

JOURNAL OF THE HOUSE

Seventy-fifth Calendar Day — Fifty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 29, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Frederick Strickland, pastor of the Corinthians Baptist Church, Des Moines.

The Journal of Thursday, March 28, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hughes of Union on request of Koenigs of Mitchell.

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 27, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 433, a bill for an act relating to the certification and regulation of respiratory care practitioners and providing a penalty and an effective date.

Also: That the Senate has on March 27, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 450, a bill for an act to create an Iowa commerce commission pilot program for energy conservation improvements.

Also: That the Senate has on March 27, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 480, a bill for an act relating to time lines for requiring a certified school employee to accept an extracurricular contract and providing that the Act takes effect upon its publication.

Also: That the Senate has on March 27, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 509, a bill for an act relating to the inspection of fruit-tree or forest reservations and making the Act retroactive.

Also: That the Senate has on March 27, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 30, requesting Congress to change federal legislation affecting loans at below-market interest rates.

K. MARIE THAYER, Secretary

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of House File 547.

CONSIDERATION OF BILLS Unfinished Business Calendar

House File 547, a bill for an act relating to adoption and termination of parental rights and providing penalties, deferred on March 28, 1985 was taken up for consideration.

Groth of Buena Vista in the chair at 9:17 a.m.

Tabor of Jackson offered amendment H-3469 filed by Tabor, et al. Division was requested as follows:

H-3469

1 Amend House File 547 as follows:

H-3469A

2 1. Page 1, by striking lines 13 and 14 and
3 inserting the following: "certificate. The".

H-3469B

4 2. Page 6, by inserting after line 29 the
5 following:
6 "d. Necessaries of the mother or minor person
7 during the pregnancy or delivery of the minor person."
8 3. Page 15, line 30, by striking the word "may"
9 and inserting the following: "shall".
10 4. Page 16, line 10, by inserting after the word
11 "discloses" the following: "or refuses to disclose".
12 5. Page 16, line 12, by striking the word
13 "simple" and inserting the following: "serious".
14 6. Page 17, line 16, by striking the word "hard-
15 to-place" and inserting the following: "special

16 needs".

17 7. Page 17, line 18, by striking the word "hard-
18 to-place" and inserting the following: "special
19 needs".

20 8. Page 17, line 25, by striking the word "hard-
21 to-place" and inserting the following: "special
22 needs".

23 9. Page 17, line 27, by striking the word "hard-
24 to-place" and inserting the following: "special
25 needs".

H-3469C

26 10. By striking page 19, line 13 through page 20,
27 line 1.

28 11. Page 21, by striking lines 15 through 17.

29 12. By renumbering as necessary.

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.

Speaker Avenson in the chair at 9:58 a.m.

Tabor of Jackson moved the adoption of amendment H-3469A.

A non-record roll call was requested.

The ayes were 46, nays 35.

Amendment H-3469A was adopted.

Jay of Appanoose offered the following amendment H-3467
filed by him and Tabor of Jackson:

H-3467

1 Amend House File 547 as follows:

2 1. Page 1, lines 25 through 27, by striking the
3 words "a principal party to an adoption and that
4 party's lineal ascendants and descendants" and
5 inserting the following: "an adoptee and the
6 adoptee's lineal descendants".

7 2. By striking page 11, line 30 through page 12.

8 line 2 and inserting the following:
 9 "1. A clerk of the district court shall allow
 10 inspection of adoption records in the clerk's
 11 possession as follows:
 12 a. For adoptions finalized before April 26, 1945,
 13 an adoptee and the adoptee's lineal descendants may
 14 inspect any of the adoptee's adoption records, unless
 15 either birth parent filed an affidavit contained in an
 16 adoption record requesting that the identity of the
 17 birth parents not be disclosed."

Carl of Poweshiek asked and received unanimous consent to temporarily defer action on amendment H—3467.

Carter of Henry in the chair at 10:12 a.m.

Doderer of Johnson offered the following amendment H—3484 filed by her and McKean of Jones and moved its adoption:

H—3484

1 Amend House File 547 as follows:
 2 1. Page 1, by striking lines 25 through 29 and
 3 inserting the following:
 4 "a. For adoptions finalized before April 26, 1945,
 5 the original certificate of birth and any adoption
 6 records held by the department shall be sealed but may
 7 be inspected by a state agency for statistical or
 8 administrative purposes only or may be opened for
 9 inspection pursuant to section 600.30, subsection 2."
 10 2. By striking page 11, line 34 through page 12,
 11 line 2, and inserting the following:
 12 "a. For adoptions finalized before April 26, 1945,
 13 the adoption records shall be sealed but may be
 14 inspected by a state agency for statistical or
 15 administrative purposes only or may be opened for
 16 inspection pursuant to subsection 2."

A non-record roll call was requested.

The ayes were 57, nays 28.

Amendment H—3484 was adopted.

The House resumed consideration of amendment H—3467, temporarily deferred. Division of the amendment was requested as follows: Lines 2 through 6, amendment H—3467A; lines 7 through 17, amendment H—3467B.

With the adoption of amendment H-3484, amendment H-3467A was ruled out of order.

Jochum of Dubuque offered the following amendment H-3383 filed by him and Harbor of Mills:

H-3383

- 1 Amend House File 547 as follows:
- 2 1. Page 1, lines 30 and 31, by striking the words
- 3 "but before the effective date of this Act".
- 4 2. Page 2, by striking lines 2 through 10.
- 5 3. Page 12, lines 3 and 4, by striking the words
- 6 "but before the effective dates of this Act".
- 7 4. Page 12, by striking lines 8 through 14.
- 8 5. By relettering as necessary.

Jochum of Dubuque offered the following amendment H-3453, to amendment H-3383, filed by him and Harbor of Mills and moved its adoption:

H-3453

- 1 Amend the amendment, H-3383, to House File 547 as
- 2 follows:
- 3 1. Page 1, by inserting after line 7 the
- 4 following:
- 5 "_____. Page 21, by striking lines 18 through 22."
- 6 2. By renumbering as necessary.

Amendment H-3453 was adopted.

Jochum of Dubuque moved the adoption of amendment H-3383, as amended.

Roll call was requested by O'Kane of Woodbury and Carl of Poweshiek.

Rule 75 was invoked.

On the question "Shall amendment H-3383, as amended, be adopted?"

The ayes were, 49:

Baxter
Buhr

Bennett
Cochran

Black
Connolly

Blanshan
Connors

De Groot	Doderer	Fogarty	Gruhn
Halvorson, R. A.	Hammond	Hanson	Harbor
Hatch	Haverland	Hummel	Jay
Jochum	Knapp	Koenigs	Lageschulte
Lonergan	McIntee	McKean	Metcalf
Mullins	Ollie	Paulin	Pavich
Peterson	Platt	Poncy	Renken
Rensink	Royer	Schneklath	Shoultz
Skow	Spear	Stueland	Sturgeon
Swearingen	Tabor	Van Camp	Varn
Woods			

The nays were, 44:

Arnould	Avenson	Beatty	Brammer
Carl	Carpenter	Chapman	Clark
Cooper	Corey	Daggett	Diemer
Fey	Grandia	Groninga	Groth
Halvorson, R. N.	Handorf	Hester	Holveck
Johnson	Kremer	Lloyd-Jones	Miller
Muhlbauer	Norland	O'Kane	Osterberg
Oxley	Peick	Pellett	Renaud
Rosenberg	Sherzan	Shoning	Siegrist
Sullivan	Swartz	Teaford	Torrence
Van Maanen	Welden	Zimmerman	Mr. Speaker (Carter)

Absent or not voting, 7:

Branstad	Hermann	Hughes	Mausby
Parker	Running	Stromer	

Amendment H—3383, as amended, was adopted.

Lonergan of Boone asked and received unanimous consent to temporarily defer action on amendment H—3404.

Mullins of Kossuth offered amendment H—3472 filed by her. Division was requested as follows:

H—3472

1 Amend House File 547 as follows:

H—3472A

2 1. Page 3, lines 29 and 30, by striking the words

3 "an open adoption agreement."

H-3472B

- 4 2. Page 3, by striking lines 33 and 34 and
5 inserting the following:
6 "d. The names and addresses of birth parents and
7 of adoptive parents at".
8 3. Page 4, by striking lines 1 through 4.
9 4. Page 4, by striking lines 5 through 7.

H-3472C

- 10 5. Page 5, by inserting after line 30 the
11 following:
12 "Sec. _____, Section 600.8, subsection 12, Code
13 1985, is amended to read as follows:
14 12. Any investigation and report required under
15 subsection 1 of this section may be waived by the
16 court if the adoption petitioner is related within the
17 fourth degree of consanguinity to the person to be
18 adopted or if the adoption petitioner is the
19 stepparent of the person to be adopted."

H-3472A

- 20 6. By striking page 8, line 25 through page 9,
21 line 4.

H-3472D

- 22 7. Page 9, by striking lines 6 and 7 and
23 inserting the following:
24 "1. The clerk of the district court shall provide
25 the".
26 8. Page 9, line 8, by striking the word
27 "person's" and inserting the following: "clerk's".
28 9. Page 9, lines 8 and 9, by striking the words
29 "a principal party" and inserting the following: "an
30 adult adoptee, the adult adoptee's legal
31 representative, or a birth parent".
32 10. Page 9, by striking lines 19 through 21 and
33 inserting the following:
34 "c. Photographs or letters provided by a birth
35 parent."

H-3472E

- 36 11. By striking page 10, line 12, through page
37 11, line 20.

H-3472F

- 38 12. Page 18, by striking lines 11 and 12.
39 13. Page 18, line 17, by striking the letter

- 40 " "f" " and inserting the following: " "e" ".
41 14. Page 18, line 24, by striking the letter
42 " "f" " and inserting the following: " "e" ".
43 15. Page 18, line 28, by striking the letter
44 " "f" " and inserting the following: " "e" ".
45 16. By renumbering as necessary.

Speaker Avenson in the chair at 11:27 a.m.

Mullins of Kossuth asked and received unanimous consent to withdraw amendment H—3472C.

Mullins of Kossuth moved the adoption of amendment H—3472A.

A non-record roll call was requested.

The ayes were 32, nays 43.

Amendment H—3472A lost.

Norland of Worth asked and received unanimous consent that House File 547 be temporarily deferred and that the bill retain its place on the calendar.

INTRODUCTION OF BILL

House File 754, by committee on state government, a bill for an act relating to the duties of the citizens' aide.

Read first time and placed on the **calendar**.

On motion by Norland of Worth, the House was recessed at 11:52 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Welden of Hardin and Mullins of Kossuth, both for the remainder of the day, on request of Bennett of Ida.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 6, 1985, passed the following bill in which the concurrence of the Senate was asked:

House File 29, a bill for an act relating to qualification of nonprofit corporations as guardians.

K. MARIE THAYER, Secretary

HOUSE FILES DEFERRED

Norland of Worth asked and received unanimous consent that House File 547 be deferred and that the bill retain its place on the unfinished business calendar.

Norland of Worth asked and received unanimous consent that House File 514 be deferred and that the bill retain its place on the calendar.

Norland of Worth asked and received unanimous consent that House File 707 be temporarily deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS
Regular Calendar

House File 677, a bill for an act creating an Iowa sheep and wool promotion board, and providing a penalty, was taken up for consideration.

Zimmerman of Dallas offered the following amendment H-3498 filed by her and Fogarty of Palo Alto and moved its adoption:

H-3498

- 1 Amend House File 677 as follows:
- 2 1. Page 2, by striking lines 6 and 7.

Amendment H-3498 was adopted.

Zimmerman of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 677,

The ayes were, 89:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hummel
Jay	Jochum	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 11:

Branstad	Carl	Grandia	Gruhn
Hermann	Hughes	Johnson	Mullins
Osterberg	Sullivan	Weiden	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 691, a bill for an act relating to the psychological testing of law enforcement officers and candidates, was taken up for consideration.

Brammer of Linn offered the following amendment H-3510 filed by him and moved its adoption:

H-3510

1 Amend House File 691 as follows:

- 2 1. Page 1, by striking lines 19 through 26, and
 3 inserting the following: "applicants being considered
 4 in the final selection process for a law enforcement
 5 position. For original appointments to law
 6 enforcement officer positions under Notwithstanding
 7 any provision of chapter 400, the "final selection
 8 process" means the point in the examination process of
 9 section 400.8 which is just prior to the certification
 10 to the city council of the list of names of the
 11 persons who qualify with the highest standing pursuant
 12 to section 400.11: an applicant shall not be hired if
 13 the employer determines from the tests that the
 14 applicant does not possess sufficient cognitive
 15 skills, personality characteristics, or suitability
 16 for a law enforcement career."
 17 2. Page 1, line 30, by inserting after the word
 18 "agencies" the words "or applicants".

Amendment H-3510 was adopted.

Brammer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 691)

The ayes were, 82:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
De Groot	Diemer	Doderer	Fey
Fogarty	Groth	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellet
Peterson	Platt	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer

Stueland
Tabor
Zimmerman

Sturgeon
Teaford
Mr. Speaker

Swartz
Varn

Swearingen
Woods

The nays were, 8:

Corey
Renken

Daggett
Torrence

Grandia
Van Camp

Maulsby
Van Maanen

Absent or not voting, 10:

Branstad
Hermann
Sullivan

Carl
Hughes
Welden

Groninga
Kremer

Gruhn
Mullins

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 681, a bill for an act relating to the immunization of persons enrolled in nonprofit postsecondary educational institutions, was taken up for consideration.

Spear of Lee offered the following amendment H—3418 filed by him and moved its adoption:

H—3418

- 1 Amend House File 681 as follows:
- 2 1. Page 1, line 8, by inserting after the figure
- 3 "4." the following: "However, an enrollee who is
- 4 sixty years of age or older is exempt from the
- 5 required immunization."

Amendment H—3418 was adopted.

Spear of Lee offered the following amendment H—3421 filed by him and moved its adoption:

H—3421

- 1 Amend House File 681 as follows:
- 2 1. Page 1, by inserting after line 8 the
- 3 following:
- 4 "Sec._____. Section 139.9, subsection 3, Code 1985,
- 5 is amended to read as follows:
- 6 3. Subject to the provision of subsection 4 the
- 7 state board of health may modify or delete any of the
- 8 immunizations in ~~subsection~~ subsections 1 and 2."

Amendment H—3421 was adopted.

Zimmerman of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 681)

The ayes were, 87:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hummel
Jay	Jochum	Johnson	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 3:

Knapp	Spear	Van Camp
-------	-------	----------

Absent or not voting, 10:

Branstad	Carl	Cooper	Gruhn
Hermann	Hughes	Mullins	Stromer
Sullivan	Welden		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 707, a bill for an act relating to the selection of a retirement benefit option under the Iowa public employees' retirement system, temporarily deferred, was taken up for consideration.

Hanson of Delaware offered amendment H—3523 filed by him and requested division as follows:

H—3523

1 Amend House File 707 as follows:

H—3523A

2 1. Page 1, line 16, by striking the word
3 "approval" and inserting the word "acknowledgement".

H—3523B

4 2. Page 1, line 16, by inserting after the word
5 "spouse." the following: "The department shall adopt
6 rules under chapter 17A listing circumstances under
7 which the written acknowledgement of a member's spouse
8 is not required."

Hanson of Delaware asked and received unanimous consent to temporarily defer action on amendment H—3523A for the consideration of amendment H—3539.

Tabor of Jackson in the chair at 1:57 p.m.

Halvorson of Webster offered the following amendment H—3539 filed by Halvorson of Webster, et al.:

H—3539

1 Amend House File 707 as follows:
2 1. Page 1, by striking lines 15 and 16 and
3 inserting the following: "the department shall send
4 written notice to the member's spouse of the election
5 of an option under this section."

Doderer of Johnson asked for unanimous consent to defer action on House File 707.

Objection was raised.

Doderer of Johnson moved that action on House File 707 be deferred and that the bill retain its place on the calendar, which motion prevailed.

(Amendment H—3539 pending.)

HOUSE FILE 102 DEFERRED

Norland of Worth asked and received unanimous consent that House File 102 be deferred and that the bill retain its place on the calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Gruhn of Dickinson on request of Carter of Henry.

The House resumed consideration of **House File 629**, a bill for an act relating to the membership of the state board of regents, deferred on March 28, 1985.

Haverland of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Rule 75 was invoked.

On the question "Shall the bill pass?" (H.F. 629)

The ayes were, 50:

Arnould	Avenson	Baxter	Beatty
Blanshan	Brammer	Buhr	Carter
Chapman	Clark	Cochran	Connolly
Connors	Doderer	Fey	Fogarty
Groninga	Halvorson, R. N.	Hanson	Hatch
Haverland	Holveck	Jay	Jochum
Johnson	Knapp	Koenigs	Lonergan
McIntee	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Parker	Pavich
Peick	Peterson	Platt	Renaud
Running	Sherzan	Shoultz	Siegrist
Skow	Sturgeon	Swartz	Swearingen
Woods	Zimmerman		

The nays were, 41:

Bennett	Black	Carpenter	Cooper
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Hammond	Handorf
Harbor	Hester	Hummel	Kremer
Lageschulte	Lloyd-Jones	Maulsby	McKean

Metcalf	Miller	Oxley	Paulin
Pellett	Poncy	Renken	Rensink
Rosenberg	Royer	Schnekloth	Shoning
Spear	Stromer	Stueland	Teaford
Torrence	Van Camp	Van Maanen	Varn
Mr. Speaker (Tabor)			

Absent or not voting, 9:

Branstad	Carl	Groth	Gruhn
Hermann	Hughes	Mullins	Sullivan
Welden			

The bill, having failed to receive a constitutional majority was declared to have failed to pass the House.

Speaker Avenson in the chair at 2:42 p.m.

House File 498, a bill for an act relating to the qualifications of a weed commissioner or a deputy weed commissioner, with report of committee recommending amendment and passage was taken up for consideration.

Black of Jasper offered the following amendment H—3377 filed by the committee on local government and moved its adoption:

H—3377

- 1 Amend House File 498 as follows:
- 2 1. Page 1, line 7, by inserting after the word
- 3 "for" the word "noxious".
- 4 2. Page 1, line 8, by inserting after the word
- 5 "their" the word "noxious".
- 6 3. Page 1, line 15, by inserting after the word
- 7 "for" the word "noxious".

The committee amendment H—3377 was adopted.

McKean of Jones offered the following amendment H—3521 filed by McKean, et al.:

H—3521

- 1 Amend House File 498 as follows:
- 2 1. Page 1, by striking lines 12 through 17 and
- 3 inserting the following: "law. The county weed
- 4 commissioner may, with the approval of the board of

5 supervisors, appoint a deputy or the number of
6 deputies necessary or commercial applicator to carry
7 out the purposes of this chapter. The deputies,
8 commercial applicator and the applicator employees
9 must pass the same standards for weed identification
10 as established by the department of agriculture and
11 recognized methods for their control and elimination.
12 Commercial applicators must meet all requirements set
13 out in chapters 206 and 455B. The".

McKean of Jones offered the following amendment H—3544, to amendment H—3521, filed by him from the floor and moved its adoption:

H—3544

1 Amend amendment H—3521 to House File 498 as
2 follows:
3 1. Page 1, line 9, by inserting after the word
4 "for" the word "noxious".

Amendment H—3544 was adopted.

On motion by McKean of Jones, amendment H—3521, as amended, was adopted, placing out of order lines 6 and 7 of the committee amendment H—3377, previously adopted.

Royer of Page offered the following amendment H—3384 filed by him and Black of Jasper and moved its adoption:

H—3384

1 Amend House File 498 as follows:
2 1. Page 1, line 24, by inserting after the word
3 "expenses." the following: "Annually, the weed
4 commissioner shall attend a seminar or school
5 conducted or approved by the state department of
6 agriculture relating to the identification, control
7 and elimination of noxious weeds."

Amendment H—3384 was adopted.

The following amendment H—3555 filed by McKean of Jones from the floor was adopted by unanimous consent:

H—3555

1 Amend House File 498 as follows:

- 2 1. Title page, line 1, by striking the word
 3 "commissioner" and inserting the word "commissioner".
 4 2. Title page, by striking line 2, and inserting
 5 the following: "deputy weed commissioner or commercial
 6 applicator."

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. 498)

The ayes were, 85:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Halvorson, R. A.
Halvorson, R. N.	Hammond	Landorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Varn	Zimmerman
Mr. Speaker			

The nays were, 5:

Carpenter	Corey	Renaud	Van Maanen
Woods			

Absent or not voting, 10:

Branstad	Carl	Groth	Gruhn
Hermann	Hughes	Mullins	Shoning
Sullivan	Welden		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Unfinished Business Calendar

House File 701, a bill for an act amending the juvenile justice code relating to the content of delinquency petitions, notices of delinquency proceedings, recordings of delinquency hearings, waivers of the right to remain silent, and civil commitment procedures for allegedly delinquent juveniles, and relating to notices of child-in-need-of-assistance hearings, evidence required to remove alleged sexual offenders from the home, contents of petitions, the receipt of social investigation reports, and transferring guardianships, and relating to the provision of services to correct abusive situations in termination-of-parental-rights cases, was taken up for consideration.

Bennett of Ida offered the following amendment H—3509 filed by him and moved its adoption:

H—3509

- 1 Amend House File 701 as follows:
- 2 1. Page 1, line 3, by inserting after the word
- 3 "name," the following: "city or county of".

Amendment H—3509 was adopted.

Chapman of Linn offered the following amendment H—3505 filed by her and Doderer of Johnson and moved its adoption:

H—3505

- 1 Amend House File 701 as follows:
- 2 1. Page 1, by inserting after line 30 the
- 3 following:
- 4 "Sec. _____. Section 232.52, subsection 2, paragraph
- 5 d, subparagraph (3), Code 1985, is amended to read as
- 6 follows:
- 7 (3) The department of human services for purposes
- 8 of foster care and prescribing either the type of
- 9 placement which will serve the best interests of the
- 10 child or the specific placement and the means by which
- 11 the placement shall be monitored by the court."
- 12 2. Title page, line 4, by inserting after the
- 13 word "silent," the following: "juvenile court
- 14 delinquency dispositions,".
- 15 3. By renumbering as necessary.

Amendment H—3505 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. 701)

The ayes were, 88:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carpenter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Lonergan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poney	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Teaford	Van Camp	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, none.

Absent or not voting, 12:

Branstad	Carl	Carter	Groth
Gruhn	Hermann	Hughes	Mullins
Shoning	Sullivan	Torrence	Welden

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Regular Calendar

House File 392, a bill for an act to establish the small business economic policy commission, with report of committee recommending amendment and passage was taken up for consideration.

Hatch of Polk offered the following amendment H—3390 filed by the committee on small business and commerce:

H-3390

1 Amend House File 392 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 18.3, subsection 1, Code 1985,
5 is amended by adding the following new unnumbered
6 paragraph:

7 NEW UNNUMBERED PARAGRAPH. Establishing a data base
8 on vendors which shall be administered so that a
9 vendor can be placed in the data base by submitting an
10 application to the department or to the state board of
11 regents, department of transportation or the
12 commission for the blind for the use of all agencies
13 having purchasing authority. The director shall adopt
14 rules for the application and placement on the data
15 base and the state comptroller shall provide pro-
16 gramming and data processing assistance to maintain
17 and transmit the information contained in the data
18 base. The director shall establish by rule an
19 advisory committee on the data base composed of
20 representatives from the state comptroller,
21 development commission, state board of regents,
22 department of transportation and commission for the
23 blind.

24 Sec. 2. Section 28.17, subsection 1, Code 1985, is
25 amended by striking the subsection and inserting in
26 lieu thereof the following:

27 1. The Iowa development commission shall provide a
28 business license center. The purpose of the center
29 shall be the following:

30 a. Provide a center of information where a person
31 interested in establishing a commercial facility or
32 engaging in a commercial activity may be informed of
33 any registration, license, or other approval of a
34 state regulatory agency that is required for that
35 facility or activity or of the existence of standards,
36 criteria, or requirements which the laws of this state
37 require that facility or activity to meet.

38 b. Develop and administer a computerized, one-stop
39 system capable of providing to the business community
40 a consolidated application packet concerning the most
41 frequently used licensing and regulatory requirements,
42 and, to the extent feasible, include local and federal
43 information concerning those regulated activities.

44 Sec. 3. Section 28.17, subsection 2, Code 1985, is
45 amended by adding the following new lettered
46 paragraph:

47 NEW LETTERED PARAGRAPH. g. Provide the commission
48 on its request with copies of all applications for
49 permits, licenses or regulatory approvals required by
50 the state agency.

Page 2

1 **Sec. 4. NEW SECTION. 28.18 BOARD OF REVIEW**2 **DUTIES.**

- 3 1. A board of review is created to provide policy
4 direction to the commission as it establishes and
5 operates the business license center. The board of
6 review shall be composed of the following officials or
7 their designees:
- 8 a. Director of revenue.
 - 9 b. Labor commissioner.
 - 10 c. Director of job service.
 - 11 d. Secretary of agriculture.
 - 12 e. Director of the Iowa development commission.
 - 13 f. Commissioner of public health.
 - 14 g. State comptroller.
 - 15 h. Director of beer and liquor control.
 - 16 i. Commissioner of human services.
 - 17 j. Secretary of state.
 - 18 k. Governor.
 - 19 l. Director of the office for planning and
20 programming.
 - 21 m. Director of transportation.
 - 22 n. As ex officio members:
 - 23 (1) The president of the senate.
 - 24 (2) The speaker of the house.
 - 25 (3) A representative of a recognized statewide
26 organization of employers, representing a large cross
27 section of the Iowa business community, to be
28 appointed by the governor.
 - 29 2. The governor shall be the chairperson. In the
30 governor's absence, the secretary of state shall act
31 as chairperson.
 - 32 3. The board shall meet at the call of the
33 chairperson at least semiannually or at the call of a
34 member to:
 - 35 a. Establish interagency policy guidelines for the
36 system.
 - 37 b. Review the findings, status, and problems of
38 system operations and recommend courses of action.
 - 39 c. Receive reports from industry and agency task
40 forces.
 - 41 d. Determine in questionable cases whether a
42 specific license is to be included in the master
43 license system.
 - 44 e. Review and make recommendations on rules
45 proposed by the business license center and any
46 amendments to or revisions of the center's rules.
 - 47 4. The board shall submit a report to the
48 legislature each biennium identifying the licenses
49 that the board believes should be added to the list of
50 those processed under the master license system.

Page 3

1 Sec. 5. NEW SECTION. 28.19 PARTICIPATION OF
2 STATE AGENCIES.

3 The following agencies shall participate fully in
4 the implementation of this chapter:

- 5 1. Iowa department of agriculture.
- 6 2. Secretary of state.
- 7 3. Department of human services.
- 8 4. Department of revenue.
- 9 5. State conservation commission.
- 10 6. Iowa department of job service.
- 11 7. Bureau of labor.
- 12 8. Iowa development commission.
- 13 9. Iowa beer and liquor control department.
- 14 10. State department of health.
- 15 11. State department of transportation.
- 16 12. Iowa state commerce commission.
- 17 13. Other agencies as determined by the governor.

18 Sec. 6. REPORT. By January 15, 1986 the
19 commission shall submit a report to the general
20 assembly which does the following:

- 21 1. Identifies licenses which are needed to begin
22 most types of businesses in the state and which could
23 be consolidated and processed under a master license
24 system.
- 25 2. Recommend a procedure for implementing the
26 system by providing the following:
 - 27 a. List of requirements for major categories of
28 business and industry.
 - 29 b. Procedure for issuing licenses.
- 30 3. Identify a schedule for implementing the long-
31 range goals of the business license center, including
32 the possibility of developing a master license system,
33 using a common data base with other state agencies,
34 and providing common license renewal dates.
- 35 4. Provides a system for the uniform registration
36 of trade names after consultation with the secretary
37 of state and county recorders.

38 Sec. 7. Section 28.41, Code 1985, is amended by
39 adding the following new subsection:

40 NEW SUBSECTION. 4. To formulate a small business
41 economic policy that will further the economic well-
42 being of small businesses throughout the state.

43 Sec. 8. Section 28.44, Code 1985, is amended by
44 striking subsection 5 and inserting in lieu thereof
45 the following:

- 46 5. The duties of the advisory council shall
47 include, but are not limited to, the following:
 - 48 a. To advise and consult with the commission and
49 the small business division with respect to matters
50 which are of concern to small business.

Page 4

1 b. To submit recommendations to the commission
2 relating to actual or proposed activities of the small
3 business division.

4 c. To submit recommendations for legislative or
5 administrative actions.

6 d. To review and monitor small business programs
7 and agencies in order to determine their effectiveness
8 and whether they complement or compete with each
9 other, and to coordinate the delivery of programs and
10 services aimed at small business. For purposes of
11 this subsection, the chairperson of the advisory
12 council shall appoint a subcommittee to meet with one
13 representative each from the commission, the Iowa
14 housing finance authority, the state board of regents,
15 the office for planning and programming, the
16 department of public instruction, the Iowa department
17 of job service, and four members of the general
18 assembly appointed by the legislative council, one
19 from each political party in each house. The
20 subcommittee shall meet as often as deemed necessary.
21 Legislative members of the subcommittee shall be paid
22 a forty dollar per diem and shall be reimbursed for
23 actual and necessary expenses incurred in performance
24 of duties. All per diem and expense moneys shall be
25 paid from funds appropriated for the use of the small
26 business division.

27 e. To initiate special small business economic
28 studies as deemed necessary including, but not limited
29 to, analysis of trends and growth opportunities
30 relative to small business.

31 Sec. 9. Section 28.46, Code 1985, is amended by
32 adding the following new unnumbered paragraph:

33 NEW UNNUMBERED PARAGRAPH. The annual report shall
34 include a section devoted to a description of
35 activities relative to the development of a small
36 business economic policy and recommendations to
37 further the economic well-being of small business."

38 2. Title page, lines 1 and 2, by striking the
39 words "to establish the small business economic policy
40 commission" and inserting the following: "related to
41 the Iowa development commission's participation in the
42 establishment of a business license center, an
43 economic policy for small business and a data base of
44 vendors to state agencies".

Hatch of Polk offered the following amendment H—3538, to amendment H—3390, filed by him and Metcalf of Polk and moved its adoption:

H-3538

- 1 Amend the amendment H-3390 to House File 392 as
2 follows:
- 3 1. Page 1, line 7, by inserting after the word
4 "Establishing" the following: "and developing".
- 5 2. Page 1, line 38, by striking the words "and
6 administer" and inserting the following: "a plan
7 for".
- 8 3. Page 1, line 43, by striking the word
9 "activities." and inserting the following:
10 "activities pursuant to the report required under
11 section 28.17, subsection 2."
- 12 4. Page 1, by inserting after line 43 the
13 following:
- 14 "2. By January 15, 1986 the commission shall
15 submit a report to the general assembly outlining the
16 costs associated with implementing the following
17 services of the business license center:
- 18 a. Identification of licenses which are needed to
19 begin most types of businesses in the state and which
20 could be consolidated and processed under a master
21 license system.
- 22 b. Recommendation of a procedure for implementing
23 the system by providing the following:
- 24 (1) A list of requirements for major categories of
25 business and industry.
- 26 (2) A procedure for issuing licenses.
- 27 c. Formulation of a schedule for implementing the
28 long-range goals of the business license center,
29 including the possibility of developing a master
30 license system, using a common data base with other
31 state agencies, and providing common license renewal
32 dates.
- 33 d. Provision of a system for the uniform
34 registration of trade names after consultation with
35 the secretary of state and county recorders."
- 36 5. Page 2, by striking lines 3 through 34 and
37 inserting the following:
- 38 "1. The director of the commission shall create a
39 review board consisting of representatives of agencies
40 deemed appropriate to provide policy direction to the
41 commission in its development and implementation of
42 the business license center plan. The review board
43 shall meet at the call of the director to:"
- 44 6. Page 2, by striking lines 47 through 50.
- 45 7. Page 3, by striking lines 1 through 37.
- 46 8. Page 4, line 17, by inserting after the word
47 "service," the following: "the small business
48 development centers".
- 49 9. Page 4, by inserting after line 37 the
50 following:

Page 2

- 1 "Sec. _____. Notwithstanding other provisions of this
- 2 Act, the data base provided for in section 1 of this
- 3 Act shall be established by July 1, 1986."
- 4 10. Page 4, by striking line 41, and inserting the
- 5 following: "the".

Amendment H—3538 was adopted.

Metcalf of Polk offered the following amendment H—3550, to the committee amendment H—3390, filed by her from the floor and moved its adoption:

H—3550

- 1 Amend the amendment H—3390 to House File 392 as
- 2 follows:
- 3 1. Page 2, by inserting after line 50 the
- 4 following:
- 5 " _____. It is the intent of the general assembly
- 6 that the board of review exist only temporarily and
- 7 that section 28.18 is repealed on July 1, 1988."

Amendment H—3550 lost.

Hatch of Polk offered the following amendment H—3540, to the committee amendment H—3390, filed by him and moved its adoption:

H—3540

- 1 Amend the amendment H—3390 to House File 392 as
- 2 follows:
- 3 1. Page 4, line 17, by striking the word "four"
- 4 and inserting the following: "two".

Amendment H—3540 was adopted.

Metcalf of Polk asked and received unanimous consent to withdraw amendment H—3534, to the committee amendment H—3390, filed by her on March 28, 1985.

Hatch of Polk offered the following amendment H—3471, to the committee amendment H—3390, filed by him and moved its adoption:

H-3471

- 1 Amend the amendment H-3390 to House File 392 as
- 2 follows:
- 3 1. Page 4, by striking lines 21 through 26 and
- 4 inserting the following: "The legislative members
- 5 shall be paid, when the general assembly is not in
- 6 session, a forty dollar per diem and shall be
- 7 reimbursed for their actual and necessary expenses
- 8 incurred in the performance of their duties from funds
- 9 appropriated under section 2.12."

Amendment H-3471 lost.

Metcalf of Polk asked and received unanimous consent to temporarily defer action on amendment H-3545, to the committee amendment H-3390.

Metcalf of Polk offered the following amendment H-3549, to the committee amendment H-3390, filed by her from the floor and moved its adoption:

H-3549

- 1 Amend the amendment H-3390 to House File 392 as
- 2 follows:
- 3 1. Page 4, by striking lines 16 through 26 and
- 4 inserting the following: "department of public
- 5 instruction and the Iowa department of job service."

A non-record roll call was requested.

The ayes were 34, nays 47.

Amendment H-3549 lost.

Metcalf of Polk offered the following amendment H-3545, to the committee amendment H-3390, filed by her from the floor and moved its adoption:

H-3545

- 1 Amend the amendment H-3390 to House File 392 as
- 2 follows:
- 3 1. Page 4, by striking lines 21 through 26.

Roll call was requested by Metcalf of Polk and Halvorson of Clayton.

On the question "Shall amendment H—3545, to the committee amendment H—3390, be adopted?"

The ayes were, 36:

Bennett	Buhr	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Hammond	Handorf
Hanson	Hester	Hummel	Kremer
Lageschulte	Maulsby	McIntee	McKean
Metcalf	Miller	Paulin	Pellett
Platt	Renken	Rensink	Boyer
Schnekloth	Siegrist	Stromer	Stueland
Swearingen	Torrence	Van Camp	Van Maanen

The nays were, 52:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Carter	Chapman
Cochran	Connolly	Cooper	Doderer
Fey	Fogarty	Groninga	Halvorson, R. N.
Hatch	Haverland	Holveck	Jay
Jochum	Johnson	Knapp	Koenigs
Lloyd-Jones	Loneragan	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peick	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Skow	Spear
Sturgeon	Swartz	Tabor	Teaford
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 12:

Branstad	Carl	Connors	Groth
Gruhn	Harbor	Hermann	Hughes
Mullins	Shoning	Sullivan	Weiden

Amendment H—3545 lost.

The following amendment H—3556, to the committee amendment H—3390, filed by Hatch of Polk from the floor was adopted by unanimous consent:

H—3556

- 1 Amend amendment H—3390 to House File 392 as follows:
- 2 1. Page 4, line 19, by striking the words "in each
- 3 house".

On motion by Hatch of Polk, the committee amendment H—3390, as amended, was adopted.

Groninga of Cerro Gordo moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 392)

The ayes were, 54:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carter
Chapman	Cochran	Connolly	Connors
Cooper	Fey	Groninga	Halvorson, R. N.
Hammond	Hatch	Holveck	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Loneragan	McIntee	Metcalf	Muhlbauer
Norland	O'Kane	Osterberg	Oxley
Parker	Pavich	Peick	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Siegrist	Skow
Spear	Sturgeon	Swartz	Tabor
Teaford	Van Camp	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 34:

Bennett	Carpenter	Clark	Corey
Daggett	De Groot	Diemer	Fogarty
Grandia	Halvorson, R. A.	Handorf	Hanson
Hester	Hummel	Jay	Kremer
Lageschulte	Maulsby	McKean	Miller
Mullins	Ollie	Paulin	Pellett
Platt	Renken	Rensink	Royer
Schneklath	Stromer	Stueland	Swearingen
Torrence	Van Maanen		

Absent or not voting, 12:

Branstad	Carl	Doderer	Groth
Gruhn	Harbor	Haverland	Hermann
Hughes	Shoning	Sullivan	Welden

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

UNANIMOUS CONSENT

Doderer of Johnson asked and received unanimous consent to appoint De Groot of Lyon and O'Kane of Woodbury as additional members of the subcommittee to study Senate File 395, and the members were listed accordingly.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 677, 691, 681, 701 and 392.

INTRODUCTION OF BILL

House File 755, by committee on ways and means, a bill for an act relating to the inspection of fruit-tree or forest reservations and making the Act retroactive.

Read first time and placed on the **ways and means calendar**.

MOTIONS TO RECONSIDER

(House File 498)

I move to reconsider the vote by which House File 498 passed the House on March 29, 1985.

KOENIGS of Mitchell

(House File 629)

I move to reconsider the vote by which House File 629 failed to pass the House on March 29, 1985.

DIEMER of Black Hawk

(House File 629)

I move to reconsider the vote by which House File 629 failed to pass the House on March 29, 1985.

SPEAR of Lee

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday afternoon, March 28, 1985. Had I been present, I would have voted "aye" on House Files 703, 709 and 711 and "nay" on House File 710.

MAULSBY of Calhoun

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 29, 1985, he approved and transmitted to the Secretary of State the following bills:

House File 41, an act relating to farm implement franchises and providing an effective date by publication.

House File 395, an act permitting the articles of incorporation of a trust company existing and operating on January 1, 1970 and which is authorized to act only as a trust company to be renewed in perpetuity.

PRESENTATION OF VISITORS

Carpenter of Polk presented to the House the Honorable Philip Hill, former member of the House and Senate representing Polk County.

Zimmerman of Dallas presented to the House Espen Anderson, a foreign exchange student from Fredrikstad, Norway. He is attending Waukee High School and was accompanied by Jeni Westbrook.

The Speaker announced that the following visitors were present in the House chamber:

Fifty 4-H members from Clayton, Jackson and Delaware Counties. By Halvorson of Clayton, Tabor of Jackson and Hanson of Delaware.

Five gifted and talented students from Larrabee Middle School, Larrabee, accompanied by Mrs. David Phipps. By Miller of Cherokee.

Twenty senior students from Twin Rivers High School, Bode, accompanied by Garvin Larsen and Gregory Schmidt. By Mullins of Kossuth.

STUDY BILL COMMITTEE ASSIGNMENTS

S.B. 394 Ways and Means

Authorizing the issuance of tax and revenue anticipation notes in anticipation of revenues by the treasurer of state and authorizing investment of note proceeds pending disbursement.

S.B. 395 Ways and Means

Relating to the licensing and regulation of mobile homes and mobile home parks.

SUBCOMMITTEE ASSIGNMENTS**House File 674**

State Government: Cochran, Chair; Pavich, and Van Maanen.

House File 679

Ways and Means: Holveck, Chair; Bennett, Carpenter, Groninga and Osterberg.

House File 680

State Government: Pavich, Chair; Beatty and Van Maanen.

House File 687

Judiciary and Law Enforcement: Rosenberg, Chair; Carl, Halvorson of Clayton, McIntee, Peterson, Schneklath and Tabor.

House File 690

Judiciary and Law Enforcement: Woods, Chair; Jay, Knapp, Kremer, Maulsby, McIntee and Renaud.

House File 693

Ways and Means: Groth, Chair; Cochran and Renken.

House File 694

Ways and Means: O'Kane, Chair; Lageschulte and Tabor.

House File 695

Ways and Means: Osterberg, Chair; Cochran, Daggett, Hanson, Parker and Rosenberg.

Senate Joint Resolution 3

State Government: Spear, Chair; Beatty and Daggett.

Senate File 18

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Senate File 101

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklath.

Senate File 183

Small Business and Commerce: Beatty, Chair; Diemer and Oxley.

Senate File 199

State Government: Arnould, Chair; Buhr and Renken.

Senate File 218

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

Senate File 244

Judiciary and Law Enforcement: Clark, Chair; Hammond and Haverland.

Senate File 293

State Government: Hammond, Chair; Pavich and Swearingen.

Senate File 299 (Reassigned)

Judiciary and Law Enforcement: Renaud, Chair; Kremer and Running.

Senate File 308

Local Government: Beatty, Chair; Cooper and Torrence.

Senate File 332

Ways and Means: Chapman, Chair; Arnould, Bennett, Miller, Parker, Schnekloth and Tabor.

Senate File 359

Local Government: Beatty, Chair; Cooper and Renken.

Senate File 374

Human Resources: Zimmerman, Chair; Hester, Mullins, Ollie and Peick.

Senate File 381

Judiciary and Law Enforcement: Brammer, Chair; Carl, Clark, Hammond, Running, Shoning and Siegrist.

Senate File 383

Labor and Industrial Relations: Ollie, Chair; Hummel and Running.

Senate File 395

Ways and Means: Chapman, Chair; Arnould, Bennett, De Groot, Miller, O'Kane, Parker, Schnekloth and Tabor.

Senate File 407

State Government: Blanshan, Chair; Cochran, Hanson, Renken and Teaford.

Senate File 413

Transportation: Lageschulte, Chair; Cooper and Koenigs.

Senate File 414

Education: Siegrist, Chair; Hughes and Ollie.

Senate File 423

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

Senate File 424

Human Resources: Arnould, Chair; Carl, Clark, Corey, Fey, Hammond, Hester, Mullins, Sturgeon and Teaford.

Senate File 435

Labor and Industrial Relations: Fey, Chair; Haverland and Metcalf.

Senate File 445

State Government: Pavich, Chair; Beatty and Van Maanen.

Senate File 455

Judiciary and Law Enforcement: Jay, Chair; Lageschulte and Siegrist.

Senate File 465

Agriculture: Muhlbauer, Chair; Blanshan and Stueland.

Senate File 466

Agriculture: Carter, Chair; Handorf and Koenigs.

Senate File 467

Judiciary and Law Enforcement: Chapman, Chair; Clark, Doderer, Haverland, Holveck, Shoning and Siegrist.

Senate File 468

Judiciary and Law Enforcement: Woods, Chair; Jay and Kremer.

Senate Concurrent Resolution 27

Judiciary and Law Enforcement: Chapman, Chair; McIntee and Running.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

Study Bill 330

Education: Hughes, Chair; Groth and Swearingen.

Study Bill 392

Ways and Means: Groth, Chair; Carpenter and Cochran.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

JOSEPH O'HERN
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Senate File 342, a bill for an act relating to bees by making certain acts unlawful, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-3551**, March 28, 1985.

COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Senate File 391, a bill for an act exempting fire trucks and other fire apparatus from meeting air quality standards.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 1985.

COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT

Senate File 85, a bill for an act relating to the application for and issuance of search warrants.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 1985.

Senate File 200, a bill for an act relating to the office of the appellate defender.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 1985.

Senate File 213, a bill for an act relating to the imposition of mandatory minimum sentences.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 1985.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Senate File 168, a bill for an act relating to the time period when volunteer fire fighters are acting in the course of employment for purposes of workers' compensation benefits.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 1985.

COMMITTEE ON STATE GOVERNMENT

Senate File 16, a bill for an act to provide for publication of state salary lists, job titles, and expenses paid to state employees.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H - 3542**, March 28, 1985.

Senate File 250, a bill for an act relating to the provision of statewide library services by the reorganization of the state library of Iowa and the regional library system.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H - 3543**, March 28, 1985.

COMMITTEE ON WAYS AND MEANS

CORRECTED COMMITTEE RECOMMENDATION on Committee Bill (Formerly House File 264), relating to the inspection of fruit-tree or forest reservations and making the Act retroactive.

Fiscal Note is not required.

Recommended Amend and Do Pass March 27, 1985.

AMENDMENTS FILED

H-3542	S.F.	16	Committee on State Government
H-3543	S.F.	250	Committee on State Government
H-3546	H.F.	547	Jay of Appanoose
H-3547	H.F.	554	Hummel of Benton
H-3548	S.F.	245	Chapman of Linn
H-3551	S.F.	342	Committee on Agriculture
H-3552	H.F.	736	Chapman of Linn
H-3553	H.F.	438	Jay of Appanoose
H-3554	H.F.	744	Jay of Appanoose
H-3557	H.F.	736	Buhr of Polk
H-3558	H.F.	705	Blanshan of Greene
H-3559	H.F.	556	Holveck of Polk Van Camp of Scott

On motion by Norland of Worth, the House adjourned at 3:34 p.m., until 10:00 a.m., Monday, April 1, 1985.

JOURNAL OF THE HOUSE

Seventy-eighth Calendar Day—Fifty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 1, 1985

The House met pursuant to adjournment, Connors of Polk in the chair.

Prayer was offered by Father John Pitzen, pastor of the St. Athanasius Catholic Church, Jesup.

The Journal of Friday, March 29, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Halvorson of Webster, until his arrival, on request of Norland of Worth; Sullivan of Van Buren and Jay of Appanoose, until their arrival, on request of Rosenberg of Story; Gruhn of Dickinson, until her arrival, on request of Carter of Henry; Lageschulte of Bremer, until his arrival, on request of Handorf of Marshall.

PETITION FILED

The following petition was received and placed on file:

By Maulsby of Calhoun, from twenty-five constituents of District 9 favoring increasing appropriations to the State Transit Assistance Fund to insure continuation of public transit service to Iowans.

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, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 191, a bill for an act establishing a central registry of brain-injured persons within the department of human services.

Also: That the Senate has on March 29, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 393, a bill for an act relating to the fee for transferring real estate by the county auditor.

Also: That the Senate has on March 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 406, a bill for an act relating to the destruction of noxious weeds and providing a penalty.

Also: That the Senate has on March 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 513, a bill for an act relating to the use of vehicles used as school buses for fifteen or fewer pupils.

Also: That the Senate has on March 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 525, a bill for an act authorizing the director of general services to assign unmarked motor vehicles to the department of justice.

Also: That the Senate has on March 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 530, a bill for an act relating to the parole of persons convicted for the offenses of sexual abuse and lascivious acts with a child.

Also: That the Senate has on March 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 531, a bill for an act relating to guardianships and conservatorships.

Also: That the Senate has on March 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 537, a bill for an act to require owners of vehicles subject to proportional registration to make application to the department of transportation for registration and issuance of certificate of title, and providing an effective date.

K. MARIE THAYER, Secretary

SENATE MESSAGES CONSIDERED

Senate File 450, by committee on energy and environment, a bill for an act to create an Iowa commerce commission pilot program for energy conservation improvements.

Read first time and referred to committee on **energy and environmental protection**.

Senate File 480, by committee on education, a bill for an act relating to time lines for requiring a certificated school employee to accept an extracurricular contract and providing that the Act takes effect upon its publication.

Read first time and referred to committee on **education**.

Senate File 509, by committee on natural resources, a bill for an act relating to the inspection of fruit-tree or forest reservations and making the Act retroactive.

Read first time and referred to committee on **ways and means**.

Senate File 531, by committee on judiciary, a bill for an act relating to guardianships and conservatorships.

Read first time and **passed on file**.

HOUSE FILES DEFERRED

Norland of Worth asked and received unanimous consent that the following bills be temporarily deferred and that the bills retain their place on the calendar: House Files 635, 707, 102 and 744.

CONSIDERATION OF BILLS

Regular Calendar

House File 741, a bill for an act relating to custom livestock feeders, was taken up for consideration.

Hughes of Union offered the following amendment H — 3536 filed by him and moved its adoption:

H — 3536

- 1 Amend House File 741 as follows:
- 2 1. Page 1, line 21, by striking the word
- 3 "facility" and inserting the following: "feedlot".

Amendment H — 3536 was adopted.

Hughes of Union moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 741)

The ayes were, 90:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Cooper	Corey	Daggett	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Groth	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Hatch
Hester	Holveck	Hughes	Hummel
Johnson	Knapp	Koenigs	Kremer
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker (Connors)		

The nays were, 2:

Doderer Mullins

Absent or not voting, 8:

Connolly	Gruhn	Halvorson, R. N.	Haverland
Hermann	Jay	Jochum	Lageschulte

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 743 DEFERRED

Norland of Worth asked and received unanimous consent that House File 743 be deferred and that the bill retain its place on the calendar.

House File 724, a bill for an act requiring a separate award of real estate taxes, personal property taxes and special assessments

to the county treasurer by the compensation commission as damages in condemnation, was taken up for consideration.

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. 724)

The ayes were, 81:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brämmer	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Cooper	Corey
Daggett	Diemer	Fey	Fogarty
Grandia	Groninga	Groth	Halvorson, R. A.
Hammond	Handorf	Hanson	Harbor
Hatch	Hester	Holveck	Hughes
Johnson	Knapp	Koenigs	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Shoning	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Connors)			

The nays were, 8:

Branstad	De Groot	Doderer	Hummel
Kremer	Metcalf	Schneklath	Van Maanen

Absent or not voting, 11:

Bennett	Carter	Gruhn	Halvorson, R. N.
Haverland	Hermann	Jay	Jochum
Lageschulte	Sherzan	Shoultz	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES DEFERRED

Norland of Worth asked and received unanimous consent that the following bills be deferred and that the bills retain their place on the calendar: House Files 704, 697 and 601.

Speaker Avenson in the chair at 10:30 a.m.

House File 329, a bill for an act relating to the residence of township officers, with report of committee recommending passage was taken up for consideration.

SENATE FILE 261 SUBSTITUTED FOR HOUSE FILE 329

Beatty of Warren asked and received unanimous consent to substitute Senate File 261 for House File 329.

Senate File 261, a bill for an act relating to the residence of township officers, was taken up for consideration.

Beatty of Warren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 261)

The ayes were, 92:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn .
Halvorson, R. A.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Johnson	Knapp	Koenigs	Kremer
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhibauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Pavich
Peick	Pellett	Peterson	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan

Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Woods	Zimmerman	Mr. Speaker

The nays were, 3:

Doderer	Paulin	Welden
---------	--------	--------

Absent or not voting, 5:

Halvorson, R. N.	Hermann	Jochum	Lageschulte
Platt			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 329 WITHDRAWN

Beatty of Warren asked and received unanimous consent to withdraw House File 329 from further consideration by the House.

HOUSE FILES DEFERRED

Norland of Worth asked and received unanimous consent that the following bills be temporarily deferred and that the bills retain their place on the calendar: House Files 556, 438 and 730.

House File 736, a bill for an act to include a physician's assistant on the board of medical examiners, was taken up for consideration.

Chapman of Linn offered the following amendment H-3552 filed by her:

H-3552

- 1 Amend House File 736 as follows:
- 2 1. Page 1, line 5, by inserting after the word
- 3 "one" the following: "ex officio".
- 4 2. Page 1, line 9, by striking the words "The
- 5 physician's assistant" and inserting the following:
- 6 "The ex officio member".

Chapman of Linn asked and received unanimous consent to temporarily defer action on amendment H-3552.

Spear of Lee asked and received unanimous consent to temporarily defer action on amendment H—3519.

Buhr of Polk offered the following amendment H—3557 filed by her and moved its adoption:

H—3557

- 1 Amend House File 736 as follows:
- 2 1. Page 1, by striking lines 12 and 13, and inserting
- 3 the following: "assistants, education of physicians'
- 4 assistants and rules or policies directly affecting
- 5 physicians' assistants. A majority of members of".

Amendment H—3557 was adopted, placing out of order amendment H—3519 filed by Spear of Lee on March 28, 1985.

The House resumed consideration of amendment H—3552, temporarily deferred.

Chapman of Linn moved the adoption of amendment H—3552.

Amendment H—3552 lost.

Hanson of Delaware moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 736)

The ayes were, 73:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Branstad	Buhr
Carl	Carpenter	Carter	Clark
Cochran	Connolly	Connors	Cooper
Daggett	Doderer	Fey	Fogarty
Grandia	Groth	Gruhn	Halvorson, R. A.
Hammond	Handorf	Hanson	Haverland
Hester	Holveck	Hughes	Hummel
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McKean	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Parker	Pavich	Peick	Peterson
Platt	Renaud	Renken	Rensink
Rosenberg	Running	Sherzan	Shoning

Shoultz	Spear	Stromer	Sturgeon
Swearingen	Tabor	Teaford	Torrence
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 23:

Brammer	Chapman	Corey	De Groot
Diemer	Groninga	Harbor	Hatch
Jay	McIntee	Metcalf	Oxley
Paulin	Pellett	Poncy	Royer
Schnekloth	Siegrist	Skow	Stueland
Sullivan	Van Camp	Van Maanen	

Absent or not voting, 4:

Halvorson, R. N.	Hermann	Jochum	Swartz
------------------	---------	--------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 734 DEFERRED

Norland of Worth asked and received unanimous consent that House File 734 be deferred and that the bill retain its place on the calendar.

Sherzan of Polk in the chair at 11:12 a.m.

House File 728, a bill for an act requiring the department of water, air and waste management to initiate and conduct a pilot program to collect and dispose of small amounts of hazardous wastes that are being stored in residences, schools, and small businesses, was taken up for consideration.

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. 728)

The ayes were, 93:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter

Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruha	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Jay	Johnson	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Shoning	Shultz
Siegrist	Skow	Spear	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Varn	Welden	Woods	Zimmerman
Mr. Speaker (Sherzan)			

The nays were, 4:

Hummel	Kremer	Stromer	Van Maanen
--------	--------	---------	------------

Absent or not voting, 3:

Halvorson, R. A.	Hermann	Jochum
------------------	---------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES DEFERRED

Norland of Worth asked and received unanimous consent that House Files 514 and 554 be temporarily deferred and that the bills retain their place on the calendar.

House File 744, a bill for an act relating to the publication of legal notices, temporarily deferred, was taken up for consideration.

Jay of Appanoose offered the following amendment H-3554 filed by him and moved its adoption:

H-3554

1 Amend House File 744 as follows:

- 2 1. Page 1, line 7, by inserting after the word
 3 "law" the following: "and made in an official
 4 newspaper designated pursuant to chapter 349.."
 5 2. Page 1, line 23, by inserting after the word
 6 "law" the following: "and made in an official
 7 newspaper designated pursuant to chapter 349.".

Amendment H—3554 was adopted.

Brammer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 744)

The ayes were, 58:

Arnould	Avenson	Baxter	Beatty
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Hammond	Hatch
Haverland	Holveck	Hughes	Jay
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Lonergan	McIntee	Muhlbauer	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Pavich	Peterson	Poney
Rosenberg	Running	Shoultz	Siegrist
Spear	Sturgeon	Sullivan	Tabor
Teaford	Torrence	Van Camp	Varn
Zimmerman	Mr. Speaker (Sherzan)		

The nays were, 39:

Bennett	Black	Branstad	Carpenter
Corey	Daggett	De Groot	Grandia
Halvorson, R. A.	Halvorson, R. N.	Handorf	Hanson
Harbor	Hester	Hummel	Johnson
Maulsby	McKean	Metcalf	Miller
Mullins	Paulin	Peick	Pellett
Platt	Renaud	Renken	Rensink
Royer	Schneklath	Shoning	Skow
Stromer	Stueland	Swartz	Swearingen
Van Maanen	Welden	Woods	

Absent or not voting, 3:

Hermann	Jochum	Kremer
---------	--------	--------

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 11:59 a.m.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 724, 736, 728 and 744.

RULE 57 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a committee on ways and means meeting at 1:00 p.m. today.

On motion by Norland of Worth, the House was recessed at 12:01 p.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Woods of Polk, until his arrival, on request of Norland of Worth.

CONSIDERATION OF BILLS

Regular Calendar

House File 743, a bill for an act relating to guardianships and conservatorships, was taken up for consideration.

SENATE FILE 531 SUBSTITUTED FOR HOUSE FILE 743

Haverland of Polk asked and received unanimous consent to substitute Senate File 531 for House File 743.

Senate File 531, a bill for an act relating to guardianships and conservatorships, was taken up for consideration.

Haverland of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 591)

The ayes were, 94:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Feick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Zimmerman	Mr. Speaker		

The nays were, none.

Absent or not voting, 6:

Connors	Fogarty	Hatch	Hermann
Welden	Woods		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 743 WITHDRAWN

Haverland of Polk asked and received unanimous consent to withdraw House File 743 from further consideration by the House.

The House resumed consideration of **House File 514**, a bill for an act to require highway authorities to submit annual road construction programs to county soil conservation district commissioners for review and recommendations relating to soil erosion controls and drainage controls, deferred on March 28 and April 1, 1985.

Osterberg of Linn asked and received unanimous consent to reconsider the vote by which the committee amendment H-3411 (found on pages 1135 and 1136 of the House Journal) was adopted by the House on March 28, 1985.

The House reconsidered the committee amendment H-3411 and division was requested as follows: Lines 2 through 9 and 19 through 22, amendment H-3411A; lines 10 through 18, amendment H-3411B.

Osterberg of Linn asked and received unanimous consent to withdraw the committee amendment H-3411A.

On motion by Osterberg of Linn, the committee amendment H-3411B was adopted.

Osterberg of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 514)

The ayes were, 78:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Cooper	Corey
Diemer	Doderer	Fey	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Hatch	Haverland
Hester	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lageschulte	Lloyd-Jones	Lonergan	McIntee
McKean	Metcalf	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Paulin	Pavich	Peick
Pellet	Peterson	Platt	Poncy
Renaud	Rensink	Rosenberg	Running

Schneklath	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Van Camp	Varn
Zimmerman	Mr. Speaker		

The nays were, 17:

Bennett	Branstad	Daggett	De Groot
Grandia	Handorf	Harbor	Hummel
Kremer	Maulsby	Miller	Renken
Royer	Swearingen	Torrence	Van Maanen
Welden			

Absent or not voting, 5:

Connors	Fogarty	Hermann	Parker
Woods			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

Norland of Worth asked and received unanimous consent to resume consideration of **House File 547**, a bill for an act relating to adoption and termination of parental rights and providing penalties.

Mullins of Kossuth asked and received unanimous consent to temporarily defer action on amendment H—3472B.

Renken of Grundy in the chair at 2:48 p.m.

The House resumed consideration of amendment H—3469B.

Tabor of Jackson asked and received unanimous consent to temporarily defer action on amendment H—3469B.

Ollie of Clinton offered amendment H—3370 filed by him. Division was requested as follows:

H—3370

1 Amend House File 547 as follows:

H—3370A

2 1. Page 7, by striking line 6 and inserting the

H-3370A

- 3 following: "prohibited fee, along with interest on
4 the prohibited fee at the rate provided in section
5 535.3 for court judgments and decrees, to the person
6 paying the fee."
7 2. Page 16, by inserting after line 9 the
8 following:
9 "_____. Notwithstanding any provision of subsection
10 1, 2, or 3 to the contrary, preplacement and
11 postplacement investigation information and reports
12 compiled at any time shall be sealed and shall not be
13 opened for inspection under this section."
14 3. Page 17, line 30, by striking the word
15 "REUNION" and inserting the following: "CONTACT".
16 4. Page 17, line 33, by striking the word
17 "reunion" and inserting the following: "contact".

H-3370B

- 18 5. Page 24, by inserting after line 29 the
19 following:
20 "Sec. 33. This Act takes effect July 1, 1986."
21 6. By numbering and renumbering as necessary.

On motion by Ollie of Clinton, amendment H-3370A was adopted.

The House resumed consideration of amendment H-3469B, found on pages 1172 and 1173 of the House Journal.

Tabor of Jackson offered the following amendment H-3563, to amendment H-3469B, filed from the floor by him and Hammond of Story:

H-3563

- 1 Amend the amendment, H-3469, to House File 547 as
2 follows:
3 1. Page 1, by inserting before line 4 the
4 following:
5 "_____. Page 3, by striking lines 33 and 34 and
6 inserting the following:
7 "d. The names and addresses of birth parents and
8 of adoptive parents at".
9 _____. Page 4, by striking lines 5 through 7."
10 2. Page 1, by inserting after line 7 the
11 following:
12 "_____. Page 9, by striking lines 6 and 7 and
13 inserting the following:
14 "1. The clerk of the district court or an agency
15 shall provide the".

- 16 _____. Page 9, line 8, by striking the word
 17 "person's" and inserting the following: "clerk's or
 18 agency's".
- 19 _____. Page 9, lines 8 and 9, by striking the words
 20 "a principal party" and inserting the following: "an
 21 adult adoptee, the adult adoptee's legal
 22 representative, or a birth parent".
- 23 _____. By striking page 10, line 12, through page
 24 11, line 20.
- 25 _____. Page 14, by striking lines 2 through 4 and
 26 inserting the following: "voluntarily to the
 27 disclosure of information."
- 28 _____. Page 14, by striking lines 11 through 18 and
 29 inserting the following: "deceased, cannot be
 30 notified, or has filed or files a timely unrevoked
 31 affidavit of refusal to consent with the department,
 32 the department shall notify the requesting principal
 33 party of the inability to notify or of the refusal but
 34 shall not disclose any information to the requesting
 35 principal party, unless ordered to do so by the
 36 court."
- 37 _____. By striking page 14, line 19 through page 15,
 38 line 29 and inserting the following:
 39 "The clerk of the district court shall allow
 40 inspection of adoption records in the clerk's
 41 possession by an adult adoptee if the court determines
 42 by clear and convincing evidence that inspection of
 43 the information in the adoption records is in the best
 44 interests of both the adult adoptee and the birth
 45 parents, unless either birth parent filed an affidavit
 46 contained in an adoption record requesting that the
 47 identity of the birth parents not be disclosed." "
- 48 3. Page 1, by inserting after line 25 the
 49 following:
 50 "_____. Page 18, by striking lines 11 and 12.

Page 2

- 1 _____. Page 18, line 17, by striking the letter
 2 "f" and inserting the following: "e".
- 3 _____. Page 18, line 24, by striking the letter
 4 "f" and inserting the following: "e".
- 5 _____. Page 18, line 28, by striking the letter
 6 "f" and inserting the following: "e".

Carl of Poweshiek asked and received unanimous consent to temporarily defer action on amendment H—3563, to amendment H—3469B, and amendment H—3469B.

Mullins of Kossuth asked and received unanimous consent to temporarily defer action on amendment H—3472D.

Carl of Poweshiek offered the following amendment H-3531 filed by her and moved its adoption:

H-3531

- 1 Amend House File 547 as follows:
- 2 1. Page 10, line 6, by inserting after the word
- 3 "fees." the following: "If the department provides
- 4 the information or services, the department shall
- 5 charge reasonable fees on a sliding scale to cover the
- 6 cost of providing the information and services
- 7 according to the standards determined for all such
- 8 fees by the department."
- 9 2. Page 13, line 18, by striking the words "The
- 10 department may" and inserting the following: "In
- 11 advance of providing services under this subsection,
- 12 the department shall".
- 13 3. Page 18, line 24, by striking the words "The
- 14 department may" and inserting the following: "In
- 15 advance of providing services under this section, the
- 16 department shall".

Amendment H-3531 was adopted.

The House resumed consideration of amendment H-3467B, found on pages 1173 and 1174 of the House Journal.

Jay of Appanoose offered the following amendment H-3546, to amendment H-3467B, filed by him and moved its adoption:

H-3546

- 1 Amend the amendment, H-3467, to House File 547 as
- 2 follows:
- 3 1. Page 1, by striking lines 7 through 17 and
- 4 inserting the following:
- 5 "_____. Page 11, by striking lines 30 through 33
- 6 and inserting the following:
- 7 "1. A clerk of the district court shall allow
- 8 inspection of adoption records in the clerk's
- 9 possession as follows:" "

Amendment H-3546 was adopted.

Jay of Appanoose moved the adoption of amendment H-3467B, as amended.

Roll call was requested by Carl of Poweshiek and O'Kane of Woodbury.

On the question "Shall amendment H—3467B, as amended, be adopted?"

The ayes were, 46:

Baxter	Bennett	Black	Blanshan
Connolly	Connors	Doderer	Fogarty
Groth	Gruhn	Halvorson, R. A.	Hammond
Handorf	Hanson	Harbor	Haverland
Hummel	Jay	Jochum	Johnson
Knapp	Kremer	Loneragan	McIntee
Muhlbauer	Mullins	Ollie	Oxley
Paulin	Pavich	Pellett	Peterson
Platt	Poncy	Rensink	Royer
Schnekloth	Skow	Spear	Stueland
Sullivan	Swearingen	Tabor	Torrence
Van Camp	Mr. Speaker (Renken)		

The nays were, 50:

Arnould	Avenson	Beatty	Brammer
Branstad	Buhr	Carl	Carpenter
Chapman	Clark	Cooper	Corey
Daggett	De Groot	Diemer	Fey
Grandia	Groninga	Halvorson, R. N.	Hatch
Hester	Holveck	Hughes	Koenigs
Lageschulte	Lloyd-Jones	Maulsby	McKean
Metcalf	Miller	Norland	O'Kane
Osterberg	Parker	Peick	Renaud
Rosenberg	Running	Sherzan	Shoning
Shoultz	Siegrist	Stromer	Sturgeon
Swartz	Teaford	Van Maanen	Varn
Weiden	Zimmerman		

Absent or not voting, 4:

Carter	Cochran	Hermann	Woods
--------	---------	---------	-------

Amendment H—3467B, as amended, lost.

The House resumed consideration of amendment H—3469B and amendment H—3563, (to amendment H—3469B) temporarily deferred. Division of amendment H—3563 was requested as follows: Lines 3 through 9, amendment H—3563A; lines 10 through 47, amendment H—3563B; and lines 48 through 50, page 1, and lines 1 through 6, page 2, amendment H—3563C.

Tabor of Jackson moved the adoption of amendment H—3563A, to amendment H—3469B.

A non-record roll call was requested.

The ayes were 29, nays 45.

Amendment H—3563A lost.

Tabor of Jackson moved the adoption of amendment H—3563B, to amendment H—3469B.

Roll call was requested by Carl of Poweshiek and Varn of Johnson.

Rule 75 was invoked.

On the question "Shall amendment H—3563B, to amendment H—3469B, be adopted?"

The ayes were, 45:

Baxter	Bennett	Branstad	Connolly
Connors	De Groot	Doderer	Grandia
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Haverland
Hummel	Jay	Jochum	Kremer
Lageschulte	Loneragan	Maulsby	McIntee
McKean	Miller	Mullins	Ollie
Osterberg	Oxley	Paulin	Pavich
Platt	Poncy	Rensink	Royer
Schneklath	Skow	Stromer	Stueland
Swearingen	Tabor	Torrence	Van Camp
Mr. Speaker (Renken)			

The nays were, 50:

Arnould	Avenson	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Cooper	Corey	Daggett
Diemer	Fey	Fogarty	Groninga
Handorf	Hatch	Hester	Holveck
Hughes	Johnson	Koenigs	Lloyd-Jones
Metcalf	Muhlbauer	Norland	O'Kane
Parker	Peick	Pellett	Renaud
Rosenberg	Running	Sherzan	Shoning
Siegrist	Spears	Sturgeon	Sullivan
Swartz	Teaford	Van Maanen	Varn
Woods	Zimmerman		

Absent or not voting, 5:

Hermann
Welden

Knapp

Peterson

Shultz

Amendment H—3563B lost.

Norland of Worth asked and received unanimous consent that House File 547 be deferred and that the bill retain its place on the calendar.

House File 438, a bill for an act relating to evidence of intent in cases alleging theft of library equipment, previously deferred, with report of committee recommending amendment and passage was taken up for consideration.

Woods of Polk offered the following amendment H—3426 filed by the committee on judiciary and law enforcement and moved its adoption:

H—3426

- 1 Amend House File 438 as follows:
- 2 1. Page 2, line 7, by striking the word "six" and
- 3 inserting the words "six two".

The committee amendment H—3426 was adopted.

Jay of Appanoose offered the following amendment H—3553 filed by him and moved its adoption:

H—3553

- 1 Amend House File 438 as follows:
- 2 1. Page 1, by striking lines 21 and 22 and
- 3 inserting the following: "agencies listed in
- 4 subsection 1."

Amendment H—3553 was adopted.

Woods of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 438)

The ayes were, 99:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Clark	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fej	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Weiden
Woods	Zimmerman	Mr. Speaker (Renken)	

The nays were, none.

Absent or not voting, 1:

Hermann

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.

House File 556, a bill for an act relating to chattel loans by providing a short title to chapter 536, increasing the maximum amount of a regulated loan from two thousand to twenty-five thousand dollars, permitting a licensee to sell property insurance to borrowers on property owned by the borrowers, modifying the penalty if a licensee charges excessive interest or other charges, and repealing a requirement that an applicant for a loan shall report other installment loans that the applicant may have, temporarily deferred, was taken up for consideration.

Skow of Guthrie offered the following amendment H—3525 filed by him:

H—3525

- 1 Amend House File 556 as follows:
 2 1. Page 3, line 17, by striking the word "The"
 3 and inserting the following: "The Except as provided
 4 in subsection 7, the".
 5 2. Page 4, line 20, by inserting after the number
 6 "4" the following: "or pursuant to subsection 7 for
 7 those amounts in excess of ten thousand dollars".
 8 3. Page 4, line 28, by inserting after the word
 9 "whatsoever." the following: "In addition, the
 10 licensee shall forfeit the right to collect the lesser
 11 of two thousand dollars of principal of the loan or
 12 the total amount of the principal of the loan."
 13 4. Page 4, by inserting after line 28 the
 14 following:
 15 "7. The board may establish the maximum rate of
 16 interest or charges as permitted under this chapter
 17 for those loans whose unpaid principal balance is ten
 18 thousand dollars or less. For those loans whose
 19 unpaid principal balance is over ten thousand dollars,
 20 the maximum rate of interest or charges which a
 21 licensee may charge shall be the greater of the rate
 22 permitted by chapter 535 or the rate authorized for
 23 supervised financial organizations by chapter 537."
 24 5. Page 6, by striking lines 13 through 16 and
 25 inserting the following:
 26 "A licensee may sell the borrower insurance against
 27 loss of or damage to property owned by the borrower or
 28 loss from liability arising out of the ownership or
 29 use of property owned by the borrower. The insurance
 30 shall be sold at premium rates approved by the
 31 insurance department. In selling the insurance, the
 32 licensee shall furnish to the borrower a clear,
 33 conspicuous, and specific statement in writing setting
 34 forth the cost of the insurance and stating that the
 35 borrower may choose the person through whom the
 36 insurance is to be obtained."

Swartz of Marshall offered the following amendment H—3566, to amendment H—3525, filed by him from the floor and moved its adoption:

H—3566

- 1 Amend amendment H—3525 to House File 556 as
 2 follows:

- 3 1. Page 1, line 34, by striking the words
4 "insurance and" and inserting the following:
5 "insurance."
6 2. Page 1, line 36, by inserting after the word
7 "obtained" the following: "and stating that the
8 insurance is not required as a condition of obtaining
9 the loan".

Amendment H—3566 was adopted.

Holveck of Polk offered amendment H—3572, to amendment H—3525, filed by him and Van Camp from the floor and requested division as follows:

H—3572

- 1 Amend amendment H—3525 to House File 556 as
2 follows:

H—3572A

- 3 1. Page 1, line 7, by striking the word "ten" and
4 inserting the following: "five".
5 2. Page 1, by striking lines 13 through 23 and
6 inserting the following:
7 "_____. Page 4, by inserting after line 28 the
8 following:
9 "7. The board may establish the maximum rate of
10 interest as permitted under this chapter for those
11 loans whose principal is five thousand dollars or
12 less. For those loans whose principal is over five
13 thousand dollars, the interest rate ceiling
14 established under chapter 535, 537, or any other
15 applicable chapter shall apply." "

H—3572B

- 16 3. Page 1, by inserting after line 23 the
17 following:
18 "_____. Page 5, by striking lines 10 and 11 and
19 inserting the following: "conflicting provision of
20 this chapter." "

H—3572C

- 21 4. Page 1, by inserting after line 23 the
22 following:
23 "_____. Page 5, by inserting after line 27 the
24 following:
25 "Sec._____. Section 536.25, Code 1985, is amended

H-3572C

26 to read as follows:

27 536.25 STATEMENT OF OTHER LOANS BY BORROWER.

28 Every A licensee when making a loan hereunder under
 29 this chapter shall require a statement in writing from
 30 each applicant setting forth a description of all
 31 installment indebtedness of such the applicant by
 32 giving the amount of each such loan and the name of
 33 the lender. The applicant may orally disclose the
 34 information and the licensee shall write down the
 35 information, and the applicant shall subsequently sign
 36 the statement."

H-3572B

37 5. Page 1, by striking lines 24 through 36 and
 38 inserting the following:

39 "_____. Page 6, by striking line 16 and inserting
 40 the following: "by the borrower. When the
 41 transaction is a consumer credit transaction as
 42 defined in section 537.1301 the sale of property
 43 insurance is subject to the requirements of sections
 44 537.2501 and 537.2510 and the rules adopted under
 45 those sections by the administrator of the Iowa
 46 consumer credit code." "

H-3572C

47 6. Page 1, by inserting after line 36 the
 48 following:

49 "_____. Page 6, by striking line 35."
 50 7. Renumber as necessary.

Holveck of Polk moved the adoption of amendment H-3572A,
 to amendment H-3525.

A non-record roll call was requested.

The ayes were 38, nays 43.

Amendment H-3572A lost.

Holveck of Polk moved the adoption of amendment H-3572B, to
 amendment H-3525.

A non-record roll call was requested.

The ayes were 41, nays 25.

Amendment H — 3572B was adopted, placing out of order amendment H — 3566, previously adopted.

On motion by Holveck of Polk, amendment H — 3572C, to amendment H — 3525, was adopted.

Skow of Guthrie moved the adoption of amendment H — 3525, as amended.

Amendment H — 3525, as amended, lost.

Holveck of Polk offered the following amendment H — 3559 filed by him and Van Camp of Scott and moved its adoption:

H — 3559

1 Amend House File 556 as follows:

2 1. Page 3, line 17, by striking the word "The"
3 and inserting the following: "The Except as provided
4 in subsection 7, the".

5 2. Page 4, line 28, by inserting after the word
6 "whatsoever." the following: "In addition, the
7 licensee shall forfeit eight percent of the remaining
8 balance of the principal that is unpaid at the time
9 the judgment is rendered. The amount forfeited shall
10 be deposited in the school fund of the county in which
11 the action is brought."

12 3. Page 4, line 20, by inserting after the number
13 "4" the following: "or pursuant to subsection 7 for
14 those amounts in excess of five thousand dollars".

15 4. Page 4, by inserting after line 28 the
16 following:

17 "7. The board may establish the maximum rate of
18 interest as permitted under this chapter for those
19 loans whose principal is five thousand dollars or
20 less. For those loans whose principal is over five
21 thousand dollars, the interest rate ceiling
22 established under chapter 535, 537, or any other
23 applicable chapter shall apply."

24 5. Page 5, by striking lines 10 and 11 and
25 inserting the following: "conflicting provision of
26 this chapter."

27 6. Page 5, by inserting after line 27 the
28 following:

29 "Sec. _____. Section 536.25, Code 1985, is amended
30 to read as follows:

31 536.25 STATEMENT OF OTHER LOANS BY BORROWER.

32 Every A licensee when making a loan hereunder under
33 this chapter shall require a statement in writing from

34 each applicant setting forth a description of all
35 installment indebtedness of ~~such the~~ applicant by
36 giving the amount of each ~~such~~ loan and the name of
37 the lender. The applicant may orally disclose the
38 information and the licensee shall write down the
39 information, and the applicant shall subsequently sign
40 the statement."

41 7. Page 6, by striking line 16 and inserting the
42 following: "by the borrower. When the transaction is
43 a consumer credit transaction as defined in section
44 537.1301 the sale of property insurance is subject to
45 the requirements of sections 537.2501 and 537.2510 and
46 the rules adopted under those sections by the
47 administrator of the Iowa consumer credit code."

48 8. Page 6, by striking line 35.

49 9. Renumber as necessary.

A non-record roll call was requested.

The ayes were 44, nays 29.

Amendment H—3559 was adopted.

Skow of Guthrie asked and received unanimous consent to withdraw amendment H—3416 filed by him on March 22, 1985.

Holveck of Polk asked and received unanimous consent to reconsider the vote by which amendment H—3559 was adopted by the House on April 1, 1985.

Holveck of Polk asked and received unanimous consent to withdraw amendment H—3559.

Skow of Guthrie moved to reconsider the vote by which amendment H—3525, as amended, failed to be adopted by the House on April 1, 1985, which motion prevailed and amendment H—3525, as amended, was reconsidered.

On motion by Skow of Guthrie amendment H—3525, as amended, was adopted.

The following amendment H—3574, filed by Skow of Guthrie from the floor, was adopted by unanimous consent:

H-3574

- 1 Amend House File 556 as follows:
- 2 1. Title page, line 3, by striking the word
- 3 "twenty-five" and inserting the word "ten".
- 4 2. Title page, line 7, by striking the word
- 5 "repealing" and inserting the word "modifying".

Skow of Guthrie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 556)

The ayes were, 82:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Branstad	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Loneragan	Maulsby	McIntee	Metcalf
Miller	Muhlbauer	Mullins	Norland
Ollie	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Poncy
Renken	Rensink	Royer	Schneklath
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Maanen	Varn
Zimmerman	Mr. Speaker		

The nays were, 16:

Brammer	Buhr	Johnson	Knapp
McKean	O'Kane	Osterberg	Oxley
Platt	Renaud	Rosenberg	Running
Sherzan	Van Camp	Welden	Woods

Absent or not voting, 2:

Groth	Hermann
-------	---------

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 730, a bill for an act relating to the licensure of dietitians and nutritionists, was taken up for consideration.

Teaford of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 730)

The ayes were, 93:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Woods	Zimmerman
Mr. Speaker			

The nays were, 6:

Beatty	Corey	Hester	Hummel
Pellett	Welden		

Absent or not voting, 1:

Hermann

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 707**, a bill for an act relating to the selection of a retirement benefit option under the Iowa public employees' retirement system, and amendment H—3539 (found on page 1184 of the House Journal) deferred on March 29, 1985 and temporarily deferred today.

Clark of Cerro Gordo in the chair at 5:38 p.m.

Doderer of Johnson offered the following amendment H—3573, to amendment H—3539, filed by Doderer, Hanson, Blanshan and Halvorson of Webster from the floor and moved its adoption:

H—3573

- 1 Amend amendment H—3539 to House File 707 as
- 2 follows:
- 3 1. Page 1, by striking lines 2 through 5 and
- 4 inserting the following:
- 5 "_____. By striking everything after the enacting
- 6 clause and inserting the following:
- 7 "Section 1. Section 97B.51, Code 1985, is amended
- 8 by adding the following new subsection:
- 9 **NEW SUBSECTION. 7.** The election of the member
- 10 provided for in this section shall include the
- 11 signature of the member's spouse if the member is
- 12 married, and the election is subject to the approval
- 13 of the department. When a member is married, the form
- 14 on which the member makes the election shall include a
- 15 space for the spouse's acknowledgment of the election
- 16 of the member. The signature of the member and the
- 17 member's spouse, if required, shall be witnessed by a
- 18 notary public, or it shall be established to the
- 19 satisfaction of the department that the signature of
- 20 the member's spouse cannot be obtained because there
- 21 is no spouse, because the spouse cannot be located, or
- 22 because of other circumstances as the department may
- 23 determine appropriate by administrative rules adopted
- 24 under chapter 17A.
- 25 The form on which the member makes the election
- 26 shall contain a written explanation of the retirement
- 27 options under section 97B.49 and this section and
- 28 their effects upon the payments, if any, after the
- 29 member's death to a member's contingent annuitant or
- 30 named beneficiary." "

Amendment H—3573 was adopted.

On motion by Halvorson of Webster, amendment H—3539, as amended, was adopted, placing out of order amendment H—3524 filed by Hanson of Delaware on March 28, 1985 and amendments H—3523A and H—3523B, previously deferred, found on page 1184 of the House Journal.

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. 707)

The ayes were, 87:

Arnould	Avenson	Baxter	Beatty
Bennett	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Chapman
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
McKean	Metcalf	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Schnekloth	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Zimmerman	Madam Speaker (Clark)	

The nays were, 9:

Black	Carter	Groth	Jay
Miller	Paulin	Running	Sherzan
Sullivan			

Absent or not voting, 4:

Hermann	Parker	Welden	Woods
---------	--------	--------	-------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 102, a bill for an act relating to smoking in public places and public meetings and applying penalties, deferred March 29, 1985 and temporarily deferred today, with report of committee recommending amendment and passage was taken up for consideration.

Hammond of Story offered the following amendment H-3118 filed by the committee on state government:

H-3118

- 1 Amend House File 102 as follows:
- 2 1. Page 1, line 18, by inserting before the word
- 3 "arenas" the following: "indoor".
- 4 2. Page 2, by striking lines 11 through 16 and
- 5 inserting the following: "by the general public,
- 6 except that an employee cafeteria in such place of
- 7 work shall have a designated nonsmoking area."
- 8 3. Page 3, by striking line 9.
- 9 4. Page 3, line 13, by striking the word "The"
- 10 and inserting the following: "The A".
- 11 5. Page 3, line 27, by striking the word "The"
- 12 and inserting the following: "The A".
- 13 6. Page 4, line 8, by striking the word "fine"
- 14 and inserting the following: "fine penalty".
- 15 7. Page 4, line 10, by striking the words "one
- 16 hundred" and inserting the following: "one hundred
- 17 fifty".
- 18 8. Page 4, line 13, by striking the word "fines"
- 19 and inserting the following: "fines penalties".

Norland of Worth asked and received unanimous consent that House File 102 be deferred and that the bill retain its place on the calendar.

(Amendment H-3118 pending.)

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 514, 438, 556 and 707; and Senate File 531.

Speaker Avenson in the chair at 5:45 p.m.

**MOTIONS TO RECONSIDER
(House File 730)**

I move to reconsider the vote by which House File 730 passed the House on April 1, 1985.

JAY of Appanoose

(House File 741)

I move to reconsider the vote by which House File 741 passed the House on April 1, 1985.

HUGHES of Union

(House File 741)

I move to reconsider the vote by which House File 741 passed the House on April 1, 1985.

STROMER of Hancock

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 1, 1985, failed to reconsider Senate File 32, the objection of the Governor to the contrary notwithstanding, a bill for an act to establish a minimum price for certain agricultural commodities sold within the state, providing for supply management and orderly marketing, and providing a penalty.

Also: That the Senate has on April 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 526, a bill for an act requiring successful completion of a course relating to education of the handicapped and gifted and talented before issuance of any certificate, endorsement, or approval by the department of public instruction.

K. MARIE THAYER, Secretary

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Friday, March 29, and for a short time on April 1, 1985. Had I been present, I would have voted "aye" on House Files 392, 498, 629, 677, 681, 691, 701, 724 and 741.

GRUHN of Dickinson

I was necessarily absent from the House chamber on March 29, 1985. Had I been present, I would have voted "aye" on House Files 392, 498, 629, 677, 681, 691, 701 and amendment H-3383, to House File 547; and "nay" on amendment H-3545, to amendment H-3390, to House File 392.

HUGHES of Union

PRESENTATION OF VISITORS

Speaker Avenson presented to the House the Honorable Paul Copenhaver, former member of the House representing Buchanan County.

The Speaker announced that the following visitors were present in the House chamber:

Twelve community college students from Iowa Western Community College, Council Bluffs, accompanied by Mike Knedler. By Pavich of Pottawattamie.

Forty visitors including Cub Scout Pack 29 from Hoover Elementary School, Cedar Rapids, accompanied by Rod Martens. By Running of Linn.

Fifty-five second grade students from Northstar Elementary School, Knoxville, accompanied by Mrs. Nichols, Mrs. Sloan and Mrs. Martin. By Grandia of Marion.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows:

- | | |
|--------|---|
| 1985-7 | Carroll Kuemper Knights - Winning the 1985 Class 3-A Boys State Basketball Championship and Sportsmanship Award. |
| 1985-8 | Thomas Jefferson High School of Council Bluffs - Boys Gymnastic Team achieved All-American status from the National Gymnastics Coaches Association. |
| 1985-9 | Sioux Center Warriors - Won Third Place in the 1985 Class 1-A Boys State Basketball Tournament. |

- 1985-10 Shanda Berry, Oelwein — Named to girls basketball First Team All-American.
- 1985-11 Hull Western Christian High School — Won the 1985 Class 2-A Boys State Basketball Championship and Sportsmanship Award.
- 1985-12 Hedrick Boys Basketball Team — Won the Consolation game in the Class A Division of the 1985 State Basketball Tournament.
- 1985-13 Doug Gambell, Hedrick — Selected to the All Tournament Team in the Class A Division of the 1985 Boys State Basketball Tournament.
- 1985-14 Michelle Brainard, Marengo — Won the Girl Scout's Gold Award.
- 1985-15 Carol Needham, Greene — Won the "Iowa Mother of the Year" Award.
- 1985-16 Lori Hess, Dows — Won the Girl Scout's Gold Award.

RESOLUTION FILED

SCR 30, by committee on agriculture, a concurrent resolution requesting Congress to change federal legislation affecting loans at below-market interest rates.

Referred to committee on agriculture.

AMENDMENTS FILED

H—3560	H.F.	629	Spear of Lee
H—3561	H.F.	749	Spear of Lee
H—3562	H.F.	722	Spear of Lee
H—3564	H.F.	737	Rosenberg of Story
H—3565	H.F.	747	Jochum of Dubuque
H—3567	H.F.	747	Harbor of Mills
			Halvorson of Clayton
H—3568	H.F.	635	Fogarty of Palo Alto
H—3569	S.F.	9	De Groot of Lyon
			Jay of Appanoose
H—3570	H.F.	747	Spear of Lee
H—3571	S.F.	250	Spear of Lee
H—3575	H.F.	747	Sherzan of Polk
H—3576	S.F.	85	McIntee of Black Hawk
			Doderer of Johnson

H—3577	S.F.	502	Brammer of Linn Swartz of Marshall
H—3578	H.F.	740	Rosenberg of Story

On motion by Norland of Worth, the House adjourned at 5:47 p.m., until 9:00 a.m., Tuesday, April 2, 1985.

JOURNAL OF THE HOUSE

Seventy-ninth Calendar Day—Fifty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 2, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend Lyle Kuehl, pastor of the First Congregational Church, Creston.

The Journal of Monday, April 1, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sturgeon of Woodbury, until his arrival, on request of Fey of Scott.

PETITION FILED

The following petition was received and placed on file:

By Hanson of Delaware, from twenty-nine constituents of District 48 favoring House File 272, an act relating to the regulation of telecommunication services and providing a penalty.

SENATE MESSAGES CONSIDERED

Senate File 191, by Priebe, a bill for an act establishing a central registry of brain-injured persons within the department of human services.

Read first time and referred to committee on **human resources**.

Senate File 393, by Waldstein, a bill for an act relating to the fee for transferring real estate by the county auditor.

Read first time and referred to committee on **local government**.

Senate File 406, by committee on local government, a bill for an act relating to the destruction of noxious weeds and providing a penalty.

Read first time and referred to committee on **local government**.

Senate File 433, by committee on state government, a bill for an act relating to the certification and regulation of respiratory care practitioners and providing a penalty and an effective date.

Read first time and referred to committee on **state government**.

Senate File 513, by committee on education, a bill for an act relating to the use of vehicles used as school buses for fifteen or fewer pupils.

Read first time and referred to committee on **education**.

Senate File 525, by committee on state government, a bill for an act authorizing the director of general services to assign unmarked motor vehicles to the department of justice.

Read first time and referred to committee on **state government**.

Senate File 526, by committee on education, a bill for an act requiring successful completion of a course relating to education of the handicapped and gifted and talented before issuance of any certificate, endorsement, or approval by the department of public instruction.

Read first time and referred to committee on **education**.

Senate File 530, by committee on judiciary, a bill for an act relating to the parole of persons convicted for the offenses of sexual abuse and lascivious acts with a child.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 537, by committee on transportation, a bill for an act to require owners of vehicles subject to proportional registration to make application to the department of transportation for registration and issuance of certificate of title, and providing an effective date.

Read first time and referred to committee on **transportation**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 268, a bill for an act relating to the establishment of 911 services and creating a temporary commission to study implementation and financing alternatives for emergency telephone service and requiring recommendations to the general assembly and including an appropriation.

Also: That the Senate has on March 27, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 447, a bill for an act to license operators of radiation emitting equipment.

Also: That the Senate has on March 28, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 452, a bill for an act authorizing conversion of certain real property to a mobile home.

Also: That the Senate has on March 29, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 497, a bill for an act prohibiting political subdivisions or agencies of this state from requiring their employed peace officers to issue a certain number of citations or memorandums.

K. MARIE THAYER, Secretary

The House stood at ease at 9:22 a.m., until the fall of the gavel.

The House resumed session at 11:02 a.m., Speaker Avenson in the chair.

RULE 74 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 74, to allow the members of the ways and means subcommittee currently meeting on Senate File 395 to vote on any action taken in their absence.

RULE 57 SUSPENDED

Norland of Worth asked and received unanimous consent to suspend Rule 57 to allow the committee on ways and means meeting to be postponed today until the call of the chair.

CONSIDERATION OF BILLS
Regular Calendar

House File 501, a bill for an act relating to the inspection of boilers and unfired steam pressure vessels, with report of committee recommending passage was taken up for consideration.

Peick 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. 501)

The ayes were, 93:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	De Groot	Diemer
Doderer	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Schnekloth	Sherzan	Shoning	Shultz
Siegrist	Skow	Spear	Stromer
Stueland	Sullivan	Swartz	Swearingen
Tabor	Tefford	Torrence	Van Camp
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, 2:

Daggett	Van Maanen
---------	------------

Absent or not voting, 5:

Corey	Fey	Hermann	Running
Sturgeon			

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:

Branstad of Winnebago, for the remainder of the morning, on request of Mullins of Kossuth; Baxter of Des Moines, until her return, on request of Haverland of Polk.

Paulin of Plymouth in the chair at 11:08 a.m.

House File 381, a bill for an act relating to workers' compensation benefits for injuries or death to volunteer fire fighters involving intoxication, with report of committee recommending amendment and passage was taken up for consideration.

Renaud of Polk offered the following amendment H—3408 filed by the committee on labor and industrial relations and moved its adoption:

H—3408

- 1 Amend House File 381 as follows:
- 2 1. Page 1, by striking lines 29 through 33 and
- 3 inserting the following: "greater but less than two-
- 4 tenths of one percent, if the blood alcohol level was
- 5 a substantial factor in causing the volunteer fire
- 6 fighter's death or injury."

A non-record roll call was requested.

The ayes were 49, nays 45.

The committee amendment H—3408 was adopted.

Speaker Avenson in the chair at 11:41 a.m.

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. 381)

The ayes were, 65:

Arnould	Beatty	Bennett	Black
Blanshan	Buhr	Carl	Chapman
Cochran	Connolly	Connors	Cooper
Corey	Daggett	Fey	Fogarty
Groninga	Groth	Halvorson, R. A.	Halvorson, R. N.
Hammond	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Jay
Jochum	Knapp	Koenigs	Kremer
Lonergan	Metcalf	Muhlbauer	Mullins
Norland	O'Kane	Oxley	Parker
Pavich	Peick	Pellet	Peterson
Platt	Poncy	Renaud	Renken
Rosenberg	Royer	Running	Sherzan
Skow	Spear	Stromer	Stueland
Sullivan	Swartz	Swearingen	Tabor
Teaford	Varn	Welden	Woods
Mr. Speaker			

The nays were, 32:

Brammer	Carpenter	Carter	Clark
De Groot	Diemer	Doderer	Grandia
Gruhn	Handorf	Hanson	Hummel
Johnson	Lageschulte	Lloyd-Jones	Maulsby
McIntee	McKean	Miller	Ollie
Osterberg	Paulin	Rensink	Schnekloth
Shoning	Shoultz	Siegrist	Sturgeon
Torrence	Van Camp	Van Maanen	Zimmerman

Absent or not voting, 3:

Baxter	Branstad	Hermann
--------	----------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Lonergan of Boone in the chair at 11:49 a.m.

House File 128, a bill for an act creating a program for the establishment and support of dispute resolution centers to provide informal procedures for the resolution of minor disputes, authorizing the imposition of an additional fee upon the filing of civil actions in counties served by such centers, and making an appropriation, with report of committee recommending amendment and passage was taken up for consideration.

Peterson of Carroll offered the following amendment H-3362 filed by the committee on judiciary and law enforcement and moved its adoption:

H-3362

1 Amend House File 128 as follows:

2 1. Page 1, by striking lines 16 through 29 and
3 inserting the following:

4 "1. "Approved center" or "approved dispute
5 resolution center" means a center that has applied for
6 and received approval from the executive director
7 under section 679.3.

8 2. "Center" or "dispute resolution center" means a
9 program which is organized by one or more governmental
10 subdivisions or nonprofit organizations and which
11 makes informal dispute resolution procedures
12 available.

13 3. "Council" means the prosecuting attorneys
14 training coordinator council in the department of
15 justice, established by chapter 13A.

16 4. "Dispute resolution process" or "informal
17 dispute resolution process" means a process by which
18 the parties involved in a minor dispute voluntarily
19 agree to enter into informal discussion and
20 negotiation with the assistance of a mediator or
21 member of the center's staff in order to resolve their
22 dispute.

23 5. "Executive director" means the executive
24 director of the prosecuting attorneys training
25 coordinator council.

26 6. "Mediator" means a person who assists parties
27 involved".

28 2. Page 2, line 3, by striking the words "at the
29 county level".

30 3. Page 2, by striking lines 21 through 23.

31 4. Page 2, line 28, by striking the word
32 "counties" and inserting the words "areas or
33 populations".

34 5. Page 2, line 30, by striking the words "fee
35 schedule,".

36 6. Page 3, by striking lines 9 through 19.

37 7. Page 3, line 27, by inserting after the word
38 "burse" the words "the state grants and".

39 8. Page 4, line 4, by striking the words
40 "executive director" and inserting the word "council".

41 9. Page 4, by striking line 25 through page 5,
42 line 6 and inserting the following: "statement shall
43 be in the form prescribed in the rules adopted by the
44 council under this chapter."

45 10. Page 5, by striking line 8 and inserting the
46 following: "Except as otherwise provided in this
47 section, a dispute resolution center shall require
48 each party to pay a".

49 11. Page 5, by striking lines 10 and 11 and
50 inserting the following: "dispute resolution process.

Page 2

1 The council shall establish a sliding scale of fees to
2 be charged, based upon ability to pay. A person shall
3 not be".

4 12. Page 5, lines 15 and 16, by striking the
5 words "accepted by a dispute resolution center" and
6 inserting the words "scheduled for a mediation
7 session".

8 13. Page 5, lines 19 and 20, by striking the
9 words "executive director" and inserting the words
10 "council".

11 14. Page 6, line 2, by striking the word "must"
12 and inserting the word "may".

13 15. Page 6, by striking lines 4 through 7 and
14 inserting the following: "issues and the future
15 responsibilities of each party."

16 16. Page 6, line 9, by striking the words
17 "executive director" and inserting the word "council".

18 17. Page 6, by striking line 27 through page 7,
19 line 1 and inserting the following:

20 "All verbal or written information relating to the
21 subject matter of an agreement and transmitted between
22 any party to a dispute and a mediator or the staff of
23 an approved center or any other person present during
24 any stage of a dispute resolution process conducted by
25 an approved center, whether reflected in notes,
26 memoranda, or other work products in the case files,
27 are confidential communications except as otherwise
28 expressly provided in this chapter. Mediators and
29 center staff members shall not be examined in any
30 judicial or administrative proceeding regarding
31 confidential communications and are not subject to
32 judicial or administrative process requiring the
33 disclosure of confidential communications.

34 However, when a governmental subdivision is a party
35 to a dispute which has been scheduled for a mediation
36 session, the facts and circumstances surrounding the
37 dispute and any other information provided by the
38 governmental subdivision are not confidential.

39 This section does not prohibit the release of
40 information to the referring agency or authority
41 regarding the disposition of a case which arose from a
42 criminal complaint and was referred by a court or
43 prosecuting attorney. Nor does this section apply
44 where a mediator or center staff member has reason to
45 believe that a party to a dispute has given perjured
46 evidence."

47 18. Page 7, line 3, by striking the words "of a
48 mediator" and inserting the words "of a center, or
49 member of a center's board".

50 19. Page 7, line 6, by striking the words

Page 3

1 "employee or agent" and inserting the words "employee,
2 agent or member".

3 20. Page 7, by striking lines 14 through 18 and
4 inserting the following: "center accepts the case and
5 shall end on the date the parties are notified in
6 writing that the case has been closed by the center.
7 Notices of the closing of cases shall be provided in
8 accordance with appropriate rules adopted under this
9 chapter."

10 21. Page 7, by striking lines 22 and 23 and
11 inserting the following: "a mediator and all other
12 confidential communications in the possession of an
13 approved dispute resolution center, as provided in
14 chapter 679. Information in these confidential
15 communications is subject to disclosure only as
16 provided in section 679.12, notwithstanding this
17 chapter."

18 22. Page 7, by striking lines 24 through page 8,
19 line 18.

20 23. Title page, by striking lines 3 through 6 and
21 inserting the following: "procedures for the
22 resolution of minor disputes."

23 24. By numbering and renumbering as necessary.

The committee amendment H—3362 was adopted.

Peterson of Carroll moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 128)

The ayes were, 74:

Arnould	Avenson	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	De Groot	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. N.	Hammond	Hatch
Haverland	Holveck	Hughes	Jay
Johnson	Knapp	Koenigs	Lageschulte
Lloyd-Jones	McIntee	McKean	Metcalf
Miller	Muhlbauer	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Peterson
Poncy	Renaud	Rensink	Rosenberg

Running	Schneklath	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Van Camp	Varn	Woods
Zimmerman	Madam Speaker (Lonergan)		

The nays were, 20:

Corey	Daggett	Grandia	Halvorson, R. A.
Handorf	Hanson	Harbor	Hester
Hummel	Jochum	Maulsby	Pellett
Platt	Renken	Royer	Stueland
Swearingen	Torrence	Van Maanen	Weiden

Absent or not voting, 6:

Baxter	Branstad	Hermann	Kremer
Mullins	Sherzan		

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 12:12 p.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

HOUSE FILES 746 AND 740 DEFERRED

Norland of Worth asked and received unanimous consent that House Files 746 and 740 be deferred and that the bills retain their place on the calendar.

CONSIDERATION OF BILLS Regular Calendar

House File 729, a bill for an act relating to certain tax levies of political subdivisions and area schools, was taken up for consideration.

O'Kane of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 729)

The ayes were, 96:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink
Rosenberg	Royer	Running	Schnekloth
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Teaford	Torrence	Van Camp	Van Maanen
Varn	Weiden	Zimmerman	Mr. Speaker

The nays were, 1:

McIntee

Absent or not voting, 3:

Hermann Tabor Woods

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 740, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization, previously deferred, was taken up for consideration.

Rosenberg of Story asked and received unanimous consent to withdraw amendment H—3578 filed by him on April 1, 1985.

McIntee of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 740)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schnekloth	Sherzan	Shoning
Shultz	Siegrist	Skow	Spear
Stromer	Sulland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Van Maanen	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 4:

Harbor	Lonergan	O'Kane	Weiden
--------	----------	--------	--------

Absent or not voting, 1:

Hermann

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES 727 AND 737 DEFERRED

Norland of Worth asked and received unanimous consent that House Files 727 and 737 be deferred and that the bills retain their place on the calendar.

House File 575, a bill for an act to legalize proceedings taken by the board of directors of the Van Buren community school district

relating to the sale of certain land, with report of committee recommending passage was taken up for consideration.

Siegrist 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. 575)

The ayes were, 97:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schneklath	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman
Mr. Speaker			

The nays were, none.

Absent or not voting, 3:

Doderer	Hermann	Parker
---------	---------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 738 DEFERRED

Norland of Worth asked and received unanimous consent that

House File 738 be deferred and that the bill retain its place on the calendar.

House File 748, a bill for an act relating to the financial requirements of grain dealers, was taken up for consideration.

Koenigs of Mitchell moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 748)

The ayes were, 99:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Clark	Cochran	Connolly
Connors	Cooper	Corey	Daggett
De Groot	Diemer	Doderer	Fey
Fogarty	Grandia	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schnekloth	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 1:

Hermann

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 751, a bill for an act relating to restitution by a child for attorneys' fees, was taken up for consideration.

Jay of Appanoose moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 751)

The ayes were, 71:

Arnould	Baxter	Bennett	Black
Blanshan	Brammer	Branstad	Carl
Carpenter	Carter	Chapman	Cochran
Connolly	Connors	Cooper	Corey
Daggett	De Groot	Diemer	Fey
Fogarty	Grandia	Groninga	Groth
Halvorson, R. A.	Handorf	Hatch	Haverland
Hester	Holveck	Hughes	Jay
Jochum	Koenigs	Kremer	Lageschulte
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Norland
O'Kane	Ollie	Oxley	Parker
Paulin	Pavich	Peterson	Poncy
Renaud	Renken	Royer	Shoning
Siegrist	Skow	Stromer	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Torrence	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, 28:

Beatty	Buhr	Clark	Doderer
Gruhn	Halvorson, R. N.	Hammond	Hanson
Harbor	Hummel	Johnson	Knapp
Lloyd-Jones	Mullins	Osterberg	Peick
Pellett	Platt	Rensink	Rosenberg
Running	Schnekloth	Sherzan	Shultz
Spear	Stueland	Teaford	Van Camp

Absent or not voting, 1:

Hermann

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILES 753 AND 745 DEFERRED

Norland of Worth asked and received unanimous consent that House Files 753 and 745 be deferred and that the bills retain their place on the calendar.

House File 750, a bill for an act imposing a tonnage fee on solid waste deposited in sanitary landfills to establish a groundwater fund for administering a groundwater monitoring program, the development of groundwater quality standards, alternative methods of solid waste disposal, and emergency landfill cleanup programs, and subjecting violators to a penalty, was taken up for consideration.

Johnson of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 750)

The ayes were, 87:

Arnould	Baxter	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Daggett	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
Lonergan	Maulsby	McIntee	McKean
Metcalf	Miller	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Poncy
Renaud	Renken	Rosenberg	Running
Schneklath	Sherzan	Shoning	Shultz
Siegrist	Skow	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Van Camp	Varn
Woods	Zimmerman	Mr. Speaker	

The nays were, 11:

Black	Corey	De Groot	Grandia
Hester	Platt	Rensink	Royer
Spear	Torrence	Van Maanen	

Absent or not voting, 2:

Hermann	Weiden
---------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Osterberg of Linn in the chair at 1:56 p.m.

MOTIONS TO RECONSIDER LOST (House File 610)

Groninga of Cerro Gordo called up for consideration the motion to reconsider House File 610, filed by Carpenter of Polk on March 27, 1985. Carpenter of Polk moved to reconsider the vote by which House File 610, a bill for an act establishing a municipal equipment financing program within the Iowa housing finance authority for the purpose of issuing bonds to assist municipalities in financing equipment, passed the House and was placed on its last reading on March 27, 1985.

A non-record roll call was requested.

The ayes were 45, nays 49.

The motion to reconsider lost.

(House File 498)

Koenigs of Mitchell called up for consideration the motion to reconsider House File 498, filed on March 29, 1985, and moved to reconsider the vote by which House File 498, a bill for an act relating to the qualifications of a weed commissioner, deputy weed commissioner or commercial applicator, passed the House and was placed on its last reading on March 29, 1985.

A non-record roll call was requested.

The ayes were 32, nays 64.

The motion to reconsider lost.

The House stood at ease at 2:37 p.m., until the fall of the gavel for a committee on ways and means meeting.

The House resumed session at 4:48 p.m., Speaker Avenson in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 27, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 499, a bill for an act establishing applicable standards for motor vehicle safety belts and safety harnesses, mandating safety belt and safety harness use with certain exceptions, requiring the establishment of education programs, and providing a penalty.

K. MARIE THAYER, Secretary

The House stood at ease at 4:49 p.m., until the fall of the gavel.

The House resumed session at 7:07 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.

SENATE MESSAGES CONSIDERED

Senate File 447, by committee on state government, a bill for an act to license operators of radiation emitting equipment.

Read first time and referred to committee on **state government**.

Senate File 499, by committee on transportation, a bill for an act establishing applicable standards for motor vehicle safety belts and safety harnesses, mandating safety belt and safety harness use with certain exceptions, requiring the establishment of education programs, and providing a penalty.

Read first time and referred to committee on transportation.

**REPORT OF COMMITTEE ON
WAYS AND MEANS**

Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates.

Fiscal Note is required.

Without Recommendation and amendment H—3587, April 2, 1965.

RULES SUSPENDED

Norland of Worth asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 395, and that Rule 31.8, pertaining to the filing of amendments, be suspended on Senate File 395.

**CONSIDERATION OF BILLS
Ways and Means Calendar**

Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates, with report of committee stating without recommendation and amendment, was taken up for consideration.

Chapman of Linn offered the following amendment H—3587 filed by the committee on ways and means:

H - 3587

1 Amend Senate File 395 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 98.6, subsection 2, Code 1985,
6 is amended to read as follows:

7 2. Notwithstanding subsection 1, there is imposed
8 beginning July 1, 1981 and shall be collected and paid
9 to the department a tax on all cigarettes used or
10 otherwise disposed of in this state for any purpose at
11 the rate of nine mills on each cigarette for the
12 period beginning July 1, 1981 and ending September 30,
13 1985 and at the rate of thirteen mills on each
14 cigarette beginning October 1, 1985."

15 2. Page 8, by striking lines 5 through 7 and
16 inserting the following: "imported therein, except
17 beer and wine, and except as otherwise".

18 3. Page 8, by inserting after line 8 the
19 following:

20 "Sec. 16. Section 123.23, Code 1985, is amended to
21 read as follows:

22 123.23 STATE LIQUOR STORES.

23 The department shall establish and maintain in any
24 city which the director deems advisable, a state
25 liquor store or stores for storage and sale of
26 alcoholic liquor and wine in accordance with this
27 chapter. The department may, from time to time, as
28 determined by the director, fix the prices of the
29 different classes, varieties, or brands of alcoholic
30 liquor and wine to be sold. Prior to a decision to
31 establish, relocate or discontinue a state liquor
32 store, the director shall appoint a designee to
33 conduct a public hearing on the decision within the
34 city affected."

35 4. Page 10, line 3, by striking the figure
36 "123.76" and inserting the following: "123.176".

37 5. Page 24, by inserting after line 26 the
38 following:

39 "Sec. 42. Section 123.53, subsections 3 and 7,
40 Code 1985, are amended to read as follows:

41 3. The treasurer of state shall semiannually
42 distribute a sum of money equal to at least ten
43 percent of the gross sales made by the state liquor
44 stores but not less than six million four hundred
45 thousand dollars to the cities of the state. Such
46 amount shall be distributed to the cities of the state
47 in proportion to the population that each incorporated
48 city bears to the total population of all incorporated
49 cities of the state as computed by the latest federal
50 census. A city may have one special federal census

Page 2

1 taken each decade, and the population figure thus
2 obtained shall be used in apportioning amounts under
3 this subsection beginning the calendar year following
4 the year in which the special census is certified by
5 the secretary of state. Such apportionment shall be
6 made semiannually as of July 1 and January 1 of each
7 year. Warrants for the same shall be issued by the
8 state comptroller upon certification of the treasurer
9 of state and mailed to the city clerk of each
10 incorporated city of the state and shall be made
11 payable to such incorporated city and shall be subject
12 to expenditure under the direction of the city council
13 or other governing bodies of such incorporated city
14 for any lawful municipal purpose. It shall be a
15 lawful municipal purpose for cities to allocate a
16 portion of the above funds for the purpose of
17 financing the activities of a city commission or
18 committee on alcoholism, such commission or committee
19 to be appointed by the mayor or by the council or
20 both. The commission or committee may use any funds
21 so allocated for the treatment, rehabilitation, and
22 education of alcoholics in Iowa.

23 7. The treasurer of state shall credit to the
24 military service tax fund described in chapter 426A, a
25 sum of money equal to at least five percent of the
26 gross amount of sales made by the state liquor stores
27 in the cities of the state but not less than six
28 million four hundred thousand dollars. Any amount
29 thus credited shall be allocated to the various taxing
30 districts of the state as reimbursement for losses of
31 revenue due to exemption or remission of property
32 taxes which would be imposed upon property upon which
33 soldiers' exemptions or soldiers' tax credits are
34 provided under such terms as the general assembly may
35 provide.

36 Sec. 43. Section 123.53, Code 1985, is amended by
37 adding the following new subsection:

38 "NEW SUBSECTION. 8. The treasurer of state shall
39 transfer into a special revenue account in the general
40 fund of the state, a sum of money at least equal to
41 seven percent of the gross amount of sales made by the
42 state liquor stores in the cities of the state but not
43 less than nine million dollars annually from the beer
44 and liquor control fund on a monthly basis, and any
45 amounts so transferred shall be used by the department
46 of substance abuse for substance abuse treatment and
47 prevention programs in an amount determined by the
48 general assembly and any amounts received in excess of
49 the amounts appropriated to the department of
50 substance abuse shall be considered part of the

Page 3

1 general fund balance."

2 6. Page 25, line 14, by inserting after the word
3 "manufacturer" the words ", or in a retail
4 establishment operated by the manufacturer which is no
5 closer than five miles from an existing native
6 winery".

7 7. Page 25, line 16, by inserting after the word
8 "permit." the following: "Sales of native wines by
9 the manufacturer of the native wines are exempt from
10 the wine gallonage tax imposed under section 123.183."

11 8. Page 25, by inserting after line 24 the
12 following:

13 "3. A manufacturer of native wines may ship wine
14 in closed containers to individual purchasers inside
15 and outside this state. The manufacturer shall label
16 the package containing the wine with the words
17 "deliver to adults only".

18 4. Notwithstanding section 123.179, subsection 1,
19 a class "A" wine permit for a native wine manufacturer
20 shall be issued and renewed annually upon payment of a
21 fee of twenty-five dollars which shall be in lieu of
22 any other license fee required by this chapter. The
23 class "A" permit shall only allow the native wine
24 manufacturer to sell, keep, or offer for sale and
25 deliver the manufacturer's native wines as provided
26 under this section."

27 9. Page 34, by inserting after line 1 the
28 following:

29 "3. A person holding a class "B" wine permit may
30 purchase wine for resale only from a person holding a
31 class "A" wine permit."

32 10. Page 34, line 4, by striking the words "seven
33 hundred fifty" and inserting the words "five hundred".

34 11. Page 34, line 6, by striking the words "five
35 hundred" and inserting the words "two hundred fifty".

36 12. Page 36, line 3, by striking the figure
37 "123.185" and inserting the following: "123.183".

38 13. Page 36, line 3, by striking the words "the
39 department" and inserting the following: "a
40 manufacturer of native wines".

41 14. Page 36, by striking lines 11 and 12 and
42 inserting the following:

43 "Sec. 67. NEW SECTION. 123.182 LABELS – POINT
44 OF ORIGIN – CONCLUSIVE EVIDENCE.

45 All imported bulk wines to be bottled and
46 distributed in the state shall have the point of
47 origin stated on the label. The print size for the
48 point of origin shall be at least half the print size
49 of the brand name on the label."

50 15. Page 36, by striking lines 21 and 22 and

Page 4

1 inserting the following: "from each class "A" wine
2 permittee on all wine".

3 16. Page 36, line 24, by striking the words "one
4 dollar" and inserting the following: "two dollars".

5 17. Page 36, by striking lines 27 and 28 and
6 inserting the following: "manufactured in this state,
7 or on wine sold by one class "A" ".

8 18. Page 37, line 12, by striking the figure
9 "123.185" and inserting the following: "123.183".

10 19. Page 38, by striking lines 18 through 34 and
11 inserting the following:

12 "Sec._____. Section 422.42, subsections 3, 12, and
13 13, Code 1985, are amended to read as follows:

14 3. "Retail sale" or "sale at retail" means the
15 sale to a consumer or to any person for any purpose,
16 other than for processing, ~~or~~ for resale of tangible
17 personal property or taxable services, or for resale
18 of tangible personal property in connection with
19 taxable services, and includes the sale of gas,
20 electricity, water, and communication service to
21 retail consumers or users, but does not include
22 agricultural breeding livestock and domesticated fowl,
23 or commercial fertilizer, ~~or~~ agricultural limestone,
24 or materials, but not tools or equipment, herbicide,
25 pesticide, insecticide, food and medication and
26 agricultural drain tile and installation thereof which
27 are to be used in disease control, weed control,
28 insect control, or health promotion of plants or
29 livestock produced as part of agricultural production
30 for market, ~~or~~ and does not include electricity, or
31 steam or any taxable service when purchased and used
32 in the processing of tangible personal property
33 intended to be sold ultimately at retail. Tangible
34 personal property is sold for processing within the
35 meaning of this subsection only when it is intended
36 that ~~such~~ the property shall will, by means of
37 fabrication, compounding, manufacturing, or
38 germination become an integral part of other tangible
39 personal property intended to be sold ultimately at
40 retail, or shall will be consumed as fuel in creating
41 heat, power, or steam for processing including grain
42 drying, for providing heat or cooling for livestock
43 buildings or for generating electric current, or
44 consumed in self-propelled implements of husbandry
45 engaged in agricultural production, or ~~such~~ the
46 property is a chemical, solvent, sorbent, or reagent,
47 which is directly used and is consumed, dissipated, or
48 depleted, in processing personal property which is
49 intended to be sold ultimately at retail, and which
50 may not become a component or integral part of the

Page 5

1 finished product. The distribution to the public of
2 free newspapers or shoppers guides shall be deemed is
3 a retail sale for purposes of the processing
4 exemption.

5 Notwithstanding the foregoing provisions of this
6 subsection, the sale of newsprint and ink delivered
7 after April 1, 1970 to any person, firm or corporation
8 to be incorporated in or used in the printing of any
9 newspaper, free newspaper or shoppers guide for
10 publication in this state shall be considered as a
11 sale at retail and such person, firm or corporation
12 shall be deemed to be the consumer of such newsprint
13 and ink and subject to the payment of sales tax.

14 12. "Casual sales" means:

15 a. Sales or the rendering, furnishing or
16 performing of a nonrecurring nature of tangible
17 personal property or services by the owner, if the
18 seller, at the time of the sale, is not engaged for
19 profit in the business of selling tangible personal
20 property or services taxed under section 422.43.

21 b. The sale of all or substantially all of the
22 tangible personal property or services held or used by
23 a retailer in the course of the retailer's trade or
24 business for which the retailer is required to hold a
25 sales tax permit when the retailer sells or otherwise
26 transfers the trade or business to another person who
27 shall engage in a similar trade or business.

28 13. "Services" means all acts or services
29 rendered, furnished, or performed, other than services
30 performed on tangible personal property delivered into
31 interstate commerce, or services used in processing of
32 tangible personal property for use in taxable retail
33 sales or services, for an "employer" as defined in
34 section 422.4, subsection 15, for a valuable
35 consideration by any a person engaged in any a
36 business or occupation specifically enumerated in this
37 division. The tax shall be is due and collectible
38 when the service is rendered, furnished, or performed
39 for the ultimate user thereof of the service.

40 "Services used in the processing of tangible
41 personal property" includes the reconditioning or
42 repairing of tangible personal property of the type
43 normally sold in the regular course of the retailer's
44 business and which is held for sale upon which the
45 gross receipts tax under this division or the use tax
46 under chapter 423 will be paid when the tangible
47 personal property is sold.

48 Sec._____. Section 422.43, subsections 1 and 11,
49 Code 1985, are amended to read as follows:

50 1. There is imposed a tax of four percent upon the

Page 6

1 gross receipts from all sales of tangible personal
2 property, consisting of goods, wares, or merchandise,
3 except as otherwise provided in this division, sold at
4 retail in the state to consumers or users; a like rate
5 of tax upon the gross receipts from the sales,
6 furnishing or service of gas, electricity, water,
7 heat, and communication service, including the gross
8 receipts from such sales by any municipal corporation
9 furnishing gas, electricity, water, heat, and
10 communication service to the public in its proprietary
11 capacity, except as otherwise provided in this
12 division, when sold at retail in the state to
13 consumers or users; a like rate of tax upon the gross
14 receipts from all sales of tickets or admissions to
15 places of amusement, fairs, and athletic events except
16 those of elementary and secondary educational
17 institutions; and a like rate of tax upon that part of
18 private club membership fees or charges paid for the
19 privilege of participating in any athletic sports
20 provided club members.

21 11. The following enumerated services are subject
22 to the tax imposed on gross taxable services include,
23 but are not limited to, the following: Alteration and
24 garment repair; armored car; automobile repair;
25 battery, tire and allied; investment counseling;
26 excluding investment services of trust departments;
27 bank service charges; barber and beauty; boat repair;
28 car wash and wax; carpentry; roof, shingle, and glass
29 repair; dance schools and dance studios; dry cleaning,
30 pressing, dyeing, and laundering; electrical and
31 electronic repair and installation; rental of tangible
32 personal property; excavating and grading; farm
33 implement repair of all kinds; flying service, except
34 agricultural aerial application services and aerial
35 commercial and charter transportation services;
36 furniture, rug, upholstery repair and cleaning; fur
37 storage and repair; golf and country clubs and all
38 commercial recreation; house and building moving;
39 household appliance, television, and radio repair;
40 jewelry and watch repair; machine operator; machine
41 repair of all kinds; motor repair; motorcycle,
42 scooter, and bicycle repair; oilers and lubricators;
43 office and business machine repair; painting,
44 papering, and interior decorating; parking facilities;
45 pipe fitting and plumbing; wood preparation; licensed
46 executive search agencies; private employment
47 agencies; excluding services for placing a person in
48 employment where the principal place of employment of
49 that person is to be located outside of the state;
50 sewing and stitching; shoe repair and shoeshine;

Page 7

1 storage warehousing of raw agricultural products;
 2 telephone answering service; test laboratories, except
 3 tests on humans; termite, bug, roach, and pest
 4 eradicators; tin and sheet metal repair; turkish
 5 baths, massage, and reducing salons; weighing;
 6 welding; well drilling; wrapping, packing, and
 7 packaging of merchandise other than processed meat,
 8 fish, fowl and vegetables; wrecking service; wrecker
 9 and towing; accounting, auditing or bookkeeping;
 10 aerial photography and surveying; appraisals;
 11 architectural services; auctioneers; bill collection
 12 agencies; cable television; campgrounds; commercial
 13 art; commercial amusement enterprises; commissioned
 14 services including but not limited to brokerage, real
 15 estate, and insurance; computer services; credit
 16 reporting; drafting; engineering services; financial
 17 planning and counseling; funeral services; fundraising
 18 services; garbage disposal; gun and camera repair;
 19 hauling; information storage, manipulation, retrieval
 20 and supply; instruction on physical or recreation
 21 activities; janitorial, housekeeping, and building
 22 maintenance or cleaning; lawn care, landscaping and
 23 tree trimming and removal; legal services; management
 24 consultant services; marketing consultants; mining;
 25 personnel supply services; pet grooming; promotional
 26 services; reflexology; security and detective
 27 services; snow removal; surveying; tanning beds or
 28 salons; tax preparation; travel agencies; veterinarian
 29 services; and water conditioning. For purposes of
 30 this subsection, gross taxable services from rental
 31 includes rents, royalties, and copyright and license
 32 fees.

33 Sec._____. Section 422.45, subsections 2, 9, 18, 19
 34 and 21, Code 1985, are amended by striking the
 35 subsections.

36 Sec._____. Section 422.45, subsections 12 and 20,
 37 Code 1985, are amended to read as follows:

38 12. Gross receipts from the sale of all foods for
 39 human consumption which are eligible for purchase with
 40 food coupons issued by the United States department of
 41 agriculture pursuant to regulations in effect on July
 42 1, 1974, regardless of whether the retailer from which
 43 the foods are purchased is participating in the food
 44 stamp program. However, as used in this subsection,
 45 "foods" does not include meals prepared for immediate
 46 consumption on or off the premises of the retailer,
 47 and does not include foods sold through vending
 48 machines; candy, candy-coated items, and other candy
 49 products; beverages as defined in section 455C.1,
 50 subsection 1; foods prepared on or off the premises of

Page 8

1 the retailer which are consumed on the premises of the
2 retailer; foods sold by caterers and hot or cold foods
3 prepared for immediate consumption off the premises of
4 the retailer. "Foods prepared for immediate
5 consumption" include any food product upon which an
6 act of preparation, including but not limited to,
7 cooking, mixing, sandwich making, blending, heating or
8 pouring, has been performed by the retailer so the
9 food product may be immediately consumed by the
10 purchaser.

11 20. The gross receipts from sales or services
12 rendered, furnished or performed by a county or city.
13 This exemption does not apply to the tax specifically
14 imposed under section 422.43 on the gross receipts
15 from the sales, furnishing or service of gas,
16 electricity, water, heat and communication service to
17 the public by a municipal corporation in its
18 proprietary capacity and does not apply to fees paid
19 to cities and counties for the privilege of
20 participating in any athletic sports.

21 Sec. 100. Section 422.45, Code 1985, is amended by
22 adding the following new subsections:

23 **NEW SUBSECTION.** The gross receipts from the sale
24 or rental of farm machinery and equipment, including
25 replacement parts which are depreciable for state and
26 federal income tax purposes, if the following
27 conditions are met:

28 a. The farm machinery and equipment shall be
29 directly and primarily used in production of
30 agricultural products.

31 b. The farm machinery and equipment shall
32 constitute self-propelled implements or implements
33 customarily drawn or attached to self-propelled
34 implements or manufactured aircraft designed
35 specifically for agricultural aerial application
36 services.

37 Vehicles subject to registration, as defined in
38 section 423.1, or replacement parts for such vehicles,
39 shall not be eligible for this exemption.

40 **NEW SUBSECTION.** The gross receipts from the sale
41 or rental of industrial machinery, equipment and
42 computers, including replacement parts which are
43 depreciable for state and federal income tax purposes,
44 if the following conditions are met:

45 a. The industrial machinery, equipment and
46 computers shall be directly and primarily used in the
47 manner described in section 428.20 in processing
48 tangible personal property.

49 b. The industrial machinery, equipment and
50 computers must be real property within the scope of

Page 9

1 section 427A.1, subsection 1, paragraphs "e" or "j",
2 and must be subject to taxation as real property.

3 However, the provisions of chapters 404 and 427B
4 which result in the exemption from taxation of
5 property for property tax purposes do not preclude the
6 property from receiving this exemption if the property
7 otherwise qualifies.

8 The gross receipts from the sale or rental of hand
9 tools are not exempt. The gross receipts from the
10 sale or rental of pollution control equipment
11 qualifying under paragraphs "a" and "b" shall be
12 exempt.

13 The gross receipts from the sale or rental of
14 industrial machinery, equipment, and computers,
15 including pollution control equipment, within the
16 scope of section 427A.1, subsection 1, paragraphs "h"
17 and "i", shall not be exempt.

18 Sec. _____. Section 422.45, Code 1985, is amended by
19 adding the following new subsections:

20 **NEW SUBSECTION.** The gross receipts from the
21 rendering, furnishing or performing of the following
22 services: custom farming, agricultural aerial
23 application services; advertising; credit card fees;
24 interstate telephone calls; commercial storage
25 warehousing, except of raw agricultural products; and
26 design and installation of new or used industrial
27 machinery or equipment.

28 **"NEW SUBSECTION.** The gross receipts from the
29 sales, furnishing or service of veterinarian services
30 for agricultural production and day care or medical
31 services.

32 Sec. _____. Section 422.52, subsection 5, Code 1985,
33 is amended to read as follows:

34 5. The provisions of subsection 1, according to
35 the context, shall apply to persons having receipts
36 from rendering, furnishing, or performing services
37 enumerated in which are taxed under section 422.43.

38 Sec. _____. Section 422.53, subsection 7, Code 1985,
39 is amended to read as follows:

40 7. The provisions of subsection 1, dealing with
41 lawful right of a retailer to transact business,
42 according to the context, apply to persons having
43 receipts from rendering, furnishing, or performing
44 services enumerated in which are taxed under section
45 422.43, except that a person holding a permit pursuant
46 to subsection 1 shall not be required to obtain any
47 separate sales tax permit for the purpose of engaging
48 in business involving the services.

49 Sec. _____. Section 422.58, subsection 2, Code 1985,
50 is amended to read as follows:

Page 10

1 2. Any A person who shall knowingly sell sells
2 tangible personal property, tickets or admissions to
3 places of amusement and athletic events, or gas,
4 water, electricity, and communication service at
5 retail, or engage engages in the rendering,
6 furnishing, or performing services enumerated in which
7 are taxed under section 422.43, in this state without
8 procuring a permit, as provided in section 422.53, or
9 who shall violate violates the provisions of section
10 422.49, and the officers of any corporation who shall
11 so act, shall be are guilty of a simple misdemeanor.

12 Any A person who shall knowingly sell sells
13 tangible personal property, tickets or admissions to
14 places of amusement and athletic events, or gas,
15 water, electricity, and communication service at
16 retail, or engage engages in the rendering,
17 furnishing, or performing services enumerated in which
18 are taxed under section 422.43, in this state after
19 the person's license shall have has been revoked and
20 before it has been restored as provided in section
21 422.53, subsection 5 and the officers of any
22 corporation who shall so act shall be are guilty of a
23 serious misdemeanor."

24 20. Page 39, line 4, by striking the figure
25 "422B.11" and inserting the following: "422B.13".

26 21. Page 39, line 10, by striking the words
27 "additional real property tax" and inserting the
28 following: "income surtax".

29 22. Page 39, line 30, by striking the words
30 "additional real property tax" and inserting the
31 following: "income surtax".

32 23. Page 39, line 31, by striking the word
33 "sixty" and inserting the following: "thirty".

34 24. Page 40, line 5, by striking the words
35 "additional real property tax" and inserting the
36 following: "income surtax".

37 25. Page 40, line 6, by striking the word "sixty"
38 and inserting the following: "thirty".

39 26. Page 40, line 10, by inserting after the
40 figure "5." the following: "a."

41 27. Page 40, line 10, by striking the word
42 "sixty" and inserting the following: "thirty".

43 28. Page 40, by striking lines 19 through 21 and
44 inserting the following: "election. In the case of a
45 local vehicle".

46 29. Page 40, by inserting after line 25 the
47 following:

48 "b. The question of the imposition of a local
49 sales and services tax shall be submitted to the
50 qualified electors of the incorporated and

Page 11

1 unincorporated areas of the county upon receipt by the
2 county commissioner of elections of the motion or
3 motions, requesting such submission, adopted by the
4 governing body or bodies of the city or cities located
5 within the county or of the county, for the
6 unincorporated areas of the county, representing at
7 least one-half of the population of the county. Upon
8 adoption of such motion, the governing body of the
9 city or county, for the unincorporated areas, shall
10 submit the motion to the county commissioner of
11 elections and in the case of the governing body of the
12 city shall notify the board of supervisors of the
13 adoption of the motion. The county commissioner of
14 elections shall keep a file on all the motions
15 received and, upon reaching the population
16 requirements, shall publish notice of the ballot
17 proposition concerning the imposition of the local
18 sales and services tax. A motion ceases to be valid
19 at the time of the holding of the regular election for
20 the election of members of the governing body which
21 adopted the motion. The county commissioner of
22 elections shall eliminate from the file any motion
23 that ceases to be valid. The manner provided under
24 this paragraph for the submission of the question of
25 imposition of a local sales and services tax is an
26 alternative to the manner provided in paragraph "a".
27 30. Page 41, by striking lines 12 through 15 and
28 inserting the following: "shall not be more than one
29 percent as set by the governing body. The rate of a
30 local income surtax shall be in increments of five
31 percent but not in excess of thirty percent as set by
32 the governing body of the city or county seeking to
33 impose the surtax. The state".
34 31. Page 42, line 20, by striking the figure
35 "422B.11" and inserting the following: "422B.13".
36 32. Page 42, lines 21 and 22, by striking the
37 words "an additional real property tax" and inserting
38 the following: "a local income surtax".
39 33. Page 42, by striking lines 25 and 26 and
40 inserting the following: "vehicle tax, and up to
41 thirty percent in increments of five percent for the
42 income surtax".
43 34. Page 42, lines 28 and 29, by striking the
44 words "additional real property tax" and inserting the
45 following: "income surtax".
46 35. Page 42, lines 30 and 31, by striking the
47 words "be one percent" and inserting the following:
48 "not be more than one percent as set by the governing
49 body".
50 36. Page 46, line 33, by striking the figure "1."

Page 12

1 37. Page 46, line 33, by inserting after the word
2 "of" the following: "not more than".

3 38. By striking page 47, line 18 through page 49,
4 line 6.

5 39. Page 49, line 13, by striking the word
6 "fifty-five" and inserting the following: "forty".

7 40. Page 50, by striking lines 14 through 32 and
8 inserting the following:

9 "1. The treasurer of state shall credit the local
10 sales and services tax receipts and interest and
11 penalties from a county to the county's account in the
12 local sales and services tax fund. '

13 2. The treasurer of state, pursuant to rules of
14 the director of revenue, shall remit at least
15 quarterly to the board of supervisors, if the tax was
16 imposed in the unincorporated areas, and each city
17 where the tax was imposed its share of the county's
18 account in the local sales and services tax fund as
19 computed under subsections 3 and 4.

20 3. Seventy-five percent of each county's account
21 shall be remitted on the basis of the county's
22 population residing in the unincorporated area where
23 the tax was imposed and those incorporated areas where
24 the tax was imposed as follows:

25 a. To the board of supervisors a pro rata share
26 based upon the percentage of the above population of
27 the county residing in the unincorporated area of the
28 county where the tax was imposed according to the most
29 recent certified federal census.

30 b. To each city in the county where the tax was
31 imposed a pro rata share based upon the percentage of
32 the city's population residing in the county to the
33 above population of the county according to the most
34 recent certified federal census.

35 4. Twenty-five percent of each county's account
36 shall be remitted based on the sum of property tax
37 dollars levied, by the board of supervisors if the tax
38 was imposed in the unincorporated areas and each city
39 in the county where the tax was imposed during the
40 three-year period beginning July 1, 1982 and ending
41 June 30, 1985 as follows:

42 a. To the board of supervisors a pro rata share
43 based upon the percentage of the total property tax
44 dollars levied by the board of supervisors during the
45 above three-year period.

46 b. To each city council where the tax was imposed
47 a pro rata share based upon the percentage of property
48 tax dollars levied by the city during the above three-
49 year period of the above total property tax dollars
50 levied by the board of supervisors and each city where

Page 13

1 the tax was imposed during the above three-year
2 period."

3 41. Page 50, line 33, by striking the figure "2."
4 and inserting the following: "5."

5 42. Page 51, by striking lines 1 through 11 and
6 inserting the following:

7 "Sec. _____ NEW SECTION. 422B.11 LOCAL INCOME
8 SURTAX.

9 An annual local income surtax may be imposed by a
10 city or county on every resident taxpayer at the rate
11 specified on the ballot proposition applied to the
12 taxpayer's computed state individual income tax for
13 the tax year. A city or county imposing an income
14 surtax shall give a credit, not to exceed the amount
15 of surtax, for any local earnings tax paid by the
16 resident taxpayer on income included in computing the
17 taxpayer's state individual income tax for the tax
18 year.

19 For purposes of the local income surtax, "resident
20 taxpayer" means an individual taxpayer whose principal
21 place of residence at the end of the taxpayer's tax
22 year is located in the city or county where the tax is
23 imposed and "computed state individual income tax"
24 means the tax computed under section 422.5 less the
25 deductions allowed in sections 422.10, 422.11, and
26 422.12.

27 Sec. _____ NEW SECTION. 422B.12 ADMINISTRATION.

28 A local income surtax or change in the rate shall
29 be imposed January 1 following the favorable election
30 for tax years beginning on or after January 1 and
31 repeal of the surtax shall be as of December 31
32 following the favorable election for tax years
33 beginning after December 31.

34 The director of revenue shall administer the
35 provisions of a local income surtax as nearly as
36 possible in conjunction with the administration of
37 state income tax laws. The director shall provide
38 appropriate forms, or provide on the regular state tax
39 forms, for reporting local income surtax.

40 An ordinance of a city council or a county board of
41 supervisors imposing a local income surtax shall adopt
42 by reference the applicable provisions of the
43 appropriate sections of chapter 422, division II. All
44 powers of the director and requirements of the
45 director in administering the state income tax law
46 apply to the administration of a local income surtax,
47 including but not limited to, the provisions of
48 sections 422.20, 422.22 to 422.31, 422.68, and 422.72
49 to 422.75. Local officials shall confer with the
50 director of revenue and obtain the director's

Page 14

1 assistance in drafting the ordinance imposing a local
2 income surtax. A certified copy of the ordinance
3 shall be filed with the director as soon as possible
4 after passage.

5 The director, in consultation with local officials,
6 shall collect and account for a local income surtax
7 and any interest and penalties. The director shall
8 credit local income surtax receipts and any interest
9 and penalties collected from returns filed on or
10 before November 1 of the calendar year following the
11 tax year for which the local income surtax is imposed
12 to a "local income surtax fund" established in the
13 office of the treasurer of state. All local income
14 surtax receipts and any interest and penalties
15 received or refunded from returns filed after November
16 1 of the calendar year following the tax year for
17 which the local income surtax is imposed shall be
18 deposited in or withdrawn from the state general fund
19 and shall be considered part of the cost of
20 administering the local income surtax.

21 Sec. _____ NEW SECTION. 422B.13 PAYMENT TO LOCAL
22 GOVERNMENT — USE OF RECEIPTS.

23 1. On or before January 15, the director of
24 revenue shall make an accounting of the local income
25 surtax receipts and any interest and penalties
26 collected from returns filed on or before November 1
27 of the preceding year and shall certify to the
28 treasurer of state the amount collected. The
29 treasurer of state shall remit within fifteen days of
30 the certification by the director of revenue to each
31 city and county which has imposed a local income
32 surtax the amount in the local income surtax fund
33 collected as a result of its tax.

34 2. Local income surtax moneys received by a city
35 or county may be expended for any lawful purpose of
36 the city or county."

37 43. Page 51, by inserting after line 17 the
38 following:

39 "Sec. _____. Section 423.1, subsection 1, unnumbered
40 paragraph 2, Code 1985, is amended by striking the
41 paragraph.

42 Sec. _____. Section 423.2, Code 1985, is amended to
43 read as follows:

44 423.2 IMPOSITION OF TAX.

45 An excise tax is imposed on the use in this state
46 of tangible personal property purchased for use in
47 this state, at the rate of four percent of the
48 purchase price of the property. The excise tax is
49 imposed upon every person using the property within
50 this state until the tax has been paid directly to the

Page 15

1 county treasurer or the state department of
2 transportation, to a retailer, or to the department.
3 An excise tax is imposed on the use in this state of
4 services enumerated in section 422.43 which are taxed
5 under division IV of chapter 422 at the rate of four
6 percent. This tax is applicable where services are
7 rendered, furnished, or performed in this state or
8 where the product or result of the service is used in
9 this state. This tax is imposed on every person using
10 the services or the product of the services in this
11 state until the user has paid the tax either to an
12 Iowa use tax permit holder or to the department of
13 revenue.

14 Sec._____. Section 423.4, subsection 5, Code 1985,
15 is amended by striking the subsection.

16 Sec._____. Section 423.9, unnumbered paragraph 2,
17 Code 1985, is amended to read as follows:

18 Every person rendering, furnishing, or performing
19 services enumerated in which are taxed under section
20 422.43, maintaining a place of business in this state
21 shall be subject to the provisions of the preceding
22 paragraph.

23 Sec._____. Section 423.10, unnumbered paragraph 2,
24 Code 1985, is amended to read as follows:

25 The discretionary power granted therein is extended
26 to apply in the case of persons rendering, furnishing
27 or performing services enumerated in which are taxed
28 under section 422.43.

29 Sec._____. Section 423.14, Code 1985, is amended to
30 read as follows:

31 423.14 LIABILITY OF USER.

32 Any person who uses any property or services
33 enumerated in which are taxed under section 422.43
34 upon which the tax herein imposed has not been paid,
35 either to the county treasurer or to a retailer or
36 direct to the department as herein provided, shall be
37 liable therefor for the tax, and shall on or before
38 the last day of the month next succeeding each
39 quarterly period pay the tax herein imposed upon all
40 such property used by the person during the preceding
41 quarterly period in such the manner and accompanied by
42 such the returns as the director shall prescribe
43 prescribes. All of the provisions of section 423.13
44 with reference to such the returns and payments shall
45 be applicable to the returns and payments herein
46 required.

47 Sec._____. Section 423.21, Code 1985, is amended to
48 read as follows:

49 423.21 BOOKS - EXAMINATION.

50 Every retailer required or authorized to collect

Page 16

1 taxes imposed by this chapter and every person using
2 in this state tangible personal property shall keep
3 such records, receipts, invoices, and other pertinent
4 papers as the director shall require requires, in such
5 the form as the director shall require requires. The
6 director or any a duly authorized agent of the
7 department may examine the books, papers, records, and
8 equipment of any person either selling tangible
9 personal property or liable for the tax imposed by
10 this chapter, and investigate the character of the
11 business of any such person in order to verify the
12 accuracy of any return made, or if no return was made
13 by such person, ascertain and determine the amount due
14 under the provisions of this chapter. Any such books,
15 papers, and records shall be made available within
16 this state for such examination upon reasonable notice
17 when the director shall deem deems it advisable and
18 shall so order orders. The preceding requirements
19 shall likewise apply to users and persons rendering,
20 furnishing, or performing service enumerated in which
21 is taxed under section 422.43.

22 Sec. _____ Section 423.22, Code 1985, is amended to
23 read as follows:

24 423.22 REVOKING PERMITS.

25 Whenever any a retailer maintaining a place of
26 business in this state, or authorized to collect the
27 tax herein imposed pursuant to section 423.10, fails
28 to comply with any of the provisions of this chapter
29 or any orders or rules prescribed and adopted under
30 this chapter, the director may, upon notice and
31 hearing as hereinafter provided, by order revoke the
32 permit, if any, issued to such that retailer under
33 section 422.53, or if such that retailer is a
34 corporation authorized to do business in this state
35 under chapter 494, may certify to the secretary of
36 state a copy of an order finding that such that
37 retailer has failed to comply with certain specified
38 provisions, orders or rules. The secretary of state
39 shall, upon receipt of such the certified copy, revoke
40 the permit authorizing said the corporation to do
41 business in this state, and shall issue a new permit
42 only when such the corporation shall have obtained
43 from the director an order finding that such the
44 corporation has complied with its obligations under
45 this chapter. No An order authorized in this section
46 shall not be made until the retailer is given an
47 opportunity to be heard and to show cause why such the
48 order should not be made, and the retailer shall be
49 given ten days' notice of the time, place, and purpose
50 of such the hearing. The director may issue a new

Page 17

1 permit pursuant to section 422.53 after such a
2 revocation. The preceding provision shall apply
3 applies to users and persons supplying services
4 enumerated in which are taxed under section 422.43.
5 Sec._____. Section 427.1, subsection 32, unnumbered
6 paragraphs 1 and 2, Code 1985, are amended to read as
7 follows:

8 Pollution-control property as defined in this
9 subsection shall be exempt from taxation for the
10 periods and to the extent provided in this subsection,
11 upon compliance with the provisions of this
12 subsection.

13 This exemption shall apply to new installations of
14 pollution-control property for a period of ten years
15 beginning on January 1 after the construction or
16 installation of the property is completed. This
17 exemption shall apply for a period of ten years
18 beginning on January 1, 1975, to existing pollution-
19 control property if its construction or installation
20 was completed after September 23, 1970. This
21 exemption shall apply with respect to each of the ten
22 annual assessments within the ten-year exemption
23 period and the property taxes payable on the basis of
24 each of such ten annual assessments. This exemption
25 for existing pollution-control property shall begin
26 with respect to the assessment as of January 1, 1975,
27 and the taxes payable on the basis of this assessment
28 during the fiscal year beginning July 1, 1976."

29 44. Page 51, by striking lines 18 through 28 and
30 inserting the following:

31 "Sec._____. Section 427A.9, unnumbered paragraph 2,
32 Code 1985, is amended to read as follows:

33 The amount of the additional personal property tax
34 credit shall be a fixed amount for each tax year. The
35 amount of the additional personal property tax credit
36 shall be increased for the extended tax year beginning
37 January 1, 1974, and ending June 30, 1975, and shall
38 be increased for each tax year immediately following a
39 tax year in which the growth of state general fund
40 revenues, adjusted for changes in rate or basis,
41 exceeds five and one-half percent, except that the
42 amount of the additional personal property tax credit
43 for taxes payable in each year of the fiscal period
44 beginning July 1, 1977 and ending June 30, 1979 shall
45 not exceed the amount of the additional personal
46 property tax credit allowed for taxes payable in the
47 fiscal year beginning July 1, 1976 and ending June 30,
48 1977 and , the amount of the additional personal
49 property tax credit for taxes payable in the fiscal
50 year beginning July 1, 1980 and ending June 30, 1981

Page 18

1 shall not exceed the amount of the additional personal
2 property tax credit allowed for taxes payable in the
3 fiscal year beginning July 1, 1979 and ending June 30,
4 1980, and the amount of the additional personal
5 property tax credit for taxes payable in each year of
6 the fiscal period beginning July 1, 1985 and ending
7 June 30, 1987 shall not exceed the amount of the
8 additional personal property tax credit allowed for
9 taxes payable in the fiscal year beginning July 1,
10 1984 and ending June 30, 1985. An increase in the
11 additional personal property tax credit, once granted,
12 shall continue for each succeeding tax year. For the
13 purposes of this chapter the state comptroller may
14 estimate the state percent of growth if necessary to
15 avoid delay in the collection of taxes. After nine
16 such increases have been made, all All taxes on
17 personal property shall be repealed as provided in the
18 following section. The director of revenue and the
19 state comptroller, jointly, shall determine the amount
20 of the credit for each such tax year. Such amount
21 shall be the maximum amount, rounded to the nearest
22 ten dollars, which will permit complete funding of the
23 replacement obligation under this division, including
24 the replacement obligation for the tax credit granted
25 pursuant to sections 427A.1 to 427A.5, out of the
26 appropriation provided in this chapter."

27 45. Page 51, line 35, by striking the word "
28 and" and inserting the following: "For assessment
29 years beginning on or after January 1, 1986".

30 46. Page 52, line 1, by striking the word
31 "thereafter" and inserting the following:
32 "thereafter".

33 47. Page 53, line 11, by striking the words
34 "sixty-two million eight" and inserting the following:
35 "fifty-seven million one".

36 48. By striking page 53, line 15 through page 54,
37 line 8 and inserting the following:

38 "Sec._____. Section 427B.10, unnumbered paragraph
39 1, Code 1985, is amended to read as follows:

40 For property defined in section 427A.1, subsection
41 1, paragraphs "e" and "j" acquired or initially leased
42 after December 31, 1981 and on or before January 1,
43 1985, the taxpayer's valuation shall be limited to
44 thirty percent of the net acquisition cost of the
45 property. For purposes of this section, "net
46 acquisition cost" means the acquired cost of the
47 property including all foundations and installation
48 cost less any excess cost adjustment.

49 Sec._____. Chapter 427B, Code 1985, is amended by
50 adding as a new division the following new section:

Page 19

1 **NEW SECTION. PROPERTY SUBJECT TO SPECIAL**
2 **VALUATION.**

3 For property defined in section 427A.1, subsection
4 1, paragraphs "e" and "j" acquired or initially leased
5 after January 1, 1985 the taxpayer's valuation shall
6 be limited to thirty percent of the net acquisition
7 cost of the property. For purposes of this section,
8 "net acquisition cost" means the acquired cost of the
9 property including all foundations and installation
10 cost less any excess cost adjustment.

11 For purposes of this section:

12 1. Property assessed by the department of revenue
13 pursuant to sections 428.24 to 428.29, or chapters
14 433, 434 and 436 to 438 shall not receive the benefits
15 of this section.

16 2. Property acquired on or before January 1, 1985
17 which was owned or used on or before January 1, 1985
18 by a related person shall not receive the benefits of
19 this section.

20 3. Property acquired after January 1, 1985 which
21 was owned and used by a related person shall not
22 receive any additional benefits under this section.

23 4. Property which was owned or used on or before
24 January 1, 1985 and subsequently acquired by an
25 exchange of like property shall not receive the
26 benefits of this section.

27 5. Property which was acquired after January 1,
28 1985 and subsequently exchanged for like property
29 shall not receive any additional benefits under this
30 section.

31 6. Property acquired on or before January 1, 1985
32 which is subsequently leased to a taxpayer or related
33 person who previously owned the property shall not
34 receive the benefits of this section.

35 7. Property acquired after January 1, 1985 which
36 is subsequently leased to a taxpayer or related person
37 who previously owned the property shall not receive
38 any additional benefits under this section.

39 For purposes of this section, "related person"
40 means a person who owns or controls the taxpayer's
41 business and another business entity from which
42 property is acquired or leased or to which property is
43 sold or leased. Business entities are owned or
44 controlled by the same person if the same person
45 directly or indirectly owns or controls fifty percent
46 or more of the assets or any class of stock or who
47 directly or indirectly has an interest of fifty
48 percent or more in the ownership or profits.

49 Property assessed pursuant to this section shall
50 not be eligible to receive a partial exemption under

Page 29

1 sections 427B.1 to 427B.6."

2 49. By striking page 54, line 30 through page 55,
3 line 10 and inserting the following:

4 "Sec. _____ Section 99E.10, subsection 1,
5 unnumbered paragraph 1, 1985 Acts, House File 225,
6 section 110, if division I of House File 225 becomes
7 law is amended to read as follows:

8 1. Upon receipt of any revenue, the commissioner
9 shall deposit the moneys in the lottery fund created
10 pursuant to section 99E.20. As nearly as is
11 practicable, ~~forty-five~~ fifty percent of the projected
12 annual revenue computed on a year-round average basis
13 for each type of lottery game accruing from the sale
14 of tickets or shares is appropriated for payment of
15 prizes to the holders of winning tickets. After the
16 payment of prizes, all of the following shall be
17 deducted from lottery revenue prior to disbursement:

18 Sec. _____ NEW SECTION. 99A.10 MANUFACTURE OF
19 ELECTRONIC GAMBLING DEVICES PERMITTED.

20 A person may manufacture electronic or computerized
21 gambling devices. This chapter does not prohibit such
22 manufacturing activities.

23 Sec. _____ Section 725.9, Code 1985, is amended by
24 adding the following new subsection:

25 NEW SUBSECTION. 5. This chapter does not prohibit
26 the manufacture of electronic or computerized gambling
27 devices.

28 Sec. _____

29 1. All persons required to be licensed under
30 section 98.13 as distributors having in their
31 possession prior to delivery for resale as of the
32 close of business on September 30, 1985 cigarettes or
33 little cigars upon which the tax under section 98.6 or
34 98.43 has been paid, unused cigarette tax stamps which
35 have been paid for under section 98.8, or unused
36 metered imprints which have been paid for under
37 section 98.12 shall be subject to an inventory tax on
38 such items as provided in this section.

39 2. Persons subject to the inventory tax imposed
40 under this section shall take an inventory as of the
41 close of business on September 30, 1985 of those items
42 subject to the inventory tax for the purpose of
43 determining the tax due. These persons shall report
44 the tax on forms provided by the department of revenue
45 and remit the tax due with the forms by October 31,
46 1985. The department of revenue shall adopt rules as
47 are necessary to carry out this section.

48 3. The rate of the inventory tax on each item
49 subject to the tax as specified in subsection 1 is
50 equal to the difference between the amount paid on

Page 21

1 each item under section 98.6, 98.8, 98.12, or 98.43
2 prior to October 1, 1965 and the amount that is to be
3 paid on each similar item under section 98.6, 98.8,
4 98.12, or 98.43 on or after October 1, 1965 except
5 that in computing the rate of the inventory tax any
6 discount allowed or allowable under section 98.8 shall
7 not be considered.

8 Sec. _____ Section 100 of this Act, being deemed of
9 immediate importance, takes effect May 1, 1965 after
10 its publication in the Quad City Times, a newspaper
11 published in Davenport, Iowa, and in The Sioux City
12 Journal, a newspaper published in Sioux City, Iowa."

13 50. Title page, by striking lines 6 through 13
14 and inserting the following: "certain industrial and
15 farm machinery, equipment and computers, including
16 replacement parts, from the state sales, services and
17 use tax, imposing the state sales, services and use
18 tax on additional services and certain gross receipts
19 presently exempt, providing for the repeal of all
20 property taxes on personal property and freezing the
21 amount of the additional personal property tax credit
22 and state reimbursement for that credit, increasing
23 the tax on cigarettes and little cigars, imposing an
24 inventory tax on cigarettes and little cigars, unused
25 tax stamps and metered imprints, making permanent the
26 exemption from property taxation of certain pollution
27 control property, providing for the special valuation
28 of certain machinery, equipment and computers acquired
29 after a certain date and limiting the applicability of
30 the present special valuation to that property
31 acquired before a certain date, amending the lottery
32 law to provide for fifty percent of the projected
33 annual revenue from the sales of lottery tickets or
34 shares be used for payment of prizes, eliminating the
35 prohibition on the manufacture of electronic and
36 computerized gambling devices, and providing".

Bennett of Ida asked and received unanimous consent to temporarily defer action on amendment H-3597, to the committee amendment H-3587.

Stromer of Hancock asked and received unanimous consent to temporarily defer action on amendment H-3594, to the committee amendment H-3587.

Bennett of Ida offered the following amendment H-3597 (temporarily deferred), to the committee amendment H-3587, filed by him from the floor and moved its adoption:

H—3597

- 1 Amend the Committee amendment H—3587 to Senate File
- 2 395 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. By striking page 1, line 15 through page 4,
- 5 line 9 and inserting the following:
- 6 "_____. By striking page 1, line 1 through page 37,
- 7 line 31."
- 8 2. Page 20, line 2, by striking the figure "30"
- 9 and inserting the following: "9".
- 10 3. Page 21, by inserting after line 12 the
- 11 following:
- 12 "_____. Title page, by striking lines 1 through 4
- 13 and inserting the following: "An Act relating to
- 14 state and local revenues by allowing the cities and".

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 47, nays 52.

Amendment H—3597 lost.

Platt of Muscatine asked and received unanimous consent to temporarily defer action on amendment H—3599, to the committee amendment H—3587.

Hammond of Story asked and received unanimous consent to temporarily defer action on amendment H—3605, to the committee amendment H—3587.

Koenigs of Mitchell asked and received unanimous consent to temporarily defer action on amendment H—3606, to the committee amendment H—3587.

Varn of Johnson in the chair at 7:55 p.m.

Hammond of Story offered the following amendment H—3605, (temporarily deferred) to the committee amendment H—3587, filed by her and Holveck of Polk from the floor and moved its adoption:

H-3605

- 1 Amend amendment H-3587 to Senate File 395 as
- 2 amended, passed and reprinted by the Senate as follows:
- 3 1. Page 7, line 17, by striking the words "funeral
- 4 servites;".

Amendment H-3605 lost.

Koenigs of Mitchell offered the following amendment H-3606, (temporarily deferred) to the committee amendment H-3587, filed from the floor by Koenigs, De Groot, Skow, Rensink, Fogarty, Branstad, Gruhn, Daggett, Peterson, Royer, Muhlbauer, Renken, Cooper, Van Maanen, Black, Pellett, Sullivan, Maulsby and Jay:

H-3606

- 1 Amend the Committee amendment H-3587 to Senate File
- 2 395 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 8, by striking lines 25 and 26 and
- 5 inserting the following: "replacement parts, if the
- 6 following".

Speaker Avenson in the chair at 8:45 p.m.

Koenigs of Mitchell moved the adoption of amendment H-3606, to the committee amendment H-3587.

Roll call was requested by Daggett of Taylor and Connors of Polk.

Rule 75 was invoked.

On the question "Shall amendment H-3606, to the committee amendment H-3587, be adopted?"

The ayes were, 48:

Bennett	Black	Branstad	Carter
Clark	Cochran	Cooper	Corey
Daggett	De Groot	Fogarty	Grandia
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Handorf	Hanson	Harbor	Hester
Hummel	Jay	Knapp	Koenigs
Lageschulte	Maulsby	McKean	Miller
Muhlbauer	Mullins	Oxley	Paulin

Pellett	Peterson	Renken	Rensink
Royer	Shoning	Skow	Stromer
Stueland	Sullivan	Swearingen	Torrence
Van Camp	Van Maanen	Welden	Zimmerman

The nays were, 50:

Arnould	Baxter	Beatty	Blanshan
Brammer	Buhr	Carl	Carpenter
Chapman	Connolly	Connors	Diemer
Doderer	Fey	Groninga	Hammond
Hatch	Haverland	Holveck	Hughes
Jochum	Johnson	Lloyd-Jones	Loneragan
McIntee	Metcalf	Norland	O'Kane
Ollie	Osterberg	Parker	Pavich
Peick	Platt	Poncy	Renaud
Rosenberg	Running	Schneklath	Sherzan
Shoultz	Siegrist	Spear	Sturgeon
Swartz	Tabor	Teaford	Varn
Woods	Mr. Speaker		

Absent or not voting, 2:

Hermann Kremer

Amendment H—3606 lost.

Hanson of Delaware asked and received unanimous consent to withdraw amendment H—3600, to the committee amendment H—3587, filed by him and Renken of Grundy from the floor.

Halvorson of Clayton offered the following amendment H—3603, to the committee amendment H—3587, filed by him from the floor and moved its adoption:

H—3603

- 1 Amend the Committee amendment H—3587 to Senate File
- 2 395 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 12, line 20, by striking the word
- 5 "Seventy-five" and inserting the following: "Fifty".
- 6 2. Page 12, line 35, by striking the word
- 7 "Twenty-five" and inserting the following: "Fifty".

Amendment H—3603 lost.

Stromer of Hancock offered the following amendment H—3594 (temporarily deferred), to the committee amendment H—3587, filed by him from the floor and moved its adoption:

H—3594

- 1 Amend the Committee amendment H—3587 to Senate File
- 2 395 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. By striking page 17, line 29 through page 18,
- 5 line 26.
- 6 2. Page 18, by striking lines 33 and 35.
- 7 3. Page 21, line 20, by striking the word
- 8 “freezing” and inserting the following: “increasing”.

Roll call was requested by Maulsby of Calhoun and Branstad of Winnebago.

On the question “Shall amendment H—3594, to the committee amendment H—3587, be adopted?”

The ayes were, 40:

Bennett	Branstad	Carpenter	Clark
Corey	Daggett	De Groot	Diemer
Grandia	Halvorson, R. A.	Handorf	Hanson
Harbor	Hester	Hummel	Lageschulte
Maulsby	McIntee	McKean	Metcalf
Miller	Mullins	Paulin	Pellett
Platt	Renaud	Renken	Rensink
Royer	Schnekloth	Shoning	Siegrist
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Welden	Woods

The nays were, 58:

Arnould	Baxter	Beatty	Black
Blanshan	Brammer	Buhr	Carl
Carter	Chapman	Cochran	Connolly
Connors	Cooper	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Hatch	Haverland
Holveck	Hughes	Jay	Jochum
Johnson	Knapp	Koenigs	Lloyd-Jones
Lonergan	Muhlbauer	Norland	O’Kane
Ollie	Osterberg	Oxley	Parker
Pavich	Peick	Peterson	Poncy
Rosenberg	Running	Sherzan	Shoultz
Skow	Spear	Sturgeon	Sullivan

Swartz
Zimmerman

Tabor
Mr. Speaker

Teaford

Varn

Absent or not voting, 2:

Hermann

Kremer

Amendment H—3594 lost.

Chapman of Linn offered the following amendment H—3610, to the committee amendment H—3587, filed by her from the floor and moved its adoption:

H—3610

- 1 Amend the Committee amendment H—3587 to Senate File
- 2 395 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 9, line 28, by striking the word "NEW"
- 5 and inserting the word "NEW".
- 6 2. Page 11, line 10, by striking the word "tion"
- 7 and inserting the word "motion".
- 8 3. Page 12, line 37, by striking the word
- 9 "levied," and inserting the word "levied".
- 10 4. Page 21, line 9, by striking the word "afters"
- 11 and inserting the word "after".

Amendment H—3610 was adopted.

McIntee of Black Hawk offered the following amendment H—3609, to the committee amendment H—3587, filed by him and Hanson of Delaware from the floor and moved its adoption:

H—3609

- 1 Amend the Committee amendment H—3587 to Senate File
- 2 395 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 14, by striking line 36 and inserting the
- 5 following: "the city or county.
- 6 Sec. _____ NEW SECTION. 422B.14 PROPERTY TAX
- 7 RELIEF.
- 8 The financial officer of the city or county shall
- 9 credit fifty percent of the local income surtax, local
- 10 sales and services tax, and local earnings tax
- 11 received to a special account for property tax relief
- 12 to be granted as provided in this section.
- 13 Before the levy rates authorized under sections
- 14 384.1 and 384.12 are certified by a city to the county

15 auditor, or in the case of the county, before the levy
16 rates authorized under section 331.422, subsection 2,
17 and section 331.424, subsection 2 are certified, the
18 certifying official shall subtract from the total
19 amount computed in dollars, as provided in section
20 444.2, an amount equal to the amount credited to the
21 special account for property tax relief during the
22 last preceding twelve-month period and shall certify
23 only the net amount and shall identify for what
24 purposes the funds received for property tax relief
25 are to be used. The county auditor shall determine
26 the levy rates under section 444.3 upon the net amount
27 so computed." "

28 2. Page 20, by inserting after line 17 the
29 following:

30 "Sec._____. Section 444.3, Code 1985, is amended by
31 adding the following new unnumbered paragraph after
32 unnumbered paragraph 1:

33 NEW UNNUMBERED PARAGRAPH. However, in computing
34 the tax rate under the preceding paragraph for a city
35 or county which has imposed a local option tax
36 authorized in this chapter, the county auditor shall
37 determine if the sum of the net amount certified and
38 the amount deducted in determining that net amount
39 under this chapter would exceed the amount which could
40 be raised by the rate authorized by law. If the
41 county auditor determines that this sum would exceed
42 that amount, the county auditor shall reduce the net
43 amount certified by the excess and determine the tax
44 rate under the preceding paragraph on this reduced
45 amount."

A non-record roll call was requested.

The ayes were 36, nays 51.

Amendment H—3609 lost.

Daggett of Taylor called up for consideration the motion to reconsider amendment H—3597, to the committee amendment H—3587, filed by him from the floor and moved to reconsider the vote by which amendment H—3597 failed to be adopted by the House on April 2, 1985.

Roll call was requested by Bennett of Ida and Mullins of Kossuth.

On the question "Shall amendment H—3597 be reconsidered?"

The ayes were, 42:

Bennett	Blanshan	Branstad	Carpenter
Carter	Clark	Cooper	Corey
Daggett	De Groot	Diemer	Grandia
Halvorson, R. A.	Halvorson, R. N.	Hammond	Handorf
Harbor	Hester	Holveck	Hummel
Jay	Koenigs	Maulsby	McIntee
McKean	Metcalf	Miller	Mullins
Paulin	Pellett	Renken	Rensink
Royer	Shoning	Spear	Stromer
Stueland	Swearingen	Torrence	Van Camp
Van Maanen	Welden		

The nays were, 56:

Arnould	Baxter	Beatty	Black
Brammer	Buhr	Carl	Chapman
Cochran	Connolly	Connors	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Hanson	Hatch	Haverland
Hughes	Jochum	Johnson	Knapp
Lageschulte	Lloyd-Jones	Lonergan	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Pavich	Peick
Peterson	Platt	Poney	Renaud
Rosenberg	Running	Schneklath	Sherzan
Shoultz	Siegrist	Skow	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Varn	Woods	Zimmerman	Mr. Speaker

Absent or not voting, 2:

Hermann Kremer

The motion to reconsider lost.

Chapman of Linn asked and received unanimous consent to temporarily defer action on the committee amendment H-3587, as amended.

Van Camp of Scott offered the following amendment H-3602 filed by him and Skow of Guthrie from the floor and moved its adoption:

H-3602

- 1 Amend Senate File 395 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. By striking page 42, line 32 through page 44,
- 4 line 29.

Roll call was requested by Van Camp of Scott and Harbor of Mills.

On the question "Shall amendment H—3602 be adopted?"

The ayes were, 33:

Bennett	Black	Branstad	Clark
Corey	Daggett	De Groot	Grandia
Halvorson, R. A.	Handorf	Hanson	Harbor
Hester	Hummel	Koenigs	Mausby
McKean	Miller	Mullins	Oxley
Paulin	Pellett	Platt	Renken
Royer	Running	Shoning	Skow
Stromer	Stueland	Torrence	Van Camp
Van Maanen			

The nays were, 60:

Arnould	Baxter	Beatty	Blanshan
Brammer	Buhr	Carl	Carpenter
Chapman	Cochran	Connors	Cooper
Diemer	Doderer	Fey	Fogarty
Groninga	Groth	Gruhn	Halvorson, R. N.
Hammond	Hatch	Haverland	Holveck
Hughes	Jay	Johnson	Lageschulte
Lloyd-Jones	Lonerган	McIntee	Metcalf
Muhlbauer	Norland	O'Kane	Ollie
Osterberg	Parker	Pavich	Peick
Peterson	Poncy	Renaud	Rensink
Rosenberg	Schneklath	Sherzan	Shoultz
Siégrist	Spear	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Varn	Welden	Zimmerman	Mr. Speaker

Absent or not voting, 7:

Carter	Connolly	Hermann	Jochum
Knapp	Kremer	Woods	

Amendment H—3602 lost.

Carpenter of Polk asked and received unanimous consent to temporarily defer action on amendment H—3604.

De Groot of Lyon offered the following amendment H—3608 filed by him from the floor and moved its adoption:

H—3608

- 1 Amend Senate File 395 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. By striking page 46, line 31 through page 50,
- 4 line 35.

Roll call was requested by De Groot of Lyon and Miller of Cherokee.

Rule 75 was invoked.

On the question "Shall amendment H—3608 be adopted?"

The ayes were, 48:

Bennett	Black	Branstad	Carl
Clark	Cochran	Cooper	Corey
Daggett	De Groot	Diemer	Fogarty
Grandia	Gruhn	Halvorson, R. A.	Handorf
Hanson	Harbor	Hester	Hummel
Koenigs	Kremer	Lageschulte	Maulsby
McKean	Miller	Mullins	Osterberg
Oxley	Paulin	Pellett	Platt
Poney	Renken	Rensink	Royer
Running	Schnekloth	Shoning	Skow
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen	Welden	Zimmerman

The nays were, 51:

Arnould	Baxter	Beatty	Blanshan
Brammer	Buhr	Carpenter	Carter
Chapman	Connolly	Connors	Doderer
Fey	Groninga	Groth	Halvorson, R. N.
Hammond	Hatch	Haverland	Holveck
Hughes	Jay	Jochum	Johnson
Knapp	Lloyd-Jones	Loneragan	McIntee
Metcalf	Muhlbauer	Norland	O'Kane
Ollie	Parker	Pavich	Peick
Peterson	Renaud	Rosenberg	Sherzan
Shoultz	Siegrist	Spear	Sturgeon
Sullivan	Swartz	Tabor	Teaford
Varn	Woods	Mr. Speaker	

Absent or not voting, 1:

Hermann

Amendment H—3608 lost.

Parker of Jasper offered the following amendment H-3613 filed by him from the floor and moved its adoption:

H-3613

1 Amend Senate File 395 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 54, by inserting after line 29 the
4 following:
5 "Sec._____. Section 455C.4, Code 1985, is amended
6 by adding the following new subsection:
7 **NEW SUBSECTION. 3.** A dealer, other than a state
8 liquor store, or a distributor may refuse to accept
9 and to pay the refund value of an empty wine container
10 which is marked to indicate that it was sold by a
11 state liquor store. A state liquor store may refuse
12 to accept and to pay the refund value of an empty wine
13 container which is not marked to indicate that it was
14 sold by a state liquor store.
15 Sec._____. Section 455C.5, subsection 1, Code 1985,
16 is amended to read as follows:
17 1. Each beverage container sold or offered for
18 sale in this state by a dealer shall clearly indicate
19 by embossing or by a stamp, label or other method
20 securely affixed to the container, the refund value of
21 the container. The department shall specify, by rule,
22 the minimum size of the refund value indication on the
23 beverage containers. Each beverage container
24 containing wine which is sold or offered for sale in a
25 state liquor store shall also be marked by embossing
26 or by stamp, label, or other method securely affixed
27 to the container to indicate that it was sold in a
28 state liquor store."

Amendment H-3613 was adopted.

Carpenter of Polk offered the following amendment H-3604, (temporarily deferred) filed by her from the floor and moved its adoption:

H-3604

1 Amend Senate File 395 as amended, passed and
2 reprinted by the Senate as follows:
3 1. By striking page 44, line 30 through page 46,
4 line 30.

Amendment H-3604 was adopted.

The House resumed consideration of the committee amendment H—3587, as amended.

Chapman of Linn offered amendment H—3612, to the committee amendment H—3587, filed from the floor by Chapman, O’Kane, Schneklath, Bennett and Platt and requested division as follows:

H—3612

- 1 Amend the Committee amendment H—3587 to Senate File
- 2 395 as amended, passed and reprinted by the Senate as
- 3 follows:

H—3612A

- 4 1. Page 4, line 12, by striking the word “Sec.
- 5 ” and inserting the following: “Sec. 200”.
- 6 2. Page 5, line 48, by striking the word “Sec.
- 7 ” and inserting the following: “Sec. 201”.
- 8 3. Page 7, line 13, by striking the words
- 9 “amusement enterprises” and inserting the following:
- 10 “entertainment”.

H—3612B

- 11 4. Page 7, lines 14 and 15, by striking the words
- 12 “, real estate, and insurance” and inserting the
- 13 following: “and real estate”.

H—3612A

- 14 5. Page 7, line 19, by striking the word
- 15 “hauling”.
- 16 6. Page 7, line 32, by inserting after the word
- 17 “fees.” the following: “For purposes of this sub-
- 18 section, gross taxable services from commissioned
- 19 services includes only fees or commissions paid di-
- 20 rectly by the purchaser of the service.”
- 21 7. Page 7, by striking lines 33 through 35.
- 22 8. Page 7, by striking line 36 and inserting the
- 23 following:
- 24 “Sec. 202. Section 422.45, subsections 2, 9, 12
- 25 and 20.”.

H—3612C

- 26 9. Page 7, by inserting after line 37 the
- 27 following:
- 28 “2. The gross receipts from the sales, furnishing
- 29 or service of transportation service except the rental

H-3612C

30 or service of recreational vehicles, recreational
 31 boats, or motor vehicles subject to registration which
 32 are registered for a gross weight of thirteen tons or
 33 less. For purposes of this subsection, motor vehicles
 34 subject to registration does not include taxicabs and
 35 buses.

36 9. Gross receipts from the sales of newspapers,
 37 free newspapers or shoppers guides and the printing
 38 and publishing thereof, and envelopes for
 39 advertising."

H-3612A

40 10. Page 9, line 18, by striking the word "Sec.
 41 " and inserting the following: "Sec. 203".

H-3612B

42 11. Page 9, line 25, by inserting after the word
 43 "products;" the following: "commissioned services for
 44 insurance:".

H-3612D

45 12. Page 9, line 27, by inserting after the word
 46 "equipment" the following: ", except electrical and
 47 electronic installation".

H-3612A

48 13. Page 9, line 32, by striking the word "Sec.
 49 " and inserting the following: "Sec. 204".
 50 14. Page 9, line 38, by striking the word "Sec.

Page 2

1 " and inserting the following: "Sec. 205".
 2 15. Page 9, line 49, by striking the word "Sec.
 3 " and inserting the following: "Sec. 206".
 4 16. Page 14, line 39, by striking the word "Sec.
 5 " and inserting the following: "Sec. 207".
 6 17. Page 14, line 42, by striking the word "Sec.
 7 " and inserting the following: "Sec. 208".
 8 18. Page 15, line 14, by striking the word "Sec.
 9 " and inserting the following: "Sec. 209".
 10 19. Page 15, line 16, by striking the word "Sec.
 11 " and inserting the following: "Sec. 210".
 12 20. Page 15, line 23, by striking the word "Sec.
 13 " and inserting the following: "Sec. 211".
 14 21. Page 15, line 29, by striking the word "Sec.
 15 " and inserting the following: "Sec. 212".

H-3612A

- 16 22. Page 15, line 47, by striking the word "Sec.
 17. " and inserting the following: "Sec. 213".
 18 23. Page 16, line 22, by striking the word "Sec.
 19 " and inserting the following: "Sec. 214".
 20 24. Page 21, line 8, by striking the word and
 21 figure "Section 100" and inserting the following:
 22 "Sections 100 and 200 through 214".
 23 25. Page 21, line 9, by striking the words "takes
 24 effect May" and inserting the following: "take effect
 25 June".

On motion by Chapman of Linn, amendment H-3612A was adopted, placing out of order amendment H-3599 (to the committee amendment H-3587) filed by Platt of Muscatine and Van Camp of Scott from the floor.

Chapman of Linn moved the adoption of amendment H-3612B, to the committee amendment H-3587.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 48, nays 51.

Amendment H-3612B lost.

Chapman of Linn asked and received unanimous consent to withdraw amendment H-3612C and H-3612D.

Chapman of Linn offered the following amendment H-3615, to the committee amendment H-3587, filed by her and Platt of Muscatine from the floor and moved its adoption:

H-3615

- 1 Amend the Committee amendment H-3587 to Senate File
 2 395 as amended, passed and reprinted by the Senate as
 3 follows:
 4 1. Page 7, by inserting after line 37 the
 5 following:
 6 "2. The gross receipts from the sales, furnishing
 7 or service of transportation service except the rental
 8 of recreational vehicles, recreational boats, or motor

9 vehicles subject to registration which are registered
 10 for a gross weight of thirteen tons or less.
 11 9. Gross receipts from the sales of newspapers,
 12 free newspapers or shoppers guides and the printing
 13 and publishing thereof, and envelopes for
 14 advertising."

Amendment H—3615 was adopted.

Arnould of Scott offered the following amendment H—3616, to the committee amendment H—3587, filed by him and Schneklath of Scott from the floor and moved its adoption:

H—3616

1 Amend the Committee amendment H—3587 to Senate File
 2 395 as amended, passed and reprinted by the Senate as
 3 follows:
 4 1. Page 9, line 27, by inserting after the word
 5 "equipment" the following: ", including electrical
 6 and electronic installation".

Amendment H—3616 was adopted.

Halvorson of Clayton offered the following amendment H—3614, to the committee amendment H—3587 filed by him from the floor and moved its adoption:

H—3614

1 Amend House amendment H—3587 to Senate File 395 as
 2 amended, passed, and reprinted by the Senate as
 3 follows:
 4 1. Page 10, by striking lines 27 and 28, and
 5 inserting the words "or an additional real property
 6 tax".
 7 2. Page 10, by striking lines 30 and 31, and
 8 inserting the words "or additional real property
 9 tax".
 10 3. Page 10, by striking lines 35 and 36, and
 11 inserting the words "or additional real property
 12 tax".
 13 4. Page 11, by striking lines 29 through 33 and
 14 inserting the words "percent as set by the governing
 15 body. The state".
 16 5. Page 11, by striking lines 36 through 38 and
 17 inserting the following:
 18 "_____. Page 42, by striking lines 21 and 22 and
 19 inserting the words "local sales and service tax, and

- 20 a local vehicle tax. The rate of the taxes shall
 21 be".
- 22 6. Page 11, by striking lines 39 through 45 and
 23 inserting the following:
- 24 "_____ Page 42, by striking lines 24 through 27
 25 and inserting the words "earnings tax, and in
 26 increments of one dollar per vehicle for a vehicle tax
 27 both as set by the governing body of the city or
 28 county".
- 29 "_____ Page 42, lines 28 and 29, by striking the
 30 words "or additional real property tax".
- 31 7. By striking page 13, line 5 through page 14,
 32 line 36 and inserting the following:
- 33 "_____ Page 51, by striking lines 1 through 11.

A non-record roll call was requested.

The ayes were 11, nays 57.

Amendment H—3614 lost.

Carpenter of Polk offered the following amendment H—3617, to the committee amendment H—3587, filed from the floor by Carpenter, Arnould and Chapman and moved its adoption:

H—3617

- 1 Amend the Committee amendment H—3587 to Senate File
 2 395 as amended, passed and reprinted by the Senate as
 3 follows:
- 4 1. Page 9, by inserting after line 31 the
 5 following:
- 6 "NEW SUBSECTION. The gross receipts from the
 7 rendering, furnishing or performing of additional
 8 services taxed by this Act pursuant to a services
 9 contract in effect on April 1, 1985. This exemption
 10 is repealed June 30, 1986."

Amendment H—3617 was adopted.

Schnekloth of Scott called up for consideration the motion to reconsider amendment H—3612B filed by him from the floor and moved to reconsider the vote by which amendment H—3612B, to the committee amendment H—3587, failed to be adopted by the House on April 2, 1985.

A non-record roll call was requested.

The ayes were 49, nays 11.

The motion prevailed and the House reconsidered amendment H—3612B.

On motion by Chapman of Linn, amendment H—3612B was adopted.

Chapman of Linn asked and received unanimous consent to temporarily defer action on the committee amendment H—3587, as amended.

Van Maanen of Mahaska offered the following amendment H—3620 filed by him from the floor and moved its adoption:

H—3620

- 1 Amend Senate File 395 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 41, line 1, by inserting after the word
- 4 "imposed" the following: "and that only the first
- 5 five hundred dollars of the gross receipts of each
- 6 sale is subject to the tax".
- 7 2. Page 46, line 34, by striking the words "gross
- 8 receipts" and inserting the following: "first five
- 9 hundred dollars of the gross receipts of each sale".

A non-record roll call was requested.

The ayes were 31, nays 49.

Amendment H—3620 lost.

Stromer of Hancock offered the following amendment H—3619 filed by him from the floor and moved its adoption:

H—3619

- 1 Amend Senate File 395 as amended, passed and reprinted
- 2 by the Senate as follows:
- 3 1. By striking page 37, line 32 through page 51,
- 4 line 11.

Roll call was requested by Bennett of Ida and Maulsby of Calhoun.

On the question "Shall amendment H—3619 be adopted?"

The ayes were, 42:

Bennett	Black	Branstad	Clark
Cochran	Cooper	Corey	Daggett
De Groot	Diemer	Fogarty	Grandia
Gruhn	Halvorson, R. A.	Handorf	Hanson
Hester	Hummel	Jay	Knapp
Koenigs	Kremer	Lageschulte	Maulsby
McKean	Miller	Muhlbauer	Oxley
Paulin	Pellet	Platt	Renken
Rensink	Royer	Shoning	Skow
Stromer	Stueland	Swearingen	Torrence
Van Camp	Van Maanen		

The nays were, 52:

Arnould	Baxter	Beatty	Brammer
Buhr	Carl	Carpenter	Carter
Chapman	Connolly	Connors	Doderer
Fey	Groninga	Halvorson, R. N.	Hammond
Harbor	Hatch	Haverland	Holveck
Hughes	Jochum	Johnson	Lloyd-Jones
Lonergan	McIntee	Metcalf	Mullins
Norland	O'Kane	Ollie	Osterberg
Parker	Pavich	Peick	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Siegrist	Spear
Sturgeon	Sullivan	Swartz	Tabor
Teaford	Varn	Zimmerman	Mr. Speaker

Absent or not voting, 6:

Blanshan	Groth	Hermann	Schneklath
Weiden	Woods		

Amendment H—3619 lost.

Swartz of Marshall offered the following amendment H—3618 filed by him from the floor:

H—3618

- 1 Amend Senate File 395 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 54, by inserting after line 29 the
- 4 following:
- 5 "Sec. _____, Section 433.8, Code 1985, is amended to
- 6 read as follows:

7 433.8 ASSESSMENT IN EACH COUNTY - HOW CERTIFIED.

8 The director of revenue shall, for the purpose of /
9 determining what amount shall be assessed to any one
10 of said companies in each county of the state into
11 which the line of the said company extends, multiply
12 the assessed or taxable value per mile of line of said
13 company, as above ascertained, by the number of miles
14 in each of said counties, and the. The result thereof
15 shall be reduced to remove the personal property
16 component prior to certification. For amounts based
17 upon assessments commenced the second Monday of July,
18 1985, the result thereof shall be reduced five
19 percent. For assessments commencing July, 1986, and
20 thereafter, the value per mile multiplied by the
21 number of miles in each said county shall be reduced
22 by an additional five percent for assessments
23 commencing in each succeeding July, until such time as
24 the value per mile multiplied by the number of miles
25 in each said county shall have been reduced twenty
26 percent, which twenty percent reduction shall be
27 effective for assessments commencing July, 1988, and
28 thereafter. The result thereof shall be by the
29 director certified to the several county auditors of
30 the respective counties into, over, or through which
31 said line extends.

32 As a condition for receiving the reduction in the
33 assessments as provided in the previous paragraph, the
34 company shall remit to the director of the department
35 of revenue for deposit into the state lifeline service
36 fund created in section 476.65 an amount equal to one
37 half of the taxes saved as a result of such reduction
38 in assessments. For purposes of this paragraph, the
39 term "taxes saved as a result of such reduction in
40 assessments" means the product of the consolidated
41 county levy for the tax year for which the reduction
42 was in effect times the amount of the reduction.

43 Sec. _____ NEW SECTION. 476.61 POLICY

44 DECLARATION.

45 The general assembly finds that lifeline telephone
46 service is a basic human need and that the advent of
47 competition in the telecommunications industry should
48 not be allowed to deprive Iowans of lifeline telephone
49 service. Those individuals and entities that have
50 benefited from competition in the telecommunications

Page 2

1 industry have a responsibility to ensure that these
2 benefits are shared among all Iowans. As used in this
3 section, "lifeline telephone service" means
4 residential service at a reduced cost for those in

5 financial need.

6 Sec.____. NEW SECTION. 476.62 LIFELINE SERVICE.

7 1. On or before January 1, 1986, every local
8 exchange telephone utility whose rates are regulated
9 by the commission shall file a tariff with the
10 commission which establishes lifeline telephone
11 service subject to the terms and conditions
12 established in sections 476.61 through 476.66. For
13 purposes of this section, "local exchange telephone
14 utility" means a telephone utility that furnishes
15 local telephone service to the public within an
16 exchange, as defined by the commission, pursuant to a
17 tariff filed with the commission.

18 The local exchange telephone utility shall offer
19 lifeline service to the residential customers of the
20 telephone utility who are eligible under the
21 guidelines established pursuant to section 476.63. In
22 all exchanges or wire centers where it is
23 technologically and economically feasible, lifeline
24 service shall be local measured service, as defined by
25 the commission. In all other exchanges or wire
26 centers, lifeline service shall be flat rate service.
27 Notwithstanding section 476.5, the rate for lifeline
28 service shall not exceed fifty percent of the rate for
29 local measured service in an exchange, where
30 available, or fifty percent of the flat rate where
31 measured service is not available.

32 2. A telephone utility whose rates are not
33 regulated by the commission may offer lifeline service
34 by filing a tariff with the commission. If lifeline
35 service is offered, it shall be offered under the same
36 terms and conditions applicable to the telephone
37 utilities described in subsection 1.

38 Sec.____. NEW SECTION. 476.63 ELIGIBILITY FOR
39 LIFELINE SERVICE.

40 Lifeline telephone service shall be provided only
41 to those persons who have such financial need as might
42 prevent them from being able to afford basic telephone
43 service. Lifeline service may be provided only to
44 individuals, families or persons residing together who
45 meet the income and asset guidelines established
46 pursuant to this section and only for domestic,
47 personal use at the customer's principal place of
48 residence within the state. A person subscribing to
49 lifeline service shall not have telephone service at
50 more than one location in the state. However, this

Page 3

- 1 section does not prohibit a person from having
- 2 business telephone service at a location other than

3 that at which lifeline service is provided. A
4 customer subscribing to lifeline service shall not
5 have more than one telephone line at the customer's
6 residence.

7 On or before September 1, 1985, the department of
8 human services shall establish income and asset
9 guidelines for eligibility for lifeline service. The
10 guidelines shall take into account the income and
11 assets of all persons living at or regularly using
12 telephone service at a particular residence. The
13 guidelines shall include rules for applications for
14 lifeline service and the reporting of changes in
15 income and assets of those persons using the lifeline
16 service. The department shall prescribe forms for use
17 in connection with these rules. The forms shall be
18 available from local telephone utilities as well as
19 from the department.

20 Sec. _____ NEW SECTION. 476.64 APPLICATION FOR
21 LIFELINE SERVICE.

22 A person who wishes to subscribe to lifeline
23 service shall apply to the local telephone utility or
24 the department of human services in accordance with
25 the department's rules. If the application is
26 submitted to the local telephone utility, the utility
27 shall forward it immediately to the department of
28 human services for determination.

29 If the department finds that the applicant is
30 qualified, it shall issue two copies of a certificate
31 of eligibility, one for the applicant and one for the
32 local telephone utility. However, the approved
33 applications shall not exceed the moneys available in
34 the lifeline service fund created in section 476.65.
35 For applications forwarded to the department by the
36 utility, both copies shall be transmitted to the
37 utility and the utility shall transmit the applicant's
38 copy with the next billing. For applications filed
39 with the department directly, one copy shall be
40 transmitted to the applicant and one copy to the
41 utility.

42 If the local telephone utility has filed a tariff
43 establishing lifeline service and receives a
44 certificate of the applicant's eligibility, the
45 utility shall provide lifeline service to the
46 applicant under the terms and conditions set forth in
47 the tariff.

48 Sec. _____ NEW SECTION. 476.65 REIMBURSEMENT OF
49 UTILITIES.

50 Every local telephone utility shall be reimbursed

Page 4

1 for the revenue lost by providing lifeline service for
 2 all its lifeline customers and for the utility's
 3 administrative costs of providing the services. To
 4 provide for this reimbursement, there is created a
 5 "lifeline service fund" to which is credited the
 6 amount of any moneys remitted as the condition for the
 7 reduction in assessments as provided in section 433.8.

8 Sec. _____. **NEW SECTION. 476.66 PENALTY.**

9 A person applying for or using lifeline telephone
 10 service who knowingly supplies false information or
 11 withholds information required to be supplied
 12 concerning an application for or use or continued use
 13 of lifeline service is guilty of a fraudulent
 14 practice."

15 2. Title page, line 4, by inserting after the
 16 word "sold," the following: "providing for a gradual
 17 reduction in the assessed value of telegraph and
 18 telephone companies related to the personal property
 19 tax component of the valuation, establishing lifeline
 20 telephone service and providing reimbursement for
 21 providing such service,".

Parker of Jasper rose on a point of order that amendment
 H-3618 was not germane.

The Speaker ruled the point well taken and amendment
 H-3618 not germane.

The House stood at ease at 11:35 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 395
 at 11:59 p.m., Speaker Avenson in the chair.

The House resumed consideration of the committee amendment
 H-3587, as amended.

Carpenter of Polk offered the following amendment H-3621, to
 the committee amendment H-3587, filed by her from the floor and
 moved its adoption:

H-3621

1 Amend House amendment H-3587 to Senate File 395 as
 2 amended, passed, and reprinted by the Senate as
 3 follows:

- 4 1. Page 10, by inserting after line 28 the
5 following:
6 "_____. Page 39, line 14, by inserting after the
7 word "tax" the words "or a local sales and service
8 tax".
9 _____. Page 39, by striking lines 15 through 25 and
10 inserting the following: "incorporated and
11 unincorporated areas of the county.""
12 2. Page 11, by inserting after line 33 the
13 following:
14 "_____. Page 41, by striking lines 23 through 32
15 and inserting the words "unlimited period. The local
16 option tax may be repealed or".
17 "_____. Page 42, by striking lines 4 through 9, and
18 inserting the words "election on the imposition of the
19 local option tax.""
20 3. Page 12, by inserting after line 2 the
21 following:
22 "_____. Page 47, by striking lines 7 through 12 and
23 inserting the words "persons required to collect state
24 gross receipts taxes.""
25 4. Page 12, by striking lines 15 and 16 and
26 inserting the words "quarterly to the board of
27 supervisors and each city".
28 5. Page 12, line 17, by striking the words "where
29 the tax was imposed".
30 6. Page 12, by striking lines 22 through 24 and
31 inserting the words "population residing in the
32 unincorporated area and incorporated areas as
33 follows":
34 7. Page 12, line 28, by striking the words "where
35 the tax was imposed".
36 8. Page 12, lines 30 and 31, by striking the
37 words "where the tax was imposed".
38 9. Page 12, by striking lines 37 through 39, and
39 inserting the words "dollars levied by the board of
40 supervisors and each city in the county during the".
41 10. Page 12, line 46, by striking the words
42 "where the tax was imposed".
43 11. Page 12, line 50, by striking the word
44 "where".
45 12. Page 13, line 1, by striking the words "the
46 tax was imposed".

A non-record roll call was requested.

The ayes were 34, nays 53.

Amendment H—3621 lost.

Chapman of Linn moved the adoption of the committee amendment H—3587, as amended.

A non-record roll call was requested.

The ayes were 57, nays 33.

The committee amendment H—3587, as amended, 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.

Rule 75 was invoked.

On the question "Shall the bill pass?" (S.F. 395)

The ayes were, 54:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Branstad
Buhr	Carl	Carpenter	Carter
Chapman	Connolly	Connors	Doderer
Fey	Groninga	Groth	Halvorson, R. A.
Halvorson, R. N.	Hatch	Haverland	Hughes
Jay	Jochum	Johnson	Lageschulte
Lloyd-Jones	Lonergan	Maulsby	McIntee
Metcalf	Mullins	Norland	O'Kane
Ollie	Peterson	Platt	Rensink
Running	Schnekloth	Sherzan	Shoultz
Siegrist	Stromer	Sullivan	Swartz
Swearingen	Tabor	Teaford	Varn
Zimmerman	Mr. Speaker		

The nays were, 45:

Clark	Cochran	Cooper	Corey
Daggett	De Groot	Diemer	Fogarty
Grandia	Gruhn	Hammond	Handorf
Hanson	Harbor	Hester	Holveck
Hummel	Knapp	Koenigs	Kremer
McKean	Miller	Muhlbauer	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Poncy	Renaud
Renken	Rosenberg	Royer	Shoning
Skow	Spear	Stueland	Sturgeon
Torrence	Van Camp	Van Maanen	Welden
Woods			

Absent or not voting, 1:

Hermann

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 395)

Norland of Worth asked and received unanimous consent to immediately message Senate File 395 to the Senate.

MOTION TO RECONSIDER
(House File 740)

I move to reconsider the vote by which House File 740 passed the House on April 2, 1985.

SHERZAN of Polk

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 2nd day of April, 1985: House File 587.

JOSEPH O'HERN
Chief Clerk of the House

Report adopted.

EXPLANATION OF VOTE

I inadvertently pushed the wrong button when the vote was taken on House File 729. I wanted to vote "nay."

DIEMER of Black Hawk

COMMUNICATION FROM SECRETARY OF STATE

March 29, 1985

Mr. Joseph O'Hern
 Chief Clerk
 House of Representatives
 LOCAL

Dear Mr. O'Hern:

I hereby certify that House File 87 was published in the Charles City Press, Charles City, Iowa on March 20, 1985 and in the Fayette County Union, West Union, Iowa on March 21, 1985.

Respectfully submitted,
 MARY JANE ODELL
 Secretary of State

PRESENTATION OF VISITORS

Welden of Hardin presented to the House, Jan Harder, Foreign Exchange Student, from West Germany. He is presently living in Iowa Falls and was accompanied by Don Ruhde.

Doderer of Johnson presented to the House the Honorable Tom Dougherty, former member of the House representing Monroe County.

The Speaker announced that the following visitors were present in the House chamber:

Twenty-five twelfth grade students from Urbana Senior High, Urbana, accompanied by Sharyl Stulken and Mr. Harlan Bell. By Hummel of Benton.

COMMUNICATION RECEIVED

The following communication was received and is on file in the office of the Chief Clerk:

PROFESSIONAL AND OCCUPATIONAL REGULATION COMMISSION

The 1984 Annual Report of the Professional and Occupational Regulation Commission, pursuant to Chapter 2B.3, 1985 Code of Iowa.

AMENDMENTS FILED

H-3579

H.F. 102

Sherzan of Polk

H-3580	S.F.	79	Groth of Buena Vista Carter of Henry Parker of Jasper Swartz of Marshall Varn of Johnson
H-3581	S.F.	70	Lloyd-Jones of Johnson
H-3582	H.F.	753	Swartz of Marshall
H-3583	H.F.	749	Connors of Polk Hummel of Benton Poncy of Wapello Harbor of Mills
H-3584	H.F.	733	Swartz of Marshall
H-3585	H.F.	747	Lageschulte of Bremer
H-3586	H.F.	727	Rosenberg of Story Sherzan of Polk
H-3588	H.F.	747	Hughes of Union Daggett of Taylor
H-3589	H.F.	747	Hughes of Union
H-3590	H.F.	747	Hughes of Union
H-3591	H.F.	733	Holveck of Polk
H-3592	H.F.	733	Holveck of Polk Parker of Jasper Blanshan of Greene Buhr of Polk Renaud of Polk Brammer of Linn
			McIntee of Black Hawk Groninga of Cerro Gordo Carter of Henry Hatch of Polk Tabor of Jackson
H-3593	S.F.	502	Brammer of Linn
H-3595	H.F.	746	Spear of Lee
H-3596	H.F.	741	Hughes of Union Stromer of Hancock
H-3598	H.F.	727	Rosenberg of Story
H-3601	S.F.	85	McIntee of Black Hawk
H-3607	H.F.	737	Osterberg of Linn Parker of Jasper
H-3611	H.F.	753	Hanson of Delaware Doderer of Johnson Carpenter of Polk Halvorson of Webster Blanshan of Greene Mullins of Kossuth

On motion by Norland of Worth, the House adjourned at 12:15 a.m., Wednesday, April 3, 1985, until 9:30 a.m., Wednesday, April 3, 1985.

JOURNAL OF THE HOUSE

Eightieth Calendar Day—Fifty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 3, 1985

The House met pursuant to adjournment, Speaker Avenson in the chair.

Prayer was offered by Reverend William Morley, pastor of St. Timothy's Episcopal Church, West Des Moines.

The Journal of Tuesday, April 2, 1985 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Black of Jasper on request of Koenigs of Mitchell.

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 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 398, a bill for an act relating to school reorganization.

Also: That the Senate has on April 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 470, a bill for an act to provide a procedure for the board of directors of a school district to make up school days canceled due to inclement weather.

Also: That the Senate has on April 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 479, a bill for an act relating to a tenant's right to know about hazardous chemicals used or stored at a residential rental property.

Also: That the Senate has on April 1, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 540, a bill for an act relating to the financing of political campaigns and the reporting of that financing.

Also: That the Senate has on April 1, 1985, adopted the following concurrent resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 32, to encourage the establishment of the United States Institute of Peace in Iowa.

K. MARIE THAYER, Secretary

SENATE MESSAGES CONSIDERED

Senate File 268, by Junkins and Hultman, a bill for an act relating to the establishment of 911 service and creating a temporary commission to study implementation and financing alternatives for emergency telephone service and requiring recommendations to the general assembly, and including an appropriation.

Read first time and referred to committee on **local government**.

Senate File 398, by Murphy, a bill for an act relating to school reorganization.

Read first time and referred to committee on **education**.

Senate File 452, by Doyle, a bill for an act authorizing conversion of certain real property to a mobile home.

Read first time and referred to committee on **local government**.

Senate File 470, by Hannon, a bill for an act to provide a procedure for the board of directors of a school district to make up school days canceled due to inclement weather.

Read first time and referred to committee on **education**.

Senate File 479, by Wells, a bill for an act relating to a tenant's right to know about hazardous chemicals used or stored at a residential rental property.

Read first time and referred to committee on **energy and environmental protection**.

Senate File 497, by committee on transportation, a bill for an act prohibiting political subdivisions or agencies of this state from requiring their employed peace officers to issue a certain number of citations or memorandums.

Read first time and referred to committee on **judiciary and law enforcement**.

Senate File 540, by committee on state government, a bill for an act relating to the financing of political campaigns and the reporting of that financing.

Read first time and referred to committee on **state government**.

PRESENTATION TO THE FOOD BANK OF IOWA

Sunday Cline, House Page, and Darci Shell and Sue Suntken, Senate Pages, escorted to the front of the well Karen Ford, Executive Director; Paula Morlan, Chair; and Patty Funaro, liaison, for the Iowa Food Bank.

On behalf of the 1985 Pages, from proceeds received from the Pages' Ball held on March 5, 1985, a check in the amount of \$750.00 was presented to the Food Bank of Iowa.

Karen Ford addressed the House briefly and thanked them for the donation. The House rose and expressed its appreciation as well to the Pages.

On motion by Norland of Worth, the House was recessed at 9:53 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Avenson in the chair.

HOUSE FILE 738 DEFERRED

Norland of Worth asked and received unanimous consent that House File 738 be deferred and that the bill retain its place on the calendar.

CONSIDERATION OF BILLS Regular Calendar

House File 753, a bill for an act relating to the implementation of comparable worth pay adjustments, amending 1984 Iowa Acts,

chapter 1314, and providing for an effective date, was taken up for consideration.

Jay of Appanoose in the chair at 1:20 p.m.

Norland of Worth asked and received unanimous consent that House File 753 be deferred and that the bill retain its place on the calendar.

House File 745, a bill for an act to provide limitations on leaves of absence of public employees for certain military purposes, was taken up for consideration.

Buhr of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 745)

The ayes were, 72:

Arnould	Avenson	Baxter	Beatty
Blanshan	Brammer	Buhr	Carl
Carpenter	Carter	Chapman	Clark
Cochran	Cannolly	Connors	Diemer
Doderer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. N.
Hammond	Hanson	Hatch	Haverland
Hester	Holveck	Hughes	Johnson
Knapp	Koenigs	Lageschulte	Lloyd-Jones
Loneragan	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Rensink	Rosenberg
Shoning	Shoultz	Siegrist	Spear
Stueland	Sturgeon	Sullivan	Swartz
Tabor	Teaford	Torrence	Varn
Weiden	Woods	Zimmerman	Mr. Speaker (Jay)

The nays were, 23:

Bennett	Branstad	Cooper	Corey
Daggett	De Groot	Handorf	Harbor
Hummel	Kremer	Maulsby	Poncy
Renaud	Renken	Royer	Running

Schneklath Swearingen	Sherzan Van Camp	Skow Van Maanen	Stromer
--------------------------	---------------------	--------------------	---------

Absent or not voting, 5:

Black Parker	Halvorson, R. A.	Hermann	Jochum
-----------------	------------------	---------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 601, a bill for an act providing that the worker right to know provisions of the hazardous chemicals risks right to know Act apply to a certified pesticide applicator's employees who are not themselves certified under chapter 206, with report of committee recommending passage was taken up for consideration.

Peick 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. 601)

The ayes were, 91:

Arnould	Avenson	Baxter	Beatty
Bennett	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. N.	Hammond
Handorf	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Hummel	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Paulin	Pavich	Peick	Pellett
Peterson	Platt	Poncy	Renaud
Renken	Rensink	Rosenberg	Royer
Running	Schneklath	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Camp	Varn	Welden
Woods	Zimmerman	Mr. Speaker (Jay)	

The nays were, 3:

Corey Grandia Van Maanen

Absent or not voting, 6:

Black Blanshan Halvorson, R. A. Hermann
Joehum Parker

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 128, 381, 501, 575, 729, 748, 750 and 751.

HOUSE FILE 727 DEFERRED

Norland of Worth asked and received unanimous consent that House File 727 be deferred and that the bill retain its place on the calendar.

Speaker Avenson in the chair at 1:45 p.m.

House File 635, a bill for an act relating to the payment of drainage assessments against lands under the jurisdiction of the state conservation commission, was taken up for consideration.

Spear of Lee asked and received unanimous consent to temporarily defer action on amendment H—3373.

Fogarty of Palo Alto offered the following amendment H—3568 filed by him and moved its adoption:

H—3568

- 1 Amend House File 635 as follows:
- 2 1. Page 1, by striking lines 9 through 12 and
- 3 inserting the following: "sufficient to pay the
- 4 certified assessments."

Amendment H—3568 was adopted, placing out of order amendment H—3373 filed by Spear of Lee on March 19, 1985.

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. 635)

The ayes were, 70:

Arnould	Baxter	Beatty	Bennett
Blanshan	Brammer	Carl	Chapman
Clark	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Hughes	Jay	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lloyd-Jones
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Paulin	Pavich
Peick	Peterson	Poncy	Renken
Rosenberg	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Sullivan	Swartz	Swearingen
Tabor	Teaford	Varn	Welden
Zimmerman	Mr. Speaker		

The nays were, 24:

Branstad	Buhr	Carpenter	Cochran
Grandia	Groth	Gruhn	Holveck
Hummel	Lonergan	Maulsby	Oxley
Pellett	Platt	Renaud	Rensink
Royer	Running	Schneklath	Sherzan
Torrence	Van Camp	Van Maanen	Woods

Absent or not voting, 6:

Black	Carter	Halvorson, R. A.	Hermann
Jochum	Parker		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 754, a bill for an act relating to the duties of the citizens' aide, was taken up for consideration.

Spear of Lee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 754)

The ayes were, 95:

Arnould	Baxter	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty
Grandia	Groninga	Groth	Gruhn
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Lonergan	Maulsby
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Sullivan	Swartz
Swearingen	Tabor	Teaford	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker	

The nays were, none.

Absent or not voting, 5:

Black	Halvorson, R. A.	Hermann	Jochum
Parker			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 737 DEFERRED

Norland of Worth asked and received unanimous consent that House File 737 be deferred and that the bill retain its place on the calendar.

House File 705, a bill for an act relating to the ownership of real property by providing for the holding of repossessed real property by a state bank, providing for redemption periods, providing for the transfer of title without judicial foreclosure, permitting certain persons to take and foreclose on security interests in agricultural land

and to own agricultural land for purposes of research and experimentation, and providing for the execution of foreclosure judgments, was taken up for consideration.

O'Kane of Woodbury in the chair at 2:12 p.m.

Blanshan of Greene offered the following amendment H—3558 filed by him and moved its adoption:

H—3558

- 1 Amend House File 705 as follows:
- 2 1. Page 1, line 16, by inserting before the word
- 3 "per" the words "five year".
- 4 2. Page 1, by striking lines 20 through 25, and
- 5 inserting the following: university of science and
- 6 technology. If an appraisal conducted by an
- 7 independent real estate appraiser is available for the
- 8 current year, the five year county average shall be
- 9 adjusted by either adding or subtracting from the five
- 10 year average the percentage by which the particular
- 11 farm's current appraised value exceeds or is less than
- 12 the current year's county average value. To the
- 13 extent permitted by federal law, national banks may
- 14 value agricultural land on the same basis as state
- 15 banks."

Amendment H—3558 was adopted.

Schnekloth of Scott asked and received unanimous consent to withdraw amendment H—3434 filed by him on March 25, 1985.

Schnekloth of Scott asked and received unanimous consent to reconsider the vote by which amendment H—3558 was adopted by the House on April 3, 1985.

The following amendment H—3627, to amendment H—3558, filed by Schnekloth of Scott from the floor was adopted by unanimous consent:

H—3627

- 1 Amend amendment H—3558 to House File 705 as follows:
- 2 1. Page 1, line 8, by striking the word "shall" and
- 3 inserting the following: "may".

Amendment H—3558, as amended, was adopted by unanimous consent.

The following amendment H—3628 filed by Schnekloth of Scott from the floor, was adopted by unanimous consent:

H—3628

- 1 Amend House File 705 as follows:
- 2 1. Page 1, line 15, by striking the word "shall"
- 3 and inserting the following: "may".

Swartz of Marshall offered the following amendment H—3441 filed by Parker of Jasper and him and moved its adoption:

H—3441

- 1 Amend House File 705 as follows:
- 2 1. Page 1, line 29, by striking the words "real
- 3 property" and inserting the following: "agricultural
- 4 land used for farming, as defined in section 172C.1."
- 5 2. Page 1, line 35, by striking the words "real
- 6 property" and inserting the following: "agricultural
- 7 land".
- 8 3. Page 2, line 8, by inserting after the word
- 9 "property," the following: "if the subject property
- 10 is agricultural land used for farming, as defined in
- 11 section 172C.1."
- 12 4. Page 2, line 10, by striking the words "real
- 13 property" and inserting the following: "agricultural
- 14 land".
- 15 5. Page 2, line 13, by striking the word
- 16 "property" and inserting the following: "agricultural
- 17 land".
- 18 6. Page 2, line 15, by striking the word
- 19 "property" and inserting the following: "agricultural
- 20 land".

Amendment H—3441 was adopted.

Blanshan of Greene moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 705)

The ayes were, 83:

Arnould	Avenson	Baxter	Beatty
Bennett	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Clark
Cochran	Connolly	Connors	Cooper

Corey	De Groot	Diemer	Doderer
Fey	Fogarty	Groninga	Groth
Gruhn	Halvorson, R. A.	Halvorson, R. N.	Handorf
Hanson	Harbor	Hatch	Haverland
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Knapp	Koenigs
Kremer	Lageschulte	Loneragan	Maulsby
McIntee	Metcalf	Miller	Muhlbauer
Mullins	Norland	Ollie	Parker
Paulin	Pavich	Peick	Peterson
Poncy	Renaud	Renken	Rensink
Royer	Running	Schneklath	Sherzan
Shoning	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Sullivan
Swartz	Swearingen	Tabor	Torrence
Van Camp	Van Maanen	Varn	Welden
Woods	Zimmerman	Mr. Speaker (O'Kane)	

The nays were, 15:

Branstad	Chapman	Daggett	Grandia
Hammond	Johnson	Lloyd-Jones	McKean
Osterberg	Oxley	Pellett	Platt
Rosenberg	Shoultz	Teaford	

Absent or not voting, 2:

Black	Hermann
-------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 742, a bill for an act relating to the prospective repeal of chapter 225C and the enforcement of certain service standards for the mentally ill and mentally retarded, was taken up for consideration.

Speaker Avenson in the chair at 3:29 p.m.

Zimmerman of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 742)

The ayes were, 97:

Arnould	Baxter	Beatty	Bennett
Blanshan	Brammer	Branstad	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Corey	Daggett	De Groot
Diemer	Fey	Fogarty	Grandia
Groninga	Groth	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Handorf	Hanson
Harbor	Hatch	Haverland	Hester
Holveck	Hughes	Hummel	Jay
Jochum	Johnson	Knapp	Koenigs
Kremer	Lageschulte	Lloyd-Jones	Loneragan
Maulsby	McIntee	McKean	Metcalf
Miller	Muhlbauer	Mullins	Norland
O'Kane	Ollie	Osterberg	Oxley
Parker	Paulin	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Renken	Rensink	Rosenberg
Royer	Running	Schnekloth	Sherzan
Shoning	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Sullivan	Swartz	Swearingen	Tabor
Teaford	Torrence	Van Camp	Van Maanen
Varn	Welden	Woods	Zimmerman

Mr. Speaker

The nays were, none.

Absent or not voting, 3:

Black Doderer Hermann

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 727, a bill for an act establishing parole programs for all inmates under the jurisdiction of the director of the Iowa department of corrections, which programs must be successfully completed prior to an inmate's release from custody on parole, was taken up for consideration.

Tabor of Jackson in the chair at 3:34 p.m.

Sherzan of Polk offered the following amendment H—3586 filed by Rosenberg of Story and him:

H-3586

1 Amend House File 727 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:
4 "Section 1. Section 216.5, subsection 7, paragraph
5 a, Code 1985, is amended to read as follows:

6 a. Inmates applying to participate in a program
7 shall be approved by either the department of
8 corrections or the work release preparole committee
9 designated pursuant to section 247A.3 and shall reside
10 at state correctional institutions.

11 Sec. 2. Section 217A.3, subsection 1, Code 1985,
12 is amended to read as follows:

13 1. Accreditation and funding of community-based
14 corrections programs including but not limited to
15 pretrial release, probation, residential facilities,
16 presentence investigation, parole, and work release
17 preparole.

18 Sec. 3. Section 217A.8, subsection 1, paragraph 1,
19 Code 1985, is amended to read as follows:

20 1. Adopt rules, policies, and procedures, subject
21 to the approval of the board, pertaining to the
22 supervision of parole and work release preparole.

23 Sec. 4. Section 217A.8, subsection 1, Code 1985,
24 is amended by adding the following new lettered
25 paragraph:

26 NEW LETTERED PARAGRAPH. m. Contract with the
27 district departments of correctional services for
28 preparole programs, pursuant to section 247A.2,
29 subsection 2.

30 Sec. 5. Section 217A.8, subsection 6, Code 1985,
31 is amended to read as follows:

32 6. The director or the director's designee, having
33 probable cause to believe that a person has escaped
34 from a state correctional institution or a person
35 released on preparole work release or intensive
36 supervision has violated the conditions of the
37 person's work release or intensive supervision
38 contract, may make a complaint before a judge or
39 magistrate charging the violation. However, a
40 complaint against an alleged work release or intensive
41 supervision contract violator shall only be made after
42 the preparole committee hearing pursuant to section
43 247A.2, subsections 2 and 3, has been held. If it is
44 determined from the complaint or accompanying
45 affidavits that there is probable cause to believe
46 that the person has escaped from a state correctional
47 institution or violated the terms of the person's
48 preparole work release or intensive supervision
49 contract, the judge or magistrate shall issue a
50 warrant for the arrest of the person.

Page 2

1 Sec. 6. Section 217A.18, subsection 1, paragraph
2 d, Code 1985, is amended to read as follows:
3 d. Status (inmate, preparolee, parolee, or
4 probationer).

5 Sec. 7. Section 247A.1, Code 1985, is amended to
6 read as follows:

7 247A.1 TITLE.

8 This chapter may be referred to as the "Work
9 Release Law Iowa Preparole Act".

10 Sec. 8. Section 247A.2, Code 1985, is amended to
11 read as follows:

12 247A.2 PROGRAM.

13 1. The district departments of correctional
14 services, in consultation with the Iowa department of
15 corrections, shall establish a parolee work release
16 and intensive supervision program under programs to
17 which inmates sentenced to an institution or
18 correctional facility under the jurisdiction of the
19 department may be granted the privilege of leaving
20 actual confinement during necessary and reasonable
21 hours for the purpose of working at gainful employment
22 are to be placed prior to parole. Under appropriate
23 conditions the program may also include release for
24 the purpose of seeking employment and attendance at an
25 educational institution. An inmate may be placed on
26 work release status in the inmate's own home, under
27 appropriate circumstances, which may include child
28 care and housekeeping in the inmate's own home. An
29 inmate shall receive a unanimous vote from the work
30 release committee to be approved for home work
31 release.

32 2. The Iowa department of corrections shall
33 contract with the district departments of correctional
34 services and issue rules, pursuant to chapter 17A, for
35 the programs and shall place all inmates in either a
36 work release or intensive supervision program prior to
37 parole. A person who is participating in a work
38 release or intensive supervision program is deemed to
39 be in the custody of the district department where
40 participating.

41 3. A work release program may allow an inmate the
42 privilege of leaving actual confinement during
43 necessary and reasonable hours for the purpose of
44 working at gainful employment. Under appropriate
45 conditions the program may also include the release
46 for the purpose of seeking employment and attendance
47 at an educational institution. An inmate may be
48 placed on work release status in the inmate's own
49 home, under appropriate circumstances, which may
50 include the care of dependents and housekeeping in the

Page 3

1 inmate's own home.

2 4. An intensive supervision program shall provide
3 for daily contact between the inmate and the inmate's
4 parole authority or officer, or as otherwise required
5 to provide adequate supervision and support in
6 accordance with rules developed by the department of
7 corrections.

8 Sec. 9. Section 247A.3, Code 1985, is amended by
9 striking the section and inserting in lieu thereof the
10 following:

11 247A.3 PREPAROLE COMMITTEE.

12 1. There is established a preparole committee to
13 carry out the provisions of this chapter, which shall
14 consist of three members of the board of parole or
15 their designees.

16 2. In making the determination regarding the
17 inmate's approval for a work release program or an
18 intensive supervision program, the committee shall
19 utilize all available information concerning the
20 inmate including, but not limited to, the inmate's
21 crime, sentence, prior criminal history, presentence
22 investigation, risk assessment, program participation
23 and institutional behavior.

24 3. In cases of inmates being transferred into or
25 out of the state, pursuant to section 247.40, the
26 committee shall determine the appropriate supervision
27 necessary for the inmate, but the inmate need not be
28 required to participate in a preparole work release or
29 intensive supervision program.

30 4. An inmate shall not be assigned to a preparole
31 work release program for a period exceeding six months
32 and an inmate shall not be assigned to a preparole
33 intensive supervision program for a period exceeding
34 three months.

35 Sec. 10. Section 247A.4, Code 1985, is amended by
36 striking the section and inserting in lieu thereof the
37 following:

38 247A.4 CONTRACT.

39 The committee and an inmate shall, prior to
40 participation in a preparole work release or intensive
41 supervision program, work out a participation
42 contract. The contract shall contain a statement that
43 the inmate agrees to abide by all terms and conditions
44 of the contract adopted for the inmate by the
45 committee and set out the name and address of a
46 proposed employer, names and addresses of the persons
47 with whom the inmate will reside, and such other
48 information, terms and conditions as the committee
49 deems appropriate. The contract shall be signed by
50 the inmate prior to participation in a preparole

Page 4

1 program. Upon alleged violation of the participation
2 contract, the committee shall hold an administrative
3 hearing to determine if the violation occurred and
4 whether the violation warrants transfer of the inmate
5 back to the institution. A copy of findings of the
6 hearing shall immediately be forwarded to the director
7 of the department of corrections for possible
8 proceedings pursuant to section 217A.8, subsection 6.

9 Sec. 11. Section 247A.5, Code 1985, is amended to
10 read as follows:

11 247A.5 HOUSING FACILITIES — HALFWAY HOUSES.

12 Unless the inmate is transferred to the
13 correctional release center, or returns after working
14 hours to the institution under jurisdiction of the
15 department of corrections, the department of
16 corrections shall contract with a judicial district
17 department of correctional services for the quartering
18 and supervision of the inmate in local housing
19 facilities. The committee shall include as a specific
20 term or condition in the a work release plan contract
21 of any inmate the place where the inmate is to be
22 housed when not on the work assignment. ~~The committee~~
23 ~~shall not place an inmate on work release for longer~~
24 ~~than six months in any twelve-month period. However,~~
25 ~~an inmate may be placed on work release for a period~~
26 ~~in excess of six months in any twelve-month period if~~
27 ~~unanimous approval is given by the committee. Inmates~~
28 ~~in a work release program may be temporarily released~~
29 ~~to the supervision of a responsible person to~~
30 ~~participate in family and selected community,~~
31 ~~religious, educational, social, civic, and~~
32 ~~recreational activities when it is determined that the~~
33 ~~participation will directly facilitate the release~~
34 ~~transition from institution to community. The~~
35 ~~committee and the department of corrections shall~~
36 ~~provide a copy of the work release plan contract and a~~
37 ~~copy of any restitution plan of payment to the~~
38 ~~judicial district department of correctional services~~
39 ~~quartering and supervising the inmate.~~

40 Sec. 12. Section 247A.7, Code 1985, is amended to
41 read as follows:

42 247A.7 SURRENDER OF EARNINGS.

43 An inmate employed in the community under while
44 participating in a work release plan program shall
45 surrender to the judicial district department of
46 correctional services the inmate's total earnings less
47 payroll deductions required by law. The judicial
48 district department of correctional services shall
49 deduct from the earnings in the following order of
50 priority:

Page 5

1 1. An amount determined to be the cost to the
2 judicial district department of correctional services
3 for providing food, lodging and clothing for the
4 inmate while under participating in the program.

5 2. The actual and necessary food, travel and other
6 expenses of the inmate when released from actual
7 confinement under while participating in the program.

8 3. An amount the inmate may be legally obligated
9 to pay for the support of the inmate's dependents, the
10 amount of which shall be paid to the dependents
11 through the local department of human services in the
12 county or city in which the dependents reside.

13 4. Restitution as ordered by the court pursuant to
14 chapter 910.

15 Any balance remaining after deductions and payments
16 shall be credited to the inmate's personal account at
17 the judicial district department of correctional
18 services and shall be paid to the inmate upon release.

19 An inmate so employed shall be paid a fair and
20 reasonable wage in accordance with the prevailing wage
21 scale for such work and shall work at fair and
22 reasonable hours per day and per week.

23 Sec. 13. Section 247A.8, Code 1985, is amended to
24 read as follows:

25 **247A.8 STATUS OF INMATES ON WORK RELEASE**
26 **PREPAROLEES.**

27 1. An inmate in a preparole work release or
28 intensive supervision program is under the
29 jurisdiction and supervision of the district
30 department of correctional services where placed and
31 shall not be included in the inmate population count
32 of the institution from which the inmate was placed on
33 preparole. The termination of an inmate's
34 participation in a preparole program, and return to an
35 institution or correctional facility of the department
36 of corrections by internal transfer, shall be in
37 accordance with rules issued pursuant to section
38 247A.2, subsection 2.

39 2. An inmate employed in the community under this
40 chapter is not an agent, employee, or involuntary
41 servant of the department of corrections nor the
42 judicial district department of correctional services
43 while released from confinement under the terms of a
44 work release plan. If an inmate suffers an injury
45 arising out of or in the course of the inmate's
46 employment under this chapter, the inmate's recovery
47 shall be from the insurance carrier of the employer of
48 the project and no proceedings for compensation shall
49 be maintained against the insurance carrier of the
50 state institution, the state, the insurance carrier of

Page 6

1 the judicial district department of correctional
2 services, or the judicial district department of
3 correctional services, and there is no employer-
4 employee relationship between the inmate and the state
5 institution or the judicial district department of
6 correctional services.

7 Sec. 14. Section 247A.9, Code 1985, is amended by
8 striking the section and inserting the following:

9 **247A.9 REQUIREMENT OF PAROLE.**

10 Successful completion of either a preparole work
11 release or intensive supervision program shall be
12 required for all inmates before release on parole.

13 Sec. 15. Section 247A.10, Code 1985, is amended to
14 read as follows:

15 **247A.10 ALLEGED WORK RELEASE VIOLATORS -**
16 **TEMPORARY CONFINEMENT BY COUNTIES - REIMBURSEMENT.**

17 1. Upon request by the Iowa department of
18 corrections a county shall provide temporary
19 confinement for alleged violators of parole work
20 release conditions or intensive supervision programs,
21 if space is available.

22 2. The Iowa department of corrections shall
23 negotiate a reimbursement rate with each county for
24 the temporary confinement of alleged violators of
25 parole work release conditions or intensive
26 supervision programs who are in the custody of the
27 director of the Iowa department of corrections or who
28 are housed or supervised by the judicial district
29 department of correctional services. The amount to be
30 reimbursed shall be determined by multiplying the
31 number of days a person is confined by the average
32 daily cost of confining a person in the county
33 facility as negotiated with the department. Payment
34 shall be made upon submission of a voucher executed by
35 the sheriff and approved by the director of the Iowa
36 department of corrections.

37 **Sec. 16. NEW SECTION. 904.6 PREPAROLE PROGRAM.**

38 Three members of the board, or their designees,
39 shall serve as the parole committee pursuant to
40 chapter 247A.

41 Sec. 17. Section 905.7, subsection 1, Code 1985,
42 is amended to read as follows:

43 1. Provide pretrial release, presentence
44 investigations, probation services, parole services,
45 work release parole services, and residential
46 treatment centers throughout the district, as
47 necessary.

48 Sec. 18. Section 906.4, Code 1985, is amended to
49 read as follows:

50 **906.4 STANDARDS FOR RELEASE ON PAROLE.**

Page 7

1 A parole shall only be awarded after successful
2 completion of a preparole work release or intensive
3 supervision program, pursuant to chapter 247A. A
4 parole shall be ordered only for the best interest of
5 society, not as an award of clemency. The board shall
6 release on parole any person whom it has the power to
7 so release, when in its opinion there is reasonable
8 probability that such the person can be released
9 without detriment to the community or to the person.
10 A person's release is not a detriment to the community
11 or the person when the person is able and willing to
12 fulfill the obligations of a law-abiding citizen, as
13 the board shall determine determines.

14 Sec. 19. Section 906.5, unnumbered paragraph 1,
15 Code 1985, is amended to read as follows:

16 Within one year after the commitment of a person
17 other than a class "A" felon to the custody of the
18 director of the Iowa department of corrections, a
19 member of the board shall interview the person.
20 Thereafter, at regular intervals, not to exceed one
21 year, the board shall interview the person and
22 consider the person's prospects for parole. At such
23 time, the board shall consider all pertinent
24 information regarding this person, including the
25 circumstances of the person's offense, any presentence
26 report which may be available, the previous social
27 history and criminal record of the person, the
28 person's conduct, employment, and attitude in prison,
29 the person's participation in a preparole program, and
30 the reports of physical and mental examinations that
31 have been made.

32 Sec. 20. Section 906.9, Code 1985, is amended to
33 read as follows:

34 **906.9 CLOTHING, TRANSPORTATION, AND MONEY.**

35 When an inmate is discharged, ~~paroled,~~ or placed on,
36 a preparole work release or intensive supervision
37 program, the warden or superintendent shall furnish
38 the inmate, at state expense, appropriate clothing and
39 , transportation to the place in this state indicated in
40 the inmate's discharge, ~~parole,~~ or ~~work release~~
41 preparole contract plan. When an inmate is
42 ~~discharged, paroled,~~ or placed on a preparole work
43 release or intensive supervision program, the warden
44 or superintendent shall provide the inmate, at state
45 expense, money in accordance with the following
46 schedule:

- 47 1. Upon discharge ~~or parole,~~ one hundred dollars.
- 48 2. Upon being placed on a preparole work release
49 program, fifty dollars.
- 50 3. Upon going from an educational ~~work release to~~

Page 8

1 ~~parole or discharge, fifty dollars being placed on a~~
2 ~~preparole intensive supervision program, one hundred~~
3 ~~dollars.~~

4 Those inmates receiving payment under subsection 2
5 or 3 of this section shall not be eligible for payment
6 under subsection 1 of this section unless they are
7 returned to the institution. The warden or
8 superintendent shall maintain an account of all funds
9 expended pursuant to this section.

10 Sec. 21. Section 906.10, Code 1985, is amended to
11 read as follows:

12 906.10 PAROLE RELIEF FUND.

13 There is established, from any unappropriated funds
14 in the state treasury, a fund of twelve hundred fifty
15 dollars which shall be known as the preparole and
16 parole relief fund. The treasurer of state shall
17 maintain the fund in that amount. The fund may be
18 used for the relief of prisoners participating in a
19 preparole program or paroled prisoners who are in
20 distress because of illness, loss of employment, or
21 conditions creating personal need. The total amount
22 advanced to a prisoner shall not exceed one hundred
23 dollars. The prisoner, at the time of receiving an
24 advancement, shall execute and deliver to the parole
25 officer a written obligation to repay the advance
26 during the period of the prisoner's parole. When
27 paid, the amount shall be deposited with the treasurer
28 of state and credited to the fund from which drawn.
29 The advance shall be drawn on vouchers executed by the
30 director of the Iowa department of corrections in
31 favor of the needy person. Each voucher shall show
32 that the advancement was ordered by the director of
33 the judicial district department of correctional
34 services, after approval by the director of the
35 department of corrections.

36 Sec. 22. Section 906.11, Code 1985, is amended to
37 read as follows:

38 906.11 ASSIGNMENT TO PAROLE OFFICER.

39 A person released on parole or a preparole
40 intensive supervision program shall be assigned to a
41 parole officer by the director of the judicial
42 district department of correctional services. Both
43 the person and the person's parole officer shall be
44 furnished in writing with the conditions of parole
45 including a copy of the plan of restitution and the
46 restitution plan of payment, if any, and the
47 regulations or preparole contract which the person
48 will be required to observe. The parole officer shall
49 explain these conditions and regulations to the
50 person, and supervise, assist, and counsel the person

Page 9

1 during the term of the person's intensive supervision
 2 or parole.

3 Sec. 23. Section 906.16, Code 1985, is amended to
 4 read as follows:

5 **906.16 PAROLE TIME COUNTED.**

6 The time when a prisoner is on preparole or parole
 7 from the an institution shall be held to apply or
 8 correctional facility applies upon the sentence
 9 against the preparolee or parolee even if the
 10 preparole is terminated or the parole is subsequently
 11 revoked, except that the time when the preparolee is
 12 in violation of the terms of the agreement or the
 13 parolee is in violation of the terms of the parole
 14 agreement shall does not apply upon the sentence.

15 The time when a prisoner is absent from the
 16 institution or correctional facility by reason of an
 17 escape shall does not apply upon the sentence against
 18 the prisoner.

19 Sec. 24. The rules necessary for the implementation
 20 of this Act shall be promulgated by July 1, 1986 and
 21 this Act takes effect and applies to all inmates on
 22 and after September 1, 1986."

Rosenberg of Story offered the following amendment H—3598,
 to amendment H—3586, filed by him and moved its adoption:

H—3598

1 Amend amendment H—3586 to House File 727 as
 2 follows:

3 1. Page 1, line 43, by striking the words and
 4 figures "247A.2, subsections 2 and 3" and inserting
 5 the figure "247A.4".

Amendment H—3598 was adopted.

Norland of Worth asked and received unanimous consent that
 House File 727 be temporarily deferred and that the bill retain its
 place on the calendar.

(Amendment H—3586, as amended, pending.)

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sullivan of Van Buren, for the remainder of the day, on request of Carl of
 Poweshiek; Clark of Cerro Gordo, until her return, on request of Baxter of Des
 Moines.

Norland of Worth asked and received unanimous consent to suspend the rules and take up out of order **House File 732**, a bill for an act relating to the penalties for violations of chapter 728 involving the promotion of obscene material and the sexual exploitation of children.

Van Camp of Scott offered the following amendment H—3527 filed by him and moved its adoption:

H—3527

- 1 Amend House File 732 as follows:
- 2 1. Page 1, line 3, by inserting after the word
- 3 "to" the following: "transfer possession, with or
- 4 without consideration, or to otherwise".

A non-record roll call was requested.

The ayes were 24, nays 45.

Amendment H—3527 lost.

Siegrist 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. 732)

The ayes were, 92:

Arnould	Avenson	Baxter	Beatty
Bennett	Blanshan	Brammer	Branstad
Buhr	Carl	Carter	Chapman
Cochran	Connolly	Cooper	Corey
Daggett	De Groot	Diemer	Doderer
Fey	Fogarty	Grandia	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Handorf	Hanson	Harbor
Hatch	Haverland	Hester	Holveck
Hughes	Hummel	Jay	Jochum
Johnson	Knapp	Koenigs	Kremer
Lageschulte	Lloyd-Jones	Loneragan	Maulsby
McKean	Metcalf	Miller	Muhlbauer
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Renken	Rensink

Rosenberg	Royer	Running	Schneklath
Sherzan	Shoning	Shoultz	Siegrist
Skow	Spear	Stromer	Stueland
Sturgeon	Swartz	Swearingen	Teaford
Torrence	Van Camp	Van Maanen	Varn
Weiden	Woods	Zimmerman	Mr. Speaker (Tabor)

The nays were, none.

Absent or not voting, 8:

Black	Carpenter	Clark	Connors
Hermann	McIntee	Mullins	Sullivan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 79, a bill for an act to establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing an effective date, with report of committee recommending passage was taken up for consideration.

Groth of Buena Vista offered the following amendment H — 3580 filed by Groth, et al.:

H — 3580

- 1 Amend Senate File 79, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by striking lines 22 through 27 and
- 4 inserting the following:
- 5 "1. The powers of the the authority are vested in
- 6 and exercised by a board consisting of five members,
- 7 including the treasurer of state, the superintendent
- 8 of public instruction, and the state comptroller, and
- 9 two members appointed by the governor, subject to
- 10 confirmation by the senate. The state officials may
- 11 designate representatives to serve on the board for
- 12 them. As far as".
- 13 2. Page 3, by striking lines 3 through 5 and
- 14 inserting the following:
- 15 "3. Three members of the board constitute a
- 16 quorum."
- 17 3. Page 3, line 14, by striking the words "two
- 18 appointed" and inserting the following: "a majority
- 19 of the".
- 20 4. Page 3, line 15, by striking the word

21 "appointed".

22 5. Page 9, by inserting after line 27 the
23 following:

24 "Sec._____. NEW SECTION. 12.25 LEGISLATIVE
25 FINDINGS.

26 The general assembly finds and declares that
27 because of differences in the timing of the receipt of
28 tax and other revenues and the expenditure of funds by
29 the state, the state has been unable to remain timely
30 on its obligations, including its payments of school
31 aid; the untimely payment of state aid has created a
32 hardship for schools by increasing their costs and
33 hindering their ability to remain timely on their
34 obligations; it would be advantageous to the state to
35 be able to issue notes in anticipation of its tax and
36 other revenues in order to coordinate its cash flow;
37 and pending their use, the proceeds of notes issued in
38 anticipation of tax and other revenues should be
39 invested in order to pay the cost of issuing the notes
40 and as a benefit to the state. It is the purpose of
41 this section and section 12.26 to enable the state to
42 make timely payments of its obligations, including its
43 school aid payments, by securing funds through the
44 issuance of notes in anticipation of the state's tax
45 and other revenues.

46 Sec._____. NEW SECTION. 12.26 ISSUANCE OF TAX AND
47 REVENUE ANTICIPATION NOTES.

48 1. In anticipation of the collection of revenues
49 in and for a fiscal year, the treasurer of state may
50 borrow money, and issue notes for the money, in an

Page 2

1 amount not exceeding the estimated state revenues for
2 that year. The sums so anticipated are appropriated
3 for the payment of the notes with interest at
4 maturity. The notes may be issued prior to the
5 beginning of a fiscal year, but the notes shall be
6 payable not later than the end of the fiscal year for
7 which they are issued. The proceeds from the issuance
8 of notes shall be invested in the same manner as other
9 public funds and shall be used only for the purposes
10 for which the anticipated tax revenues were levied,
11 collected, and appropriated.

12 2. The principal of and the interest on notes
13 shall be payable solely out of the taxes and revenues
14 of the state for the fiscal year for which the notes
15 are issued. The notes of each issue shall be dated,
16 shall bear interest at the rate or rates, without
17 regard to any limit contained in chapter 74A or any
18 other law of this state, and shall mature not later

19 than the end of the fiscal year, all as may be
 20 determined by the treasurer of state. The notes may
 21 be made redeemable before maturity, at the option of
 22 the treasurer of state, at the price and under the
 23 terms and conditions as provided by the treasurer of
 24 state. The treasurer of state shall determine the
 25 form of the notes and shall fix the denomination of
 26 the notes and the place of payment of principal and
 27 interest which may be at any bank within or without
 28 the state. The notes shall be executed by the manual
 29 or facsimile signatures of the treasurer of state and
 30 the state comptroller. If any official whose
 31 signature or a facsimile of whose signature appears on
 32 any notes ceases to hold office before the delivery of
 33 the notes, the signature or the facsimile is valid and
 34 sufficient for all purposes the same as if the
 35 official had remained in office until the delivery.
 36 All notes issued under this section have the qualities
 37 and incidents of negotiable instruments under the laws
 38 of this state and without regard to any other law.
 39 The notes shall be issued in registered form. The
 40 notes may be sold in the manner, at public or private
 41 sale, as the treasurer of state may determine without
 42 regard to chapter 75.

43 3. Notes may be issued under this section without
 44 obtaining the consent of any officer or agency of this
 45 state, and without any other proceedings or conditions
 46 other than those proceedings and conditions which are
 47 specifically required by this section. The treasurer
 48 of state or the state comptroller is not liable
 49 personally on the notes or subject to any personal
 50 liability or accountability by reason of the issuance

Page 3

1 of the notes.

2 4. As used in this section, "notes" means notes
 3 and other obligations issued by the treasurer of state
 4 pursuant to this section."

5 6. Page 9, by striking line 32 and inserting the
 6 following: "1987 and one".

7 7. Amend the title, line 3, by inserting after
 8 the word "duties," the following: "and providing for
 9 the issuance of tax and revenue anticipation notes for
 10 certain purposes,".

Groth of Buena Vista offered the following amendment H—3626,
 to amendment H—3580 filed by him from the floor and moved its
 adoption:

H—3626

1 Amend amendment H—3580 to Senate File 79 as
2 amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 2, line 7, by inserting after the word
5 "issued." the following: "More than one series of
6 notes may be issued in a fiscal year and the proceeds
7 of notes may be used to retire a prior issue of notes
8 provided that the total outstanding at any one time
9 shall not exceed the limit prescribed in this
10 section."

11 2. Page 2, line 16, by inserting after the word
12 "rates" the following: "which may be variable
13 according to a method approved by the treasurer of
14 state".

15 3. Page 2, line 18, by inserting after the word
16 "mature" the following: "at such time or times".

17 4. Page 3, line 3, by inserting after the word
18 "obligations" the following: ", including short term
19 obligations backed by a commercial letter of credit."

Amendment H—3626 was adopted.

Speaker Avenson in the chair at 4:09 p.m.

Lloyd-Jones of Johnson in the chair at 4:14 p.m.

Groth of Buena Vista moved the adoption of amendment
H—3580, as amended.

Amendment H—3580 as amended, was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Handorf of Marshall, for the remainder of the day, on request of Stromer of
Hancock.

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. 79)

The ayes were, 85:

Arnould	Avenson	Baxter	Beatty
Bennett	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Cochran	Connolly	Connors	Cooper
Corey	Daggett	De Groot	Diemer
Doderer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Hatch
Haverland	Hester	Holveck	Hughes
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Loneragan
McIntee	McKean	Metcalf	Miller
Muhlbauer	Mullins	Norland	O'Kane
Ollie	Osterberg	Oxley	Parker
Paulin	Pavich	Peterson	Platt
Poncy	Renaud	Rensink	Rosenberg
Running	Schnekloth	Sherzan	Shoning
Shoultz	Siegrist	Skow	Spear
Stromer	Stueland	Sturgeon	Swartz
Swearingen	Tabor	Teaford	Torrence
Varn	Welden	Woods	Zimmerman
Madam Speaker (Lloyd-Jones)			

The nays were, 9:

Branstad	Grandia	Hummel	Maulsby
Pellett	Renken	Royer	Van Camp
Van Maanen			

Absent or not voting, 6:

Black	Clark	Handorf	Hermann
Peick	Sullivan		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

The House resumed consideration of **House File 727**, a bill for an act establishing preparole programs for all inmates under the jurisdiction of the director of the Iowa department of corrections, which programs must be successfully completed prior to an inmate's release from custody on parole, and amendment H—3586, as amended (found on pages 1322 through 1330 of the House Journal).

Halvorson of Clayton offered the following amendment H—3629, to amendment H—3586 filed by him from the floor:

H-3629

1 Amend amendment H-3586 to House File 727 as
2 follows:

3 1. Page 2, line 22, by striking the word "parole"
4 and inserting the following: "a parole, other than a
5 mandatory parole pursuant to section 903A.5".

6 2. Page 2, line 36, by inserting after the word
7 "to" the word "a".

8 3. Page 2, line 37, by inserting after the word
9 "parole" the following: ", other than a mandatory
10 parole pursuant to section 903A.5".

11 4. Page 6, line 12, by inserting after the word
12 "parole" the following: ", other than a mandatory
13 parole pursuant to section 903A.5".

14 5. Page 6, by inserting after line 36, the
15 following:

16 "Sec. 16. Section 903A.2, Code 1985, is amended to
17 read as follows:

18 903A.2 GOOD CONDUCT TIME CREDITS.

19 Each inmate of an institution under the Iowa
20 department of corrections, is eligible for a reduction
21 of sentence credit of one day for each day of good
22 conduct of the inmate while committed to one of the
23 department's institutions. In addition to the
24 sentence reduction credit of one day for each day of
25 good conduct, each inmate is eligible for an
26 additional reduction of sentence credits of up to five
27 days a month if the inmate participates satisfactorily
28 in employment in the institution, in Iowa state
29 industries, in an inmate employment program
30 established by the director, or in an inmate
31 educational program approved by the director.
32 Reduction of sentence Credits accrued pursuant to this
33 section may be subject to forfeiture pursuant to
34 section 903A.3. Computation of good conduct time
35 credits is subject to the following conditions:

36 1. Time served in jail or other facility, credited
37 by the clerk of court prior to actual placement in a
38 correctional institution, shall accrue for purposes of
39 reduction of sentence credits under this section.

40 2. Time spent during escape shall not accrue for
41 purposes of reduction of sentence credits under this
42 section. An inmate who intentionally escapes may
43 forfeit all good conduct time credits accrued and not
44 forfeited prior to the escape.

45 3. Time between parole violation, which violation
46 is determined by the board of parole at the final
47 parole violation hearing, and incarceration shall not
48 accrue for purposes of reduction of sentence credits
49 under this section.

50 4. Good conduct time credits earned and not

Page 2

1 forfeited shall accrue to an inmate serving a life
2 sentence. The good conduct time credits so accrued
3 does not apply to reduce the life sentence, but shall
4 be credited to the inmate on the date of commutation,
5 if the life sentence is commuted to a term of years.

6 5. Except in life sentences, good conduct time
7 credits shall be credited to the maximum sentence
8 annually on the date of admission.

9 Sec. 17. Section 903A.3, Code 1985, is amended to
10 read as follows:

11 903A.3 LOSS OR FORFEITURE OF GOOD CONDUCT TIME
12 CREDITS.

13 1. Upon finding that an inmate has violated an
14 institutional rule, the independent hearing officer
15 may order forfeiture of any or all good conduct time
16 credits earned and not forfeited up to the date of the
17 violation by the inmate. The independent hearing
18 officer has discretion within the guidelines
19 established pursuant to section 903A.4, to determine
20 the amount of time credits that should be forfeited
21 based upon the severity of the violation. Prior
22 violations by the inmate may be considered by the
23 hearing officer in the decision.

24 2. The orders of the hearing officer are subject
25 to appeal to the superintendent or warden of the
26 institution, or the superintendent's or warden's
27 designee, who may either affirm, modify, remand for
28 correction of procedural errors, or reverse an order.
29 However, sanctions shall not be increased on appeal.
30 A decision of the superintendent, warden, or designee
31 is subject to review by the director of the Iowa
32 department of corrections who may either affirm,
33 modify, remand for correction of procedural errors, or
34 reverse the decision. However, sanctions shall not be
35 increased on review.

36 3. The director of the Iowa department of
37 corrections or the director's designee, may restore
38 all or any portion of previously forfeited good
39 conduct time credits for acts of heroism or for
40 meritorious actions. The director shall establish by
41 rule the requirements as to which activities may
42 warrant the restoration of good conduct time credits
43 and the amount of good conduct time credits to be
44 restored.

45 4. The inmate disciplinary procedure, including
46 but not limited to the method of awarding or
47 forfeiting time credits pursuant to this chapter, is
48 not a contested case subject to chapter 17A.

49 Sec. 18. Section 903A.4, Code 1985, is amended to
50 read as follows:

Page 3

1 903A.4 POLICIES AND PROCEDURES.

2 The director of the Iowa department of corrections
3 shall develop policy and procedural rules to implement
4 sections 903A.1 through 903A.3. The rules may specify
5 disciplinary offenses which may result in the loss of
6 good conduct time credits, and the amount of good
7 conduct time credits which may be lost as a result of
8 each disciplinary offense. The director shall
9 establish rules as to what constitutes "satisfactory
10 participation" for purposes of additional reduction of
11 sentence credits under section 903A.3, for employment
12 in the institution, in Iowa state industries, in an
13 inmate employment program established by the director,
14 or for participation in an educational program
15 approved by the director, when such employment or
16 programs are available.

17 Sec. 19. Section 903A.5, Code 1985, is amended to
18 read as follows:

19 903A.5 TIME TO BE SERVED - CREDIT.

20 An inmate shall not be discharged from the custody
21 of the director of the Iowa department of corrections
22 until the inmate has served the full term for which
23 the inmate was sentenced; ~~less good conduct time~~
24 ~~earned and not forfeited~~, unless the inmate is
25 pardoned, paroled, or otherwise legally released.
26 Good conduct time credits earned and not forfeited
27 shall apply to reduce a mandatory minimum sentence
28 being served pursuant to section 204.406, 204.413,
29 902.7, 902.8, or 906.5. An inmate shall be deemed to
30 be serving the sentence from the day on which the
31 inmate is received into the institution. However, if
32 an inmate was confined to a county jail or other
33 correctional or mental facility at any time prior to
34 sentencing, or after sentencing but prior to the case
35 having been decided on appeal, because of failure to
36 furnish bail or because of being charged with a
37 nonbailable offense, the inmate shall be given credit
38 for the days already served upon the term of the
39 sentence. The clerk of the district court of the
40 county from which the inmate was sentenced, shall
41 certify to the warden the number of days so served.

42 An inmate shall not receive credit upon the
43 inmate's sentence for time spent in custody in another
44 state resisting return to Iowa following an escape, or
45 for time served in an institution or jail of another
46 jurisdiction during any period of time the person is
47 receiving credit upon a sentence of that other
48 jurisdiction.

49 An inmate automatically shall be placed on parole
50 when the number of days of actual custody plus the

Page 4

1 number of days of good conduct credits equals the term
2 of the sentence.

3 . An inmate returned to the custody of the director
4 for violation of the parole again shall be eligible
5 for automatic parole when the number of days of actual
6 custody plus the number of days on parole minus the
7 number of days in parole violation status as
8 determined by the board of parole at the time of the
9 final revocation hearing plus the number of days good
10 conduct credits accrued and not forfeited after return
11 from parole violation equals the term of the sentence.
12 Good conduct time credits acquired prior to being
13 placed on parole are forfeited.

14 A sentence shall not be complete until the inmate
15 has served the entire sentence as prescribed by the
16 court or the inmate has been discharged from parole
17 pursuant to section 906.15."

18 6. Page 7, line 1, by inserting after the word
19 "parole" the following: ", other than a mandatory
20 parole pursuant to section 903A.5,".

21 7. Page 7, line 4, by inserting after the word
22 "parole" the following: ", other than a mandatory
23 parole pursuant to section 903A.5,".

24 8. Page 7, line 35, by striking the word "
25 paroled," and inserting the word ", paroled,".

26 9. Page 7, line 40, by striking the word "
27 parole," and inserting the word ", parole,".

28 10. Page 7, line 42, by striking the word "
29 paroled," and inserting the word ", paroled,".

30 11. Page 7, line 47, by striking the words "or
31 parole" and inserting the words "or parole".

32 12. By renumbering as necessary to conform to
33 this amendment.

Sherzan of Polk rose on a point of order that amendment H-3629 was not germane.

The Speaker ruled the point well taken and amendment H-3629 not germane.

Halvorson of Clayton asked for unanimous consent to suspend the rules to consider amendment H-3629.

Objection was raised.

Halvorson of Clayton moved that the rules be suspended to consider amendment H-3629.

A non-record roll call was requested.

The ayes were 32, nays 53.

The motion lost.

On motion by Sherzan of Polk, amendment H-3586, as amended, 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. 727)

The ayes were, 77:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Carter	Chapman
Clark	Cochran	Connolly	Connors
Cooper	Diemer	Doderer	Fey
Fogarty	Groninga	Groth	Gruhn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson
Haverland	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Kremer	Lageschulte	Lonergan
McIntee	McKean	Muhlbauer	Mullins
Norland	O'Kane	Ollie	Osterberg
Oxley	Parker	Paulin	Pavich
Peick	Pellett	Peterson	Platt
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Swartz	Swearingen	Tabor	Teaford
Van Camp	Varn	Woods	Zimmerman
Madam Speaker (Lloyd-Jones)			

The nays were, 19:

Bennett	Branstad	Corey	Daggett
De Groot	Grandia	Harbor	Hester
Maulsby	Metcalf	Miller	Renken
Rensink	Royer	Schneklath	Shoning
Torrence	Van Maanen	Welden	

Absent or not voting, 4:

Handorf

Hatch

Hermann

Sullivan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 704, a bill for an act relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties, was taken up for consideration.

Schneklath of Scott offered the following amendment H—3435 filed by him and moved its adoption:

H—3435

- 1 Amend House File 704 as follows:
- 2 1. Page 3, line 17, by striking the word "school"
- 3 and inserting the following: "state general".

Amendment H—3435 was adopted.

SENATE FILE 502 SUBSTITUTED FOR HOUSE FILE 704

Brammer of Linn asked and received unanimous consent to substitute Senate File 502 for House File 704.

Senate File 502, a bill for an act relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties, was taken up for consideration.

Brammer of Linn offered the following amendment H—3577 filed by him and Swartz of Marshall:

H—3577

- 1 Amend Senate File 502 as passed by the Senate as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 101. Section 22.7, Code 1985, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 19. Information or reports
- 8 collected or submitted pursuant to section 508B.12,

9 subsections 3 and 5, and section 508B.14, subsection
10 2, except to the extent that release is permitted
11 under those sections.

12 Sec. 102. NEW SECTION. 508B.1 TITLE.

13 This chapter shall be cited as the "Iowa Life and
14 Health Insurance Guaranty Association Act".

15 Sec. 103. NEW SECTION. 508B.2 PURPOSE.

16 1. The purpose of this chapter is to protect,
17 subject to certain limitations, the persons specified
18 in section 508B.3, subsection 1, against failure in
19 the performance of contractual obligations under life
20 and health insurance policies and annuity contracts
21 specified in section 508B.3, subsection 2, because of
22 the impairment or insolvency of the member insurer
23 that issued the policies or contracts.

24 2. To provide this protection, an association of
25 insurers is created to enable the guaranty of payments
26 of benefits and of continuation of coverages as
27 limited in this chapter. Members of the association
28 are subject to assessment to provide funds to carry
29 out the purpose of this chapter.

30 Sec. 104. NEW SECTION. 508B.3 SCOPE.

31 1. This chapter shall provide coverage under the
32 policies and contracts specified in subsection 2 to
33 all of the following:

34 a. Except for nonresident certificate holders
35 under group policies or contracts, persons who are the
36 beneficiaries, assignees or payees of the persons
37 covered under paragraph "b".

38 b. Persons who are owners of the policies or
39 contracts specified in subsection 2, or are insureds
40 or annuitants under the policies or contracts, and who
41 are either of the following:

42 (1) Residents of this state.

43 (2) Nonresidents of this state if all of the
44 following conditions are met:

45 (a) The state in which the person resides has an
46 association similar to the association created in this
47 chapter.

48 (b) The person is not eligible for coverage by an
49 association described in subparagraph part (a).

50 (c) The insurer which issued the policy or

Page 2

1 contract never held a license or certificate of
2 authority in the state in which the person resides.

3 (d) The insurer is domiciled in this state.

4 2. This chapter shall provide coverage to the
5 persons specified in subsection 1 under direct life
6 insurance policies, health insurance policies, annuity
7 contracts, supplemental contracts, and certificates
8 under group policies or contracts issued by member
9 insurers.

10 3. This chapter does not apply to:

11 a. Any portion of a life, health or annuity
12 benefit payment liability arising on or after the date
13 of insolvency to the extent that it is based upon a
14 rate of interest which exceeds the lesser of the
15 following:

16 (1) The minimum rate of interest guaranteed under
17 the policy or contract.

18 (2) The rate of interest calculated as prescribed
19 in the standard valuation law of this state for
20 determining the minimum standard for the valuation of
21 life insurance policies issued during the year of
22 insolvency which have an interest-guaranteed duration
23 of ten or fewer years.

24 b. That portion or part of a policy or contract
25 under which the risk is borne by the policyholder.

26 c. A policy or contract or part of a policy or
27 contract assumed by the impaired or insolvent insurer
28 under a contract of reinsurance, other than
29 reinsurance for which assumption certificates have
30 been issued.

31 d. With respect to annuities, a benefit payment
32 liability under a policy or contract which is not
33 subject to standard nonforfeiture law, not annuitized,
34 and does not provide annuity purchase rates
35 contractually guaranteed for ten or more years.

36 e. A policy or contract issued by a company which
37 is licensed under chapters 509A, 510, 512, 512A, 514,
38 514B, 518, 518A, or 520.

39 f. Except for a policy issued pursuant to section
40 515.48, subsection 5, paragraph "a", a policy or
41 contract issued by a company which is licensed under
42 chapter 515.

43 g. An insurer which was placed under an order of
44 liquidation, rehabilitation, or conservation by a
45 court prior to the effective date of this Act is not
46 an impaired insurer or an insolvent insurer for the
47 purposes of this chapter.

48 Sec. 105. NEW SECTION. 508B.4 CONSTRUCTION.

49 This chapter shall be liberally construed to effect
50 its purpose as provided under section 508B.2.

Page 3

1 Sec. 106. NEW SECTION 508B.5 DEFINITIONS.

2 As used in this chapter unless the context
3 otherwise requires:

4 1. "Account" means any of the three accounts
5 created under section 508B.6.

6 2. "Association" means the Iowa life and health
7 insurance guaranty association created in section
8 508B.6.

9 3. "Commissioner" means the commissioner of
10 insurance.

11 4. "Contractual obligation" means an obligation
12 under a covered policy.

13 5. "Covered policy" means a policy or contract
14 within the scope of this chapter as provided under
15 section 508B.3.

16 6. "Impaired insurer" means a member insurer
17 domiciled in this state which, after the effective
18 date of this Act, is either of the following:

19 a. Deemed by the commissioner to be potentially
20 unable to fulfill its contractual obligations but is
21 not an insolvent insurer.

22 b. Placed under an order of rehabilitation or
23 conservation by a court of competent jurisdiction.

24 7. "Insolvent insurer" means a member insurer
25 which after the effective date of this Act becomes
26 insolvent and is placed under a final order of
27 liquidation, rehabilitation or conservation by a court
28 of competent jurisdiction.

29 8. "Member insurer" means a person licensed or who
30 holds a certificate of authority to transact in this
31 state any kind of insurance to which this chapter
32 applies under section 508B.3, including a person whose
33 license or certificate of authority has been
34 suspended, revoked, not renewed, or voluntarily
35 withdrawn.

36 9. "Person" means an individual, corporation,
37 partnership, association or voluntary organization.

38 10. "Premiums" means direct gross insurance
39 premiums and annuity considerations received on
40 covered policies, less return insurance premiums and
41 annuity considerations and dividends paid or credited
42 to policyholders on the direct business. "Premiums"
43 do not include premiums and considerations on
44 contracts between insurers and reinsurers, or amounts
45 received and held by a member insurer in an account or
46 fund unless and until the amounts are applied by the
47 member insurer to the purchase of an annuity or other
48 benefit for a specific person.

49 11. "Resident" means a person who resides in this
50 state, or if a corporation has its principal place of

Page 4

1 business in this state, at the time a member insurer
2 is determined to be an impaired or insolvent insurer,
3 and to whom contractual obligations are owed.

4 12. "Supplemental contract" means an agreement
5 entered into for the distribution of policy or
6 contract proceeds.

7 Sec. 107. NEW SECTION. 508B.6 CREATION OF THE
8 ASSOCIATION.

9 1. A nonprofit legal entity is created to be known
10 as the Iowa life and health insurance guaranty
11 association. All member insurers shall be and shall
12 remain members of the association as a condition of
13 their authority to transact insurance business in this
14 state. The association shall perform its functions
15 under the plan of operation established and approved
16 under section 508B.10 and shall exercise its powers
17 through the board of directors established in section
18 508B.7. For purposes of administration and
19 assessment, the association shall maintain all of the
20 following accounts:

21 a. A health insurance account.

22 b. A life insurance account.

23 c. An annuity account.

24 2. The association is subject to the immediate
25 supervision of the commissioner and the applicable
26 provisions of the insurance laws of this state.

27 Sec. 108. NEW SECTION. 508B.7 BOARD OF
28 DIRECTORS.

29 1. The board of directors of the association shall
30 consist of not less than five nor more than nine
31 member insurers serving terms as established in the
32 plan of operation. The members of the board shall be
33 selected by member insurers, subject to the approval
34 of the commissioner. Vacancies on the board shall be
35 filled for the remaining period of the term by a
36 majority vote of the remaining board members, subject
37 to the approval of the commissioner. To select the
38 initial board of directors, and initially organize the
39 association, the commissioner shall give notice to all
40 member insurers of the time and place of the
41 organizational meeting. In determining voting rights
42 at the organizational meeting each member insurer is
43 entitled to one vote in person or by proxy. If the
44 board of directors is not selected within sixty days
45 after notice of the organizational meeting, the
46 commissioner may appoint the initial members.

47 2. In approving selections or in appointing
48 members to the board, the commissioner shall consider,
49 among other factors, whether all member insurers are
50 fairly represented.

Page 5

1 3. At the option of the association, members of
2 the board may be reimbursed from the assets of the
3 association for expenses incurred by them as members
4 of the board of directors. However, members of the
5 board shall not otherwise be compensated by the
6 association for their services.

7 Sec. 109. NEW SECTION. 508B.8 POWERS AND DUTIES
8 OF THE ASSOCIATION.

9 1. If a domestic insurer is an impaired insurer,
10 the association, subject to conditions imposed by the
11 association and approved by the impaired insurer and
12 the commissioner, may:

13 a. Guarantee, assume, reinsure, or cause to be
14 guaranteed, assumed, or reinsured, any or all of the
15 covered policies of the impaired insurer.

16 b. Provide moneys, pledges, notes, guarantees, or
17 other means as proper to effectuate paragraph "a" and
18 assure payment of the contractual obligations of the
19 impaired insurer pending action under paragraph "a".

20 c. Loan money to the impaired insurer and
21 guarantee borrowings by the impaired insurer, provided
22 the association has concluded, based on reasonable
23 assumptions, that there is a likelihood of repayment
24 of the loan and a probability that unless a loan is
25 made the association would incur substantial
26 liabilities under subsection 2.

27 2. If a domestic, foreign, or alien insurer is an
28 insolvent insurer, subject to the approval of the
29 commissioner the association shall:

30 a. Guarantee, assume, or reinsure, or cause to be
31 guaranteed, assumed, or reinsured the covered policies
32 of the insolvent insurer.

33 b. Assure payment of the contractual obligations
34 of the insolvent insurer.

35 c. Provide moneys, pledges, notes, guarantees, or
36 other means as reasonably necessary to discharge the
37 duties described in this subsection.

38 3. a. In carrying out its duties under subsection
39 2, permanent policy liens or contract liens may be
40 imposed in connection with a guarantee, assumption or
41 reinsurance agreement, if the court does both of the
42 following:

43 (1) Finds either that the amounts which can be
44 assessed under this chapter are less than the amounts
45 needed to assure full and prompt performance of the
46 insolvent insurer's contractual obligations, or that
47 the economic or financial conditions as they affect
48 member insurers are sufficiently adverse to the public
49 interest to justify the imposition of policy or
50 contract liens.

Page 6

1 (2) Approves the specific policy liens or contract
2 liens to be used.

3 b. Before being obligated under subsection 2, the
4 association may request the imposition of a temporary
5 moratorium, not exceeding three years, or liens on
6 payments of cash values, termination values and policy
7 loans in addition to any contractual provisions for
8 deferral of cash values, termination values or policy
9 loans. The temporary moratoriums and liens may be
10 imposed by the court as a condition of the
11 association's liability with respect to the insolvent
12 insurer.

13 c. The obligations of the association under
14 subsection 2 regarding a covered policy shall be
15 reduced to the extent that the person entitled to the
16 obligations has received payment of all or any part of
17 the contractual benefits payable under the covered
18 policy from any other source.

19 d. The association may offer modifications to the
20 owners of policies or contracts or classes of policies
21 or contracts issued by the insolvent insurer, if the
22 association finds that under the policies or contracts
23 the benefits provided, provisions pertaining to
24 renewal, or the premiums charged or which may be
25 charged are not reasonable. If the owner of a policy
26 or contract to be modified fails or refuses to accept
27 the modification as approved by the court, the
28 association may terminate the policy or contract as of
29 a date not less than one hundred eighty days after the
30 modification is sent to the owner. The association
31 shall have no liability under the policy or contract
32 for any claim incurred or continuing beyond the
33 termination date.

34 4. If the association fails to act within a
35 reasonable period of time as provided in subsection 2,
36 the commissioner shall have the powers and duties of
37 the association under this chapter with respect to
38 insolvent insurers.

39 5. Upon request the association may give
40 assistance and advice to the commissioner concerning
41 the rehabilitation, payment of claims, continuance of
42 coverage, or the performance of other contractual
43 obligations of an impaired or insolvent insurer.

44 6. The association has standing to appear before
45 any court in this state with jurisdiction over an
46 impaired or insolvent insurer concerning which the
47 association is or may become obligated under this
48 chapter. Standing shall extend to all matters germane
49 to the powers and duties of the association including,
50 but not limited to, proposals for reinsuring or

Page 7

1 guaranteeing the covered policies of the impaired or
2 insolvent insurer and the determination of the covered
3 policies and contractual obligations.

4 7. a. A person receiving benefits under this
5 chapter is deemed to have assigned the rights under
6 the covered policy to the association to the extent of
7 the benefits received under this chapter whether the
8 benefits are payments of contractual obligations or a
9 continuation of coverage. The association may require
10 an assignment to it of the rights by a payee,
11 policyholder or contract owner, beneficiary, insured
12 or annuitant as a condition precedent to the receipt
13 of any rights or benefits conferred by this chapter
14 upon the person. The association shall be subrogated
15 to these rights against the assets of the insolvent
16 insurer.

17 b. The subrogation rights of the association under
18 this subsection have the same priority against the
19 assets of the insolvent insurer as that possessed by
20 the person entitled to receive benefits under this
21 chapter.

22 c. In addition to the rights pursuant to
23 subsection 3, paragraphs "a" and "b", the association
24 shall have all common law rights of subrogation and
25 any other equitable or legal remedy which would have
26 been available to the insolvent insurer or holder of a
27 policy or contract.

28 8. The contractual obligations of the insolvent
29 insurer for which the association becomes or may
30 become liable are as great as but not greater than the
31 contractual obligations of the insolvent insurer would
32 have been in the absence of an insolvency, unless the
33 obligations are reduced as permitted in this chapter.
34 However, with respect to any one life, the aggregate
35 liability of the association shall not exceed one
36 hundred thousand dollars in cash and termination
37 values, or three hundred thousand dollars for all
38 benefits, including cash and termination values, death
39 benefits, annuity payments, accident and health
40 benefits and all other amounts payable under all
41 policies or contracts of the insolvent insurer.

42 9. The association has no obligation for either of
43 the following:

44 a. To continue coverage, or to pay a claim for
45 benefits to any person under an individual accident,
46 health or disability policy accruing more than three
47 years following the date the member insurer is
48 adjudicated to be insolvent.

49 b. To issue a group conversion policy of any
50 nature to a person or to continue a group coverage in

Page 8

1 force for more than sixty days following the date the
2 member insurer was adjudicated to be insolvent.

3 10. The association may do any of the following:

4 a. Enter into contracts as necessary or proper to
5 carry out this chapter.

6 b. Sue or be sued, including taking any legal
7 actions necessary or proper for recovery of any unpaid
8 assessments under section 508B.9.

9 c. Borrow money to effect the purposes of this
10 chapter. Any notes or other evidence of indebtedness
11 of the association held by domestic insurers and not
12 in default qualify as investments eligible for deposit
13 under section 511.8, subsection 16.

14 d. Employ or retain persons as necessary to handle
15 the financial transactions of the association, and to
16 perform other functions as necessary or proper under
17 this chapter.

18 e. Negotiate and contract with a liquidator,
19 rehabilitator, conservator, or ancillary receiver to
20 carry out the powers and duties of the association.

21 f. Take legal action as necessary to avoid payment
22 of improper claims.

23 g. For the purposes of this chapter and to the
24 extent approved by the commissioner, exercise the
25 powers of a domestic life or health insurer. However,
26 the association shall not issue insurance policies or
27 annuity contracts other than those issued to perform
28 the contractual obligations of the impaired or
29 insolvent insurer.

30 h. Join an organization of one or more other state
31 associations of similar purposes to further the
32 purposes and administer the powers and duties of the
33 association.

34 **Sec. 110. NEW SECTION. 508B.9 ASSESSMENTS.**

35 1. For the purpose of providing the funds
36 necessary to carry out the powers and duties of the
37 association, the board of directors shall assess the
38 member insurers, separately for each account
39 established pursuant to section 508B.6, at the time
40 and for the amounts the board finds necessary. An
41 assessment is due not less than thirty days after
42 prior written notice has been sent to the member
43 insurers and accrues interest at ten percent per annum
44 commencing on the due date.

45 2. There are two classes of assessments as
46 follows:

47 a. Class A assessments shall be made for the
48 purpose of meeting administrative costs and other
49 general expenses and examinations conducted under
50 section 508B.12, subsection 5, not related to a

Page 9

1 particular impaired or insolvent insurer.

2 b. Class B assessments shall be made to the extent
3 necessary to carry out the powers and duties of the
4 association under section 508B.8 with regard to an
5 impaired domestic insurer or an insolvent domestic,
6 foreign, or alien insurer.

7 3. a. The amount of a class A assessment shall be
8 determined by the board and to the extent that class A
9 assessments do not exceed one hundred dollars per
10 company in any one calendar year may be made on a per
11 capita basis. The assessment shall be credited
12 against future insolvency assessments. The amount of
13 a class B assessment shall be allocated for assessment
14 purposes among the accounts as the liabilities and
15 expenses of the association, either experienced or
16 reasonably expected, are attributable to those
17 accounts, all as determined by the association and on
18 as equitable a basis as is reasonably practical.

19 b. Class A assessments in excess of one hundred
20 dollars per company per calendar year and class B
21 assessments against member insurers for each account
22 shall be in the proportion that the aggregate premiums
23 received on business in this state by each assessed
24 member insurer on policies or contracts related to
25 that account for the three calendar years preceding
26 the year of impairment or insolvency, bear to the
27 aggregate premiums received on business in this state
28 by all assessed member insurers on policies related to
29 that account for the three calendar years preceding
30 the assessment.

31 c. Assessments for funds to meet the requirements
32 of the association with respect to an impaired or
33 insolvent insurer shall not be made until necessary to
34 implement the purposes of this chapter.
35 Classification of assessments under this subsection
36 shall be made with a reasonable degree of accuracy,
37 recognizing that exact determinations may not always
38 be possible.

39 4. The association may abate or defer, in whole or
40 in part, the assessment of a member insurer if in the
41 opinion of the board payment of the assessment would
42 endanger the ability of the member insurer to fulfill
43 its contractual obligations. If an assessment against
44 a member insurer is abated or deferred, in whole or in
45 part, the amount by which the assessment is abated or
46 deferred may be assessed against the other member
47 insurers in a manner consistent with the basis for
48 assessments set forth in this section.

49 5. The total of all assessments upon a member
50 insurer for each account shall not in any one calendar

Page 10

1 year exceed two percent of the insurer's premiums
2 received in this state during the calendar year
3 preceding the assessment on the policies related to
4 that account. If the maximum assessment, together
5 with the other assets of the association in either
6 account, does not provide in any one year in either
7 account an amount sufficient to carry out the
8 responsibilities of the association, the necessary
9 additional funds shall be assessed as soon as
10 permitted by this chapter.

11 6. By an equitable method as established in the
12 plan of operation, the board may refund to member
13 insurers, in proportion to the contribution of each
14 insurer to that account, the amount by which the
15 assets of the account, including assets accruing from
16 net realized gains and income from investments, exceed
17 the amount the board finds is necessary to carry out
18 during the coming year the obligations of the
19 association with regard to that account. A reasonable
20 amount may be retained in any account to provide funds
21 for the continuing expenses of the association and for
22 future losses if refunds are impractical.

23 7. In determining its premium rates and
24 policyowner dividends as to any kind of insurance
25 within the scope of this chapter, it is proper for a
26 member insurer to consider the amount reasonably
27 necessary to meet its assessment obligations under
28 this chapter.

29 8. The association shall issue to each insurer
30 paying a class B assessment under this chapter, a
31 certificate of contribution in a form prescribed by
32 the commissioner for the amount of the assessment so
33 paid. All outstanding certificates shall be of equal
34 dignity and priority without reference to amounts or
35 dates of issue. A certificate of contribution may be
36 shown by the insurer in its financial statement as an
37 asset in the form, for the amount and for a period of
38 time as the commissioner may approve.

39 Sec. 111. NEW SECTION. 508B.10 PLAN OF
40 OPERATION.

41 1. a. The association shall submit to the
42 commissioner a plan of operation and any amendments to
43 the plan of operation necessary or suitable to assure
44 the fair, reasonable, and equitable administration of
45 the association. The plan of operation and any
46 amendments to the plan are effective upon the
47 commissioner's written approval.

48 b. If the association fails to submit a suitable
49 plan of operation within one hundred eighty days
50 following the effective date of this Act or if at any

Page 11

1 time the association fails to submit suitable
2 amendments to the plan, the commissioner shall, after
3 notice and hearing, adopt rules pursuant to chapter
4 17A as necessary or advisable to effectuate this
5 chapter. The rules shall continue in force until
6 modified by the commissioner or superseded by a plan
7 submitted by the association and approved by the
8 commissioner.

9 2. All member insurers shall comply with the plan
10 of operation.

11 3. In addition to other requirements established
12 in this chapter the plan of operation shall establish
13 all of the following:

14 a. Procedures for handling the assets of the
15 association.

16 b. The amount and method of reimbursing members of
17 the board of directors under section 508B.7.

18 c. Regular places and times for meetings of the
19 board of directors.

20 d. Procedures for records to be kept of all
21 financial transactions of the association, its agents,
22 and the board of directors.

23 e. Procedures for selecting the board of directors
24 and submitting the selections to the commissioner.

25 f. Any additional procedures for assessments under
26 section 508B.9.

27 g. Additional provisions necessary or proper for
28 the execution of the powers and duties of the
29 association.

30 4. The plan of operation may provide that any
31 powers and duties of the association, except those
32 under section 508B.8, subsection 10, paragraph "c" and
33 section 508B.9 are delegated to a corporation,
34 association, or other organization which performs or
35 will perform functions similar to those of this
36 association, or its equivalent, in two or more states.
37 Such a corporation, association, or organization shall
38 be reimbursed for any payments made on behalf of the
39 association and shall be paid for its performance of
40 any function of the association. A delegation under
41 this subsection shall take effect only with the ap-
42 proval of both the board of directors and the
43 commissioner. The delegation shall be made only to a
44 corporation, association, or organization which
45 extends protection at least as favorable and effective
46 as that provided by this chapter.

47 **Sec. 112. NEW SECTION. 508B.11 DUTIES AND POWERS**
48 **OF THE COMMISSIONER.**

49 1. The commissioner shall:

50 a. Upon request of the board of directors, provide

Page 12

1 the association with a statement of the premiums for
2 each member insurer.

3 b. When an impairment is declared and the amount
4 of the impairment is determined, serve a demand upon
5 the impaired insurer to make good the impairment
6 within a reasonable time. Notice to the impaired
7 insurer constitutes notice to its shareholders, if
8 any. The failure of the insurer to promptly comply
9 with the demand shall not excuse the association from
10 the performance of its powers and duties under this
11 chapter.

12 c. In a liquidation or rehabilitation proceeding
13 involving a domestic insurer, be appointed as the
14 liquidator or rehabilitator. If a foreign or alien
15 member insurer is subject to a liquidation proceeding
16 in its domiciliary jurisdiction or state of entry, the
17 commissioner shall be appointed conservator.

18 2. After notice and hearing, the commissioner may
19 suspend or revoke the certificate of authority to
20 transact insurance in this state of a member insurer
21 which fails to pay an assessment when due or fails to
22 comply with the plan of operation. As an alternative,
23 the commissioner may levy an administrative penalty on
24 any member insurer which fails to pay an assessment
25 when due. The administrative penalty shall not exceed
26 five percent of the unpaid assessment per month.
27 However, an administrative penalty shall not be less
28 than one hundred dollars per month.

29 3. An action of the board of directors or the
30 association may be appealed to the commissioner by a
31 member insurer if the appeal is taken within thirty
32 days of the action being appealed. A final action or
33 order of the commissioner is subject to judicial
34 review pursuant to chapter 17A in a court of competent
35 jurisdiction.

36 4. The liquidator, rehabilitator, or conservator
37 of an impaired insurer may notify all interested
38 persons of the effect of this chapter.

39 Sec. 113. NEW SECTION. 508B.12 PREVENTION OF
40 INSOLVENCIES.

41 1. To aid in the detection and prevention of
42 insurer insolvencies or impairments the commissioner
43 shall:

44 a. Notify the commissioners or insurance
45 departments of other states or territories of the
46 United States and the District of Columbia when any of
47 the following actions against a member insurer is
48 taken:

- 49 (1) A license is revoked.
50 (2) A license is suspended.

Page 13

1 (3) A formal order is made that a company restrict
2 its premium writing, obtain additional contributions
3 to surplus, withdraw from the state, reinsure all or
4 any part of its business, or increase capital,
5 surplus, or any other account for the security of
6 policyholders or creditors.

7 Notice shall be mailed to the commissioners or
8 departments within thirty days following the earlier
9 of when the action was taken or the date on which the
10 action occurs. This subparagraph does not supersede
11 section 507C.9, subsection 5.

12 b. Report to the board of directors when the
13 commissioner has taken any of the actions set forth in
14 paragraph "a" or has received a report from any other
15 commissioner indicating that any such action has been
16 taken in another state. Reports to the board of di-
17 rectors shall contain all significant details of the
18 action taken or the report received from another
19 commissioner.

20 c. Report to the board of directors when there is
21 reasonable cause to believe from an examination,
22 whether completed or in process, of a member company
23 that the company may be an impaired or insolvent
24 insurer.

25 d. Furnish to the board of directors the national
26 association of insurance commissioners' early warning
27 tests. The board may use the information in carrying
28 out its duties and responsibilities under this
29 section. The report and the information contained in
30 the report shall be kept confidential by the board of
31 directors until such time as it is made public by the
32 commissioner or other lawful authority.

33 2. The commissioner may seek the advice and
34 recommendations of the board of directors concerning
35 any matter affecting the commissioner's duties and
36 responsibilities regarding the financial condition of
37 member companies and companies seeking admission to
38 transact insurance business in this state.

39 3. The board of directors may upon majority vote
40 make reports and recommendations to the commissioner
41 upon any matter germane to the solvency, liquidation,
42 rehabilitation or conservation of a member insurer or
43 germane to the solvency of a company seeking to
44 transact insurance business in this state. These
45 reports and recommendations are not public records
46 pursuant to chapter 22.

47 4. Upon majority vote, the board of directors
48 shall notify the commissioner of any information
49 indicating that a member insurer may be an impaired or
50 insolvent insurer.

Page 14

1 5. Upon majority vote, the board of directors may
2 request that the commissioner order an examination of
3 a member insurer which the board in good faith
4 believes may be an impaired or insolvent insurer. The
5 examination may be conducted as a national association
6 of insurance commissioners examination or may be
7 conducted by persons designated by the commissioner.
8 The cost of the examination shall be paid by the
9 association and the examination report shall be
10 treated as are other examination reports. The
11 examination report shall not be released to the board
12 of directors prior to its release to the public, but
13 this shall not preclude the commissioner from
14 complying with subsection 1. The commissioner shall
15 notify the board of directors when the examination is
16 completed. The request for an examination shall be
17 kept on file by the commissioner but it is not a
18 public record pursuant to chapter 22 until the release
19 of the examination report to the public.

20 6. Upon majority vote, the board of directors may
21 make recommendations to the commissioner for the
22 detection and prevention of insurer insolvencies.

23 7. At the conclusion of an insurer insolvency in
24 which the association was obligated to pay covered
25 claims, the board of directors shall prepare a report
26 to the commissioner containing information as the
27 board may have in its possession bearing on the
28 history and causes of the insolvency. The board shall
29 cooperate with the boards of directors of guaranty
30 associations in other states in preparing a report on
31 the history and causes of insolvency of a particular
32 insurer, and may adopt by reference any report
33 prepared by other associations.

34 Sec. 114. NEW SECTION. 508B.13 CREDITS FOR
35 ASSESSMENTS PAID.

36 1. A member insurer may offset any class B
37 assessment against its premium tax liability pursuant
38 to chapter 432 to the extent of twenty percent of the
39 amount of the assessment for each of the five calendar
40 years following the year in which the assessment was
41 paid. If a member insurer ceases doing business, all
42 uncredited assessments may be credited against its
43 premium tax liability for the year it ceases doing
44 business.

45 2. Sums acquired by refund, pursuant to section
46 508B.9, subsection 6, from the association which have
47 been written off by contributing insurers and offset
48 against premium taxes as provided in subsection 1 and
49 are not then needed for purposes of this chapter shall
50 be paid by the association to the commissioner. The

Page 15

1 commissioner shall remit the moneys to the treasurer
2 of state to deposit in the state general fund.
3 Sec. 115. NEW SECTION. 508B.14 MISCELLANEOUS
4 PROVISIONS.

5 1. This chapter does not reduce the liability for
6 unpaid assessments of the insureds on an impaired or
7 insolvent insurer operating under a plan with
8 assessment liability other than the plan of this
9 chapter.

10 2. Records shall be kept of all negotiations and
11 meetings in which the association or its
12 representatives are involved to discuss the activities
13 of the association in carrying out its powers and
14 duties under section 508B.8. Records of the
15 negotiations or meetings shall be made public pursuant
16 to chapter 22 only upon the termination of a
17 liquidation, rehabilitation, or conservation
18 proceeding involving the impaired or insolvent
19 insurer, upon the termination of the impairment of
20 insolvency of the insurer, or upon the order of a
21 court of competent jurisdiction. This subsection does
22 not limit the duty of the association to render a
23 report of its activities under section 508B.15.

24 3. For the purpose of carrying out its obligations
25 under this chapter, the association shall be deemed to
26 be a creditor of the impaired or insolvent insurer to
27 the extent of assets attributable to covered policies
28 reduced by any amounts to which the association is
29 entitled pursuant to its subrogation rights under
30 section 508B.8, subsection 7. Assets of the impaired
31 or insolvent insurer attributable to covered policies
32 shall be used to continue all covered policies and pay
33 all contractual obligations of the impaired or
34 insolvent insurer as required by this chapter. As
35 used in this subsection, "assets attributable to
36 covered policies" means that proportion of the assets
37 which the reserves that should have been established
38 for the policies bear to the reserves that should have
39 been established for all policies of insurance written
40 by the impaired or insolvent insurer.

41 4. a. Prior to the termination of a liquidation,
42 rehabilitation, or conservation proceeding, the court
43 may take into consideration the contributions of the
44 respective parties, including the association, similar
45 associations of other states, the shareholders and
46 policyowners of the insolvent insurer, and any other
47 party with a bona fide interest, in making an
48 equitable distribution of the ownership rights of the
49 insolvent insurer. When considering the
50 contributions, consideration shall be given to the

Page 16

1 welfare of the policyholders of the continuing or
2 successor insurer.

3 b. A distribution to stockholders, if any, of an
4 impaired or insolvent insurer shall not be made until
5 the total amount of valid claims of the association
6 and of similar associations of other states for funds
7 expended in carrying out its powers and duties under
8 section 508B.8 with respect to the insurer have been
9 fully recovered by the association and the similar
10 associations.

11 5. a. Subject to the limitations of paragraphs
12 "b," "c," and "d," if an order for liquidation or
13 rehabilitation of an insurer domiciled in this state
14 has been entered, the receiver appointed under the
15 order may recover, on behalf of the insurer, from any
16 affiliate that controlled it, the amount of
17 distributions other than stock dividends paid by the
18 insurer on its capital stock made at any time during
19 the five years preceding the petition for liquidation
20 or rehabilitation.

21 b. Stock dividends are not recoverable if the
22 insurer shows that when paid the distribution was
23 lawful and reasonable and that the insurer did not
24 know and could not reasonably have known that the
25 distribution might adversely affect the ability of the
26 insurer to fulfill its contractual obligations.

27 c. A person who was an affiliate that controlled
28 the insurer at the time the distributions were paid is
29 liable up to the amount of distributions received. A
30 person who was an affiliate that controlled the
31 insurer at the time the distributions were declared is
32 liable up to the amount of distributions that would
33 have been received if they had been paid immediately.
34 If two persons are liable with respect to the same
35 distributions, they are jointly and severally liable.

36 d. The maximum amount recoverable under this
37 subsection is the amount needed in excess of all other
38 available assets of the insolvent insurer to pay the
39 contractual obligations of the insolvent insurer.

40 e. If a person liable under paragraph "c" is
41 insolvent, all its affiliates that controlled it at
42 the time the dividend was paid are jointly and
43 severally liable for a resulting deficiency in the
44 amount recovered from the insolvent affiliate.

45 **Sec. 116. NEW SECTION. 508B.15 EXAMINATION OF**
46 **THE ASSOCIATION — ANNUAL REPORT.**

47 The association is subject to examination and
48 regulation by the commissioner. The board of
49 directors shall submit to the commissioner by May 1 of
50 each year, a financial report for the preceding

Page 17

1 calendar year and a report of its activities during
2 the preceding calendar year. The financial report
3 shall be in a form approved by the commissioner.

4 Sec. 117. NEW SECTION. 508B.16 TAX EXEMPTIONS.

5 The association is exempt from payment of all fees
6 and all taxes levied by this state or any of its
7 subdivisions except taxes levied on the association's
8 real property.

9 Sec. 118. NEW SECTION. 508B.17 IMMUNITY.

10 A member insurer and its agents and employees, the
11 association and its agents and employees, members of
12 the board of directors, and the commissioner and the
13 commissioner's representatives are not liable for any
14 action taken by them or omission by them while acting
15 within the scope of their employment and in the
16 performance of their powers and duties under this
17 chapter.

18 Sec. 119. NEW SECTION. 508B.18 STAY OF
19 PROCEEDINGS — REOPENING DEFAULT JUDGMENTS.

20 Proceedings in which the insolvent insurer is a
21 party in a court in this state shall be stayed sixty
22 days from the date an order of liquidation,
23 rehabilitation, or conservation is final to permit
24 proper legal action by the association on matters
25 germane to its powers or duties. The association may
26 apply to have a judgment under a decision, order,
27 verdict, or finding based on default, set aside by the
28 same court that entered the judgment, and shall be
29 permitted to defend against the suit on the merits.

30 Sec. 120. NEW SECTION. 508B.19 PROHIBITED
31 ADVERTISEMENTS.

32 A person, including an insurer, agent or affiliate
33 of an insurer shall not make, publish, disseminate,
34 circulate, or place before the public, or cause
35 directly or indirectly, to be made, published,
36 disseminated, circulated or placed before the public
37 in a newspaper, magazine or other publication, or in
38 the form of a notice, circular, pamphlet, letter or
39 poster, or over a radio station or television station,
40 or in any other way, an advertisement, announcement or
41 statement which uses the existence of the insurance
42 guaranty association of this state for the purpose of
43 sales, solicitation, or inducement to purchase any
44 form of insurance covered by this chapter. However,
45 this section does not apply to the association or any
46 other entity which does not sell or solicit
47 insurance."

48 2. Page 3, by inserting after line 33 the
49 following:

50 "Sec. 121. NEW SECTION. 515B.19 CREDITS FOR

Page 18

1 ASSESSMENTS PAID.

2 1. An insurer may offset an assessment made
3 pursuant to section 515B.5, subsection 1, paragraph
4 "c", against its premium tax liability pursuant to
5 chapter 432 to the extent of twenty percent of the
6 amount of the assessment for each of the five calendar
7 years following the year in which the assessment was
8 paid. If an insurer ceases doing business, all
9 uncredited assessments may be credited against its
10 premium tax liability for the year it ceases doing
11 business.

12 2. Sums acquired by refund from the association
13 which have been written off by contributing insurers
14 and offset against premium taxes as provided in
15 subsection 1 and are not then needed for purposes of
16 this chapter shall be paid by the association to the
17 commissioner. The commissioner shall remit the moneys
18 to the treasurer of state to deposit in the state
19 general fund."

20 3. Title page, by striking lines 1 through 3 and
21 inserting the following:

22 "An Act relating to insurance by creating an Iowa
23 life and health insurance guaranty association,
24 providing for credits against premium taxes for
25 certain assessments by the Iowa insurance guaranty
26 association, amending the financial security and
27 reporting requirements of insurance companies, and
28 providing for administrative penalties."

Brammer of Linn offered the following amendment H—3593, to
amendment H—3577, filed by him and moved its adoption:

H—3593

1 Amend amendment H—3577 to Senate File 502 as passed
2 by the Senate as follows:

3 1. Page 1, by inserting after line 11 the
4 following:

5 "_____. Page 1, by inserting after line 28 the
6 following:"

7 2. Page 6, by striking lines 34 and 35 and
8 inserting the following:

9 "4. If the association fails to act as provided in
10 subsection 2 within a reasonable period of time."

Amendment H—3593 was adopted.

Brammer of Linn offered amendment H-3622, to amendment H-3577, filed by him from the floor and requested division as follows:

H-3622

- 1 Amend amendment H-3577 to Senate File 502 as passed
- 2 by the Senate as follows:

H-3622A

- 3 1. Page 1, by inserting after line 11 the
- 4 following:
- 5 "_____, Page 1, by inserting after line 28 the
- 6 following:".
- 7 2. Page 6, by striking lines 34 and 35 and
- 8 inserting the following:
- 9 "4. If the association fails to act as provided in
- 10 subsection 2 within a reasonable period of time,".

H-3622B

- 11 3. By striking page 14, line 34 through page 15,
- 12 line 2.
- 13 4. By striking page 17, line 48 through page 18,
- 14 line 19.
- 15 5. Page 18, by striking lines 24 through 26 and
- 16 inserting the following: "amending the financial
- 17 security and".
- 18 6. Renumber as necessary.

Brammer of Linn asked and received unanimous consent to withdraw amendment H-3622A.

On motion by Brammer of Linn, amendment H-3622B was adopted.

On motion by Brammer of Linn, amendment H-3577, as amended, was adopted.

Brammer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 502)

The ayes were, 73:

Arnould	Avenson	Baxter	Beatty
Black	Blanshan	Brammer	Buhr
Carl	Carpenter	Chapman	Clark
Cochran	Connolly	Connors	Cooper
Diemer	Fey	Fogarty	Groninga
Groth	Gruhn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson	Harbor	Hatch
Haverland	Holveck	Hughes	Jay
Jochum	Johnson	Knapp	Koenigs
Lageschulte	Loneragan	McIntee	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Poncy	Renaud	Rosenberg	Running
Sherzan	Shoultz	Siegrist	Skow
Spear	Stromer	Stueland	Sturgeon
Swartz	Swearingen	Tabor	Teaford
Van Camp	Varn	Woods	Zimmerman
Madam Speaker (Lloyd-Jones)			

The nays were, 22:

Bennett	Branstad	Corey	Daggett
De Groot	Grandia	Hester	Hummel
Kremer	Maulsby	McKean	Metcalf
Miller	Platt	Renken	Rensink
Royer	Schneklath	Shoning	Torrence
Van Maanen	Welden		

Absent or not voting, 5:

Carter	Doderer	Handorf	Hermann
Sullivan			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

HOUSE FILE 704 WITHDRAWN

Brammer of Linn asked and received unanimous consent to withdraw House File 704 from further consideration by the House.

House File 733, a bill for an act relating to motor vehicle law including insurance coverage requirements for motor vehicles in this state, the giving of notices by the state department of transportation, and creating the uninsured motorists' victim reparation fund, and providing a penalty and effective dates, was taken up for consideration.

Beatty of Warren offered the following amendment H-3533 filed by her:

H-3533

- 1 Amend House File 733 as follows:
- 2 1. By striking page 1, line 34 through page 2,
- 3 line 13 and inserting the following:
- 4 "~~Whenever~~ When the department is authorized or
- 5 required to give any notice under this chapter or any
- 6 other law regulating the operation of vehicles, unless
- 7 a different method of giving such notices is otherwise
- 8 expressly prescribed, such notice shall be given
- 9 either by personal delivery to the person to be so
- 10 notified or by personal service in the manner of
- 11 original notice by R.C.P. 56.1, paragraph "a," or by
- 12 ~~restricted~~ certified mail addressed to such the person
- 13 at the address shown by the records of the department.
- 14 Return acknowledgement is required to prove such the
- 15 latter service."

Skow of Guthrie rose on a point of order and invoked Rule 32 on House File 733.

The Speaker ruled the point not well taken and Rule 32 not in order.

On motion by Beatty of Warren amendment H-3533 was adopted.

Holveck of Polk offered the following amendment H-3591 filed by him and moved its adoption:

H-3591

- 1 Amend House File 733 as follows:
- 2 1. Page 7, line 32, by striking the figure
- 3 "321.24" and inserting the following: "321A.24".
- 4 2. Page 7, line 33, by striking the figure
- 5 "321.25" and inserting the figure "321A.25".

Amendment H-3591 was adopted.

Holveck of Polk offered the following amendment H-3592 filed by Holveck, et al. Division was requested as follows:

H-3592

1 Amend House File 733 as follows:

H-3592A

2 1. By striking page 9, line 21, through page 11,
3 line 29.

H-3592B

4 2. Page 17, by inserting before line 22 the
5 following:
6 "Sec. _____. Section 516A.2, Code 1985, is
7 repealed."
8 3. Renumber sections as necessary.

Holveck of Polk moved the adoption of amendment H-3592A.

A non-record roll call was requested.

The ayes were 58, nays 15.

Amendment H-3592A was adopted.

Swartz of Marshall offered the following amendment H-3584 filed by him and moved its adoption:

H-3584

1 Amend House File 733 as follows:
2 1. Page 14, line 3, by striking the word "The"
3 and inserting the words "On or after July 1, 1986,
4 the".

Amendment H-3584 was adopted.

The House resumed consideration of amendment H-3592B.

Speaker Avenson in the chair at 6:03 p.m.

On motion by Holveck of Polk, amendment H-3592B was adopted.

Norland of Worth asked and received unanimous consent that House File 733 be deferred and that the bill retain its place on the calendar.

MOTION TO RECONSIDER PREVAILED
(House File 741)

Hughes of Union called up for consideration the motion to recon-

sider House File 741, filed on April 1, 1985, and moved to reconsider the vote by which House File 741, a bill for an act relating to custom livestock feeders, passed the House and was placed on its last reading on April 1, 1985.

A non-record roll call was requested.

The ayes were 81, nays none.

The motion prevailed and the House reconsidered House File 741, placing out of order the motion to reconsider filed by Stromer of Hancock on April 1, 1985.

Groth of Buena Vista in the chair at 6:10 p.m.

Hughes of Union offered the following amendment H—3596 filed by him and Stromer of Hancock and moved its adoption:

H—3596

- 1 Amend House File 741 as follows:
- 2 1. Page 1, line 21, by striking the word "others"
- 3 and inserting the following: "another person".
- 4 2. Page 1, line 22, by inserting after the figure
- 5 "6," the following: "or a confinement building".
- 6 3. Page 1, lines 28 and 29, by striking the words
- 7 "on a credit basis" and inserting the following:
- 8 "using a credit-sale contract as defined in section
- 9 542.1, subsection 5".

Amendment H—3596 was adopted.

Hughes of Union moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 741)

The ayes were, 94:

Arnould	Avenson	Baxter	Beatty
Bennett	Black	Blanshan	Brammer
Branstad	Buhr	Carl	Carpenter
Carter	Chapman	Cochran	Connolly
Cooper	Corey	Daggett	De Groot
Diemer	Doderer	Fey	Fogarty

Grandia	Groninga	Gruhn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hanson	Harbor
Hatch	Hester	Holveck	Hughes
Hummel	Jay	Jochum	Johnson
Knapp	Koenigs	Kremer	Lageschulte
Lloyd-Jones	Loneragan	Maulsby	McIntee
McKean	Metcalf	Miller	Muhlbauer
Mullins	Norland	O'Kane	Ollie
Osterberg	Oxley	Parker	Paulin
Pavich	Peick	Pellett	Peterson
Platt	Poncy	Renaud	Renken
Rensink	Rosenberg	Royer	Running
Schneklath	Sherzan	Shoning	Shoultz
Siegrist	Skow	Spear	Stromer
Stueland	Sturgeon	Swartz	Swearingen
Tabor	Teaford	Torrence	Van Camp
Van Maanen	Varn	Welden	Woods
Zimmerman	Mr. Speaker (Groth)		

The nays were, none.

Absent or not voting, 6:

Clark	Connors	Handorf	Haverland
Hermann	Sullivan		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House resumed consideration of **House File 733**, a bill for an act relating to motor vehicle law including insurance coverage requirements for motor vehicles in this state, the giving of notices by the state department of transportation, and creating the uninsured motorists' victim reparation fund, and providing a penalty and effective dates, previously deferred.

Speaker Avenson in the chair at 6:25 p.m.

Holveck of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 733)

The ayes were, 70:

Arnould	Baxter	Beatty	Bennett
Black	Blanshan	Brammer	Buhr
Carter	Chapman	Cochran	Connolly
Connors	Cooper	Corey	Doderer
Fey	Fogarty	Groninga	Gruhn
Halvorson, R. N.	Hammond	Hanson	Hatch
Hester	Holveck	Hughes	Hummel
Jay	Jochum	Johnson	Knapp
Koenigs	Lageschulte	Lloyd-Jones	Loneragan
McIntee	McKean	Metcalf	Miller
Mullins	Norland	O'Kane	Ollie
Osterberg	Parker	Pavich	Peick
Pellett	Peterson	Platt	Poncy
Renaud	Rosenberg	Running	Sherzan
Shoultz	Spear	Stromer	Sturgeon
Swartz	Swearingen	Tabor	Teaford
Torrence	Van Maanen	Varn	Woods
Zimmerman	Mr. Speaker		

The nays were, 24:

Branstad	Carpenter	Daggett	De Groot
Diemer	Grandia	Groth	Halvorson, R. A.
Harbor	Kremer	Maulsby	Muhlbauef
Oxley	Paulin	Renken	Rensink
Royer	Schnekloth	Shoning	Siegrist
Skow	Stueland	Van Camp	Welden

Absent or not voting, 6:

Carl	Clark	Handorf	Haverland
Hermann	Sullivan		

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 3, 1985, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 395, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight.

Also: That the Senate has on March 14, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 422, a bill for an act permitting manufacturers of native wines to sell native wines in retail establishments owned by the manufacturers.

Also: That the Senate has on March 29, 1985, passed the following bill in which the concurrence of the House is asked:

Senate File 524, a bill for an act creating a residential care licensing classification for the mentally ill.

K. MARIE THAYER, Secretary

HOUSE INSISTS

Chapman of Linn called up for consideration **Senate File 395**, a bill for an act relating to state and local revenues by providing for the private sale of wine containing more than five percent but not more than seventeen percent alcohol by weight, imposing a tax on wine to be sold, allowing cities and counties to impose certain local option taxes, exempting certain farm machinery and equipment from the state sales, services and use tax, providing for the continued phase out and repeal of all property taxes on personal property, limiting the amount of reimbursement paid to local jurisdictions for property tax exemptions allowed for certain machinery, equipment and computers which are assessed as real property, repealing the county government assistance and municipal assistance funds, and providing penalties, appropriations and effective dates, and moved that the House insist on its amendment.

A non-record roll call was requested.

The ayes were 60, nays 32.

The motion prevailed and the House insists on its amendment.

CONFERENCE COMMITTEE APPOINTED

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 395: Avenson of Fayette, Chair; Chapman of Linn, O'Kane of Woodbury, Stromer of Hancock and Schnekloth of Scott.

IMMEDIATE MESSAGES

Norland of Worth asked and received unanimous consent to immediately message Senate File 395 to the Senate.

Norland of Worth asked and received unanimous consent to immediately message the following bills to the Senate: House Files 635, 727, 732, 733, 742, 745 and 754.

MOTIONS TO RECONSIDER
(House File 601)

I move to reconsider the vote by which House File 601 passed the House on April 3, 1985.

PEICK of Linn

(House File 601)

I move to reconsider the vote by which House File 601 passed the House on April 3, 1985.

COCHRAN of Webster

(House File 705)

I move to reconsider the vote by which House File 705 passed the House on April 3, 1985.

BLANSHAN of Greene

(House File 705)

I move to reconsider the vote by which House File 705 passed the House on April 3, 1985.

TABOR of Jackson

(House File 705)

I move to reconsider the vote by which House File 705 passed the House on April 3, 1985.

DE GROOT of Lyon

(Senate File 79)

I move to reconsider the vote by which Senate File 79 passed the House on April 3, 1985.

CARTER of Henry

(Senate File 79)

I move to reconsider the vote by which Senate File 79 passed the House on April 3, 1985.

WELDEN of Hardin

(Senate File 79)

I move to reconsider the vote by which Senate File 79 passed the House on April 3, 1985.

DE GROOT of Lyon

(Senate File 502)

I move to reconsider the vote by which Senate File 502 passed the House on April 3, 1985.

BRAMMER of Linn

(Senate File 502)

I move to reconsider the vote by which Senate File 502 passed the House on April 3, 1985.

HALVORSON of Clayton

PRESENTATION OF VISITORS

Daggett of Taylor presented to the House the Honorable Arlo Hullinger, former member of the House representing Decatur County.

The Speaker announced that the following visitors were present in the House chamber:

Sixteen Senior Government students from Boone Valley High School, Renwick, accompanied by Mrs. Nancy Marks. By Mullins of Kossuth.

Forty-seven fifth grade students from Wright Elementary School, Des Moines, accompanied by Ruth Foster and Ray Freeman. By Woods of Polk.

Eleven students from Indianola Junior High School, Indianola, accompanied by Mr. Pendgraft. By Beatty of Warren.

Thirty-five Senior students from Central Lyon High School, Rock Rapids, accompanied by Mr. and Mrs. Eldon Maxwell, Mr. Larry Gearhart, Mr. and Mrs. Jack Spittler and Reverend Jack Brooks. By De Groot of Lyon.

Twenty ninth grade students from Southeast Polk High School, Runnells, accompanied by Marv Wood. By Renaud of Polk and Parker of Jasper.

STUDY BILL COMMITTEE ASSIGNMENT

S.B. 396 Agriculture

To request and urge the Congress of the United States to take certain actions to assist farmers.

RESOLUTIONS FILED

HCR 28, by Van Maanen, Corey, Cooper and Muhlbauer, a concurrent resolution establishing an interim study on the open meetings law.

Laid over under **Rule 25**.

SCR 32, by committee on state government, a concurrent resolution to encourage the establishment of the United States Institute of Peace in Iowa.

Referred to committee on **state government**.

AMENDMENTS FILED

H—3623	H.F.	547	Haverland of Polk
H—3624	H.F.	547	Haverland of Polk
H—3625	H.F.	507	Rosenberg of Story

H-3630	H.F.	554	Fogarty of Palo Alto Van Maanen of Mahaska Pellett of Cass Halvorson of Webster Carter of Henry
H-3631	H.F.	547	Carl of Poweshiek
H-3632	H.F.	746	Spear of Lee Zimmerman of Dallas
H-3633	H.F.	746	Zimmerman of Dallas
H-3634	H.F.	753	Sherzan of Polk Poncy of Wapello Hummel of Benton Swearingen of Keokuk Running of Linn
H-3636	H.F.	753	Doderer of Johnson Hammond of Story Baxter of Des Moines Lloyd-Jones of Johnson Halvorson of Webster Buhr of Polk Shoultz of Black Hawk Johnson of Winneshiek Arnould of Scott Teaford of Black Hawk Swearingen of Keokuk Fey of Scott Carpenter of Polk Osterberg of Linn
H-3637	H.F.	726	Tabor of Jackson
H-3638	H.F.	726	Tabor of Jackson
H-3639	S.F.	79	Welden of Hardin

On motion by Norland of Worth, the House adjourned at 6:42 p.m., until 9:00 a.m., Thursday, April 4, 1985.