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April 16 - May 2

TERRY E. BRANSTAD, Governor
HAROLD G. VAN MAANEN, Speaker of the House
LEONARD L. BOSWELL, President of the Senate

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JOURNAL OF THE HOUSE

Ninety-sixth Calendar Day — Sixty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 16, 1993

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

Prayer was offered by Reverend Harold E. Schirm, pastor of the United Methodist Church, Odebolt.

The Journal of Thursday, April 15, 1993, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Dickinson of Jackson, until his arrival, on request of Gill of Woodbury; Dvorsky of Johnson on request of Brand of Benton; Hammond of Story on request of Doderer of Johnson.

The House stood at ease at 8:57 a.m., until the fall of the gavel.

The House resumed session at 9:05 a.m., Speaker Van Maanen in the chair.

CONSIDERATION OF BILLS

Unfinished Business Calendar

The House resumed consideration of **Senate File 180**, a bill for an act relating to thrift certificates and their exemption from certain filing and registration requirements, previously deferred and placed on the unfinished business calendar.

Larson 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. 180)

The ayes were, 92:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brand	Branstad	Brauns
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cohoon	Connors	Corbett
Daggett	Dinkla	Doderer	Drake
Eddie	Ertl	Fogarty	Garman
Gipp	Greig	Greiner	Gries

Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hansen, S. D.	Hanson, D. E.	Hanson, D. R.	Harper
Haverland	Henderson	Hester	Holveck
Houser	Hurley	Iverson	Jochum
Kistler	Klemme	Koenigs	Kreiman
Larkin	Larson	Lundby	Martin
May	McCoy	McKinney	McNeal
Mertz	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, 5:

Brammer	Fallon	Gill	Halvorson, R. N.
Weigel			

Absent or not voting, 3:

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

HOUSE FILE 416 WITHDRAWN

Royer of Page asked and received unanimous consent to withdraw House File 416 from further consideration by the House.

The House resumed consideration of **House File 651**, a bill for an act relating to establishing a debt due for medical assistance resulting from a transfer of assets, and to allowable claims against a conservatorship for the cost of medical care or services provided to a recipient of medical assistance, previously deferred and placed on the unfinished business calendar.

Millage of Scott offered the following amendment H—3853 filed by him and moved its adoption:

H—3853

- 1 Amend House File 651 as follows:
- 2 1. Page 1, by striking lines 30 and 31, and
- 3 inserting the following:
- 4 “(1) Transfers, other than the transfer of a
- 5 dwelling, to or for the sole benefit of the
- 6 transferor's spouse, except those made after the
- 7 transferor's spouse has established on-going
- 8 eligibility for medical assistance as an

9 institutionalized spouse pursuant to section 1924 of
10 the federal Social Security Act."

11 2. Page 2, by striking lines 15 through 17 and
12 inserting the following:

13 "(5) Transfers of less than two thousand dollars,
14 and transfers of less than ten thousand dollars made
15 more than five years before an application for medical
16 assistance is submitted by the transferor. For
17 purposes of this chapter, all transfers by the same
18 transferor during a calendar year will be aggregated."

19 3. Page 2, line 23, by striking the word "A" and
20 inserting the following: "Notwithstanding section
21 249A.3, subsection 9, a".

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 95, nays none.

Amendment H—3853 was adopted.

SENATE FILE 394 SUBSTITUTED FOR HOUSE FILE 651

Millage of Scott asked and received unanimous consent to substitute Senate File 394 for House File 651.

Senate File 394, a bill for an act relating to establishing a debt due for medical assistance resulting from a transfer of assets, and to allowable claims against a conservatorship for the cost of medical care or services provided to a recipient of medical assistance, with report of committee recommending passage, was taken up for consideration.

Siegrist of Pottawattamie asked and received unanimous consent that Senate File 394 be deferred and that the bill be placed on the unfinished business calendar.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be placed on the unfinished business calendar:

SJR 3	SF 78	SF 205
SF 3	SF 80	SF 216
SF 11	SF 94	SF 220
SF 24	SF 117	SF 225
SF 38	SF 130	SF 228
SF 48	SF 142	SF 245
SF 52	SF 163	SF 254
SF 63	SF 165	SF 268
SF 75	SF 174	SF 278

SF 287	SF 327	SF 364
SF 290	SF 335	SF 370
SF 293	SF 342	SF 380
SF 294	SF 343	SF 387
SF 303	SF 357	SF 389
SF 308	SF 359	SF 391
SF 312	SF 362	SF 392
SF 326	SF 363	

Unfinished Business Calendar

The House resumed consideration of **Senate File 233**, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for education and cultural programs of this state and providing an effective date, previously deferred and placed on the unfinished business calendar, and the committee amendment H-3628, pending.

Ollie of Clinton offered the following amendment H-3929, to the committee amendment H-3628, filed by Ollie, et al., and moved its adoption:

H-3929

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 25, line 2, by inserting after the figure
- 5 "1993," the following: "and ending June 30, 1994,".

Amendment H-3929 was adopted.

Grubbs of Scott asked and received unanimous consent to withdraw amendment H-3875, to the committee amendment H-3628, filed by him on April 12, 1993.

Ollie of Clinton offered the following amendment H-3936, to the committee amendment H-3628, filed by Ollie, et al., and moved its adoption:

H-3936

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 25, by striking lines 2 through 34, and
- 5 inserting the following: "July 1, 1993, to the

- 6 department of education, the amount of two hundred
 7 fifty thousand dollars for support for the operations
 8 of the new Iowa schools development corporation and
 9 for school transformation design and implementation
 10 projects administered by the corporation."

Roll call was requested by Ollie of Clinton and Hansen of Woodbury.

On the question "Shall amendment H—3936, to the committee amendment H—3628, be adopted?" (S.F. 233)

The ayes were, 47:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cphoon	Connors
Doderer	Fallon	Fogarty	Gill
Halvorson, R. N.	Hansen, S. D.	Harper	Haverland
Henderson	Holveck	Jochum	Koenigs
Kreiman	Larkin	May	McCoy
McKinney	Mertz	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Rants
Rénaud	Running	Schrader	Shoultz
Weigel	Wise	Witt	

The nays were, 49:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Rafferty
Renken	Royer	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Welter
Mr. Speaker			
Van Maanen			

Absent or not voting, 4:

Dickinson	Dvorsky	Hammond	Plasier
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Amendment H—3936 lost.

Brand of Benton offered the following amendment H—4013, to the committee amendment H—3628, filed by him from the floor and moved its adoption:

H—4013

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1: Page 25, by striking lines 29 through 34.

Roll call was requested by Murphy of Dubuque and Connors of Polk.

Rule 75 was invoked.

On the question "Shall amendment H—4013, to the committee amendment H—3628, be adopted?" (S.F. 233)

The ayes were, 44:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Fallon	Fogarty	Gill	Halvorson, R. N.
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shultz	Weigel	Wise

The nays were, 50:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Doderer
Drake	Eddie	Ertl	Garman
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Rafferty
Rants	Renken	Royer	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Welter	Mr. Speaker		
	Van Maanen		

Absent or not voting, 6:

Dickinson	Dvorsky	Hammond	Hanson, D. E.
Plasier	Witt		

Amendment H—4013 lost.

Eddie of Buena Vista asked and received unanimous consent to withdraw amendment H—3892, to the committee amendment H—3628, filed by him on April 13, 1993.

Gill of Woodbury asked and received unanimous consent to withdraw amendment H—3953, to the committee amendment H—3628, filed by him and Schrader of Marion on April 14, 1993.

Speaker pro tempore Lundby in the chair at 10:40 a.m.

Wise of Lee offered the following amendment H—4007, to the committee amendment H—3628, filed by Wise, et al.:

H—4007

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 26, by inserting after line 10 the
- 5 following:
- 6 "Sec. _____. INTENT — REPORT. It is the intent of
- 7 the general assembly that the state fulfill its
- 8 obligation to fund special education and prevent
- 9 deficits in special education funding for school
- 10 districts. The school budget review committee shall
- 11 submit a report each January 1 for the school year
- 12 commencing the following July 1 that specifies the
- 13 committee's decisions on whether to increase special
- 14 education weightings, and the reasons for its
- 15 decisions, to the following:
- 16 1. The president of the senate.
- 17 2. The speaker of the house.
- 18 3. The chairpersons and ranking members of the
- 19 house and senate education committees.
- 20 4. The chairpersons and the ranking members of the
- 21 joint education appropriations subcommittee of the
- 22 general assembly.
- 23 5. The legislative fiscal bureau."
- 24 2. By renumbering, redesignating, and correcting
- 25 internal references as necessary.

Millage of Scott rose on a point of order that amendment H—4007 was not germane, to the committee amendment H—3628.

The Speaker ruled the point well taken and amendment H—4007 not germane, to the committee amendment H—3628.

Bernau of Story offered the following amendment H-4015, to the committee amendment H-3628, filed from the floor by Bernau, Carpenter and Gipp and moved its adoption:

H-4015

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 26, by inserting after line 10 the
- 5 following:
- 6 "Sec. _____. DEPARTMENTAL STUDY - STATE SYMBOLS.
- 7 The department of cultural affairs, in cooperation
- 8 with the Iowa statehood sesquicentennial commission,
- 9 shall conduct a review of the official state symbols,
- 10 and by January 1, 1996, make a written report to the
- 11 general assembly regarding any proposed changes in
- 12 honor of the celebration of the sesquicentenary of
- 13 Iowa's statehood."
- 14 2. By renumbering as necessary.

Amendment H-4015 was adopted.

Nelson of Pottawattamie asked and received unanimous consent to withdraw amendment H-3944, to the committee amendment H-3628, filed by Nelson, et al., on April 14, 1993.

Wise of Lee offered the following amendment H-4000, to the committee amendment H-3628, filed by Wise, et al.:

H-4000

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 26, by inserting after line 50 the
- 5 following:
- 6 "Sec. _____. STATE BOARD OF REGENTS STUDY. The
- 7 state board of regents shall conduct a study of pay
- 8 equity within the institutions of higher education
- 9 under its control. The study shall include, but is
- 10 not limited to, consideration of comparable worth pay
- 11 for professional and scientific, administrative, and
- 12 merit system positions. The board shall submit its
- 13 findings, along with any recommendations, to the
- 14 general assembly by January 1, 1995."
- 15 2. By renumbering as necessary.

Millage of Scott rose on a point of order that amendment H-4000 was not germane, to the committee amendment H-3628.

The Speaker ruled the point well taken and amendment H-4000 not germane, to the committee amendment H-3628.

Eddie of Buena Vista asked and received unanimous consent to withdraw amendment H—3890, to the committee amendment H—3628, filed by him on April 13, 1993.

Speaker Van Maanen in the chair at 11:07 a.m.

Brand of Benton offered the following amendment H—3950, to the committee amendment H—3628, filed by him and moved its adoption:

H—3950

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 16, by striking the figure
- 5 "4,729,911" and inserting the following: "4,749,911".
- 6 2. Page 1, by inserting after line 32 the follow-
- 7 ing:
- 8 "The department of education shall conduct a study
- 9 of the methods by which the school districts in this
- 10 state address dyslexia and related reading disorders.
- 11 The study shall include, but is not limited to, the
- 12 identification of, the methods used to teach, and the
- 13 remediation of persons with dyslexia and related
- 14 reading disorders. The department shall report the
- 15 results of the study, along with any recommendations,
- 16 to the general assembly by January 1, 1995."

A non-record roll call was requested.

The ayes were 46, nays 50.

Amendment H—3950 lost.

Grundberg of Polk asked and received unanimous consent to withdraw amendment H—3895, to the committee amendment H—3628, filed by her and Hanson of Black Hawk on April 13, 1993.

Grubbs of Scott offered the following amendment H—3960, to the committee amendment H—3628, filed by him and moved its adoption:

H—3960

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 18 through 20.
- 5 2. Page 25, by striking lines 15 through 28 and
- 6 inserting the following:
- 7 "_____. The amount of three hundred thousand dollars
- 8 to be used for the purpose of developing academic
- 9 standards in the areas of math, history, science,
- 10 English, language arts, and geography."

- 11 3. Page 25, by inserting after line 34 the
 12 following:
 13 "_____. The amount of one hundred eighteen thousand
 14 dollars for support of design teams created during the
 15 fiscal year beginning July 1, 1992, by the new Iowa
 16 schools development corporation.
 17 _____. The amount of fifty thousand dollars for
 18 participation by the department of education in a
 19 state and national project to determine the academic
 20 achievement in math and reading of Iowa students."
 21 4. By renumbering, redesignating, and correcting
 22 internal references as necessary.

Roll call was requested by Grubbs of Scott and Gipp of Win-
 neshiek.

On the question "Shall amendment H—3960, to the committee
 amendment H—3628, be adopted?" (S.F. 233)

The ayes were, 93:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Brammer	Brand	Branstad	Brauns
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cohoon	Connors	Corbett
Daggett	Dinkla	Doderer	Drake
Eddie	Ertl	Fallon	Fogarty
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hansen, S. D.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Koenigs	Kreiman
Larkin	Larson	Lundby	Martin
May	McCoy	McKinney	McNeal
Mertz	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 3:

Boddicker	Garman	Klemme
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Absent or not voting, 4:

Dickinson	Dvorsky	Hammond	Hanson, D. E.
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Amendment H—3960 was adopted.

Ollie of Clinton offered the following amendment H—3930, to the committee amendment H—3628, filed by Ollie, et al.:

H—3930

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 28 through 32.

Speaker pro tempore Lundby in the chair at 12:06 p.m.

Speaker Van Maanen in the chair at 12:36 p.m.

Ollie of Clinton moved the adoption of amendment H—3930, to the committee amendment H—3628.

Roll call was requested by Shoultz of Black Hawk and Ollie of Clinton.

Rule 75 was invoked.

On the question "Shall amendment H—3930, to the committee amendment H—3628, be adopted?" (S.F. 233)

The ayes were, 44:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohon	Connors
Doderer	Fallon	Fogarty	Gill
Halvorson, R. N.	Hansen, S. D.	Harper	Haverland
Henderson	Holveck	Jochum	Koenigs
Kreiman	Larkin	May	McCoy
McKinney	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Peterson	Renaud	Running	Schrader
Shoultz	Weigel	Wise	Witt

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunckhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. R.
Hester	Houser	Hurley	Iverson
Kistler	Klemme	Larson	Lundby
Martin	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, 5:

Dickinson
Osterberg

Dvorsky

Hammond

Hanson, D. E.

Amendment H—3930 lost.

Iverson of Wright offered the following amendment H—3949, to the committee amendment H—3628, filed by him and moved its adoption:

H—3949

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, line 10, by striking the figure
- 5 "120,386" and inserting the following: "170,386".
- 6 2. Page 2, by inserting after line 11 the
- 7 following:
- 8 "The moneys appropriated by this subsection shall
- 9 be reduced by \$50,000 if an increase in the fees
- 10 charged by the board of educational examiners does not
- 11 result in an increase of at least \$50,000 in revenues
- 12 to the board during the fiscal year beginning July 1,
- 13 1993."

Amendment H—3949 was adopted.

Brand of Benton offered the following amendment H—4014, to the committee amendment H—3628, filed by him from the floor, and moved its adoption:

H—4014

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, by inserting after line 33 the
- 5 following:
- 6 "____. TECHNOLOGY
- 7 For support for the department of education
- 8 technology commission and the implementation of two
- 9 multimedia education technology demonstration grants
- 10 in public schools that are connected to Part II of the
- 11 Iowa communications network backbone system:
- 12\$ 250,000".
- 13 2. Page 25, by striking lines 29 through 34.
- 14 3. By renumbering, redesignating, and correcting
- 15 internal references as necessary.

Amendment H—4014 lost.

Brand of Benton offered the following amendment H—3934, to the committee amendment H—3628, filed by Brand, et al., and moved its adoption:

H—3934

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, by inserting after line 42 the
- 5 following:
- 6 "_____. NEW IOWA SCHOOLS DEVELOPMENT CORPORATION
- 7 For support for the operations of the new Iowa
- 8 schools development corporation and for school
- 9 transformation design and implementation projects
- 10 administered by the corporation:
- 11 \$ 250,000".
- 12 2. By renumbering, redesignating, and correcting
- 13 internal references as necessary.

Roll call was requested by Brand of Benton and Wise of Lee.

On the question "Shall amendment H—3934, to the committee amendment H—3628, be adopted?" (S.F. 233)

The ayes were, 46:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cphoon	Connors
Doderer	Fallon	Fogarty	Gill
Halvorson, R. N.	Hansen, S. D.	Harper	Haverland
Henderson	Holveck	Jochum	Koenigs
Kreiman	Larkin	May	McCoy
McKinney	Mertz	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Renaud
Running	Schrader	Shoultz	Weigel
Wise	Witt		

The nays were, 50:

Beaman	Bloodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Miller	Plasier	Rafferty
Rants	Renken	Royer	Siegrist

Spenner
Welter

Tyrrell
Mr. Speaker
Van Maanen

Vande Hoef

Weidman

Absent or not voting, 4:

Dickinson

Dvorsky

Hammond

Millage

Amendment H—3934 lost.

Brand of Benton asked and received unanimous consent to defer action on amendment H—3918, to the committee amendment H—3628.

Lundby of Linn offered amendment H—3940, to the committee amendment H—3628, filed by Lundby, et al. Division was requested as follows:

H—3940

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:

H—3940A

- 4 1. Page 3, line 9, by striking the figure
- 5 "93,295,486" and inserting the following:
- 6 "95,295,486".
- 7 2. Page 3, by striking lines 12 through 26 and
- 8 inserting the following:
- 9 "a. Merged Area I \$ 4,474,230
- 10 b. Merged Area II \$ 5,391,597
- 11 c. Merged Area III \$ 5,106,023
- 12 d. Merged Area IV \$ 2,399,401
- 13 e. Merged Area V \$ 5,264,166
- 14 f. Merged Area VI \$ 4,830,231
- 15 g. Merged Area VII \$ 6,565,383
- 16 h. Merged Area IX \$ 8,400,749
- 17 i. Merged Area X \$ 13,061,900
- 18 j. Merged Area XI \$ 13,963,335
- 19 k. Merged Area XII \$ 5,456,876
- 20 l. Merged Area XIII \$ 5,659,936
- 21 m. Merged Area XIV \$ 2,496,804
- 22 n. Merged Area XV \$ 7,837,085
- 23 o. Merged Area XVI \$ 4,387,770".

H—3940B

- 24 3. Page 4, line 33, by striking the figure
- 25 "535,755" and inserting the following: "229,755".

H—3940C

- 26 4. Page 7, by striking lines 3 through 21.

H-3940D

27 5. Page 7, line 32, by striking the figure
28 "23,608,580" and inserting the following:
29 "23,108,580"

H-3940C

30 6. Page 7, by inserting after line 32 the
31 following:
32 "It is the intent of the general assembly that the
33 state board of regents shall require that any
34 accounting system at any institution of higher
35 education under its control be compatible to interface
36 with the Iowa financial accounting system on a monthly
37 basis with the department of revenue and finance. The
38 information shall be in the format and at the level of
39 detail as determined jointly by the department of
40 management and the legislative fiscal bureau."

41 7. Page 8, by inserting after line 1 the
42 following:

43 "From the moneys appropriated in this lettered
44 paragraph, \$359,428 for the fiscal year beginning July
45 1, 1993, shall be expended for administrative purposes
46 for the office of the state board of regents."

47 8. Page 10, by inserting after line 35 the
48 following:

49 "From the moneys appropriated in this lettered
50 paragraph, \$359,428 for the fiscal year beginning July

Page 2

1 1, 1993, shall be expended for administrative purposes
2 for the office of the state board of regents."

3 9. Page 11, by inserting after line 42 the
4 following:

5 "From the moneys appropriated in this lettered
6 paragraph, \$359,427 for the fiscal year beginning July
7 1, 1993, shall be expended for administrative purposes
8 for the office of the state board of regents."

H-3940E

9 10. Page 15, line 14, by striking the figure
10 "223,066" and inserting the following: "107,066".

11 11. By renumbering, redesignating, and correcting
12 internal references as necessary.

Gipp of Winneshiek in the chair at 1:45 p.m.

Lundby of Linn asked and received unanimous consent to defer action on amendment H-3940A, to the committee amendment H-3628.

Daggett of Union asked and received unanimous consent to defer action on amendment H-3941, to the committee amendment H-3628.

May of Worth asked and received unanimous consent to defer action on amendment H-3948, to the committee amendment H-3628.

Baker of Polk asked and received unanimous consent to defer action on amendment H-3962, to the committee amendment H-3628.

Weigel of Chickasaw asked and received unanimous consent to defer action on amendment H-3981, to the committee amendment H-3628.

Baker of Polk asked and received unanimous consent to defer action on amendment H-3984, to the committee amendment H-3628.

Royer of Page in the chair at 2:55 p.m.

Halvorson of Webster asked and received unanimous consent to defer action on amendment H-3915, to the committee amendment H-3628.

Brand of Benton offered the following amendment H-4023, to the committee amendment H-3628, filed by him from the floor:

H-4023

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, by striking lines 27 through 39.

The House stood at ease at 3:05 p.m., until the fall of the gavel.

The House resumed session at 3:25 p.m., Speaker Van Maanen in the chair.

Brand of Benton moved the adoption of amendment H-4023, to the committee amendment H-3628.

Roll call was requested by Brand of Benton and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H-4023, to the committee amendment H-3628, be adopted?" (S.F. 233)

The ayes were, 44:

Arnould
Bernau
Burke

Baker
Black
Cataldo

Beatty
Brammer
Cohoon

Bell
Brand
Connors

Fallon	Fogarty	Gill	Halvorson, R. N.
Hansen, S. D.	Harper	Henderson	Holveck
Jochum	Koenigs	Kreiman	Larkin
May	McCoy	McKinney	Mertz
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Renaud	Running	Schrader
Shoultz	Weigel	Wise	Witt

The nays were, 52:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Doderer
Drake	Eddie	Ertl	Garman
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hanson, D. E.	Hanson, D. R.	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Larson	Lundby	Martin	McNeal
Metcalf	Meyer	Millage	Miller
Plasier	Rafferty	Rants	Renken
Royer	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Welter	Mr. Speaker Van Maanen

Absent or not voting, 4:

Dickinson	Dvorsky	Hammond	Haverland
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Amendment H—4023 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Haverland of Polk on request of Holveck of Polk.

Lundby of Linn called up for consideration amendment H—3940B, to the committee amendment H—3628, found on page 1341 of the House Journal and moved its adoption.

A non-record roll call was requested.

The ayes were 15, nays 65.

Amendment H—3940B lost.

Beatty of Warren asked and received unanimous consent to defer action on amendment H—3942, to the committee amendment H—3628.

Carpenter of Polk asked and received unanimous consent to withdraw amendment H—3965, to the committee amendment H—3628, filed by Carpenter, Beatty, Baker and Holveck on April 14, 1993.

Carpenter of Polk offered the following amendment H—4022, to the committee amendment H—3628, filed from the floor by Carpenter, Beatty, Baker and Holveck and moved its adoption:

H—4022

1 Amend the amendment, H—3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 6, by striking lines 19 through 22 and
5 inserting the following: "health sciences for an
6 initiative in primary health care to direct primary
7 care physicians to shortage areas in the state:".

8 2. Page 6, by inserting after line 23 the
9 following:

10 "From the moneys appropriated in this lettered
11 paragraph, at least \$122,500 for the fiscal year
12 beginning July 1, 1993, shall be expended to reduce
13 the student loan debt for resident Iowa students in
14 return for a fixed period of medical service in the
15 state of Iowa. The university of osteopathic medicine
16 and health sciences shall report quarterly to the
17 legislative fiscal bureau concerning the expenditure
18 of funds appropriated in this lettered paragraph."

Amendment H—4022 was adopted.

Lundby of Linn asked and received unanimous consent to withdraw amendment H—3940C, to the committee amendment H—3628, found on pages 1341 and 1342 of the House Journal.

Brand of Benton asked and received unanimous consent to withdraw amendment H—3928, to the committee amendment H—3628, filed by him on April 14, 1993.

Lundby of Linn asked and received unanimous consent to withdraw amendment H—3940D, to the committee amendment H—3628, found on page 1342 of the House Journal.

Gill of Woodbury asked and received unanimous consent to defer action on amendment H—4010, to the committee amendment H—3628.

Henderson of Scott asked and received unanimous consent to withdraw amendment H—3939A, to the committee amendment H—3628, found on page 1257 of the House Journal.

Gill of Woodbury offered the following amendment H—3963, to the committee amendment H—3628, filed by Gill, et al., and moved its adoption:

H-3963

- 1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 7, by striking lines 36 through 43 and
 5 inserting the following:
 6 "_____. For funds to be allocated to the siouxland
 7 interstate metropolitan planning council for the
 8 tristate graduate center under section 262.9,
 9 subsection 21:
 10 \$ 99,640
 11 _____. For funds to be allocated to the quad-cities
 12 graduate studies center:
 13 \$ 175,000".
 14 2. By renumbering as necessary.

Roll call was requested by Hansen of Woodbury and Gill of Woodbury.

Rule 75 was invoked.

On the question "Shall amendment H-3963, to the committee amendment H-3628, be adopted?" (S.F. 233)

The ayes were, 45:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cphoon	Connors
Fogarty	Gill	Halvorson, R. N.	Hansen, S. D.
Harper	Henderson	Holveck	Jochum
Koenigs	Kreiman	Larkin	Lundby
Martin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	Ollie	Osterberg
Peterson	Rants	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 50:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Doderer
Drake	Eddie	Ertl	Fallon
Garman	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Hanson, D. E.	Hanson, D. R.	Hester
Houser	Hurley	Iverson	Kistler
Klemme	Larson	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Renken	Royer	Siegrist

Spenner
Welter

Tyrrell
Mr. Speaker
Van Maanen

Vande Hoef

Weidman

Absent or not voting, 5:

Dickinson
O'Brien

Dvorsky

Hammond

Haverland

Amendment H—3963 lost.

Wise of Lee asked and received unanimous consent to withdraw amendment H—4016, to the committee amendment H—3628, filed from the floor by Wise, Bernau, Cohoon and Brammer.

Lundby of Linn asked and received unanimous consent to withdraw amendment H—3940E, to the committee amendment H—3628, found on page 1342 of the House Journal.

Brand of Benton offered the following amendment H—3986, to the committee amendment H—3628, filed by him and Dvorsky of Johnson and moved its adoption:

H—3986

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended; passed, and reprinted, by the Senate, as
- 3 follows:
- 4 1. Page 15, line 14, by striking the figure
- 5 "223,066" and inserting the following: "230,866".

A non-record roll call was requested.

The ayes were 47, nays 48.

Amendment H—3986 lost.

Running of Linn asked and received unanimous consent to defer action on amendment H—4018, to the committee amendment H—3628, filed from the floor by Running, McKinney and Murphy.

Running of Linn asked and received unanimous consent to defer action on amendment H—3985, to the committee amendment H—3628, filed by Running, et al.

Running of Linn offered the following amendment H—3889, to the committee amendment H—3628, filed by Running, et al.:

H—3889

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:

- 4 1. Page 16, by striking lines 8 through 17.
 5 2. By renumbering as necessary.

Gipp of Winneshiek in the chair at 4:58 p.m.

Speaker Van Maanen in the chair at 5:41 p.m.

Running of Linn moved the adoption of amendment H—3889, to the committee amendment H—3628.

Roll call was requested by Arnould of Scott and Rafferty of Scott.

On the question "Shall amendment H—3889, to the committee amendment H—3628, be adopted?" (S.F. 233)

The ayes were, 50:

Arnould	Baker	Beatty	Bell
Bernau	Black	Blodgett	Brammer
Brand	Burke	Cataldo	Cohoon
Connors	Dinkla	Doderer	Fallon
Fogarty	Gill	Halvorson, R. N.	Hansen, S. D.
Harper	Haverland	Henderson	Holveck
Jochum	Koenigs	Kreiman	Larkin
Lundby	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Spenner	Weigel
Wise	Witt		

The nays were, 46:

Beaman	Boddicker	Branstad	Brauns
Brunkhorst	Carpenter	Churchill	Corbett
Daggett	Drake	Eddie	Ertl
Garman	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Hanson, D. R.	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Larson	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Tyrell	Vande Hoef	Weidman
Welter	Mr. Speaker		
	Van Maanen		

Absent or not voting, 4:

Dickinson	Dvorsky	Hammond	Hanson, D. E.
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Amendment H—3889 was adopted.

Running of Linn asked and received unanimous consent to withdraw amendment H—3982, to the committee amendment H—3628, filed by Running, et al., on April 15, 1993.

Wise of Lee asked and received unanimous consent to withdraw amendment H—4001, to the committee amendment H—3628, filed from the floor by Wise, et al.

Hansen of Woodbury offered the following amendment H—4030, to the committee amendment H—3628, filed from the floor by Hansen, Rants and Gill:

H—4030

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 24, by inserting after line 5 the
- 5 following:
- 6 "Sec. _____. Section 279.38, Code 1993, is amended
- 7 by adding the following new unnumbered paragraph:
- 8 NEW UNNUMBERED PARAGRAPH. This section shall not
- 9 be construed to prohibit membership in other
- 10 associations or organizations which comply with the
- 11 provisions of this section."
- 12 2. By renumbering, redesignating, and correcting
- 13 internal references as necessary.

Iverson of Wright rose on a point of order that amendment H—4030 was not germane, to the committee amendment H—3628.

The Speaker ruled the point well taken and amendment H—4030 not germane, to the committee amendment H—3628.

Rants of Woodbury asked for unanimous consent to suspend the rules to consider amendment H—4030.

Objection was raised.

Rants of Woodbury moved to suspend the rules to consider amendment H—4030.

A non-record roll call was requested.

The ayes were 50, nays 41.

The motion to suspend the rules lost.

Wise of Lee asked and received unanimous consent to withdraw amendment H—3987, to the committee amendment H—3628, filed by Wise, et al., on April 15, 1993.

Wise of Lee asked and received unanimous consent to withdraw amendment H—3988, to the committee amendment H—3628, filed by Wise, et al., on April 15, 1993.

Hansen of Woodbury asked and received unanimous consent to withdraw amendment H—4021, to the committee amendment H—3628, filed from the floor by him and Rants of Woodbury.

Brand of Benton asked and received unanimous consent to defer action on amendment H—4032, to the committee amendment H—3628, filed by him from the floor.

Brand of Benton asked and received unanimous consent to defer action on amendment H—3918, to the committee amendment H—3628, filed by Brand, et al.

Lundby of Linn asked and received unanimous consent to defer action on amendment H—3940A, to the committee amendment H—3628, filed by her.

Daggett of Union offered the following amendment H—3941, to the committee amendment H—3628, filed by him:

H—3941

1	Amend the amendment, H—3628, to Senate File 233, as	
2	amended, passed, and reprinted by the Senate, as	
3	follows:	
4	1. Page 3, line 9, by striking the figure	
5	“93,295,486” and inserting the following:	
6	“93,195,486”.	
7	2. Page 3, by striking lines 12 through 39 and	
8	inserting the following:	
9	“a. Merged Area I	\$ 4,363,808
10	b. Merged Area II	\$ 5,262,237
11	c. Merged Area III	\$ 5,047,150
12	d. Merged Area IV	\$ 2,374,105
13	e. Merged Area V	\$ 5,136,543
14	f. Merged Area VI	\$ 4,734,066
15	g. Merged Area VII	\$ 6,480,501
16	h. Merged Area IX	\$ 8,191,916
17	i. Merged Area X	\$ 12,685,580
18	j. Merged Area XI	\$ 13,716,831
19	k. Merged Area XII	\$ 5,354,228
20	l. Merged Area XIII	\$ 5,523,902
21	m. Merged Area XIV	\$ 2,442,563
22	n. Merged Area XV	\$ 7,599,062
23	o. Merged Area XVI	\$ 4,282,994”.

Halvorson of Webster asked for unanimous consent to defer action on amendment H—3941, to the committee amendment H—3628.

Objection was raised.

Halvorson of Webster moved to suspend the rules to defer action on amendment H—3941, to the committee amendment H—3628.

A non-record roll call was requested.

The ayes were 41, nays 51.

The motion to suspend the rules lost.

Daggett of Union moved the adoption of amendment H—3941, to the committee amendment H—3628.

Roll call was requested by Halvorson of Webster and Ollie of Clinton.

On the question “Shall amendment H—3941, to the committee amendment H—3628, be adopted?” (S.F. 233)

The ayes were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Osterberg
Plasier	Rafferty	Rants	Renken
Royer	Siegrist	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

The nays were, 46:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohon	Connors
Doderer	Fallon	Fogarty	Gill
Halvorson, R. N.	Hansen, S. D.	Harper	Haverland
Henderson	Holveck	Jochum	Koenigs
Kreiman	Larkin	May	McCoy
McKinney	Mertz	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Peterson	Renaud	Running
Schrader	Shoultz	Spenner	Weigel
Wise	Witt		

Absent or not voting, 3:

Dickinson Dvorsky Hammond

With the adoption of amendment H—3941, the following amendments, to the committee amendment H—3628, were placed out of order:

H—3918 filed by Brand of Benton, et al., on April 14, 1993.

H—3948 filed by May of Worth on April 14, 1993.

H—3962 filed by Baker of Polk, et al., on April 14, 1993.

H—3981 filed by Weigel of Chickasaw, et al., on April 15, 1993.

H—3984 filed by Baker of Polk on April 15, 1993.

H—3915 filed by Halvorson of Webster on April 14, 1993.

H—3940A filed by Lundby of Linn on April 14, 1993.

With the adoption of amendment H—3889, amendment H—3631, to the committee amendment H—3628, previously adopted, filed by Larson, et al., was out of order.

Beatty of Warren asked and received unanimous consent to withdraw amendment H—3942, to the committee amendment H—3628, filed by her on April 14, 1993.

Gill of Woodbury asked and received unanimous consent to withdraw amendment H—4010, to the committee amendment H—3628, filed by him on April 15, 1993.

Witt of Black Hawk offered the following amendment H—4035, to the committee amendment H—3628, filed by him from the floor and moved its adoption:

H—4035

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 11, line 41, by striking the figure
- 5 "63,814,506" and inserting the following:
- 6 "64,064,506".
- 7 2. Page 11, by inserting after line 42, the
- 8 following:
- 9 "From the moneys appropriated in this lettered
- 10 paragraph, \$1,250,000 for the fiscal year beginning
- 11 July 1, 1993, shall be expended for enrollment growth
- 12 at the university of northern Iowa."

Roll call was requested by Arnould of Scott and Peterson of Carroll.

On the question "Shall amendment H—4035, to the committee amendment H—3628, be adopted?" (S.F. 233)

The ayes were, 47:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Brunkhorst	Burke	Cataldo	Cphoon
Doderer	Fallon	Fogarty	Gill
Halvorson, R. N.	Hansen, S. D.	Hanson, D. E.	Harper
Haverland	Henderson	Holveck	Jochum
Koenigs	Kreiman	Larkin	May
McCoy	McKinney	Mertz	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Renaud	Running	Schrader	Shoultz
Weigel	Wise	Witt	

The nays were, 49:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Carpenter	Churchill	Corbett
Daggett	Dinkla	Drake	Eddie
Ertl	Garman	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Hanson, D. R.	Hester
Houser	Hurley	Iverson	Kistler
Klemme	Larson	Lundby	Martin
McNeal	Metcalf	Meyer	Millage
Miller	Plasier	Rafferty	Rants
Renken	Royer	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Welter
Mr. Speaker			
Van Maanen			

Absent or not voting, 4:

Connors	Dickinson	Dvorsky	Hammond
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Amendment H—4035 lost.

May of Worth offered the following amendment H—4033, to the committee amendment H—3628, filed by him from the floor and moved its adoption:

H—4033

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 14, by inserting after line 37 the
- 5 following:
- 6 "Sec. _____. In addition to the moneys appropriated
- 7 in section 1, subsection 12 of this Act, \$500,000 for

- 8 the fiscal year beginning July 1, 1993, is
 9 appropriated from the general fund of the state to the
 10 department of education to be allocated to merged
 11 areas for full-time faculty salaries to supplement,
 12 not supplant, the results of a collective bargaining
 13 agreement, and allocation shall be based on the
 14 percentage of general aid received by each merged
 15 area."
 16 2. By renumbering as necessary.

Roll call was requested by Halvorson of Webster and May of Worth.

Rule 75 was invoked.

On the question "Shall amendment H—4033, to the committee amendment H—3628, be adopted?" (S.F. 233)

The ayes were, 45:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohon	Doderer
Fallon	Fogarty	Gill	Halvorson, R. N.
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Vah Maanen	

Absent or not voting, 4:

Connors	Dickinson	Dvorsky	Hammond
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Amendment H—4033 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Doderer of Johnson on request of Neuhauser of Johnson.

Brand of Benton offered the following amendment H—4034, to the committee amendment H—3628, filed by him from the floor and moved its adoption:

H—4034

- 1 Amend the amendment, H—3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 14, by inserting after line 37 the
- 5 following:
- 6 "Sec. _____. In addition to the moneys appropriated
- 7 in section 1, subsection 12 of this Act, \$25,000 for
- 8 the fiscal year beginning July 1, 1993, is
- 9 appropriated from the general fund of the state to the
- 10 department of education to be allocated to merged
- 11 areas based on the percentage of general aid received
- 12 by each merged area."
- 13 2. By renumbering as necessary.

Roll call was requested by Brand of Benton and Halvorson of Webster.

On the question "Shall amendment H—4034, to the committee amendment H—3628, be adopted?" (S.F. 233)

The ayes were, 44:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Fallon
Fogarty	Gill	Halvorson, R. N.	Hansen, S. D.
Harper	Haverland	Henderson	Holveck
Jochum	Koenigs	Kreiman	Larkin
May	McCoy	McKinney	Mertz
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Renaud	Running	Schrader
Shoultz	Weigel	Wise	Witt

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Drakett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.

Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, 5:

Connors	Dickinson	Doderer	Dvorsky
Hammond			

Amendment H-4034 lost.

The following amendments, to the committee amendment H-3628, were withdrawn by unanimous consent:

H-4036 filed by Baker of Polk from the floor.

H-4018 filed by Running, McKinney and Murphy on April 16, 1993.

H-3985 filed by Running, et al., on April 15, 1993.

Brand of Benton offered the following amendment H-4032, to the committee amendment H-3628, filed by him from the floor:

H-4032

1 Amend the amendment, H-3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 1, line 5, through page 27,
5 line 25, and inserting the following:

6 "DEPARTMENT OF EDUCATION

7 Section 1. There is appropriated from the general
8 fund of the state to the department of education for
9 the fiscal year beginning July 1, 1993, and ending
10 June 30, 1994, the following amounts, or so much
11 thereof as may be necessary, to be used for the
12 purposes designated:

13 1. GENERAL ADMINISTRATION

14 For salaries, support, maintenance, miscellaneous
15 purposes, and for not more than the following full-
16 time equivalent positions:

17	\$	4,729,911
18	FTEs	91.95

19 2. VOCATIONAL EDUCATION ADMINISTRATION

20 For salaries, support, maintenance, miscellaneous
21 purposes, and for not more than the following full-
22 time equivalent positions:

23	\$	624,552
24	FTEs	25.20

25	3. VOCATIONAL REHABILITATION DIVISION		
26	a. For salaries, support, maintenance,		
27	miscellaneous purposes, and for not more than the		
28	following full-time equivalent positions:		
29	.....	\$	3,442,574
30	..... FTEs		278.00
31	b. For matching funds for programs to enable		
32	severely physically or mentally disabled persons to		
33	function more independently, including salaries and		
34	support, and for not more than the following full-time		
35	equivalent positions:		
36	.....	\$	20,638
37	..... FTEs		1.50
38	4. CORRECTIONS EDUCATION PROGRAM		
39	For educational programs at state penal		
40	institutions:		
41	.....	\$	1,850,600
42	5. BOARD OF EDUCATIONAL EXAMINERS		
43	For salaries, support, maintenance, miscellaneous		
44	purposes, and for not more than the following full-		
45	time equivalent positions:		
46	.....	\$	120,386
47	..... FTEs		2.00
48	6. SCHOOL FOOD SERVICE		
49	For use as state matching funds for federal		
50	programs which shall be disbursed according to federal		

Page 2

1	regulations, including salaries, support, maintenance,		
2	miscellaneous purposes, and for not more than the		
3	following full-time equivalent positions:		
4	.....	\$	2,716,859
5	..... FTEs		13.00
6	7. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS		
7	To provide funds for costs of providing textbooks		
8	to each resident pupil who attends a nonpublic school		
9	as authorized by section 301.1. The funding is		
10	limited to \$20 per pupil and shall not exceed the		
11	comparable services offered to resident public school		
12	pupils:		
13	.....	\$	551,000
14	8. VOCATIONAL AGRICULTURE YOUTH ORGANIZATION		
15	To assist a vocational agriculture youth		
16	organization sponsored by the schools to support the		
17	foundation established by that vocational agriculture		
18	youth organization:		
19	.....	\$	49,400
20	9. STATE LIBRARY		
21	For salaries, support, maintenance, miscellaneous		
22	purposes, and for not more than the following full-		
23	time equivalent positions:		

24	.....	\$	2,004,464
25	.....	FTEs	35.00
26	10. REGIONAL LIBRARY		
27	For state aid:		
28	.....	\$	1,425,000
29	11. CENTER FOR ASSESSMENT		
30	For the development and implementation of a		
31	performance accreditation system and to develop		
32	appropriate student assessment strategies in		
33	cooperation with nationally recognized testing		
34	organizations located in Iowa and other states:		
35	.....	\$	700,000
36	12. MATH AND SCIENCE GRANT		
37	For purposes specified in the math and science		
38	grant program under section 256.36, which may include		
39	support for the early mathematics prognostic testing		
40	program at Iowa state university of science and		
41	technology:		
42	.....	\$	750,000
43	13. NEW IOWA SCHOOLS DEVELOPMENT CORPORATION		
44	For support for the operations of the new Iowa		
45	schools development corporation and for school		
46	transformation design and implementation projects		
47	administered by the corporation:		
48	.....	\$	750,000
49	14. TECHNOLOGY		
50	For support for the department of education		

Page 3

1	technology commission and the implementation of two		
2	multimedia education technology demonstration grants		
3	in public schools which are connected to Part II of		
4	the Iowa communications network backbone system:		
5	.....	\$	250,000
6	The department of education shall work		
7	collaboratively with the college of education at the		
8	university of northern Iowa in developing activities		
9	in order to support the STAR schools program and the		
10	work of the college of education relating to the		
11	preparation of teachers to effectively use technology		
12	in education.		
13	15. PUBLIC BROADCASTING DIVISION		
14	For salaries, support, maintenance, capital		
15	expenditures, miscellaneous purposes, and for not more		
16	than the following full-time equivalent positions:		
17	.....	\$	5,864,384
18	.....	FTEs	91.00
19	16. COMMUNITY COLLEGES		
20	Notwithstanding chapter 260D, for general state		
21	financial aid, including general financial aid to		
22	merged areas in lieu of personal property tax		

23 replacement payments under section 427A.13, to merged
 24 areas as defined in section 260C.2, for vocational
 25 education programs in accordance with chapters 258 and
 26 260C, to purchase instructional equipment for
 27 vocational and technical courses of instruction in
 28 community colleges, and for salary increases:

29	.....	\$	93,220,486
30	The funds appropriated in this subsection shall be		
31	allocated as follows:		
32	a. Merged Area I	\$	4,378,446
33	b. Merged Area II	\$	5,272,233
34	c. Merged Area III	\$	5,038,735
35	d. Merged Area IV	\$	2,372,019
36	e. Merged Area V	\$	5,074,452
37	f. Merged Area VI	\$	4,735,822
38	g. Merged Area VII	\$	6,476,169
39	h. Merged Area IX	\$	8,206,346
40	i. Merged Area X	\$	12,716,719
41	j. Merged Area XI	\$	13,707,587
42	k. Merged Area XII	\$	5,357,077
43	l. Merged Area XIII	\$	5,531,255
44	m. Merged Area XIV	\$	2,445,110
45	n. Merged Area XV	\$	7,619,728
46	o. Merged Area XVI	\$	4,288,411

47 The department of education shall by November 15,
 48 1993, review and make recommendations to the governor
 49 and the general assembly concerning chapter 260D, such
 50 that any recommended revisions or substitutions for

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1 chapter 260D, will provide for the distribution of
 2 funds to the community colleges and that the total
 3 amount of funds distributed to the community colleges
 4 will not exceed the amount appropriated for the fiscal
 5 year beginning July 1, 1993.

6 Sec. 2. Notwithstanding the appropriation provided
 7 in section 294A.25, subsection 1, there is
 8 appropriated from the general fund of the state to the
 9 department of education for the fiscal year beginning
 10 July 1, 1993, and ending June 30, 1994, the following
 11 amounts, or so much thereof as may be necessary, to be
 12 used for the purposes designated:

13 1. Notwithstanding section 294A.25, for the
 14 educational excellence program:

15	.....	\$	80,297,891
16	2. To supplement the appropriation in section		
17	294A.25 for phase II:		
18	.....	\$	535,755

19 Sec. 3. Notwithstanding the standing
 20 appropriations in section 279.51 for the fiscal year
 21 beginning July 1, 1993, and ending June 30, 1994, the

22 amount appropriated from the general fund of the state
 23 to the department of education pursuant to that
 24 section for the fiscal year beginning July 1, 1993,
 25 for the following designated purposes shall not exceed
 26 the following amounts:

27 For programs for at-risk children under section
 28 279.51, subsection 1:
 29 \$ 10,191,258

30 During the fiscal year the funds appropriated in
 31 this section shall be allocated in the same manner as
 32 allocated in 1991 Iowa Acts, chapter 267, section 205.

33 Sec. 4. There is appropriated from the general
 34 fund of the state to the department of education for
 35 the fiscal year beginning July 1, 1993, and ending
 36 June 30, 1994, the following amount, or so much
 37 thereof as may be necessary, to be used for the
 38 purpose designated:

39 For expenditures incurred by school districts
 40 during the previous fiscal year for vocational
 41 education aid to secondary schools:
 42 \$ 3,308,850

43 Funds appropriated in this section shall be used
 44 for expenditures made by school districts to meet the
 45 standards set in sections 256.11, 258.4, and 260C.23
 46 as a result of the enactment of 1989 Iowa Acts,
 47 chapter 278. Funds shall be used as reimbursement for
 48 vocational education expenditures made by secondary
 49 schools in the manner provided by the department of
 50 education for implementation of the standards set in

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1 1989 Iowa Acts, chapter 278.

2 Sec. 5. There is appropriated from the general
 3 fund of the state to the department of education for
 4 the fiscal year beginning July 1, 1994, and ending
 5 June 30, 1995, the following amount, or so much
 6 thereof as may be necessary, to be used for the
 7 purpose designated:

8 For expenditures incurred by school districts for
 9 vocational education aid to secondary schools:
 10 \$ 3,308,850

11 Funds appropriated in this section shall be used
 12 for expenditures made by school districts to meet the
 13 standards set in sections 256.11, 258.4, and 260C.23
 14 as a result of the enactment of 1989 Iowa Acts,
 15 chapter 278. Funds shall be used as reimbursement for
 16 vocational education expenditures made by secondary
 17 schools in the manner provided by the department of
 18 education for implementation of the standards set in
 19 1989 Iowa Acts, chapter 278.

20 Sec. 6. NONPUBLIC SCHOOL PUPIL TRANSPORTATION

21 SERVICES. Notwithstanding the standing appropriation
 22 in section 285.2, there is appropriated pursuant to
 23 section 285.2 from the general fund of the state to
 24 the department of education for the fiscal year
 25 beginning July 1, 1993, and ending June 30, 1994, the
 26 following amount or so much thereof as may be
 27 necessary, to be used for the purpose designated:

28 To provide funds for costs of providing
 29 transportation services to nonpublic school pupils as
 30 authorized by section 285.2:
 31 \$ 6,894,293

32 COLLEGE STUDENT AID COMMISSION

33 Sec. 7. There is appropriated from the general
 34 fund of the state to the college student aid
 35 commission for the fiscal year beginning July 1, 1993,
 36 and ending June 30, 1994, the following amounts, or so
 37 much thereof as may be necessary, to be used for the
 38 purposes designated:

39 1. GENERAL ADMINISTRATION

40 For salaries, support, maintenance, miscellaneous
 41 purposes, and for not more than the following full-
 42 time equivalent positions:
 43 \$ 319,142
 44 FTEs 7.05

45 2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH
 46 SCIENCES

47 a. For grants to seniors and for forgivable loans
 48 to freshmen and sophomores and juniors, who are Iowa
 49 students attending the university of osteopathic
 50 medicine and health sciences, under the grant program

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1 pursuant to section 261.18 and the forgivable loan
 2 program pursuant to section 261.19A:
 3 \$ 379,260

4 b. For the university of osteopathic medicine and
 5 health sciences for the admission and education of
 6 Iowa students in each of the four years of classes at
 7 the university of osteopathic medicine and health
 8 sciences pursuant to section 261.19:
 9 \$ 245,000

10 3. STUDENT AID PROGRAMS

11 For payments to students for student aid programs:
 12 \$ 1,469,790

13 From the moneys appropriated in this subsection,
 14 \$1,397,790 for the fiscal year beginning July 1, 1993,
 15 shall be expended for an Iowa grant program, with
 16 funds to be allocated to institutions pursuant to
 17 section 261.93A. The remainder shall be allocated for
 18 the graduate student financial assistance program.

19 Sec. 8. There is appropriated from the loan

20 reserve account to the college student aid commission
 21 for the fiscal year beginning July 1, 1993, and ending
 22 June 30, 1994, the following amounts, or so much
 23 thereof as may be necessary, to be used for the
 24 purposes designated:

25 For operating costs of the Stafford loan program
 26 including salaries, support, maintenance,
 27 miscellaneous purposes, and for not more than the
 28 following full-time equivalent positions:
 29 \$ 4,278,463
 30 FTEs 33.27

31 STATE BOARD OF REGENTS

32 Sec. 9. There is appropriated from the general
 33 fund of the state to the state board of regents for
 34 the fiscal year beginning July 1, 1993, and ending
 35 June 30, 1994, the following amounts, or so much
 36 thereof as may be necessary, to be used for the
 37 purposes designated:

38 1. OFFICE OF STATE BOARD OF REGENTS

39 a. For salaries, support, maintenance,
 40 miscellaneous purposes, and for not more than the
 41 following full-time equivalent positions:

42 \$ 1,093,283
 43 FTEs 15.63

44 b. For allocation by the state board of regents to
 45 the state university of Iowa, the Iowa state
 46 university of science and technology, and the
 47 university of northern Iowa to reimburse the
 48 institutions for deficiencies in their operating funds
 49 resulting from the pledging of tuitions, student fees
 50 and charges, and institutional income to finance the

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1 cost of providing academic and administrative
 2 buildings and facilities and utility services at the
 3 institutions:
 4 \$ 24,108,580

5 c. For funds to be allocated to the southwest Iowa
 6 graduate studies center:

7 \$ 34,300

8 d. For funds to be allocated to the siouxland
 9 interstate metropolitan planning council for the
 10 tristate graduate center under section 262.9,
 11 subsection 21:

12 \$ 66,640

13 e. For funds to be allocated to the quad-cities
 14 graduate studies center:

15 \$ 142,100

16 f. For funds to be allocated for the payment of
 17 dues for membership under the midwestern higher
 18 education compact:

19\$ 58,000
20 2. STATE UNIVERSITY OF IOWA
21 a. General university, including lakeside
22 laboratory
23 For salaries, support, maintenance, equipment,
24 miscellaneous purposes, and for not more than the
25 following full-time equivalent positions:
26\$ 176,653,736
27FTEs 3,980.37
28 b. For library acquisitions at the state
29 university of Iowa:
30\$ 515,000
31 c. For opening new buildings at the state
32 university of Iowa:
33\$ 1,175,000
34 d. For building renewal at the state university of
35 Iowa:
36\$ 1,000,000
37 e. For the primary health care initiative in the
38 college of medicine:
39\$ 150,000
40 The college of medicine shall allocate these funds
41 to assist primary care residents and physicians in
42 establishing Iowa practices and to expand community-
43 based and family practice educational experiences for
44 medical students, with an emphasis on practices and
45 educational experiences in rural communities.
46 f. University hospitals
47 For salaries, support, maintenance, equipment,
48 miscellaneous purposes for medical and surgical
49 treatment of indigent patients as provided in chapter
50 255, and for not more than the following full-time

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1 equivalent positions:
2\$ 27,949,615
3FTEs 5,364.14

4 Funds appropriated in this lettered paragraph shall
5 not be used to perform abortions except medically
6 necessary abortions, and shall not be used to operate
7 the early termination of pregnancy clinic except for
8 the performance of medically necessary abortions. For
9 the purpose of this lettered paragraph, an abortion is
10 the purposeful interruption of pregnancy with the
11 intention other than to produce a live-born infant or
12 to remove a dead fetus, and a medically necessary
13 abortion is one performed under one of the following
14 conditions:

15 (1) The attending physician certifies that
16 continuing the pregnancy would endanger the life of
17 the pregnant woman.

18 (2) The attending physician certifies that the
 19 fetus is physically deformed, mentally deficient, or
 20 afflicted with a congenital illness.

21 (3) The pregnancy is the result of a rape which is
 22 reported within 45 days of the incident to a law
 23 enforcement agency or public or private health agency
 24 which may include a family physician.

25 (4) The pregnancy is the result of incest which is
 26 reported within 150 days of the incident to a law
 27 enforcement agency or public or private health agency
 28 which may include a family physician.

29 (5) The abortion is a spontaneous abortion,
 30 commonly known as a miscarriage, wherein not all of
 31 the products of conception are expelled.

32 The total quota allocated to the counties for
 33 indigent patients for the fiscal year commencing July
 34 1, 1993, shall not be lower than the total quota
 35 allocated to the counties for the fiscal year
 36 commencing July 1, 1992. The total quota shall be
 37 allocated among the counties on the basis of the 1990
 38 census pursuant to section 255.16.

39 g. Psychiatric hospital

40 For salaries, support, maintenance, equipment,
 41 miscellaneous purposes for the care, treatment, and
 42 maintenance of committed and voluntary public
 43 patients, and for not more than the following full-
 44 time equivalent positions:

45	\$	6,750,550
46	FTEs	284.00

47 h. Hospital-school

48 For salaries, support, maintenance, miscellaneous
 49 purposes, and for not more than the following full-
 50 time equivalent positions:

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1	\$	5,403,665
2	FTEs	163.81

3 i. Oakdale campus

4 For salaries, support, maintenance, miscellaneous
 5 purposes, and for not more than the following full-
 6 time equivalent positions:

7	\$	2,744,900
8	FTEs	63.58

9 j. State hygienic laboratory

10 For salaries, support, maintenance, miscellaneous
 11 purposes, and for not more than the following full-
 12 time equivalent positions:

13	\$	2,971,697
14	FTEs	100.93

15 k. Family practice program

16 For allocation by the dean of the college of

17 medicine, with approval of the advisory board, to
 18 qualified participants, to carry out chapter 148D for
 19 the family practice program, including salaries and
 20 support, and for not more than the following full-time
 21 equivalent positions:

22	\$	1,759,791
23	FTEs	153.74

24 l. Child health care services
 25 For specialized child health care services,
 26 including childhood cancer diagnostic and treatment
 27 network programs, rural comprehensive care for
 28 hemophilia patients, and Iowa high-risk infant follow-
 29 up program, including salaries and support, and for
 30 not more than the following full-time equivalent
 31 positions:

32	\$	416,124
33	FTEs	10.96

34 m. Agricultural health and safety programs
 35 For agricultural health and safety programs and for
 36 not more than the following full-time equivalent
 37 positions:

38	\$	242,179
39	FTEs	2.47

40 n. Statewide tumor registry
 41 For the statewide tumor registry and for not more
 42 than the following full-time equivalent positions:

43	\$	183,021
44	FTEs	3.07

45 o. Substance abuse consortium
 46 For funds to be allocated to the Iowa consortium
 47 for substance abuse research and evaluation, and for
 48 not more than the following full-time equivalent
 49 positions:

50	\$	60,146
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1	FTEs	1.15
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2 p. Center for biocatalysis
 3 For the center for biocatalysis:

4	\$	1,278,777
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5 q. National advanced driving simulator
 6 For the national advanced driving simulator:

7	\$	266,560
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8 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY
 9 a. General university
 10 For salaries, support, maintenance, equipment,
 11 miscellaneous purposes, and for not more than the
 12 following full-time equivalent positions:

13	\$	143,784,834
14	FTEs	3,556.28

15 b. For library acquisitions at Iowa state
 16 university:

17	.....	\$	500,000
18	c. For opening new buildings at Iowa state		
19	university:		
20	.....	\$	175,000
21	d. Agricultural experiment station		
22	For salaries, support, maintenance, miscellaneous		
23	purposes, and for not more than the following full-		
24	time equivalent positions:		
25	.....	\$	27,283,207
26	.....	FTEs	498.56
27	e. Cooperative extension service in agriculture		
28	and home economics		
29	For salaries, support, maintenance, miscellaneous		
30	purposes, and for not more than the following full-		
31	time equivalent positions:		
32	.....	\$	17,419,472
33	.....	FTEs	428.28
34	f. Leopold center		
35	For agricultural research grants at Iowa state		
36	university under section 266.39B, and for not more		
37	than the following full-time equivalent positions:		
38	.....	\$	560,560
39	.....	FTEs	12.58
40	g. For deposit in and the use of the livestock		
41	disease research fund under section 267.8:		
42	.....	\$	275,969
43	h. For a livestock technology transfer program		
44	through the college of agriculture at Iowa state		
45	university:		
46	.....	\$	300,000
47	4. UNIVERSITY OF NORTHERN IOWA		
48	a. For salaries, support, maintenance, equipment,		
49	miscellaneous purposes, and for not more than the		
50	following full-time equivalent positions:		

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1	\$	62,309,506
2	FTEs	1,410.43
3	b. For library acquisitions at the university of		
4	northern Iowa:		
5	.....	\$	105,000
6	c. For opening new buildings at the university of		
7	northern Iowa:		
8	.....	\$	200,000
9	d. For building renewal at the university of		
10	northern Iowa:		
11	.....	\$	50,000
12	e. For enrollment growth at the university of		
13	northern Iowa:		
14	.....	\$	1,000,000
15	f. For activities in the college of education at		

16 the university of northern Iowa relating to the
 17 preparation of teachers to effectively use computers,
 18 multimedia technology, and distance learning in Iowa:
 19\$ 250,000
 20 The college of education shall work collaboratively
 21 with the department of education in developing
 22 activities in order to support the work of the
 23 department of education technology commission and the
 24 STAR schools program.
 25 g. Recycling and reuse center:
 26\$ 239,745
 27 5. STATE SCHOOL FOR THE DEAF
 28 For salaries, support, maintenance, miscellaneous
 29 purposes, and for not more than the following full-
 30 time equivalent positions:
 31\$ 6,094,398
 32FTEs 124.14
 33 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL
 34 For salaries, support, maintenance, miscellaneous
 35 purposes, and for not more than the following full-
 36 time equivalent positions:
 37\$ 3,427,243
 38FTEs 91.36
 39 7. TUITION AND TRANSPORTATION COSTS
 40 For payment to local school boards for the tuition
 41 and transportation costs of students residing in the
 42 Iowa braille and sight saving school and the state
 43 school for the deaf pursuant to section 262.43 and for
 44 payment of certain clothing and transportation costs
 45 for students at these schools pursuant to section
 46 270.5:
 47\$ 6,860
 48 Sec. 10. Reallocations of sums received under
 49 section 9, subsections 2, 3, 4, 5, and 6, of this Act,
 50 including sums received for salaries, shall be

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1 reported on a quarterly basis to the co-chairpersons -
 2 and ranking members of the legislative fiscal
 3 committee and the joint appropriations subcommittee on
 4 education.
 5 Sec. 11. For the fiscal year beginning July 1,
 6 1993, the state board of regents may use notes, bonds,
 7 or other evidences of indebtedness issued under
 8 section 262.48 to finance projects that will result in
 9 energy cost savings in an amount that will cause the
 10 state board to recover the cost of the projects within
 11 an average of six years.
 12 Sec. 12. For the fiscal year beginning July 1,
 13 1993, and ending June 30, 1994, the department of
 14 human services shall continue the supplemental

15 disproportionate share and a supplemental indirect
16 medical education adjustment applicable to state-owned
17 acute care hospitals with more than 500 beds and shall
18 reimburse qualifying hospitals pursuant to that
19 adjustment with a supplemental amount for services
20 provided medical assistance recipients. The
21 adjustment shall generate supplemental payments
22 intended to equal the state appropriation made to a
23 qualifying hospital for treatment of indigent patients
24 as provided in chapter 255. To the extent of the
25 supplemental payments, a qualifying hospital shall,
26 after receipt of the funds, transfer to the department
27 of human services an amount equal to the actual
28 supplemental payments that were made in that month.
29 The aggregate amounts for a fiscal year shall not
30 exceed the state appropriation made to the qualifying
31 hospital for treatment of indigent patients as
32 provided in chapter 255. The department of human
33 services shall deposit the portion of these funds
34 equal to the state share in the department's medical
35 assistance account and the balance shall be credited
36 to the general fund of the state. To the extent that
37 state funds appropriated to a qualifying hospital for
38 the treatment of indigent patients as provided in
39 chapter 255 have been transferred to the department of
40 human services as a result of these supplemental
41 payments made to the qualifying hospital, the
42 department shall not, directly or indirectly, recoup
43 the supplemental payments made to a qualifying
44 hospital for any reason, unless an equivalent amount
45 of the funds transferred to the department of human
46 services by a qualifying hospital pursuant to this
47 provision is transferred to the qualifying hospital by
48 the department.
49 If the state supplemental amount allotted to the
50 state of Iowa for the federal fiscal year beginning

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1 October 1, 1993, and ending September 30, 1994,
2 pursuant to section 1923 (f)(3) of the federal Social
3 Security Act, as amended, or pursuant to federal
4 payments for indirect medical education is greater
5 than the amount necessary to fund the federal share of
6 the supplemental payments specified in the preceding
7 paragraph, the department of human services shall
8 increase the supplemental disproportionate share or
9 supplemental indirect medical education adjustment by
10 the lesser of the amount necessary to utilize fully
11 the state supplemental amount or the amount of state
12 funds appropriated to the state university of Iowa
13 general education fund. The state university of Iowa

14 shall transfer from the appropriation to the
15 department of human services, on a monthly basis, an
16 amount equal to the additional supplemental payments
17 made during the previous month pursuant to this
18 paragraph. A qualifying hospital receiving
19 supplemental payments pursuant to this paragraph that
20 are greater than the state appropriation made to the
21 qualifying hospital for treatment of indigent patients
22 as provided in chapter 255 shall be obligated as a
23 condition of its participation in the medical
24 assistance program to transfer to the state university
25 of Iowa general education fund on a monthly basis an
26 amount equal to the funds transferred by the state
27 university of Iowa to the department of human
28 services. To the extent that state funds appropriated
29 to the state university of Iowa have been transferred
30 to the department of human services as a result of
31 these supplemental payments made to the qualifying
32 hospital, the department shall not, directly or
33 indirectly, recoup these supplemental payments made to
34 a qualifying hospital for any reason, unless an
35 equivalent amount of the funds transferred to the
36 department of human services by the state university
37 of Iowa pursuant to this paragraph is transferred to
38 the qualifying hospital by the department.

39 Continuation of the supplemental disproportionate
40 share and supplemental indirect medical education
41 adjustment shall preserve the funds available to the
42 university hospital for medical and surgical treatment
43 of indigent patients as provided in chapter 255 and to
44 the state university of Iowa for educational purposes
45 at the same level as provided by the state funds
46 initially appropriated for that purpose.

47 The department of human services shall, in any
48 compilation of data or other report distributed to the
49 public concerning payments to providers under the
50 medical assistance program, set forth reimbursements

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1 to a qualifying hospital through the supplemental
2 disproportionate share and supplemental indirect
3 medical education adjustment as a separate item and
4 shall not include such payments in the amounts
5 otherwise reported as the reimbursement to a
6 qualifying hospital for services to medical assistance
7 recipients.

8 For purposes of this section, "supplemental
9 payment" means a supplemental payment amount paid for
10 medical assistance to a hospital qualifying for that
11 payment under this section.

12 DEPARTMENT OF CULTURAL AFFAIRS

13 Sec. 13. There is appropriated from the general
 14 fund of the state to the department of cultural
 15 affairs for the fiscal year beginning July 1, 1993,
 16 and ending June 30, 1994, the following amounts, or so
 17 much thereof as is necessary, to be used for the
 18 purposes designated:

19 1. ARTS DIVISION

20 For salaries, support, maintenance, miscellaneous
 21 purposes, including funds to match federal grants, for
 22 areawide arts and cultural service organizations that
 23 meet the requirements of chapter 303C, and for not
 24 more than the following full-time equivalent
 25 positions:

26	\$	1,029,171
27	FTEs	11.00

28 2. HISTORICAL DIVISION

29 For salaries, support, maintenance, miscellaneous
 30 purposes, and for not more than the following full-
 31 time equivalent positions:

32	\$	2,501,234
33	FTEs	60.00

34 Of the funds appropriated in this subsection,
 35 \$10,000 for the fiscal year beginning July 1, 1993,
 36 shall be allocated for the operating and maintenance
 37 costs of the Plum Grove residence of former Governor
 38 Lucas.

39 3. ADMINISTRATION

40 For salaries, support, maintenance, miscellaneous
 41 purposes, and for not more than the following full-
 42 time equivalent positions:

43	\$	142,622
44	FTEs	3.00

45 4. COMMUNITY CULTURAL GRANTS

46 For planning and programming for the community
 47 cultural grants program established under section
 48 303.3:

49	\$	651,600
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50 During the fiscal year, not more than 5 percent of

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1 moneys appropriated for grants under this section
 2 shall be used for administrative purposes.
 3 Sec. 14. Notwithstanding section 8.33, funds
 4 appropriated in 1992 Iowa Acts, chapter 1246, section
 5 10, subsection 1, paragraph "b", remaining
 6 unencumbered or unobligated on June 30, 1993, shall
 7 not revert to the general fund of the state but shall
 8 be available for expenditure for the purposes listed
 9 in section 9, subsection 1, paragraph "b", of this Act
 10 during the fiscal year beginning July 1, 1993, and
 11 ending June 30, 1994.

12 Sec. 15. Notwithstanding sections 257B.1 and
13 257B.1A, for the fiscal year beginning July 1, 1993,
14 and ending June 30, 1994, the portion of the interest
15 earned on the permanent school fund that is not
16 transferred to the credit of the first in the nation
17 in education foundation and not transferred to the
18 credit of the national center for gifted and talented
19 education shall be credited as a payment by the
20 historical division of the department of cultural
21 affairs of the principal and interest due on moneys
22 loaned to the historical division under section
23 303.18.

24 Sec. 16. Notwithstanding section 303.17, the
25 Terrace Hill commission and its activities shall be
26 transferred on July 1, 1993, to the office of the
27 governor. The Code editor shall propose changes in
28 the Code in a Code editor's bill as a result of the
29 enactment of this section.

30 Sec. 17. Section 18.136, subsection 3, Code 1993,
31 is amended to read as follows:

32 3. The financing for the procurement costs for the
33 entirety of Part I of the system, and the video, data,
34 and voice capacity for state agencies for Part II and
35 Part III of the system, shall be provided by the
36 state. The financing for the procurement costs for
37 Part II of the system shall be provided eighty percent
38 from the state and twenty percent from the community
39 colleges for the areas in which Part II of the system
40 is located. The basis for the state match is eighty
41 percent of a single interactive video and interactive
42 audio for Parts I and II of the system, and such data
43 and voice capacity as is necessary. The financing for
44 the procurement and maintenance costs for Part III of
45 the system shall be provided eighty percent from the
46 state and twenty percent from the local school boards
47 of the areas which receive transmissions from the
48 system. Some local school boards may elect to provide
49 one hundred percent of the financing for the
50 procurement and maintenance costs for Part III to

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1 become part of the system. The local school boards
2 may meet all or part of the match requirements of Part
3 III of the system through a cooperative arrangement
4 with community colleges. The basis for the state
5 match is eighty percent of a single interactive audio
6 and one-way video for Part III of the system, and such
7 data and voice capacity as is necessary. The local
8 school boards and community colleges may meet the
9 match requirements for Part II and Part III of the
10 system from funds they have already spent for their

11 systems, from funds available in the school budget, or
12 from funds received from other nonstate sources. In
13 the case of existing systems, in order to upgrade
14 facilities to the specifications of the state
15 communications network, the local school boards and
16 community colleges, in lieu of a cash match, may meet
17 the match requirements from funds they have already
18 spent for their systems provided that the state match
19 does not exceed the lesser of eighty percent of the
20 total cost of the upgraded system or eighty percent of
21 the replacement cost of the system. The
22 communications equipment funds used as a match by a
23 community college shall be calculated based on
24 verified expenditures for capital, equipment,
25 hardware, and software for long-distance learning
26 technologies, including both audio and visual
27 transmission. The communications equipment used as a
28 match shall not subsequently be used as a match by
29 another educational entity or for another part of the
30 system. A local school board may request the school
31 budget review committee to adjust the allowable growth
32 for the school district so that the resulting increase
33 in budget could be used for the match. A local school
34 board may also elect not to become part of the system.
35 Such election shall be made on an annual basis. State
36 matching funds shall not be provided for Part III of
37 the system until Part I and Part II of the system have
38 been completed. Construction of Part III of the
39 system may proceed before Part I and Part II of the
40 system have been completed.

41 Sec. 18. Section 20.8, Code 1993, is amended by
42 adding the following new unnumbered paragraph:
43 NEW UNNUMBERED PARAGRAPH. Public employees
44 excluded from the provisions of this chapter pursuant
45 to section 20.4 shall not have their rights or
46 benefits of employment affected by a collective
47 bargaining agreement or an arbitrator's decision
48 rendered pursuant to this chapter or rendered pursuant
49 to a collective bargaining agreement, except as
50 provided by section 70A.1.

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1 Sec. 19. Section 257.14, unnumbered paragraph 1,
2 Code 1993, is amended to read as follows:
3 For the budget years commencing July 1, 1991, July
4 1, 1992, and July 1, 1993, July 1, 1994, and July 1,
5 1995, if the department of management determines that
6 the regular program district cost of a school district
7 for a budget year is less than the total of the
8 regular program district cost plus any adjustment
9 added under this section for the base year for that

10 school district, the department of management shall
11 provide a budget adjustment for that district for that
12 budget year that is equal to the difference.

13 Sec. 20. Section 257A.7, Code 1993, is amended by
14 adding the following new unnumbered paragraph:

15 NEW UNNUMBERED PARAGRAPH. Notwithstanding section
16 12C.7, interest earned on money in the Iowa state fair
17 scholarship fund created within the First In the
18 Nation in Education Fund shall be deposited into the
19 Iowa state fair scholarship fund.

20 Sec. 21. Section 260C.50, unnumbered paragraph 1,
21 Code 1993, is amended to read as follows:

22 The department of education shall provide for the
23 establishment of a staff development account in the
24 office of treasurer of state for purposes of providing
25 moneys to community colleges for staff development.
26 There is appropriated from the general fund of the
27 state to the department of education on July 1 of each
28 fiscal year beginning July 1, 1993 1994, for crediting
29 to the staff development account for each budget year
30 the sum of six hundred thousand dollars. Moneys
31 appropriated by the general assembly to the department
32 of education for the purpose of the staff development
33 program shall be paid to community colleges upon
34 approval by the department of education of an
35 application submitted by a community college. Funds
36 shall be distributed to a community college based upon
37 the proportion that a college's state general aid paid
38 for the base year bears to the total state general aid
39 paid that year to all community colleges.

40 Sec. 22. Section 260D.14A, unnumbered paragraph 1,
41 Code 1993, is amended to read as follows:

42 The department of education shall provide for the
43 establishment of a community college excellence 2000
44 account in the office of the treasurer of state for
45 deposit of moneys appropriated to the account for
46 purposes of funding quality instructional centers and
47 program and administrative sharing agreements under
48 sections 260C.45 and 260C.46. There is appropriated
49 from the general fund of the state to the department
50 of education for the fiscal year beginning July 1,

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1 1993 1995, an amount equal to two and five-tenths
2 percent of the total state general aid generated for
3 all community colleges during the budget year under
4 this chapter for deposit in the community college
5 excellence 2000 account. In the next succeeding two
6 fiscal years, the percent multiplier shall be
7 increased in equal increments until the multiplier
8 reaches seven and one-half percent of the total state

9 general aid generated for all community colleges
10 during the budget year.

11 Sec. 23. Section 261.2, subsection 4, Code 1993,
12 is amended to read as follows:

13 4. Prepare and administer a state plan for a state
14 supported and administered scholarship program. The
15 state plan shall provide for scholarships to deserving
16 students of Iowa, matriculating in Iowa universities,
17 colleges, community colleges, or schools of
18 professional nursing. Eligibility of a student for
19 receipt of a scholarship during the student's first
20 year of eligibility shall be based upon academic
21 achievement and completion of advanced level courses
22 prescribed by the commission. Continuation of the
23 scholarship in subsequent years shall be based upon
24 the student's financial need and the maintenance by
25 the student of a cumulative grade point average of at
26 least a three point zero on a four point zero grading
27 scale or its equivalent.

28 Sec. 24. Section 261.85, unnumbered paragraph 1,
29 Code 1993, is amended to read as follows:

30 There is appropriated from the general fund of the
31 state to the commission for each fiscal year the sum
32 of two million nine hundred fifty-eight ~~eight hundred~~
33 ~~ninety-eight~~ thousand eight hundred forty dollars for
34 the work-study program. The appropriation in this
35 section is contingent upon the enactment of an
36 amendment to section 20.8 that contains language
37 identical to that is section 19 of this Act with
38 regard to layoffs under chapter 20.

39 Sec. 25. NEW SECTION. 267.8 LIVESTOCK DISEASE
40 RESEARCH FUND.

41 There is created in the office of the treasurer of
42 state a fund to be known as the livestock disease
43 research fund. Any balance in the fund on June 30 of
44 each fiscal year shall revert to the general fund of
45 the state.

46 Sec. 26. NEW SECTION. 272E.1 MIDWESTERN HIGHER
47 EDUCATION COMPACT.

48 The midwestern higher education compact is enacted
49 into law and entered into with all jurisdictions
50 legally joining in the compact, the form substantially

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1 as follows:

2 MIDWESTERN HIGHER EDUCATION COMPACT
3 ARTICLE I. PURPOSE

4 The purpose of the midwestern higher education
5 compact shall be to provide greater higher education
6 opportunities and services in the midwestern region,
7 with the aim of furthering regional access to,

8 research in, and choice of higher education for the
9 citizens residing in the several states which are
10 parties to this compact.

11 ARTICLE II. THE COMMISSION

12 A. The midwestern higher education commission,
13 referred to in this compact as the commission, is
14 hereby created by the compacting states. The
15 commission shall consist of representatives from each
16 of the compacting states and shall be a body corporate
17 of each compacting state. The commission shall have
18 all the responsibilities, powers, and duties set forth
19 in this compact, including the power to sue and be
20 sued, and such additional powers as may be conferred
21 upon the commission by subsequent action of the
22 respective legislatures of the compacting states in
23 accordance with the terms of this compact.

24 B. Each compacting state's representatives, who
25 serve as members of the commission, shall consist of
26 the following five residents of the state: the
27 governor, or the governor's designee, who shall serve
28 during the tenure of office of the governor; two
29 legislators, one from each house, except that Nebraska
30 may appoint two legislators from its unicameral
31 legislature, who shall serve two-year terms and shall
32 be appointed by the appropriate appointing authority
33 from each house of the legislature; and two other at-
34 large members, at least one of whom shall be selected
35 from the field of higher education. One of the two
36 at-large members initially appointed in each state
37 shall serve a two-year term. The other, and any
38 regularly appointed successor to either at-large
39 member position, shall serve a four-year term. All
40 vacancies shall be filled in accordance with the laws
41 relating to the filling of vacancies of the appointing
42 states. Any member appointed to fill a vacancy shall
43 serve until the end of the predecessor's incomplete
44 term.

45 C. The commission shall select annually, from the
46 commission membership, a chairperson, a vice
47 chairperson, and a treasurer.

48 D. The commission shall appoint an executive
49 director who shall serve at the commission's pleasure
50 and shall act as the secretary to the commission. The

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1 treasurer, the executive director, and all other
2 commission personnel shall be bonded in the amounts
3 established and in the manner required by the
4 commission.

5 E. The commission shall meet at least once each
6 calendar year. The chairperson of the commission may

7 call additional meetings and, upon the request of a
8 majority of commission members of three or more
9 compacting states, shall call additional meetings.

10 All meetings of the commission shall be preceded by
11 public notice and shall be held in open session.

12 F. Each compacting state represented at any
13 meeting of the commission is entitled to one vote. A
14 majority of the compacting states shall constitute a
15 quorum for the transaction of business, unless a
16 larger quorum is required by the bylaws of the
17 commission.

18 ARTICLE III. POWERS AND DUTIES OF THE COMMISSION

19 A. The commission shall adopt a seal and suitable
20 bylaws governing the commission's management and
21 operation.

22 B. Notwithstanding the civil service, personnel,
23 or other merit system laws of any of the compacting
24 states, the personnel policies and programs of this
25 compact shall be governed and provided for in the
26 bylaws adopted by the commission.

27 C. The commission shall submit a proposed budget
28 to the governor and legislature of each compacting
29 state at the time, and covering the fiscal periods,
30 required by each compacting state. The budget shall
31 contain specific recommendations as to the amount or
32 amounts to be appropriated by each of the compacting
33 states.

34 D. The commission shall report annually to the
35 legislatures and governors of the compacting states,
36 to the midwestern governors' conference, and the
37 midwestern legislative conference of the council of
38 state governments concerning the activities of the
39 commission during the preceding year. The reports
40 shall also embody any recommendations that may have
41 been adopted by the commission. Any recommendation
42 which has been adopted by the commission, that
43 provides for the participation of any state or
44 institution in any program, service, policy, or
45 initiative under the terms of the compact shall also
46 provide that the state or institution must agree to
47 participate in the program, service, policy, or
48 initiative.

49 E. The commission may borrow, accept, or contract
50 for the services of personnel from any state, the

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1 United States, any subdivision or agency of a state or
2 the United States, from any interstate agency, or from
3 any institution, foundation, person, firm, or
4 corporation.

5 F. The commission may accept, receive, utilize,

6 and dispose of any conditional or unconditional
7 donations and grants of money, equipment, supplies,
8 materials, and services from any state, the United
9 States, any subdivision or agency of a state or the
10 United States, from any interstate agency, from any
11 institution, foundation, person, firm, or corporation,
12 for any of the commission's purposes and functions
13 under this compact.

14 G. The commission may enter into agreements with
15 any other interstate education organizations or
16 agencies, with higher education institutions located
17 in states which are not members of this compact, or
18 with any of the various states of the United States to
19 provide adequate higher education programs and
20 services for the citizens of the respective compacting
21 states. The commission, after negotiations with
22 interested interstate education organizations or
23 agencies and higher education institutions, shall
24 determine the cost of providing the higher education
25 programs and services for use in the agreements.

26 H. The commission may establish and maintain
27 offices, which shall be located in one or more of the
28 compacting states.

29 I. The commission may establish committees and
30 hire staff as the commission deems necessary for the
31 carrying out of the commission's functions.

32 J. The commission may provide for actual and
33 necessary expenses for the attendance of commission
34 members at official meetings of the commission or at
35 official meetings of committees established by the
36 commission.

37 ARTICLE IV. ACTIVITIES OF THE COMMISSION

38 A. The commission shall collect data on the long-
39 range effects of this compact. By the end of the
40 fourth year from the effective date of this compact,
41 and every two years thereafter, the commission shall
42 review commission accomplishments and make
43 recommendations to the governors and legislatures of
44 the compacting states on the continuance of this
45 compact.

46 B. The commission shall study issues in higher
47 education that are of particular concern to the
48 midwestern region of the United States. The
49 commission shall also study the needs for higher
50 education programs and services in the compacting

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1 states and the resources for meeting these needs. The
2 commission shall, from time to time, prepare reports
3 on the commission's research for presentation to the
4 governors and legislatures of the compacting states

5 and other interested parties. In conducting studies,
6 the commission may confer with any national or
7 regional planning body. The commission may draft and
8 recommend to the governors and legislatures of the
9 compacting states suggested legislation dealing with
10 problems in higher education.

11 C. The commission shall study the need for
12 provision of adequate higher education programs and
13 services, such as undergraduate, graduate, or
14 professional student exchanges in the region. If a
15 need for an exchange in a field is apparent, the
16 commission may enter into agreements with any higher
17 education institution and with any of the compacting
18 states to provide higher education programs and
19 services for the citizens of the compacting states.
20 The commission, after negotiations with interested
21 compacting states and higher education institutions,
22 shall determine the costs of providing the higher
23 education programs and services under the agreements.
24 The contracting states shall contribute the funds not
25 otherwise provided, as determined by the commission,
26 for carrying out the agreements. The commission may
27 also serve as the administrative and fiscal agent in
28 carrying out the agreements for higher education
29 programs and services.

30 D. The commission shall serve as a clearinghouse
31 on information regarding higher education activities
32 among institutions and agencies.

33 E. In addition to the activities of the commission
34 contained in this compact, the commission may provide
35 services and research in other areas in education
36 which are of regional concern.

37 ARTICLE V. FINANCE

38 A. The moneys not otherwise provided for but
39 necessary to finance the general operations of the
40 commission and the carrying out of commission duties,
41 responsibilities, and powers stated in this compact,
42 shall be appropriated to the commission by the
43 compacting states, when the appropriation of funds is
44 authorized by the respective legislatures, and equally
45 apportioned among the compacting states.

46 B. The commission shall not incur any obligations
47 of any kind prior to the making of appropriations by
48 the compacting states that are adequate to meet the
49 obligations. The commission shall not pledge the
50 credit of any of the compacting states unless the

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1 commission is given the authority to do so by the
2 affected compacting state or states.

3 C. The commission shall keep accurate accounts of

4 all receipts and disbursements. The receipts and
5 disbursements of the commission shall be subject to
6 the audit and accounting procedures established under
7 the commission's bylaws. However, all receipts and
8 disbursements of funds handled by the commission shall
9 be audited yearly by a certified or licensed public
10 accountant and the report of the audit shall be
11 included in and become part of the annual report of
12 the commission.

13 D. The accounts of the commission shall be open at
14 any reasonable time for inspection by duly authorized
15 representatives of the compacting states and persons
16 authorized by the commission.

17 ARTICLE VI. ELIGIBLE PARTIES AND ENTRY INTO FORCE

18 A. The states of Illinois, Indiana, Iowa, Kansas,
19 Michigan, Minnesota, Missouri, Nebraska, North Dakota,
20 Ohio, South Dakota, and Wisconsin shall be eligible to
21 become party to this compact. Additional states shall
22 be eligible upon approval by a majority of the
23 compacting states.

24 B. This compact shall be effective for any
25 eligible party state upon enactment of the compact
26 into the state's laws, provided, however, that this
27 compact shall not become initially effective unless
28 enacted by five states prior to December 31, 1995.

29 C. Amendments to this compact shall take effect
30 upon enactment by the legislatures of all compacting
31 states.

32 ARTICLE VII. WITHDRAWAL, DEFAULT, AND TERMINATION

33 A. A compacting state may withdraw from this
34 compact by enacting legislation repealing this
35 compact, however, the withdrawal shall not take effect
36 until two years after the enactment of the
37 legislation. A state that withdraws from this compact
38 shall remain liable for any obligations incurred as a
39 result of the state's participation in this compact,
40 up to the effective date of the state's withdrawal
41 from this compact. Notwithstanding a state's
42 withdrawal from this compact, a state shall remain
43 liable for the performance of any obligation extending
44 beyond the effective date of the state's withdrawal
45 from this compact, to the extent that the state has
46 specifically undertaken, reaffirmed, or committed
47 itself to the performance of that obligation beyond
48 the effective date of the state's withdrawal.

49 B. If a compacting state defaults at any time in
50 the performance of any of the compacting state's

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1 obligations that are assumed or imposed under this
2 compact, all rights, privileges, and benefits

3 conferred by or agreements reached pursuant to this
4 compact shall be suspended from the effective date of
5 the default. The commission shall determine and fix
6 the effective date of any default in the performance
7 of obligations by any of the compacting states and
8 shall stipulate the conditions and maximum time limits
9 which a defaulting state must meet in order to resume
10 or obtain reinstatement of regular compacting state
11 status. If a defaulting state fails to comply with
12 the stipulations of the commission within the time
13 period set by the commission, the state's
14 participation in this compact may be terminated by an
15 affirmative vote of a majority of the remaining
16 compacting member states. A state whose membership in
17 this compact has been terminated may reapply for
18 membership in this compact if the state performs all
19 acts and obligations required by the commission for
20 reinstatement.

21 ARTICLE VIII. SEVERABILITY AND CONSTRUCTION

22 The provisions of this compact shall be severable
23 and if any phrase, clause, sentence, or other
24 provision of this compact is declared to be contrary
25 to the constitution of any compacting state or to the
26 Constitution of the United States, or the
27 applicability of this compact to any government,
28 agency, person, or circumstance is held invalid, the
29 validity of the remainder of this compact and the
30 applicability of this compact to any government,
31 agency, person, or circumstance shall not be affected
32 by the declaration or holding of unconstitutionality
33 or invalidity. If this compact is held contrary to
34 the constitution of any compacting state, the compact
35 shall remain in full force and effect as to the
36 remaining states and in full force and effect in the
37 affected state with respect to all severable
38 provisions. The provisions of this compact shall be
39 liberally construed to effectuate the purposes of this
40 compact.

41 Sec. 27. NEW SECTION. 272E.2 IOWA

42 REPRESENTATIVES TO MIDWESTERN HIGHER EDUCATION 43 COMMISSION.

44 Iowa members of the midwestern higher education
45 commission must be appointed as provided in this
46 section. Two legislative members appointed by the
47 legislative council. Two at-large members, at least
48 one of whom must be selected from the field of higher
49 education, appointed by the governor. One at-large
50 member must be appointed to a two-year term; one at—

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1 large member, and any regularly appointed successor to
2 either at-large position, must be appointed to a four-
3 year term. Vacancies must be filled by the appointing
4 authority for the remainder of the unexpired term.

5 Sec. 28. Section 294A.14, unnumbered paragraph 9,
6 Code 1993, is amended to read as follows:

7 For school districts, additional instructional work
8 assignments may include but are not limited to general
9 curriculum planning and development, vertical
10 articulation of curriculum, horizontal curriculum
11 coordination, development of educational measurement
12 practices for the school district, participation in
13 assessment activities leading to certification by the
14 national board for professional teaching standards,
15 attendance at workshops and other programs for service
16 as cooperating teachers for student teachers,
17 development of plans for assisting beginning teachers
18 during their first year of teaching, attendance at
19 summer staff development programs, development of
20 staff development programs for other teachers to be
21 presented during the school year, and other plans
22 locally determined in the manner specified in section
23 294A.15 and approved by the department of education
24 under section 294A.16 that are of equal importance or
25 more appropriately meet the educational needs of the
26 school district.

27 Sec. 29. Section 285.1, subsection 3, unnumbered
28 paragraph 2, Code 1993, is amended to read as follows:

29 However, a parent or guardian shall not receive
30 reimbursement for furnishing transportation for more
31 than three one family members member who attend
32 attends elementary school and one family member who
33 attends high school.

34 Sec. 30. Section 294A.25, subsection 5A, Code
35 1993, is amended to read as follows:

36 5A. Commencing with the fiscal year beginning July
37 1, 1992, the amount of three two hundred thirty-five
38 fifty thousand dollars from phase III moneys for the
39 support of school transformation pilot projects
40 administered by the department of education through
41 the new Iowa schools development corporation. Funds
42 appropriated in this subsection may be used for
43 projects by nonprofit corporations representing a
44 coalition of organizations interested in school
45 improvement in Iowa.

46 Sec. 31. Section 294A.25, Code 1993, is amended by
47 adding the following new subsection:

48 NEW SUBSECTION. 5B. Commencing with the fiscal
49 year beginning July 1, 1993, the amount of fifty
50 thousand dollars for geography alliance, seventy

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1 thousand dollars for gifted and talented, and one
2 hundred eighty thousand dollars for a management
3 information system from additional funds transferred
4 from phase I to phase III.

5 Sec. 32. Section 303.18, unnumbered paragraph 2,
6 Code 1993, is amended to read as follows:

7 The historical division shall repay a portion of
8 the amount of the loan together with annual interest
9 payments due on the balance of the loan over a ten-
10 year period commencing with the fiscal year beginning
11 July 1, 1987. Payments shall be made from gross
12 receipts and other moneys available to the historical
13 division. The historical division shall solicit
14 voluntary contributions on behalf of the historical
15 division, at the entrance and other locations
16 throughout the state historical building and collect
17 entrance fees for the Montauk governor's mansion for
18 purposes of raising funds for making payments under
19 this section. Annual payments shall not be less than
20 the amount of interest on the permanent school fund
21 required to be transferred to the first in the nation
22 in education foundation under section 257B.1A or
23 seventy-five percent of the gross receipts, whichever
24 is greater. Payments of both principal and interest
25 made by the state historical division under this
26 section shall be paid quarterly and shall be
27 considered interest earned on the permanent school
28 fund to the extent necessary for payment of interest
29 to the first in the nation in education foundation
30 under section 302.1A.

31 Sec. 33. EFFECTIVE DATE. Sections 14 and 30 of
32 this Act, being deemed of immediate importance, take
33 effect upon enactment." "

McNeal of Hardin rose on a point of order that amendment H-4032 was not germane, to the committee amendment H-3628.

The Speaker ruled the point well taken and amendment H-4032 not germane, to the committee amendment H-3628.

The Speaker announced that the motion to reconsider amendment H-3788, to the committee amendment H-3628, filed by Hammond of Story on April 15, 1993, was out of order.

Daggett of Union moved the adoption of the committee amendment H-3628, as amended.

Arnould of Scott rose on a point of order that the committee amendment H-3628, as amended, was not germane.

The Speaker ruled the point well taken and the committee amendment H-3628, as amended, not germane.

Siegrist of Pottawattamie moved to suspend the rules to consider the committee amendment H—3628, as amended.

A non-record roll call was requested.

The ayes were 51, nays 43.

The motion prevailed and the rules were suspended.

The House stood at ease at 7:52 p.m., until the fall of the gavel.

The House resumed session at 8:05 p.m., Speaker Van Maanen in the chair.

Daggett of Union moved the adoption of the committee amendment H—3628, as amended.

Roll call was requested by Wise of Lee and Arnould of Scott.

Rule 75 was invoked.

On the question "Shall the committee amendment H—3628, as amended, be adopted?" (S.F. 233)

The ayes were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

The nays were, 45:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Fallon	Fogarty	Gill	Halvorson, R. N.
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

Absent or not voting, 4:

Dickinson Doderer Dvorsky Hammond

The committee amendment H—3628, as amended, was adopted.

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

On the question "Shall the bill pass?" (S.F. 233)

The ayes were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

The nays were, 45:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Fallon	Fogarty	Gill	Halvorson, R. N.
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

Absent or not voting, 4:

Dickinson Doderer Dvorsky Hammond

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 233** be immediately messaged to the Senate.

Unfinished Business Calendar

The House resumed consideration of **House File 519**, a bill for an act relating to the rights of mobile home, personal property, and real property owners and claimants in actions for abandonment and under a lease agreement, previously deferred and placed on the unfinished business calendar.

Iverson of Wright asked and received unanimous consent to withdraw amendment H—3277, filed by him on March 15, 1993.

Iverson of Wright asked and received unanimous consent to withdraw amendment H—3494, filed by him on March 25, 1993.

Iverson of Wright offered the following amendment H—3899 filed by him and moved its adoption:

H—3899

1 Amend House File 519 as follows:-

2 1. Page 1, line 8, by inserting after the word
3 "structure" the following: "that was manufactured
4 in accordance with federally mandated standards."

5 2. Page 1, by inserting after line 15 the
6 following:

7 "Existing factory-built structures not constructed
8 to be in compliance with federally mandated standards
9 may be moved from one established mobile home park to
10 another within the state and shall not be required to
11 be renovated to comply with the state building code or
12 any other building code which the governmental
13 subdivision has adopted unless the factory-built
14 structure is being rented for occupancy or has been
15 declared a public nuisance according to standards
16 generally applied to housing."

17 3. Page 3, by striking lines 14 through 19, and
18 inserting the following: "manufactured home which is
19 incompatible with the structural design of the
20 manufactured home structure. When units are located
21 outside a mobile home park, requirements may be
22 imposed which ensure visual compatibility of the
23 foundation system with surrounding residential
24 structures. As used in this section, "manufactured".

25 4. Page 4, by striking lines 10 through 15 and
26 inserting the following: "manufactured home which is
27 incompatible with the structural design of the
28 manufactured home structure. When units are located
29 outside a mobile home park, requirements may be
30 imposed which ensure visual compatibility of the
31 foundation system with surrounding residential
32 structures. As used in this section, "manufactured".

33 5. Page 4, line 31, by inserting after the word
34 "rent." the following: "However, a late payment fee
35 shall not exceed three dollars a day for the first

36 five days the rent is late and one dollar a day for
37 the next twenty-five days."

38 6. Page 7, line 32, by striking the word "rental"
39 and inserting the following: "rental a security".

40 7. Page 7, by inserting after line 34, the

41 following:

42 "Sec. _____. Section 562B.13, subsection 1, Code

43 1993, is amended to read as follows:

44 1. A landlord shall not demand or receive as
45 rental a security deposit an amount or value in excess
46 of two months' rent."

47 8. Page 8, line 27, by striking the word

48 "either".

49 9. Page 8, line 29, by inserting after the words

50 "there is" the following: "either".

Page 2

1 10. Page 10, by striking lines 3 through 7.

2 11. Page 10, by striking lines 14 and 15 and
3 inserting the following: "of a complaint within six
4 months prior to the alleged act of".

5 12. Page 10, line 20, by inserting after the word
6 "reasons" the following: ", which existed prior to
7 the time of the tenant's complaint,".

8 13. Page 11, line 10, by striking the word "know"
9 and inserting the following: "known".

10 14. Page 12, line 3, by striking the figures
11 "562A.24, 562A.32, 562B.22;" and inserting the
12 following: "562A.24, 562A.32, 562B.22,".

13 15. Page 12, line 6, by striking the figure
14 "562A.32," and inserting the following: "562A.24,
15 562A.32, 562B.22,".

16 16. By renumbering, relettering, or redesignating
17 and correcting internal references as necessary.

With the adoption of amendment H-3899, amendment H-3827, filed by Iverson of Wright on April 8, 1993, was out of order.

SENATE FILE 398 SUBSTITUTED FOR HOUSE FILE 519

Iverson of Wright asked and received unanimous consent to substitute Senate File 398 for House File 519.

Senate File 398, a bill for an act relating to the rights of mobile home, personal property, and real property owners and claimants in actions for abandonment and under a lease agreement, with report of committee recommending passage was taken up for consideration.

Siegrist of Pottawattamie asked and received unanimous consent that Senate File 398 be deferred and placed on the unfinished business calendar.

Senate File 296, a bill for an act relating to criminal proceedings and amounts available for victim reparation, with report of committee recommending passage was taken up for consideration.

Siegrist of Pottawattamie asked and received unanimous consent that Senate File 296 be deferred and placed on the unfinished business calendar.

INTRODUCTION OF BILLS

House File 661, by committee on ways and means, a bill for an act relating to the exemption from the state sales tax for certain prescription drugs and medical devices and providing for the Act's applicability.

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

House File 662, by committee on ways and means, a bill for an act relating to the assessment of real property for purposes of the division of tax revenue for industrial new jobs training projects and small business new jobs training projects and providing for the Act's applicability.

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

SENATE MESSAGE CONSIDERED

Senate File 354, by committee on state government, a bill for an act relating to alcoholic beverages, by amending licensing and permitting requirements, by eliminating the division hearing board, by establishing hearing and appeals procedures, by amending procedures for the issuance, suspension, or revocation of licenses and permits, by imposing civil penalties, by appropriating moneys collected through civil penalties, by removing certain restrictions on the sale of alcoholic beverages, by providing a penalty for the purchase or attempted purchase of alcoholic beverages by certain persons, and by providing for other properly related matters.

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 April 14, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 79, a bill for an act relating to criminal trial testimony by minors and certain victims and witnesses.

Also: That the Senate has on April 14, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 89, a bill for an act providing penalties for the harvesting of wild ginseng out of season.

Also: That the Senate has on April 14, 1993 passed the following bill in which the concurrence of the Senate was asked:

House File 327, a bill for an act relating to limited liability companies.

Also: That the Senate has on April 14, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 584, a bill for an act relating to housing facilities for persons with certain disabilities.

JOHN F. DWYER, Secretary

MOTIONS TO RECONSIDER
(Senate File 180)

I move to reconsider the vote by which Senate File 180 passed the House on April 16, 1993.

LARSON of Linn

(Senate File 180)

I move to reconsider the vote by which Senate File 180 passed the House on April 16, 1993.

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 16th day of April, 1993: House Files 88, 133, 207, 365, 429 and 636.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

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

Sixty-two fifth grade students from Brooks Elementary School, Des Moines, accompanied by Carol Winterberg. By Connors of Polk.

Six Iowa history students from Community Christian School, Estherville, accompanied by Mrs. Bradshaw. By Greig of Emmet.

Twenty-five senior students from East Monona High School, Moorhead, accompanied by Tom Borchers. By Gries of Crawford.

Nine fifth grade students from St. Rose of Lima School, Denison, accompanied by Bev Meyer. By Gries of Crawford.

Thirty-five sixth through eighth grade talented and gifted students from Northeast Hamilton and South Hamilton Schools, Blairsburg and Jewell, accompanied by Renee Rockow. By Iverson of Wright.

Fifty-five eighth grade students from Van Buren Community Schools, Keosauqua, accompanied by Chuck Russell. By Kistler of Jefferson.

Fifty fifth grade students from Grant Elementary School, Oskaloosa, accompanied by Mrs. Margaret Mattix and Mrs. Stolfus. By Van Maanen of Mahaska.

Seven Boy Scouts from Troop 55, Cedar Falls. By Witt of Black Hawk.

Twenty eighth grade students from St. Patrick School, Cedar Falls, accompanied by Mike Griften. By Witt and Hanson of Black Hawk.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 190), relating to providing property tax and sales, service, and use tax exemptions for wind energy conversion systems and providing an applicability date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 15, 1993.

Committee Bill (Formerly House Study Bill 297), relating to the assessment of real property for purposes of the division of tax revenue for industrial new jobs training projects and small business new jobs training projects and providing for the Act's applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 15, 1993.

Committee Bill (Formerly House Study Bill 302), relating to an increase in property tax dollars certified for purposes of the property tax limitation for the fiscal year beginning July 1, 1994.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 15, 1993.

Committee Bill (Formerly House Study Bill 303), relating to the exemption from the state sales tax for certain prescription drugs and medical devices and providing for the Act's applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 15, 1993.

AMENDMENTS FILED

H-4017	H.F.	79	Senate Amendment
H-4019	H.F.	584	Senate Amendment
H-4020	S.F.	245	Greiner of Washington Holveck of Polk
H-4024	S.F.	75	Brammer of Linn
H-4025	H.F.	647	Fallon of Polk
H-4026	S.F.	11	Eddie of Buena Vista Koenigs of Mitchell Weigel of Chickasaw Henderson of Scott Mundie of Webster Hahn of Muscatine May of Worth Greig of Emmet Vande Hoef of Osceola Garman of Story Klemme of Plymouth Ertl of Dubuque Renken of Grundy Weidman of Cass
			Harper of Black Hawk
H-4027	H.F.	388	Fallon of Polk
H-4028	H.F.	647	Iverson of Wright
H-4029	S.F.	398	Grubbs of Scott
H-4031	S.F.	268	Renken of Grundy Millage of Scott Hurley of Fayette Rafferty of Scott Blodgett of Cerro Gordo Lundby of Linn Daggett of Union Hanson of Delaware Hanson of Black Hawk Klemme of Plymouth
			Weidman of Cass Eddie of Buena Vista Larson of Linn Martin of Scott Hester of Pottawattamie Churchill of Polk McNeal of Hardin Gries of Crawford Garman of Story Brunkhorst of Bremer

Welter of Jones	Houser of Pottawattamie
Mertz of Kossuth	Meyer of Sac
Kistler of Jefferson	Brauns of Muscatine
Hahn of Muscatine	Drake of Pottawattamie
Miller of Cherokee	Greig of Emmet
Rants of Woodbury	Dinkla of Guthrie
H—4037 S.F. 268	Rafferty of Scott
Brauns of Muscatine	Meyer of Sac
Hester of Pottawattamie	Rants of Woodbury
Drake of Pottawattamie	Halvorson of Clayton
Mertz of Kossuth	Churchill of Polk
Ertl of Dubuque	Klemme of Plymouth
Hurley of Fayette	Boddicker of Cedar
Grubbs of Scott	Welter of Jones
Martin of Scott	Brunkhorst of Bremer
Greig of Emmet	Gries of Crawford
Larson of Linn	Greiner of Washington

On motion by Siegrist of Pottawattamie, the House adjourned at 8:32 p.m., until 10:00 a.m., Monday, April 19, 1993.

JOURNAL OF THE HOUSE

Ninety-ninth Calendar Day — Sixty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 19, 1993

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

Prayer was offered by Reverend Gene Anderson, pastor of Redeemer Lutheran Church, Indianola.

The Journal of Friday, April 16, 1993 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Fogarty of Palo Alto on request of Weigel of Chickasaw; Dickinson of Jackson on request of Gill of Woodbury; Holveck of Polk, until his arrival, on request of Haverland of Polk.

CONSIDERATION OF BILLS

Unfinished Business Calendar

The House resumed consideration of **Senate File 78**, a bill for an act making technical changes to transportation Code provisions concerning applications for registration and title, relating to the speed limit laws, concerning the agency appeal process regarding the sale of railroad property, and relating to the issuance of commercial vehicle violation citations, previously deferred and placed on the unfinished business calendar.

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

On the question "Shall the bill pass?" (S.F. 78)

The ayes were, 96:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Brauns
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cphoon	Connors	Corbett
Daggett	Dinkla	Doderer	Drake
Dvorsky	Eddie	Ertl	Fallon
Garman	Gill	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hammond

Hansen, S. D.	Hanson, D. E.	Hanson, D. R.	Harper
Haverland	Henderson	Hester	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, 1:

Branstad

Absent or not voting, 3:

Dickinson Fogarty Holveck

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

The House resumed consideration of **Senate File 38**, a bill for an act providing for requirements of a financing statement filed under the uniform commercial code, and providing applicability and effective dates, previously deferred and placed on the unfinished business calendar.

Metcalf 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. 38)

The ayes were, 62:

Beaman	Bell	Black	Blodgett
Boddicker	Branstad	Brauns	Brunkhorst
Carpenter	Cataldo	Churchill	Corbett
Daggett	Dinkla	Drake	Eddie
Ertl	Gill	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Koenigs
Larson	Lundby	Martin	McCoy

Metcalf	Meyer	Millage	Miller
Plasier	Rafferty	Rants	Renken
Royer	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Mr. Speaker		
	Van Maanen		

The nays were, 36:

Arnould	Baker	Beatty	Bernau
Brammer	Brand	Burke	Cohoon
Connors	Doderer	Dvorsky	Fallon
Garman	Hammond	Holveck	Jochum
Kreiman	Larkin	May	McKinney
McNeal	Mertz	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Renaud
Running	Schrader	Wise	Witt

Absent or not voting, 2:

Dickinson Fogarty

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

The House resumed consideration of **Senate File 320**, a bill for an act relating to the development of a community health management information system, previously deferred and placed on the unfinished business calendar.

Hammond of Story offered the following amendment H—3519 filed by her and Haverland of Polk and moved its adoption:

H—3519

- 1 Amend Senate File 320, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 11, by inserting after the word
- 4 "studies." the following: "The general assembly finds
- 5 that the exchange of such medical and claims
- 6 information, while vital in the effort to control
- 7 health care administrative costs and in analyzing
- 8 benefit plans and medical effectiveness, must be done
- 9 such that all unnecessary identifying information
- 10 remains confidential; that authorized users of the
- 11 system must keep such information confidential; and
- 12 that the privacy rights of individuals must not be
- 13 violated as a result of the exchange of such
- 14 information."
- 15 2. Page 1, line 17, by inserting after the word
- 16 "The" the following: "health data commission shall
- 17 monitor the progress and continuation of the

- 18 development and implementation of a community health
 19 management information system based upon the study
 20 established in 1992 Iowa Acts, chapter 1241, section
 21 37. The".

Amendment H—3519 was adopted.

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

On the question "Shall the bill pass?" (S.F. 320)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, none.

Absent or not voting, 2:

Dickinson Fogarty

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

The House resumed consideration of **Senate File 271**, a bill for an act relating to entities and subject matter under the regulatory authority of the regulated industries unit of the division of insurance, including residential service contracts, continuing care retirement communities, loan brokers, and membership organizations, previously deferred and placed on the unfinished business calendar.

Halvorson of Clayton offered the following amendment H—3973 filed by him and moved its adoption:

H—3973

- 1 Amend Senate File 271, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by inserting after line 3 the
- 4 following:
- 5 "_____. The sale of goods or services by
- 6 corporations, partnerships, unincorporated
- 7 associations, or other business enterprises which sell
- 8 products to direct sellers as defined by section 3508
- 9 of the Internal Revenue Code, where the initial
- 10 contract establishing the relationship with the direct
- 11 seller is terminable at will by either party, and
- 12 where the corporation, partnership, unincorporated
- 13 association, or other business enterprise offers to
- 14 repurchase the products at reasonable commercial
- 15 terms."
- 16 2. By renumbering as necessary.

Amendment H—3973 was adopted.

The House stood at ease at 10:48 a.m., until the fall of the gavel.

The House resumed session at 12:01 p.m., Speaker Van Maanen in the chair.

Garman of Story asked and received unanimous consent that Senate File 271 be deferred and that the bill be placed on the unfinished business calendar.

On motion by Garman of Story, the House was recessed at 12:03 p.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Van Maanen in the chair.

CONSIDERATION OF BILLS Unfinished Business Calendar

The House resumed consideration of **Senate File 376**, a bill for an act relating to community college athletic programs, community college approval and accreditation standards, repealing provisions for certain studies related to community colleges, and providing for other

related matters, previously deferred and placed on the unfinished business calendar.

Shoultz of Black Hawk offered the following amendment H—3612 filed by him and Iverson of Wright and moved its adoption:

H—3612

- 1 Amend Senate File 376, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 3, line 31 through page 4,
- 4 line 1, and inserting the following: "amended by
- 5 striking the subsection."

Amendment H—3612 was adopted.

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

On the question "Shall the bill pass?" (S.F. 376)

The ayes were, 86:

Arnould	Baker	Beaman	Beatty
Bell	Black	Blodgett	Boddicker
Brammer	Brand	Brauns	Brunkhorst
Burke	Carpenter	Cataldo	Churchill
Cohoon	Connors	Corbett	Daggett
Dinkla	Drake	Dvorsky	Eddie
Ertl	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hansen, S. D.	Hanson, D. E.	Hanson, D. R.	Harper
Haverland	Henderson	Hester	Holveck
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Larkin	Larson
Lundby	May	McCoy	McKinney
McNeal	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Murphy
Nelson	O'Brien	Ollie	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 10:

Bernau	Branstad	Doderer	Fallon
Hammond	Kreiman	Martin	Mertz
Neuhauser	Osterberg		

Absent or not voting, 4:

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

HOUSE FILE 558 WITHDRAWN

Iverson of Wright asked and received unanimous consent to withdraw House File 558 from further consideration by the House.

HOUSE FILE 608 WITHDRAWN

Plasier of Sioux asked and received unanimous consent to withdraw House File 608 from further consideration by the House.

The House resumed consideration of **Senate File 392**, a bill for an act relating to duties and procedures of the department of corrections, providing for agreements for private employment of inmates, application of witness fees earned by an inmate toward payment of restitution or crime victim compensation, removing language relating to transfers of certain inmates, providing for temporary supervision and placement of inmates in violator facilities, making changes in provisions relating to escape from work release, and changing times of payment of certain funds to inmates, previously deferred and placed on the unfinished business calendar.

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

On the question "Shall the bill pass?" (S.F. 392)

The ayes were, 97:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Harper
Haverland	Henderson	Hester	Holveck
Houser	Hurley	Iverson	Jochum
Kistler	Klemme	Koenigs	Kreiman
Larkin	Larson	Lundby	Martin
May	McCoy	McKinney	McNeal
Mertz	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty

Rants	Renaud	Renken	Royer
Running	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, none:

Absent or not voting, 3:

Dickinson	Fogarty	Hanson, D. R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

The House resumed consideration of **Senate File 271**, a bill for an act relating to entities and subject matter under the regulatory authority of the regulated industries unit of the division of insurance, including residential service contracts, continuing care retirement communities, loan brokers, and membership organizations, previously deferred and placed on the unfinished business calendar.

Halvorson of Clayton offered the following amendment H—4043 filed by him from the floor and moved its adoption:

H—4043

1 Amend Senate File 271, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by inserting before line 4 the
 4 following:
 5 "For purposes of subsection 6, "reasonable
 6 commercial terms" includes the repurchase of all
 7 unencumbered products which are in an unused,
 8 commercially resalable condition within one year from
 9 the direct seller's date of purchase. The repurchase
 10 shall be at a price not less than ninety percent of
 11 the original net cost to the direct seller of the
 12 products being returned. "Original net cost" means
 13 the amount actually paid by the direct seller for the
 14 products, less any consideration received by the
 15 direct seller for the purchase of the products being
 16 returned. Products which are no longer marketed by a
 17 program shall be deemed resalable if the products are
 18 otherwise in an unused, commercially resalable
 19 condition and are returned to the seller within one
 20 year from the direct seller's date of purchase,
 21 provided, however, that products which are no longer
 22 marketed by a program shall not be deemed resalable if
 23 the products are sold to direct sellers as
 24 nonreturnable, discontinued, seasonal, or special
 25 promotion items and the nonreturnable nature of the
 26 product was clearly disclosed to the direct seller
 27 prior to purchase."

Amendment H—4043 was adopted.

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

On the question "Shall the bill pass?" (S.F. 271)

The ayes were, 91:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dinkla	Doderer
Drake	Dvorsky	Eddie	Garman
Gipp	Greig	Greiner	Gries
Grubbs	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hansen, S. D.	Hanson, D. E.	Hanson, D. R.	Harper
Haverland	Henderson	Hester	Holveck
Houser	Hurley	Iverson	Jochum
Kistler	Klemme	Koenigs	Kreiman
Larkin	Larson	Lundby	Martin
May	McCoy	McKinney	McNeal
Metcalf	Meyer	Millage	Miller
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, 4:

Ertl	Fallon	Gill	Hammond
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Absent or not voting, 5:

Dickinson	Fogarty	Grundberg	Mertz
Moreland			

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 376, 320, 38, 78, 392 and 271.**

The House resumed consideration of **Senate File 268**, a bill for an act creating an Iowa invests program and providing related provisions including applicability provisions, and effective dates, previously deferred and placed on the unfinished business calendar.

The House stood at ease at 2:13 p.m., until the fall of the gavel.

The House resumed session at 3:20 p.m., Speaker Van Maanen in the chair.

SENATE FILE 268 REREFERRED

Siegrist of Pottawattamie asked and received unanimous consent to rerefer Senate File 268, presently on the **unfinished business calendar**, to the committee on **human resources**.

RULE 57 SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on human resources upon adjournment.

The House resumed consideration of **Senate File 11**, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, and providing for tax exemptions on facilities within such zones, previously deferred and placed on the unfinished business calendar.

Eddie of Buena Vista asked and received unanimous consent to defer action on amendment H—3673.

Eddie of Buena Vista offered the following amendment H—4026 filed by Eddie, et al., and moved its adoption:

H—4026

- 1 Amend Senate File 11, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. Section 352.6, unnumbered paragraph 1,
- 6 Code 1993, is amended to read as follows:
- 7 An owner of farmland may submit a proposal to the
- 8 county board for the creation of an agricultural area
- 9 within the county. An agricultural area, at its
- 10 creation, shall include at least five three hundred
- 11 acres of farmland, however, a smaller area may be
- 12 created if the farmland is adjacent to farmland
- 13 subject to an agricultural land preservation ordinance
- 14 pursuant to section 335.27. The proposal shall
- 15 include a description of the proposed area, including
- 16 its boundaries. The territory shall be as compact and
- 17 as nearly adjacent as feasible. Land shall not be
- 18 included in an agricultural area without the consent
- 19 of the owner. Agricultural areas shall not exist
- 20 within the corporate limits of the city. Agricultural

21 areas may be created in a county which has adopted
22 zoning ordinances. Except as provided in this
23 section, the use of the land in agricultural areas is
24 limited to farm operations.

25 Sec. 2. Section 352.9, unnumbered paragraph 2,
26 Code 1993, is amended to read as follows:

27 The board shall cause the description of that
28 agricultural area filed with the county auditor and
29 recorded with the county recorder to be modified to
30 reflect any withdrawal. Withdrawal shall be effective
31 on the date of recording. The agricultural area from
32 which the land is withdrawn shall continue in
33 existence even if smaller than five three hundred
34 acres after withdrawal."

35 2. Title page, by striking lines 1 through 3, and
36 inserting the following: "An Act providing for
37 agricultural areas."

Shultz of Black Hawk asked and received unanimous consent that Senate File 11 be deferred and that the bill be placed on the unfinished business calendar.

(Amendment H—4026 pending.)

The House resumed consideration of **Senate File 394**, a bill for an act relating to establishing a debt due for medical assistance resulting from a transfer of assets, and to allowable claims against a conservatorship for the cost of medical care or services provided to a recipient of medical assistance, previously deferred and placed on the unfinished business calendar.

Millage of Scott offered the following amendment H—3632 filed by him and moved its adoption:

H—3632

1 Amend Senate File 394, as passed by the Senate, as
2 follows:

3 1. Page 1, by striking lines 11 through 17 and
4 inserting the following: "defined in section 702.14,
5 from a transferor to a transferee for less than fair
6 consideration, made while the transferor is receiving
7 medical assistance or within five years prior to
8 application for medical assistance by the transferor.
9 Any such transfer or assignment is presumed to be".

10 2. Page 1, by striking lines 24 through 27 and
11 inserting the following: "transfer or assignment."

12 3. Page 1, by striking lines 30 through 35 and
13 inserting the following:

14 "(1) Transfers to or for the sole benefit of the
15 transferor's spouse, including a transfer to a spouse

16 by an institutionalized spouse pursuant to section
17 1924(f)(1) of the federal Social Security Act."

18 4. Page 2, line 19, by striking the words
19 "dollars, and" and inserting the following:
20 "dollars."

21 5. Page 2, by striking lines 20 through 22 and
22 inserting the following: "For purposes of this
23 chapter,".

24 6. Page 2, by inserting after line 24 the
25 following:

26 "(6) Transfers of property that would, at the time
27 of the transferor's application for medical
28 assistance, have been exempt from consideration as a
29 resource if it had been retained by the transferor,
30 pursuant to 42 U.S.C. § 1382b(a), as implemented by
31 regulations adopted by the secretary of the United
32 States department of health and human services, and
33 pursuant to section 561.16 and chapter 627."

34 7. Page 2, by striking line 30 and inserting the
35 following:

36 "A transfer of".

37 8. Page 2, by striking line 35 and inserting the
38 following: "the assets which are not exempt under
39 section 249F.1."

40 9. Page 6, by striking lines 16 through 23.

41 10. Renumber as necessary.

Amendment H—3632 was adopted.

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

On the question "Shall the bill pass?" (S.F. 394)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby

Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, none.

Absent or not voting, 2:

Dickinson Fogarty

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 394** be immediately messaged to the Senate.

The House resumed consideration of **Senate File 48**, a bill for an act designating the Iowa department of public health as the lead agency for the coordination and regulation of emergency medical services and establishing an emergency medical services fund, previously deferred and placed on the unfinished business calendar.

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

On the question "Shall the bill pass?" (S.F. 48)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohon	Connors
Corbett	Daggett	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson

Joehum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, none.

Absent or not voting, 2:

Dickinson Fogarty

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 48** be immediately messaged to the Senate.

The House resumed consideration of **Senate File 363**, a bill for an act relating to motor vehicle dealers by permitting the sale of classic cars and defining adjacent lots for purposes of license fees, previously deferred and placed on the unfinished business calendar.

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

On the question "Shall the bill pass?" (S.F. 363)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester

Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, none.

Absent or not voting, 2:

Dickinson Fogarty

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

HOUSE FILE 593 WITHDRAWN

Halvorson of Clayton asked and received unanimous consent to withdraw House File 593 from further consideration by the House.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 363** be immediately messaged to the Senate.

The House resumed consideration of **Senate File 117**, a bill for an act relating to children who are exposed to illegal drugs by including such children under the definitions of a child in need of assistance and child abuse under certain circumstances and by amending the title and scope and responsibilities of the council on chemically exposed infants to include children, previously deferred and placed on the unfinished business calendar.

Blodgett of Cerro Gordo offered the following amendment H-3790 filed by the committee on human resources and moved its adoption: ;

H-3790

- 1 Amend Senate File 117, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 3 through 6, and
- 4 inserting the following:
- 5 "NEW PARAGRAPH. o. In whose body there is an

- 6 illegal drug present as a direct and foreseeable
 7 consequence of the acts or omissions of the child's
 8 parent, guardian, or custodian."
 9 2. Page 1, by striking lines 9 through 12, and
 10 inserting the following:
 11 "NEW PARAGRAPH. e. An illegal drug is present in
 12 a child's body as a direct and foreseeable consequence
 13 of the acts or omissions of the child's parent,
 14 guardian, or custodian."
 15 3. Page 1, lines 15 and 16, by striking the words
 16 "under one year of age" and inserting the following:
 17 "under one year of age".
 18 4. Page 1, line 33, by inserting after the word
 19 "abuse:" the following: "A positive test result shall
 20 not be used for the criminal prosecution of a parent
 21 for acts and omissions resulting in intrauterine
 22 exposure of the child to an illegal drug."

The committee amendment H—3790 was adopted.

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

On the question "Shall the bill pass?" (S.F. 117)

The ayes were, 97:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cphoon	Connors
Corbett	Daggett	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
May	McCoy	McKinney	McNeal
Mertz	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 1:

Martin

Absent or not voting, 2:

Dickinson Fogarty

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

Appropriations Calendar

House File 625, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds, was taken up for consideration.

Gipp 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. 625)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunckhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, none.

Absent or not voting, 2:

Dickinson

Fogarty

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 625** be immediately messaged to the Senate.

Unfinished Business Calendar

The House resumed consideration of **Senate File 11**, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, and providing for tax exemptions on facilities within such zones, previously deferred and placed on the unfinished business calendar, and amendment H-4026 pending.

Shultz of Black Hawk offered the following amendment H-4051, to amendment H-4026, filed from the floor by him and moved its adoption:

H-4051

- 1 Amend the amendment, H-4026, to Senate File 11, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 20, by inserting after the word
- 5 "city." the following: "Agricultural areas
- 6 established after the effective date of this Act shall
- 7 not exist within one mile of the boundaries of any of
- 8 the following: a state park as provided in chapter
- 9 461A; a state preserve as provided in chapter 465C; a
- 10 state-owned lake under the jurisdiction of the natural
- 11 resource commission; or state-owned land developed for
- 12 recreational activities such as hiking, camping,
- 13 picnicking, water sports, team sports, or winter
- 14 sports, if the land is under the jurisdiction of the
- 15 natural resource commission. However, such a
- 16 recreational activity does not include fishing,
- 17 hunting, or the trapping of animals."

A non-record roll call was requested.

The ayes were 39, nays 50.

Amendment H-4051 lost.

Eddie of Buena Vista moved the adoption of amendment H-4026.

Amendment H—4026 was adopted, placing the following amendments out of order:

H—3673, filed by the committee on agriculture on April 2, 1993.

H—3799, to the committee amendment H—3673, filed by May of Worth on April 7, 1993.

H—3780, to the committee amendment H—3673, filed by Neuhauser of Johnson on April 7, 1993.

H—3781, to the committee amendment H—3673, filed by Neuhauser of Johnson on April 7, 1993.

H—3801, to the committee amendment H—3673, filed by Haverland of Polk on April 7, 1993.

H—3813, to the committee amendment H—3673, filed by Fogarty of Palo Alto and Mertz of Kossuth on April 8, 1993.

H—3814, to the committee amendment H—3673, filed by Neuhauser of Johnson on April 8, 1993.

H—3829, to the committee amendment H—3673, filed by Bernau of Story on April 8, 1993.

H—3855, to the committee amendment H—3673, filed by May of Worth on April 12, 1993.

H—3856, to the committee amendment H—3673, filed by May of Worth on April 12, 1993.

H—3867, to the committee amendment H—3673, filed by Shoultz, et al., on April 12, 1993.

H—3894, to the committee amendment H—3673, filed by Shoultz, et al., on April 13, 1993.

H—3966, to the committee amendment H—3673, filed by Osterberg of Linn on April 14, 1993.

H—3967, to the committee amendment H—3673, filed by Osterberg of Linn and Dvorsky of Johnson on April 14, 1993.

H—3968, to the committee amendment H—3673, filed by Osterberg of Linn on April 14, 1993.

H—3976, to the committee amendment H—3673, filed by Osterberg of Linn on April 14, 1993.

H—3802 filed by Bernau of Story on April 7, 1993.

H—3803 filed by Bernau of Story on April 7, 1993.

H—3902 filed by McNeal of Hardin on April 13, 1993.

H—3995 filed by Iverson of Wright on April 15, 1993.

Eddie 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. 11)

The ayes were, 88:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dinkla	Drake
Dvorsky	Eddie	Ertl	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Haverland	Henderson	Hester	Holveck
Houser	Hurley	Iverson	Kistler
Klemme	Koenigs	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Schrader	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, 10:

Doderer	Fallon	Grundberg	Hammond
Harper	Jochum	Kreiman	Murphy
Running	Shoultz		

Absent or not voting, 2:

Dickinson Fogarty

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 11** be immediately messaged to the Senate.

HOUSE FILE 651 WITHDRAWN

McNeal of Hardin asked and received unanimous consent to withdraw House File 651 from further consideration by the House.

Ways and Means Calendar

House File 656, a bill for an act relating to exempting methane gas conversion property from taxation, was taken up for consideration.

Greig of Emmet asked and received unanimous consent to withdraw amendment H—3787 filed by Greig, et al., on April 7, 1993.

Greig of Emmet offered the following amendment H—3812 filed by Greig, et al., and moved its adoption:

H—3812

1 Amend House File 656 as follows:

2 1. Page 1, line 12, by striking the word
3 "electricity" and inserting the following: "energy".

4 2. Page 1, line 13, by striking the word
5 "electricity" and inserting the following: "energy".

6 3. Page 1, by inserting after line 16, the
7 following:

8 "Application for this exemption shall be filed with
9 the assessing authority not later than February 1 of
10 each year for which the exemption is requested on
11 forms provided by the department of revenue and
12 finance. The application shall describe and locate
13 the specific methane gas conversion property to be
14 exempted. If the property consuming methane gas also
15 consumes another fuel, the first year application
16 shall contain a statement to that effect and shall
17 identify the other fuel and estimate the ratio that
18 the methane gas consumed bears to the total fuel
19 consumed. Subsequent year applications shall identify
20 the actual ratio for the previous year which ratio
21 shall be used to calculate the exemption for that
22 assessment year."

Amendment H—3812 was adopted.

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

On the question "Shall the bill pass?" (H.F. 656)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cphoon	Connors
Corbett	Daggett	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg.	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester

Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, none.

Absent or not voting, 2:

Dickinson Fogarty

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 656** be immediately messaged to the Senate.

MOTIONS TO RECONSIDER WITHDRAWN

Halvorson of Webster and Haverland of Polk asked and received unanimous consent to withdraw their motions to reconsider **Senate File 349**, a bill for an act relating to child support and providing effective and retroactive applicability dates, filed on April 15, 1993.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 349** be immediately messaged to the Senate.

REREFER TO COMMITTEE

Siegrist of Pottawattamie asked and received unanimous consent that the following bills presently on the **regular calendar** be rereferred to the following committees:

Senate File 49 to committee on local government.

Senate File 218 to committee on local government.

Senate File 318 to committee on energy and environmental protection.

INTRODUCTION OF BILLS

House File 663, by committee on ways and means, a bill for an act relating to an increase in property tax dollars certified for purposes of the property tax limitation for the fiscal year beginning July 1, 1994.

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

House File 664, by committee on ways and means, a bill for an act relating to providing for special valuation for property tax and sales, service, and use tax exemptions for wind energy conversion property.

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

MOTIONS TO RECONSIDER (Senate File 117)

I move to reconsider the vote by which Senate File 117 passed the House on April 19, 1993.

BLODGETT of Cerro Gordo

(Senate File 117)

I move to reconsider the vote by which Senate File 117 passed the House on April 19, 1993.

HAMMOND of Story

SPONSOR WITHDRAWN (Amendment H—4008 to Senate File 303)

Moreland of Wapello requested to be withdrawn as a sponsor of amendment H—4008 to Senate File 303.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 19th day of April, 1993: House Files 104, 217, 236, 366, 415 and 578.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

CERTIFICATES OF RECOGNITION

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

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1993-174 Jeremiah Schroth, Hiawatha — For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1993-175 Don Arrowsmith, Principal and Athletic/Activity Director, Orient — For his retirement from Orient-Macksburg Community Schools and 25 years of service and dedication to teachers and students.
- 1993-176 Pleasant Valley Community Schools, Pleasant Valley — For winning a FINE award for "PreCEPTS" Pre-Composing, Composing, Editing and Publishing for Teachers and Students.
- 1993-177 North Scott High School, Eldridge — For winning a FINE Award for their "Attendance Policy".
- 1993-178 Alan Shepard Elementary School, Long Grove — For winning a FINE Award for "Heritage Comes Alive".
- 1993-179 Riverdale Elementary School, Bettendorf — For winning a FINE Award for their "Foundation's Recognition Projects".
- 1993-180 Tracy Wilson, Grandview — For being named to the Kodak Division III All-American Women's Basketball Team.
- 1993-181 Lucas Elementary School, Des Moines — For being the only school to win two FINE awards for both the school and for their "Early Childhood Program".
- 1993-182 Erik Mackdanz, Creston — For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1993-183 Mr. Jerry Bierman, the FFA Program Director Clermont-Elgin-Wadena Valley High School — For an outstanding record of bringing home awards and honors for his FFA students from statewide competition.
- 1993-184 Beth Miller and Pat Schaefer, Clermont-Elgin-Wadena Valley High School — For having the best Reporters Scrapbook at the 1993 FFA Convention in Des Moines.
- 1993-185 Andrea Steffens, Valley High School, Clermont-Elgin-Wadena — For being selected as the winner of the State Treasurer's Book Contest at the 1993 FFA Convention in Des Moines.
- 1993-186 Center for Aging Services Inc., Davenport — For having received the National Senior Achievement Award.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 304 Ways and Means

Relating to the reimbursement amount paid for redemption of empty beverage containers.

H.S.B. 305 Ways and Means

Relating to priority of certain liens.

H.S.B. 306 Ways and Means

Providing for the qualification of persons eligible to receive incentives for the production of ethanol.

H.S.B. 307 Ways and Means

Relating to bond issuance elections and authorizing a political subdivision to impose an income surtax to partially fund certain bonds.

AMENDMENTS FILED

H-4038	S.F.	268	Plasier of Sioux
H-4039	S.F.	372	Rafferty of Scott
H-4040	H.F.	457	Grubbs of Scott Ollie of Clinton
H-4041	S.F.	75	Brammer of Linn
H-4042	S.F.	268	Neuhauser of Johnson
H-4044	S.F.	268	Plasier of Sioux
H-4045	S.F.	268	Hammond of Story Fallon of Polk Doderer of Johnson
H-4046	S.F.	268	Peterson of Carroll Schrader of Marion Mertz of Kossuth
H-4047	S.F.	268	Neuhauser of Johnson
H-4048	S.F.	268	Shoultz of Black Hawk
H-4049	S.F.	268	Connors of Polk
H-4050	S.F.	268	Haverland of Polk Hammond of Story
H-4052	S.F.	268	Peterson of Carroll Schrader of Marion Mertz of Kossuth
H-4053	S.F.	350	Halvorson of Webster
H-4054	S.F.	370	Grubbs of Scott

H-4055	S.F.	364	Grundberg of Polk
H-4056	S.F.	94	Meyer of Sac
H-4057	H.F.	144	Carpenter of Polk Neuhauser of Johnson

On motion by Siegrist of Pottawattamie, the House adjourned at 6:08 p.m., until 8:45 a.m., Tuesday, April 20, 1993.

JOURNAL OF THE HOUSE

One Hundredth Calendar Day — Sixty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 20, 1993

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

Prayer was offered by Reverend Mike Eubanks, pastor of the First Baptist Church, Manchester.

The Journal of Monday, April 19, 1993 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Fogarty of Palo Alto, on request of Arnould of Scott.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 19, 1993, adopted the following resolution in which the concurrence of the Senate was asked:

House Joint Resolution 20, a joint resolution designating the "Largo" from Antonin Dvorak's "New World Symphony" as the official anthem for the State of Iowa for one year.

Also: That the Senate has on April 19, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 200, a bill for an act establishing a volunteer physician program within the Iowa department of public health and providing for certain immunity from liability.

Also: That the Senate has on April 19, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 214, a bill for an act establishing a loess hills development and conservation authority, specify its membership, powers, and duties, and providing for other properly related matters.

Also: That the Senate has on April 19, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 275, a bill for an act to permit a person who has been issued a coaching authorization to be employed by a school district as head coach and providing an effective date.

Also: That the Senate has on April 19, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 302, a bill for an act providing for registration of acupuncturists, imposing a fee, and making penalties applicable.

Also: That the Senate has on April 19, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 354, a bill for an act relating to the state department of transportation by requiring federal and state cooperation regarding federal funding of transportation, by eliminating liens on public property and providing for retroactive application, by changing inspection requirements of railroads, by providing for the length of buses, by changing the transportation habitual offender statute and providing for additional penalties, by providing for safety standards for privately owned, public use airports, and by providing for the preapplication process for federal funding for airports.

Also: That the Senate has on April 19, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 452, a bill for an act extending the waiver provision for the education standards requiring an articulated sequential elementary-secondary guidance program and a media services program to support the total curriculum.

Also: That the Senate has on April 19, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 484, a bill for an act relating to the authority of the department of inspections and appeals by providing for the collection of debts owed to the department of human services, by providing for the licensure of certain facilities as psychiatric medical institutions for children, by authorizing access to criminal histories to certain tribal gaming officials, and by providing an effective date.

Also: That the Senate has on April 19, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 538, a bill for an act repealing provisions relating to and abolishing the county boards of social welfare and providing an effective date.

Also: That the Senate has on April 19, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 541, a bill for an act relating to vital records by directing the Iowa department of public health to implement a vital records modernization project and providing an appropriation.

Also: That the Senate has on April 19, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 561, a bill for an act relating to the practices of nursing and dentistry, including the establishment of penalties.

Also: That the Senate has on April 19, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 562, a bill for an act relating to requirements for licensure of massage therapists.

Also: That the Senate has on April 19, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 645, a bill for an act relating to exemptions from liability for environmental contamination and providing for a state lien on the property and providing an effective date.

Also: That the Senate has on April 19, 1993, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 29, a concurrent resolution relating to the common control of the Union Pacific Railroad Company, the Missouri Pacific Railroad Company, the Chicago and Northwestern Holdings Corporation, and the Chicago and Northwestern Transportation Company.

Also: That the Senate has on April 19, 1993, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 30, a concurrent resolution commemorating the role of public health nurses in Iowa during the celebration of 100 years of public health nursing.

JOHN F. DWYER, Secretary

CONSIDERATION OF BILLS Unfinished Business Calendar

The House resumed consideration of **Senate File 206**, a bill for an act relating to educational finances, activities, and procedures and providing an effective date, previously deferred and placed on the unfinished business calendar.

Grubbs of Scott asked and received unanimous consent to take up out of order amendment H—3583 as follows:

H—3583

- 1 Amend Senate File 206, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by striking lines 4 through 8 and
- 4 inserting the following:
- 5 "Sec. _____. Section 257.6, subsection 1, paragraph
- 6 f, Code 1993, is amended to read as follows:
- 7 f. Resident pupils receiving competent private
- 8 instruction under dual enrollment pursuant to chapter
- 9 299A shall be counted as one-tenth of one pupil or in
- 10 the proportion that the number of classes in which
- 11 they are enrolled or receive instruction bears to the
- 12 total number of classes that full-time pupils,
- 13 carrying a normal course schedule, are enrolled or
- 14 receive instruction, whichever is the greater.
- 15 Sec. _____. Section 279.19B, unnumbered paragraph 1,
- 16 Code 1993, is amended by striking the unnumbered
- 17 paragraph.

18 Sec. _____. Section 279.19B, unnumbered paragraph 2,
19 Code 1993, is amended to read as follows:

20 The board of directors of a school district may
21 employ for head coach of other any interscholastic
22 athletic activities or for assistant coach of any
23 interscholastic athletic activity, an individual who
24 possesses a coaching authorization issued by the board
25 of educational examiners or possesses a teaching
26 license with a coaching endorsement issued pursuant to
27 chapter 272. An individual who has been issued a
28 coaching authorization or who possesses a teaching
29 license with a coaching endorsement but is not issued
30 a teaching contract under section 279.13 and who is
31 employed by the board of directors of a school
32 district serves at the pleasure of the board of
33 directors and is not subject to sections 279.13
34 through 279.19, and 279.27. Subsection 1 of section
35 279.19A applies to coaching authorizations."

36 2. By striking page 3, line 34 through page 4,
37 line 32.

38 3. Page 5, line 12, by inserting after the word
39 "pupil," the following: "and the names of the
40 teachers".

41 4. Page 5, by striking lines 31 and 32.

42 5. Title page, by striking line 2 and inserting
43 the following: "procedures."

Grubbs of Scott asked and received unanimous consent to defer
action on amendment H—3583.

Nelson of Pottawattamie offered the following amendment
H—3996 filed by her and Daggett of Union and moved its adoption:

H—3996

1 Amend Senate File 206, as amended, passed, and re-
2 printed by the Senate, as follows:

3 1. Page 3, by inserting after line 3 the follow-
4 ing:

5 "Sec. 201A. Section 257.31, subsection 14,
6 unnumbered paragraph 2, Code 1993, is amended by
7 striking the unnumbered paragraph."

8 2. Page 5, by inserting after line 30 the follow-
9 ing:

10 "Sec. _____. Section 201A of this Act, being deemed
11 of immediate importance, takes effect upon enactment
12 and applies retroactively to July 1, 1992, for
13 purposes of determining the balance of funds of a
14 school district for the school budget year ending June
15 30, 1992."

16 3. Title page, by striking line 2 and inserting
17 the following: "procedures and providing effective
18 and applicability date provisions."

Amendment H—3996 was adopted.

Grubbs of Scott called up for consideration amendment H—3583, previously deferred.

The following amendment H—4058, to amendment H—3583, filed by Grubbs of Scott from the floor, was adopted by unanimous consent:

H—4058

- 1 Amend amendment H—3583, to Senate File 206, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 15 through 43.

On motion by Grubbs of Scott amendment H—3583, as amended, was adopted.

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

On the question "Shall the bill pass?" (S.F. 206)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, none.

Absent or not voting, 2:

Fogarty Neuhauser

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 206** be immediately messaged to the Senate.

Ways and Means Calendar

Senate File 191, a bill for an act relating to the levy of taxes for school libraries in certain school districts, was taken up for consideration.

Iverson of Wright offered the following amendment H—3327 filed by the committee on ways and means and moved its adoption:

H—3327

- 1 Amend Senate File 191, as follows:
- 2 1. Page 1, by striking lines 27 through 34, and
- 3 inserting the following: "contract and the tax levy
- 4 may be discontinued by a petition signed by eligible
- 5 electors residing in the former district. The
- 6 petition requesting the discontinuance must be signed
- 7 by not less than one hundred eligible electors or
- 8 thirty percent of the number voting at the last
- 9 preceding school election in the former district,
- 10 whichever is greater. The petition must be filed with
- 11 the secretary of the board of directors of the school
- 12 district at least seventy-five days before the next
- 13 regular school election. The proposal to discontinue
- 14 the levy shall be deemed adopted if the vote in favor
- 15 of the discontinuance is equal to at least a majority
- 16 of the total vote cast on the proposal by the electors
- 17 of the former school district."

The committee amendment H—3327 was adopted.

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

On the question "Shall the bill pass?" (S.F. 191)

The ayes were, 97:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett

Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cphoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 1:

Grundberg

Absent or not voting, 2:

Fogarty Neuhauser

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 191** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Neuhauser of Johnson on request of Hammond of Story.

Unfinished Business Calendar

The House resumed consideration of **Senate File 343**, a bill for an act relating to standards for land surveying by designating an Iowa plane coordinate system, previously deferred and placed on the unfinished business calendar.

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

On the question "Shall the bill pass?" (S.F. 343)

The ayes were, 92:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Brand	Branstad	Brauns	Brunkhorst
Burke	Carpenter	Cataldo	Churchill
Cohoon	Connors	Corbett	Daggett
Dickinson	Dinkla	Doderer	Drake
Dvorsky	Eddie	Ertl	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker Van Maanen

The nays were, 5:

Boddicker	Brammer	Fallon	Garman
Grundberg			

Absent or not voting, 3:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 343** be immediately messaged to the Senate.

The House resumed consideration of **Senate File 335**, a bill for an act relating to the Wallace technology transfer foundation and providing an effective date, previously deferred and placed on the unfinished business calendar.

Halvorson of Clayton offered the following amendment H—3784 filed by the committee on small business, economic development and trade and moved its adoption:

H—3784

- 1 Amend Senate File 335, as amended; passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 29, by striking the word "ten"
- 4 and inserting the following: "nine".
- 5 2. Page 1, line 32, by inserting after the figure
- 6 "2.32" the following: "for the terms determined by
- 7 the board at its first meeting which shall not exceed
- 8 three years".
- 9 3. Page 2, line 7, by striking the word "ten" and
- 10 inserting the following: "nine".
- 11 4. Page 2, by striking lines 20 through 23 and
- 12 inserting the following: "universities."
- 13 5. Page 3, line 8, by striking the word and
- 14 figures "December 31, 1993" and inserting the
- 15 following: "June 30, 1994".
- 16 6. Page 3, by striking lines 22 through 26.
- 17 7. By renumbering and relettering as necessary.

The committee amendment H—3784 was adopted.

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

On the question "Shall the bill pass?" (S.F. 335)

The ayes were, 96:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Garman	Gill
Gipp	Greiner	Gries	Grubbs
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hansen, S. D.	Hanson, D. E.	Hanson, D. R.	Harper
Haverland	Henderson	Hester	Holveck
Houser	Hurley	Iverson	Jochum
Kistler	Klemme	Koenigs	Kreiman
Larkin	Larson	Lundby	Martin
May	McCoy	McKinney	McNeal
Mertz	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Murphy
Nelson	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants

Renaud	Renken	Royer	Running
Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, 2:

Greig Grundberg

Absent or not voting, 2:

Fogarty Neuhauser

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 335** be immediately messaged to the Senate.

The House resumed consideration of **Senate File 225**, a bill for an act related to technical and other changes within the Code to transfer the library division, regional library system, library compact, state data center, and public broadcasting division from the department of cultural affairs to the department of education and to transfer the Terrace Hill commission from the department of cultural affairs to the department of general services, and providing for related matters, previously deferred and placed on the unfinished business calendar.

Halvorson of Webster offered amendment H—3825 filed by him and requested division as follows:

H—3825

- 1 Amend Senate File 225, as amended, passed, and
- 2 reprinted by the Senate, as follows:

H—3825A

- 3 1. Page 2, by striking lines 3 through 18.
- 4 2. Page 26, by striking lines 19 and 20 and
- 5 inserting the following: "society and its board of
- 6 trustees, and the Iowa arts council, and the Terrace
- 7 Hill commission, and the Iowa public broadcasting".
- 8 3. Page 29, line 25, by striking the figure
- 9 "303.17,".

H—3825B

- 10 4. Page 29, by striking lines 30 through 35.

H-3825A

- 11 5. Title page, by striking lines 5 through 7 and
 12 inserting the following: "department of education and
 13 providing for related".

On motion by Halvorson of Webster, amendment H-3825A lost.

On motion by Halvorson of Webster, amendment H-3825B lost.

SPECIAL PRESENTATION

McKinney of Dallas presented the House the Honorable Bob Feller, member of the Baseball Hall of Fame. Mr. Feller, of Van Meter, was a member of the Cleveland Indians Baseball Team for twenty years and broke several American League records during his very successful baseball career.

The House rose and expressed its welcome.

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. 225)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader

Shoultz
Vande Hoef
Wise

Siegrist
Weidman
Witt

Spenner
Weigel
Mr. Speaker
Van Maanen

Tyrrell
Welter

The nays were, none.

Absent or not voting, 1:

Fogarty

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 225** be immediately messaged to the Senate.

The House resumed consideration of **Senate File 174**, a bill for an act concerning compliance with the federal Americans with Disabilities Act and making penalties applicable, previously deferred and placed on the unfinished business calendar.

Churchill of Polk offered the following amendment H—3805 filed by the committee on state government and moved its adoption:

H—3805

- 1 Amend Senate File 174, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. Section 103A.7, subsection 5, Code
- 6 1993, is amended to read as follows:
- 7 5. The accessibility and use by physically
- 8 handicapped persons with disabilities and elderly
- 9 persons, of buildings, structures and facilities which
- 10 are constructed and intended for use by the general
- 11 public. The rules shall be consistent with federal
- 12 standards for building accessibility.
- 13 Sec. 2. Section 104A.1, Code 1993, is amended to
- 14 read as follows:
- 15 104A.1 INTENT OF CHAPTER.
- 16 It is the intent of this chapter that standards and
- 17 specifications are followed in the construction of
- 18 public and private buildings and facilities which are
- 19 intended for use by the general public to ensure that
- 20 these buildings and facilities are accessible to and
- 21 functional for the physically handicapped persons with
- 22 disabilities.
- 23 Sec. 3. Section 104A.2, Code 1993, is amended to
- 24 read as follows:

25 104A.2 APPLICABILITY.

26 The standards and specifications adopted by the
 27 state building code commissioner and as set forth in
 28 this chapter shall apply to all public and private
 29 buildings and facilities, temporary and permanent,
 30 used by the general public. The specific occupancies
 31 and minimum extent of accessibility shall be in
 32 accordance with the conforming standards set forth in
 33 section 104A.6. Notwithstanding the standards set
 34 forth in section 104A.6, in every covered multiple-
 35 dwelling-unit building containing twelve four or more
 36 individual dwelling units the requirements of this
 37 chapter which apply to apartments shall be met by at
 38 least one dwelling unit or by at least ten percent of
 39 the dwelling units, whichever is the greater number,
 40 on each of the floor levels in the building which are
 41 accessible to the physically handicapped. Any
 42 fraction five-tenths or below shall be rounded to the
 43 next lower whole unit and those adopted by the state
 44 building code commissioner shall be met.

45 Sec. 4. Section 104A.6, Code 1993, is amended to
 46 read as follows:

47 104A.6 CONFORMING STANDARDS.

48 In addition to complying with the standards and
 49 specifications set forth in sections 104A.3 and
 50 104A.4, the The authority responsible for the

Page 2

1 construction of any building or facility covered by
 2 section 104A.2 shall conform with rules promulgated
 3 adopted by the state building code commissioner as
 4 provided in section 103A.7.

5 Sec. 5. NEW SECTION. 104A.6A ENFORCEMENT. This
 6 chapter is subject to enforcement as provided in
 7 chapter 103A.

8 Sec. 6. Section 216C.1, Code 1993, is amended by
 9 adding the following new unnumbered paragraph:

10 NEW UNNUMBERED PARAGRAPH. To encourage
 11 participation by the disabled, it is the policy of
 12 this state to ensure compliance with federal
 13 requirements concerning persons with disabilities.

14 Sec. 7. Section 216C.9, Code 1993, is amended by
 15 adding the following new subsection:

16 NEW SUBSECTION. 3. Curbs constructed that are
 17 subject to the requirements of this section shall
 18 comply with federal requirements concerning persons
 19 with disabilities.

20 Sec. 8. Sections 104A.3, 104A.4, and 104A.7, Code
 21 1993, are repealed."

22 2. Title page, by striking lines 1 through 2 and
 23 inserting the following: "An Act concerning

- 24 accessibility standards for persons with disabilities
 25 and making penalties applicable."

The committee amendment H—3805 was adopted.

Churchill 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. 174)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Burke	Carpenter	Cataldo
Churchill	Cohon	Connors	Corbett
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 1:

Brunkhorst

Absent or not voting, 1:

McCoy

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 174** be immediately messaged to the Senate.

The House resumed consideration of **House File 457**, a bill for an act relating to school administration, accreditation, finance, transportation, and official newspaper publication, and providing effective and applicability dates, previously deferred and placed on the unfinished business calendar.

Grubbs of Scott offered the following amendment H—4040 filed by him and Ollie of Clinton:

H—4040

1 Amend House File 457 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 256.11, subsection 10,

5 unnumbered paragraph 2, Code 1993, is amended by
6 striking the paragraph and inserting in lieu thereof
7 the following:

8 Phase I shall consist of annual monitoring by the
9 department of education of all accredited schools and
10 school districts for compliance with accreditation
11 standards adopted by the state board of education as
12 provided in this section. The phase I monitoring
13 requires that accredited schools and school districts
14 annually complete accreditation compliance forms
15 adopted by the state board and file them with the
16 department of education. Phase I monitoring requires
17 a comprehensive desk audit of all accredited schools
18 and school districts including review of accreditation
19 compliance forms, accreditation visit reports, methods
20 of administration reports, and reports submitted in
21 compliance with sections 280.12 and 280.18.

22 The department shall conduct site visits to schools
23 and school districts to address accreditation issues
24 identified in the desk audit. Such a visit may be
25 conducted by an individual departmental consultant or
26 may be a comprehensive site visit by a team of
27 departmental consultants and other educational
28 professionals. The purpose of a comprehensive site
29 visit is to determine that a district is in compliance
30 with minimum standards and to provide a general
31 assessment of educational practices in a school or
32 school district and make recommendations with regard
33 to the visit findings for the purposes of improving
34 educational practices above the level of minimum

35 compliance. The department shall establish a long-
36 term schedule of site visits that includes visits of
37 all accredited schools and school districts at least
38 once every five years.

39 Sec. 2. Section 256.11, subsection 12, Code 1993,
40 is amended to read as follows:

41 12. During the period of time specified in the
42 plan for its implementation by a school district or
43 nonpublic school, the school or school district or
44 school remains accredited. The accreditation
45 committee shall revisit the school district or
46 nonpublic school and shall determine whether the
47 deficiencies in the standards have been corrected and
48 shall make a report and recommendation to the director
49 and the state board. The committee recommendation
50 shall specify whether the school district or school

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1 shall remain accredited or under what conditions the
2 district may remain accredited. The conditions may
3 include, but are not limited to, providing temporary
4 oversight authority, operational authority, or both
5 oversight and operational authority to the director
6 and the state board for some or all aspects of the
7 school district operation, in order to bring the
8 school district into compliance with minimum
9 standards. The state board shall review the report
10 and recommendation, may request additional
11 information, and shall determine whether the
12 deficiencies have been corrected. If the deficiencies
13 have not been corrected, and the conditional
14 accreditation alternatives contained in the report are
15 not mutually acceptable to the local board and the
16 state board, the state board shall merge the territory
17 of the school district with one or more contiguous
18 school districts at the end of the school year.
19 Division of assets and liabilities of the school
20 district shall be as provided in sections 275.29
21 through 275.31. Until the merger is completed, and
22 subject to a decision by the state board of education,
23 the school district shall pay tuition for its resident
24 students to an accredited school district under
25 section 282.24. However, in lieu of merger and
26 payment of tuition by a nonaccredited school district,
27 the state board may place a district under
28 receivership for the remainder of the school year.
29 The receivership shall be under the direct supervision
30 and authority of the director. The decision of
31 whether to merge the school district and require
32 payment of tuition for the district's students or to
33 place the district under receivership shall be based

34 upon a determination by the state board of the best
 35 interests of the students, parents, residents of the
 36 community, teachers, administrators, and board members
 37 of the district and the recommendations of the
 38 accreditation committee and the director. If the
 39 state board declares a nonpublic school to be
 40 nonaccredited, the removal of accreditation shall take
 41 effect on the date established by the resolution of
 42 the state board, which shall be no later than the end
 43 of the school year in which the nonpublic school is
 44 declared to be nonaccredited.

45 Sec. 3. Section 280.4, Code 1993, is amended by
 46 striking the section and inserting in lieu thereof the
 47 following:

48 280.4 LIMITED ENGLISH PROFICIENCY – WEIGHTING.

49 1. The medium of instruction in all secular
 50 subjects taught in both public and nonpublic schools

Page 3

1 shall be the English language, except when the use of
 2 a foreign language is deemed appropriate in the
 3 teaching of any subject or when the student is limited
 4 English proficient. When the student is limited
 5 English proficient, both public and nonpublic schools
 6 shall provide special instruction, which shall include
 7 but need not be limited to either instruction in
 8 English as a second language or transitional bilingual
 9 instruction until the student is fully English
 10 proficient or demonstrates a functional ability to
 11 speak, read, write, and understand the English
 12 language. As used in this section, "limited English
 13 proficient" means a student's language background is
 14 in a language other than English, and the student's
 15 proficiency in English is such that the probability of
 16 the student's academic success in an English-only
 17 classroom is below that of an academically successful
 18 peer with an English language background. "Fully
 19 English proficient" means a student who is able to
 20 read, understand, write, and speak the English
 21 language and to use English to ask questions, to
 22 understand teachers and reading materials, to test
 23 ideas, and to challenge what is being asked in the
 24 classroom.

25 2. The department of education shall adopt rules
 26 relating to the identification of limited English
 27 proficient students who require special instruction
 28 under this section and to application procedures for
 29 funds available under this section.

30 3. In order to provide funds for the excess costs
 31 of instruction of limited English proficient students
 32 above the costs of instruction of pupils in a regular

33 curriculum, students identified as limited English
34 proficient shall be assigned an additional weighting
35 that shall be included in the weighted enrollment of
36 the school district of residence for a period not
37 exceeding three years. However, the school budget
38 review committee may grant supplemental aid or
39 modified allowable growth to a school district to
40 continue funding a program for students after the
41 expiration of the three-year period. The school
42 budget review committee shall calculate the additional
43 amount for the weighting to the nearest one-hundredth
44 of one percent so that to the extent possible the
45 moneys generated by the weighting will be equivalent
46 to the moneys generated by the two-tenths weighting
47 provided prior to July 2, 1991.

48 Sec. 4. Section 285.1, subsection 1, Code 1993, is
49 amended by adding the following new paragraph:

50 NEW PARAGRAPH. c. Children attending

Page 4

1 prekindergarten programs offered or sponsored by the
2 district may be provided transportation services.

3 Sec. 5. Section 285.10, subsection 7, paragraph b,
4 Code 1993, is amended to read as follows:

5 b. May purchase buses and enter into contract to
6 pay for such buses over a five-year period as follows:
7 One-fourth of the cost when the bus is delivered and
8 the balance in equal annual installments, plus simple
9 interest due. The interest rate shall be the lowest
10 rate available and shall not exceed the rate in effect
11 under section 74A.2. The bus shall serve as security
12 for balance due. Bus bodies and chassis shall be
13 purchased on separate contracts. Competitive bids on
14 comparable equipment shall be requested on all school
15 bus body and chassis purchases and shall be based upon
16 minimum construction standards established by the
17 department of education. Separate body and chassis
18 bids shall be requested unless the bus is constructed
19 as an integral unit, inseparable as to body and
20 chassis, by the manufacturer or is a used or
21 demonstrator bus.

22 Sec. 6. Section 291.2, Code 1993, is amended by
23 striking the section and inserting in lieu thereof the
24 following:

25 291.2 BONDS OF SECRETARY AND TREASURER.

26 The secretary and treasurer, within ten days after
27 appointment and before entering upon the duties of the
28 office, shall execute to the school corporation a
29 surety bond in an amount sufficient to cover current
30 operations as determined by the board. All such bonds
31 shall be continued to the faithful discharge of the

32 duties of the office. The amount and sufficiency of
33 all surety bonds shall be determined and approved by
34 the board and shall be filed with the president. The
35 cost of the surety bond shall be paid by the school
36 corporation. If a single person serves as secretary
37 and treasurer, pursuant to section 279.3 or 260C.12,
38 only one bond is necessary for that person. The
39 secretary and treasurer may give bond under a single
40 bond covering other employees of the district.

41 Sec. 7. Section 291.7, Code 1993, is amended to
42 read as follows:

43 291.7 MONTHLY RECEIPTS, DISBURSEMENTS, AND
44 BALANCES.

45 The secretary of each district shall file monthly,
46 on or before the tenth day of each month, with the
47 board of directors, a complete statement of all
48 receipts and disbursements from the various funds
49 during the preceding month, and also the balance
50 remaining on hand in the various funds at the close of

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1 the period covered by said the statement, which
2 monthly statements shall be open to public inspection.

3 Sec. 8. Section 321.375, subsection 2, paragraph
4 d, Code 1993, is amended to read as follows:

5 d. The commission of or conviction for a public
6 offense as defined by the Iowa criminal code, if the
7 offense is relevant to and affects driving ability, or
8 if the offense includes sexual involvement with a
9 minor student with the intent to commit acts and
10 practices proscribed under sections 709.2 through
11 709.4, section 709.8, and sections 725.1 through
12 725.3, or is a violation of the rules of the
13 department of education adopted to implement section
14 280.17.

15 Sec. 9. Section 321.376, subsection 1, Code 1993,
16 is amended to read as follows:

17 1. The driver of a school bus shall hold a school
18 bus driver's permit issued annually by the department
19 of education and a driver's license issued by the
20 department of transportation valid for the operation
21 of the school bus. The driver of a school bus shall
22 hold a driver's license issued by the department of
23 transportation valid for the operation of the school
24 bus and shall hold a school bus driver's permit issued
25 by the department of education when transporting
26 student or adult passengers to or from school
27 activities. The department of education shall charge
28 a fee for the issuance of a school bus driver's permit
29 in the amount of five dollars, which shall be
30 deposited in the general fund of the state. A person

31 holding a temporary restricted license issued under
32 chapter 321J shall be prohibited from operating a
33 school bus. The department of education shall revoke
34 or refuse to issue a permit to any person who, after
35 notice and opportunity for hearing, is determined to
36 have committed any of the acts proscribed under
37 section 321.375, subsection 2. The department of
38 education shall recommend, and the state board of
39 education shall adopt under chapter 17A, rules and
40 procedures for the revocation and issuance of permits
41 to persons. Rules and procedures adopted shall
42 include, but are not limited to, provisions for the
43 revocation of, or refusal to issue, permits to persons
44 who are determined to have committed any of the acts
45 proscribed under section 321.375, subsection 2.

46 Sec. 10. REPEAL. 1992 Iowa Acts, chapter 1159,
47 section 6, is repealed.

48 Sec. 11. EFFECTIVE DATE. Section 10 of this Act,
49 being deemed of immediate importance, takes effect
50 upon enactment."

Page 6

- 1 2. Title page, by striking line 2 and inserting
- 2 the following: "transportation, and".

Grundberg of Polk offered the following amendment H—4059, to
amendment H—4040, filed by her from the floor:

H—4059

- 1 Amend the amendment, H—4040, to House File 457, as
- 2 follows:

- 3 1. Page 2, by inserting after line 44 the
- 4 following:

- 5 "Sec. _____. Section 279.35, Code 1993, is amended
- 6 to read as follows:

7 279.35 PUBLICATION OF PROCEEDINGS.

- 8 The proceedings of each regular, adjourned, or
- 9 special meeting of the board, including the schedule
- 10 of bills allowed, shall be published after the
- 11 adjournment of the meeting in the manner provided in
- 12 this section and section 279.36, and the publication
- 13 of the schedule of the bills allowed shall include a
- 14 list of claims allowed, including salary claims for
- 15 services performed. The schedule of bills allowed may
- 16 be published on a once monthly quarterly basis in lieu
- 17 of publication with the proceedings of each meeting of
- 18 the board. The list of claims allowed shall include
- 19 the name of the person or firm making the claim, the
- 20 purpose of the claim, and the amount of the claim.
- 21 However, salaries paid to individuals regularly
- 22 employed by the district shall only be published

23 annually and the publication shall include the total
 24 amount of the annual salary of each employee. Those
 25 school districts whose proceedings are televised are
 26 not required to publish the proceedings of board
 27 meetings as otherwise required in this section. The
 28 secretary shall furnish a copy of the proceedings to
 29 be published within two weeks following the
 30 adjournment of the meeting.”

31 2. By renumbering as necessary.

Spenner of Henry rose on a point of order that amendment H—4059 was not germane, to amendment H—4040.

The Speaker ruled the point well taken and amendment H—4059 not germane, to amendment H—4040.

Daggett of Union offered the following amendment H—4066, to amendment H—4040, filed by him from the floor:

H—4066

1 Amend the amendment, H—4040, to House File 457 as
 2 follows:

3 1. Page 2, by inserting after line 44 the
 4 following:

5 “Sec. _____. Section 257.11, Code 1993, is amended
 6 by adding the following new subsection:

7 NEW SUBSECTION. 8. SHARED CURRICULUM SPECIALISTS.

8 For those school districts which jointly employed a
 9 curriculum specialist prior to June 30, 1993, the
 10 additional weighting assigned pupils under this
 11 subsection for a budget year for a school district
 12 jointly employing a curriculum specialist shall not
 13 exceed one-hundredth for each curriculum specialist
 14 who is jointly employed times the percent of the
 15 curriculum specialist’s time during which the
 16 curriculum specialist is employed in the school dis-
 17 trict. The department of management shall determine
 18 the additional state aid generated under this
 19 subsection for each school district for a budget year,
 20 and notwithstanding sections 294A.16, 294A.18, and
 21 294A.25, the department of education shall deduct an
 22 amount equal to that additional state aid from phase
 23 III moneys to be paid to the school district for that
 24 budget year. If the amount of phase III moneys to be
 25 paid to the school district for that budget year is
 26 less than the additional state aid generated under
 27 this subsection, the district shall only receive
 28 additional state aid equal to the amount of phase III
 29 moneys to be paid to the school district.”

Ollie of Clinton rose on a point of order that amendment H—4066 was not germane, to amendment H—4040.

The Speaker ruled the point well taken and amendment H—4066 not germane, to amendment H—4040.

Grubbs of Scott moved the adoption of amendment H—4040.

A non-record roll call was requested.

The ayes were 73, nays 19.

Amendment H—4040 was adopted, placing the following amendments out of order:

H—3340, filed by Dickinson of Jackson on March 17, 1993.

H—3346, filed by Grundberg of Polk on March 18, 1993.

H—3390, filed by Grundberg of Polk on March 23, 1993.

H—3732, to amendment H—3390, filed by Grundberg of Polk on April 6, 1993.

H—3391, filed by Grundberg of Polk on March 23, 1993.

H—3392, filed by Grundberg of Polk on March 23, 1993.

H—3221, filed by Shultz of Black Hawk and Harper of Black Hawk on March 11, 1993.

H—3663, filed by Dvorsky of Johnson on April 2, 1993.

H—3670, filed by Daggett of Union, et al., on April 2, 1993.

H—3871, to amendment H—3670, filed by Daggett of Union on April 12, 1993.

H—3686, filed by Grubbs of Scott on April 2, 1993.

H—3714, filed by Grubbs of Scott on April 5, 1993.

H—3715, filed by Garman of Story on April 5, 1993.

Daggett 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. 457)

The ayes were, 77:

Arnould	Baker	Beaman	Beatty
Bernau	Blodgett	Brammer	Brauns
Carpenter	Cataldo	Churchill	Cohoon
Connors	Daggett	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fogarty	Garman	Gipp	Greig
Greiner	Gries	Grubbs	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley

Iverson	Jochum	Kistler	Larkin
Larson	Lundby	Martin	McCoy
McNeal	Metcalf	Meyer	Millage
Miller	Moreland	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Plasier	Rafferty	Rants	Renken
Royer	Running	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 22:

Bell	Black	Boddicker	Brand
Branstad	Brunkhorst	Burke	Dickinson
Fallon	Gill	Grundberg	Hansen, S. D.
Klemme	Koenigs	Kreiman	May
McKinney	Mertz	Mundie	Peterson
Renaud	Schrader		

Absent or not voting, 1:

Corbett

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

HOUSE FILE 599 WITHDRAWN

Grubbs of Scott asked and received unanimous consent to withdraw House File 599 from further consideration by the House.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 457** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 20, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 369, a bill for an act providing for certification for eye enucleation.

Also: That the Senate has on April 20, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 389, a bill for an act relating to administrative dissolutions, nonprofit corporations, and foreign corporations, establishing fees for certain filings, and other related matters.

Also: That the Senate has on April 20, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 451, a bill for an act relating to certain reports required to be reported by, or to, sheriffs and other law enforcement agencies.

Also: That the Senate has on April 20, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 495, a bill for an act relating to regulation of insurance, including the authority of the division to regulate certain policies and contracts and the parties to such policies and contracts, establishing fees, and providing a penalty.

Also: That the Senate has on April 20, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 565, a bill for an act relating to membership of community action agency boards and providing effective and retroactive applicability dates.

Also: That the Senate has on April 20, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 603, a bill for an act relating to sanitary districts by providing for the funding of sanitary districts by special assessment and the disposition of property after annexation.

Also: That the Senate has on April 20, 1993, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 233, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for education and cultural programs of this state and providing an effective date.

Also: That the Senate has on April 20, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 288, a bill for an act relating to an exclusion from the definition of the practice of cosmetology arts and sciences for the purpose of licensure.

Also: That the Senate has on April 20, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 347, a bill for an act relating to public retirement systems, and including effective and retroactive applicability dates.

Also: That the Senate has on April 20, 1993, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 26, a concurrent resolution supporting the expansion of the Fitzsimons Army Medical Center.

JOHN F. DWYER, Secretary

On motion by Siegrist of Pottawattamie, the House was recessed at 11:12 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Van Maanen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Holveck of Polk, until his arrival, on request of Haverland of Polk.

INTRODUCTION OF BILL

House Joint Resolution 27, by Iverson, a joint resolution proposing an amendment to the Constitution of the state of Iowa limiting the taxing powers of the state and local governments and limiting spending and revenue of the state and local governments.

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

SENATE AMENDMENT CONSIDERED

Vande Hoef of Osceola called up for consideration **Senate File 267**, a bill for an act relating to and making appropriations to the justice system, providing for other related matters concerning the justice system, and providing effective and retroactive applicability dates, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-3989 to the House amendment:

H-3989

- 1 Amend the House amendment, S-3300, to Senate File
- 2 267, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 8.
- 5 2. Page 1, by striking lines 11 through 30 and
- 6 inserting the following:
- 7 "The department of corrections shall analyze and
- 8 compare policies and guidelines concerning inmates at
- 9 the correctional facilities, and shall propose
- 10 revisions to the general assembly as necessary to
- 11 ensure that male and female inmates have comparable
- 12 opportunities for education, vocational education, and
- 13 treatment at the state correctional facilities. Where
- 14 legislative action is not necessary to ensure
- 15 comparable opportunities, the department shall take
- 16 administrative action to implement the policies or
- 17 guidelines needed to accomplish the comparable
- 18 opportunities mandated by this paragraph. The de-
- 19 partment shall report the progress on the analysis and
- 20 comparison of the policies and guidelines, and any
- 21 changes made, to the co-chairpersons and ranking

- 22 members of the joint appropriations subcommittee on
 23 the justice system and the legislative fiscal bureau
 24 on or before December 15, 1993.” ”
- 25 3. Page 1, by striking lines 36 through 43.
 26 4. Page 2, by striking lines 9 and 10 and
 27 inserting the following:
 28 “_____ Page 22, line 24, by striking the word
 29 “subsections” and inserting the following:
 30 “subsection”.
 31 5. Page 22, by striking lines 28 through 30.
 32 6. By striking page 24, line 23 through page 26,
 33 line 14.”
 34 7. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H—3989, to the House amendment.

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

On the question “Shall the bill pass?” (S.F. 267)

The ayes were, 89:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cphoon	Connors
Corbett	Daggett	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Hahn	Halvorson, R. A.	Hammond	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Larkin	Larson	Martin
May	McCoy	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 9:

Dickinson	Gill	Grundberg	Halvorson, R. N.
Kreiman	McKinney	Moreland	Schrader
Weigel			

Absent or not voting, 2:

Hansen, S. D. Lundby

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 267** be immediately messaged to the Senate.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

Senate File 268, a bill for an act creating an Iowa invests program and providing related provisions including applicability provisions, and effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-4060** April 19, 1993.

Siegrist of Pottawattamie asked and received unanimous consent for the immediate consideration of **Senate File 268**.

CONSIDERATION OF BILLS

Regular Calendar

Senate File 268, a bill for an act creating an Iowa invests program and providing related provisions including applicability provisions, and effective dates, with report of committee recommending amendment and passage was taken up for consideration.

Plasier of Sioux offered the following amendment H-4060 filed by the committee on human resources from the floor:

H-4060

1 Amend Senate File 268, as amended, passed, and re-
2 printed by the Senate, as follows:

3 1. Page 2, line 10, by inserting after the word
4 "governor" the following: "or the governor's
5 designee".

6 2. Page 4, line 17, by striking the words "family
7 development plans" and inserting the following:
8 "family investment agreements".

9 3. Page 6, lines 23 and 24, by striking the words
10 "family development agreement" and inserting the
11 following: "family investment agreement".

12 4. Page 7, line 18, by striking the word
13 "disregard" and inserting the following: "disregard
14 not more than \$20,000 of".

15 5. Page 7, line 25, by striking the words "family
16 development agreements" and inserting the following:
17 "family investment agreements".

18 6. Page 7, line 29, by striking the words "family
19 development agreement" and inserting the following:
20 "family investment agreement".

21 7. Page 7, line 34, by striking the words "family
22 development agreement" and inserting the following:
23 "family investment agreement".

24 8. Page 8, line 2, by striking the words "family
25 development agreement" and inserting the following:
26 "family investment agreement".

27 9. Page 8, line 13, by striking the words "family
28 development agreement" and inserting the following:
29 "family investment agreement".

30 10. Page 8, line 15, by inserting after the word
31 "options." the following: "An individual's level of
32 participation in one or more of the options shall be
33 equivalent to the level of commitment required for
34 full-time employment or shall be significant so as to
35 move toward that level."

36 11. Page 8, by striking line 27 and inserting the
37 following:

38 "(7) Unpaid community service. Community service
39 shall be authorized in any nonprofit association which
40 has been determined under section 501(c)(3) of the
41 Internal Revenue Code to be exempt from taxation or in
42 any government agency. Upon request, the department
43 shall provide a listing of potential community service
44 placements to an individual, however, an individual
45 shall locate the individual's own placement and
46 perform the number of hours required by the agreement.
47 The individual shall file a monthly report with the
48 department which is signed by the director of the
49 community service placement verifying the community
50 service hours performed by the individual during that

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- 1 month. The department shall develop a form for this
2 purpose.”
- 3 12. Page 8, line 29, by striking the words
4 “family development agreement” and inserting the
5 following: “family investment agreement”.
- 6 13. Page 9, line 7, by striking the words “family
7 development agreement” and inserting the following:
8 “family investment agreement”.
- 9 14. Page 9, lines 12 and 13, by striking the
10 words “family development agreement” and inserting the
11 following: “family investment agreement”.
- 12 15. Page 10, line 1, by inserting after the word
13 “amounts.” the following: “The provisions of this
14 subsection shall not apply to an individual who was
15 previously a resident of this state before living in
16 another state and receiving aid to dependent children
17 or to an individual who has moved to this state to be
18 near the individual’s parent or sibling.”
- 19 16. Page 10, by striking lines 23 through 31.
- 20 17. Page 10, line 33, by striking the word and
21 figure “and 4” and inserting the following: “4, and
22 5”.
- 23 18. Page 21, line 28, by striking the words
24 “family development plan” and inserting the following:
25 “family investment program”.
- 26 19. Page 26, line 2, by striking the words
27 “FAMILY DEVELOPMENT PLAN” and inserting the following:
28 “FAMILY INVESTMENT PROGRAM”.
- 29 20. Page 26, line 10, by striking the words
30 “family development plan” and inserting the following:
31 “family investment program”.
- 32 21. Page 26, line 19, by striking the words
33 “family development plan” and inserting the following:
34 “family investment program”.
- 35 22. Page 26, line 29, by striking the words
36 “family development plan” and inserting the following:
37 “family investment program”.
- 38 23. Page 27, line 2, by striking the words
39 “family development plan” and inserting the following:
40 “family investment program”.
- 41 24. Page 27, line 9, by striking the words
42 “family development plan” and inserting the following:
43 “family investment program”.
- 44 25. Page 27, line 12, by striking the words
45 “family development plan” and inserting the following:
46 “family investment program”.
- 47 26. Page 27, line 17, by striking the words
48 “family development plan” and inserting the following:
49 “family investment program”.
- 50 27. Page 27, line 21, by striking the words

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- 1 "family development plan" and inserting the following:
- 2 "family investment program".
- 3 28. Page 27, lines 22 and 23, by striking the
- 4 words "family development plan" and inserting the
- 5 following: "family investment program".
- 6 29. Page 27, line 30, by striking the words
- 7 "family development plan" and inserting the following:
- 8 "family investment program".
- 9 30. Page 28, lines 19 and 20, by striking the
- 10 words "family development plan" and inserting the
- 11 following: "family investment program".
- 12 31. Page 28, line 35, by striking the words
- 13 "family development" and inserting the following:
- 14 "family investment".
- 15 32. Page 29, line 1, by striking the word "plan"
- 16 and inserting the following: "program".
- 17 33. Page 29, line 27, by striking the words
- 18 "family development plan" and inserting the following:
- 19 "family investment program".
- 20 34. Page 29, line 31, by striking the words
- 21 "family development plan" and inserting the following:
- 22 "family investment program".
- 23 35. Page 29, line 32, by striking the words
- 24 "FAMILY DEVELOPMENT PLAN" and inserting the following:
- 25 "FAMILY INVESTMENT PROGRAM".
- 26 36. Page 30, line 1, by striking the words
- 27 "family development plan" and inserting the following:
- 28 "family investment program".
- 29 37. Page 31, line 14, by striking the words
- 30 "FAMILY DEVELOPMENT PLAN" and inserting the following:
- 31 "FAMILY INVESTMENT PROGRAM".
- 32 38. Page 31, lines 17 and 18, by striking the
- 33 words "family development plan" and inserting the
- 34 following: "family investment program".
- 35 39. Page 32, line 3, by striking the words
- 36 "family development plan" and inserting the following:
- 37 "family investment program".
- 38 40. Page 32, line 11, by striking the words
- 39 "family development plan" and inserting the following:
- 40 "family investment program".
- 41 41. Page 32, line 22, by striking the words
- 42 "family development plan" and inserting the following:
- 43 "family investment program".
- 44 42. Page 32, lines 29 and 30, by striking the
- 45 words "family development plan" and inserting the
- 46 following: "family investment program".
- 47 43. Page 33, lines 9 and 10, by striking the
- 48 words "family development plan" and inserting the
- 49 following: "family investment program".
- 50 44. Page 33, lines 13 and 14, by striking the

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- 1 words "family development plan" and inserting the
 2 following: "family investment program".
 3 45. Page 33, line 19, by striking the words
 4 "family development plan" and inserting the following:
 5 "family investment program".
 6 46. Page 33, line 22, by striking the words
 7 "family development plan" and inserting the following:
 8 "family investment program".
 9 47. Page 33, line 28, by striking the words
 10 "family development plan" and inserting the following:
 11 "family investment program".
 12 48. Page 33, lines 34 and 35, by striking the
 13 words "family development plan" and inserting the
 14 following: "family investment program".
 15 49. Page 34, lines 4 and 5, by striking the words
 16 "family development plan" and inserting the following:
 17 "family investment program".
 18 50. Page 34, lines 10 and 11, by striking the
 19 words "family development plan" and inserting the
 20 following: "family investment program".
 21 51. Page 34, lines 16 and 17, by striking the
 22 words "family development plan" and inserting the
 23 following: "family investment program".
 24 52. Page 34, line 24, by striking the words
 25 "family development plan" and inserting the following:
 26 "family investment program".
 27 53. Page 34, line 35, by striking the words
 28 "family development plan" and inserting the following:
 29 "family investment program".
 30 54. By renumbering, relettering, or redesignating
 31 and correcting internal references as necessary.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cataldo of Polk, until his return, on request of Arnould of Scott.

Schrader of Marion offered the following amendment H—4079, to the committee amendment H—4060, filed from the floor by him and McCoy of Polk and moved its adoption:

H—4079

- 1 Amend the amendment, H—4060, to Senate File 268, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 14, by striking the figure
 5 "20,000" and inserting the following: "2,000".

A non-record roll call was requested.

The ayes were 21, nays 64.

Amendment H—4079 lost.

Holveck of Polk offered the following amendment H—4081, to the committee amendment H—4060, filed by him and Hammond of Story from the floor:

H—4081

- 1 Amend the amendment, H—4060, to Senate File 268, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 14, by striking the figure
- 5 "20,000" and inserting the following: "5,000".

Holveck of Polk asked and received unanimous consent to defer action on amendment H—4081, to the committee amendment H—4060.

Speaker pro tempore Lundby in the chair at 2:28 p.m.

Millage of Scott offered the following amendment H—4083, to the committee amendment H—4060, filed by him from the floor and moved its adoption:

H—4083

- 1 Amend the amendment, H—4060, to Senate File 268, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 14, by striking the figure
- 5 "20,000" and inserting the following: "10,000".

Amendment H—4083 was adopted, placing out of order amendment H—4081, to the committee amendment H—4060, previously deferred.

Plasier of Sioux moved the adoption of the committee amendment H—4060, as amended.

The committee amendment H—4060, as amended, was adopted, placing the following amendments out of order:

H—3972, filed by Plasier of Sioux on April 14, 1993.

H—4031, filed by Grubbs, et al., on April 16, 1993.

H—4038, filed by Plasier of Sioux on April 19, 1993.

Plasier of Sioux offered the following amendment H—3924 filed by the committee on ways and means:

H-3924

1 Amend Senate File 268 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking page 17, line 12, through page 25,
4 line 17, and inserting the following:

5 "Sec. 18. Section 422.7, Code 1993, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 28. If the taxpayer is owner of
8 an individual development account certified under
9 chapter 541A at any time during the tax year the
10 following adjustments shall be made:

11 a. Subtract, to the extent included, all of the
12 following:

13 (1) Contributions made to the account by persons
14 and entities, other than the taxpayer, as authorized
15 in chapter 541A.

16 (2) The amount of any savings refund authorized
17 under section 541A.3, subsection 1.

18 (3) Earnings from the account to the extent not
19 withdrawn.

20 b. If the taxpayer is not fifty-nine and one-half
21 years old at the end of the tax year, add, to the
22 extent not included, all of the following:

23 (1) Earnings from the account which are withdrawn.

24 (2) Amounts withdrawn which are not authorized by
25 section 541A.2, subsection 4, and which are
26 attributable to contributions by persons and entities,
27 other than the taxpayer, as provided in section
28 541A.2, subsection 4.

29 (3) If the account is closed, amounts received by
30 the taxpayer which have not previously been taxed
31 under this division, except amounts that are
32 redeposited in another individual development account,
33 or the state human investment reserve pool as provided
34 in section 541A.2, subsection 7, and including the
35 total amount of any savings refund authorized under
36 section 541A.3.

37 Sec. 19. Section 450.4, Code 1993, is amended by
38 adding the following new subsection:

39 NEW SUBSECTION. 6. On property in an individual
40 development account in the name of the decedent that
41 passes to another individual development account, up
42 to ten thousand dollars, or the state human investment
43 reserve pool created in section 541A.4. For purposes
44 of this subsection, "individual development account"
45 means an account that has been certified as an
46 individual development account pursuant to chapter
47 541A.

48 Sec. 20. NEW SECTION. 541A.1 DEFINITIONS.

49 For the purposes of this chapter, unless the
50 context otherwise requires:

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- 1 1. "Account holder" means an individual who is the
2 owner of an individual development account.
- 3 2. "Administrator" means the executive branch
4 agency selected by the governor to administer
5 individual development accounts.
- 6 3. "Charitable contributor" means a nonprofit
7 association described in section 501(c)(3) of the
8 Internal Revenue Code which makes a deposit to an
9 individual development account and which is exempt
10 from taxation under section 501(a) of the Internal
11 Revenue Code.
- 12 4. "Federal poverty level" means the first poverty
13 income guidelines published in the calendar year by
14 the United States department of health and human
15 services.
- 16 5. "Financial institution" means a financial
17 institution approved by the administrator as an
18 investment mechanism for individual development
19 accounts.
- 20 6. "Individual contributor" means an individual
21 who makes a deposit to an individual development
22 account and is not the account holder or a charitable
23 contributor.
- 24 7. "Individual development account" means a
25 financial instrument which is certified to have the
26 characteristics described in section 541A.2 by the
27 operating organization.
- 28 8. "Operating organization" means an agency
29 selected by the administrator for involvement in
30 operating individual development accounts directed to
31 a specific target population.
- 32 9. "Reserve pool" means the state human investment
33 reserve pool under the authority of the administrator
34 created in section 541A.4.
- 35 10. "Source of principal" means any of the sources
36 of a deposit to an individual development account
37 under section 541A.2, subsection 2.
- 38 **Sec. 21. NEW SECTION. 541A.2 INDIVIDUAL**
39 **DEVELOPMENT ACCOUNTS.**
- 40 A financial instrument known as an individual
41 development account is established. An individual
42 development account shall have all of the following
43 characteristics:
- 44 1. The account is kept in the name of an
45 individual account holder.
- 46 2. Deposits made to an individual development
47 account shall be made in any of the following manners
48 and are subject to the indicated conditions:
- 49 a. Deposits made by the account holder.
50 b. Deposits of a savings refund authorized under

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1 section 541A.3, subsection 1 due the account holder
2 because of the account holder's deposits in the
3 account holder's account.

4 c. Deposits of individual development account
5 moneys which are transferred from another individual
6 account holder.

7 d. A deposit made on behalf of the account holder
8 by an individual or a charitable contributor. This
9 type of deposit may include but is not limited to
10 moneys to match the account holder's deposits. A
11 deposit made under this paragraph shall be held in
12 trust for the account holder and shall only be used to
13 earn income in the account or to be withdrawn by the
14 account holder for a purpose provided in subsection 4.

15 3. The account earns income.

16 4. During a calendar year, an account holder may
17 withdraw without penalty from the account holder's
18 account the sum of the following:

19 a. With the approval of the operating
20 organization, amounts withdrawn for any of the
21 following approved purposes:

22 (1) Educational costs at an accredited institution
23 of higher education.

24 (2) Training costs for an accredited or licensed
25 training program.

26 (3) Purchase of a primary residence.

27 (4) Capitalization of a small business start-up.

28 Amounts withdrawn for purposes of this paragraph shall
29 be charged to the source of principal on a prorated
30 basis. Moneys transferred from another individual
31 development account shall be considered to be a
32 deposit made by the account holder for purposes of
33 charges to the source of principal.

34 b. At the adult account holder's discretion any
35 income earned by the account. An account holder who
36 is more than nine but less than eighteen years of age
37 may withdraw any income earned by the account with the
38 approval of the account holder's parent or guardian
39 and of the operating organization. If the account
40 holder is less than ten years of age, any income
41 earned by the account may be withdrawn by the account
42 holder's parent or guardian with the approval of the
43 operating organization.

44 c. At the account holder's discretion, if the
45 account holder is at least fifty-nine and one-half
46 years of age, any amount.

47 5. Any amount of the adjusted account holder
48 deposits withdrawn during a calendar year which is not
49 authorized under subsection 4, is subject to a penalty
50 of fifteen percent. In addition, if at any time the

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1 cumulative amount withdrawn by the account holder over
2 the life of the account that is not authorized under
3 subsection 4 exceeds fifty percent of the amount of
4 the adjusted account holder deposits, the
5 contributions made by a charitable or individual
6 contributor held in trust in the account holder's
7 account shall be removed from the account and
8 redeposited in another individual development account
9 or the reserve pool as directed by the contributor and
10 deposits made by the state of a savings refund
11 authorized under section 541A.3, subsection 1 shall be
12 withdrawn and deposited in the reserve pool. The
13 amount of the adjusted account holder deposits is the
14 amount remaining after subtracting from the cumulative
15 moneys deposited by the account holder all amounts
16 withdrawn pursuant to subsection 4, paragraph "a". At
17 the time a charitable or individual contributor
18 contributes moneys to an account the contributor shall
19 indicate the contributor's directions for disposition
20 of moneys which are removed. If the designated choice
21 of the contributor does not exist the contributed
22 moneys shall be withdrawn and deposited in the reserve
23 pool.

24 6. Penalty amounts collected pursuant to
25 subsection 5 shall be deposited in the reserve pool.

26 7. An adult account holder may transfer all or
27 part of the assets the adult account holder has
28 deposited in the account to any other account holder's
29 account. However, an account holder who is less than
30 eighteen years of age is prohibited from transferring
31 account assets to any other account holder. Moneys
32 contributed by a charitable or individual contributor
33 are not subject to transfer except as authorized by
34 the contributor. Amounts transferred in accordance
35 with this subsection are not subject to a penalty.

36 8. If approved by the federal government, moneys
37 in an individual development account and any earnings
38 on the moneys shall not be considered by the
39 department of human services for determining the
40 eligibility of an individual under the Iowa family
41 development plan under chapter 239 or the work and
42 training program under chapter 249C.

43 9. In the event of an account holder's death, the
44 account may be transferred to the ownership of a
45 contingent beneficiary or to the individual
46 development account of another account holder. An
47 account holder shall name contingent beneficiaries or
48 transferees at the time the account is established and
49 a named beneficiary or transferee may be changed at
50 the discretion of the account holder. If the named

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1 beneficiary or transferee is deceased or otherwise
2 cannot accept the transfer, the moneys shall be
3 transferred to the reserve pool.

4 10. The total amount of sources of principal which
5 may be in an individual development account shall be
6 limited to fifty thousand dollars.

7 Sec. 22. NEW SECTION. 541A.3 INDIVIDUAL
8 DEVELOPMENT ACCOUNTS – REFUND AND TAX PROVISIONS.

9 All of the following state tax provisions shall
10 apply to an individual development account:

11 1. Payment by the state of a savings refund on
12 amounts of up to two thousand dollars per calendar
13 year that an account holder deposits in the account
14 holder's account. Moneys transferred to an individual
15 development account from another account shall not be
16 considered an account holder deposit for purposes of
17 determining a savings refund. Payment shall be made
18 directly to the account in the most appropriate manner
19 as determined by the administrator. The state savings
20 refund shall be the indicated percentage of the amount
21 deposited:

22 a. For an account holder with a household income,
23 as defined in section 425.17, subsection 6, which is
24 less than one hundred fifty percent of the federal
25 poverty level, twenty percent.

26 b. For an account holder with a household income
27 which is one hundred fifty percent or more but less
28 than one hundred sixty percent of the federal poverty
29 level, eighteen percent.

30 c. For an account holder with a household income
31 which is one hundred sixty percent or more but less
32 than one hundred seventy percent of the federal
33 poverty level, sixteen percent.

34 d. For an account holder with a household income
35 which is one hundred seventy percent or more but less
36 than one hundred eighty percent of the federal poverty
37 level, fourteen percent.

38 e. For an account holder with a household income
39 which is one hundred eighty percent or more but less
40 than one hundred ninety percent of the federal poverty
41 level, twelve percent.

42 f. For an account holder with a household income
43 which is one hundred ninety percent or more but less
44 than two hundred percent of the federal poverty level,
45 ten percent.

46 g. For an account holder with a household income
47 which is two hundred percent or more of the federal
48 poverty level, zero percent.

49 2. Income earned by an individual development
50 account is not subject to tax until withdrawn.

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1 3. Amounts transferred between individual
2 development accounts are not subject to state tax.
3 4. The administrator shall work with the United
4 States secretary of the treasury and the state's
5 congressional delegation as necessary to secure an
6 exemption from federal taxation for individual
7 development accounts and the earnings on those
8 accounts. The administrator shall report annually to
9 the governor and the general assembly concerning the
10 status of federal approval.

11 5. The administrator shall coordinate the filing
12 of claims for savings refunds authorized under
13 subsection 1, between account holders, operating
14 organizations, and the department of revenue and
15 finance. Claims approved by the administrator may be
16 paid by the department of revenue and finance to each
17 account or for an aggregate amount for distribution to
18 the accounts in a particular financial institution,
19 depending on the efficiency for issuing the refunds.
20 Claims shall be initially filed with the administrator
21 on or before a date established by the administrator.

22 Sec. 23. NEW SECTION. 541A.4 INDIVIDUAL
23 DEVELOPMENT ACCOUNT - PILOT PHASE.

24 A state human investment reserve pool is created in
25 the state treasury under the authority of the
26 administrator. The governor shall name an executive
27 branch agency as administrator to have authority over
28 the reserve pool. Interest on moneys in the reserve
29 pool shall remain in the reserve pool and
30 notwithstanding sections 8.33 and 8.39, moneys in the
31 reserve pool are not subject to reversion or transfer.
32 Moneys in the reserve pool shall be used for
33 administrative expenses of the administrator. The
34 administrator shall perform all of the following
35 duties or may delegate the performance of the duties
36 to a suitable entity in administering the individual
37 development accounts:

38 1. For the five-year pilot phase period beginning
39 March 1, 1994, and ending February 28, 1999, the total
40 number of individual development accounts shall be
41 limited to ten thousand accounts and to individuals
42 with a household income which does not exceed two
43 hundred percent of the federal poverty level. The
44 administrator shall ensure that the family income
45 status of account holders at the time an account is
46 opened proportionately reflects the distribution of
47 the household income status of the state's population
48 up to two hundred percent of the federal poverty
49 level.

50 2. Issue a request for proposals for operating

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1 organizations to be involved with the operation of
2 individual development accounts on behalf of a
3 specific target population. The administrator shall
4 determine the review criteria used to select operating
5 organizations. The initial review criteria used to
6 evaluate organizations' proposed projects and
7 requirements associated with operating organizations
8 shall include but are not limited to all of the
9 following:

10 a. Provision of a safe and secure investment
11 mechanism for the individual development accounts
12 utilizing a financial institution approved by the
13 administrator.

14 b. The proposed project has a strong relationship
15 to goals established by other initiatives deemed a
16 priority by the administrator.

17 c. The proposed project links the making of an
18 account holder's contributions to an individual
19 development account with other services or outcomes
20 identified by the operating organization in the
21 proposal. The proposed project includes mechanisms
22 for the operating organization to monitor and enforce
23 the identified outcomes and services.

24 d. The operating organization is capable of
25 performing the project as proposed. Minimum
26 capabilities shall include an ability to provide
27 financial counseling, familiarity and ability to work
28 with the proposed target population, and a strong
29 record of successful management.

30 e. The operating organization proposes to provide
31 a significant amount of matching funds for individual
32 development accounts.

33 f. The proposal includes a monitoring and
34 evaluation plan for certifying the proposed project's
35 outcomes.

36 g. The responsibilities of an operating
37 organization shall include but are not limited to all
38 of the following:

39 (1) Certifying that a financial instrument is an
40 individual development account based upon its having
41 the characteristics described in section 541A.2.

42 (2) Certifying the income status and the amount of
43 contributions to an individual development account by
44 an account holder during a tax year which are eligible
45 for a savings refund authorized under section 541A.3,
46 subsection 1.

47 (3) Calculating the adjusted contribution
48 principal amounts for the account holder, state, and
49 individual and charitable contributors as required for
50 purposes of section 541A.2, subsections 4 and 5.

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1 3. Utilizing guidelines established in law for
2 this purpose, the administrator shall contract for an
3 independent evaluation of the implementation of the
4 individual development accounts. The evaluation shall
5 consider the following: implementation and process
6 used for the implementation, program impact, and
7 financial effectiveness.

8 Sec. 24. EFFECTIVE DATE AND APPLICABILITY
9 PROVISIONS. Sections 18 and 19 of this Act are
10 effective January 1, 1994. Section 18 applies to tax
11 years beginning on or after January 1, 1994. Section
12 19 applies to decedents dying on or after January 1,
13 1994."

Plasier of Sioux offered the following amendment H-4044, to the committee amendment H-3924, filed by him and moved its adoption:

H-4044

1 Amend the amendment, H-3924, to Senate File 268, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

- 4 1. Page 1, by striking lines 20 and 21 and
5 inserting the following:
6 "b. Add, to the".
- 7 2. Page 1, line 25, by inserting after the figure
8 "4," the following: "paragraphs "a" and "b"".
- 9 3. Page 1, line 34, by striking the figure "7"
10 and inserting the following: "5".

Amendment H-4044 was adopted.

Peterson of Carroll asked and received unanimous consent to withdraw amendment H-4046, to the committee amendment H-3924, filed by Peterson, et al., on April 19, 1993.

Peterson of Carroll offered the following amendment H-4052, to the committee amendment H-3924, filed by Peterson, et al., and moved its adoption:

H-4052

1 Amend the amendment, H-3924, to Senate File 268, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

- 4 1. Page 2, line 45, by inserting after the word
5 "holder." the following: "When an individual
6 development account is opened, the account holder must
7 be a recipient of the family investment program under
8 chapter 239."
- 9 2. Page 5, by striking line 6 and inserting the

- 10 following: "limited to the amount of the annualized
 11 federal poverty level for the family size of the
 12 account holder."
 13 3. Page 5, by striking lines 13 and 14 and
 14 inserting the following: "year that an account holder
 15 who is a current recipient of the family investment
 16 program under chapter 239 deposits in the account
 17 holder's account. An account holder who is no longer
 18 a recipient of the family investment program under
 19 chapter 239 is not eligible for a savings refund.
 20 Moneys transferred to an individual".
 21 4. Page 5, by striking lines 20 through 48 and
 22 inserting the following: "refund shall be equal to
 23 twenty percent of the amount deposited."
 24 5. Page 6, by striking lines 42 through 49 and
 25 inserting the following: "who are recipients of the
 26 family investment program under chapter 239 at the
 27 time the accounts are opened."
 28 6. Page 7, line 42, by striking the word "income"
 29 and inserting the following: "family investment
 30 program".

Roll call was requested by Peterson of Carroll and Hansen of Woodbury.

On the question "Shall amendment H—4052, to the committee amendment H—3924, be adopted?" (S.F. 268)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Carpenter	Cataldo	Cohoon
Connors	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Churchill	Corbett
Daggett	Dickinson	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley

Iverson	Kistler	Klemme	Larson
Martin	McNeal	Metcalf	Meyer
Millage	Miller	Plasier	Rafferty
Rants	Renken	Royer	Siegrist
Spenner	Tyrrell	Vande Hoef	Van Maanen, Spkr.
Weidman	Welter	Lundby	
		Presiding	

Absent or not voting, none.

Amendment H—4052 lost.

Speaker Van Maanen in the chair at 3:43 p.m.

Plasier of Sioux offered the following amendment H—3979, to the committee amendment H—3924, filed by him and moved its adoption:

H—3979

- 1 Amend the amendment, H—3924, to Senate File 268, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, line 36, by striking the words "more
- 5 than nine" and inserting the following: "ten or
- 6 more".
- 7 2. Page 3, line 47, by striking the word "Any"
- 8 and inserting the following: "If an account holder is
- 9 less than eighteen years of age, moneys shall not be
- 10 withdrawn from the holder's account unless the
- 11 withdrawal is authorized under subsection 4. If an
- 12 account holder is eighteen or more years of age, any".
- 13 3. Page 4, lines 40 and 41, by striking the words
- 14 "Iowa family development plan" and inserting the
- 15 following: "family investment program".
- 16 4. Page 6, line 41, by striking the word
- 17 "accounts" and inserting the following: "accounts,
- 18 with not more than five thousand accounts in the first
- 19 calendar year of the period."

Amendment H—3979 was adopted.

Neuhauser of Johnson offered the following amendment H—4047, to the committee amendment H—3924, filed by her:

H—4047

- 1 Amend the amendment, H—3924, to Senate File 268, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 "_____. Page 6, by striking lines 38 and 39 and
- 5 inserting the following:
- 6 "1. Prior to any implementation of individual
- 7 development accounts, including the pilot phase
- 8 authorized by this subsection, the administrator shall
- 9 submit a report to the governor and the general

- 10 assembly providing a detailed description of the
 11 operation of the accounts. The report shall be
 12 submitted on or before December 15, 1994. For the
 13 five-year pilot phase period beginning March 1, 1995,
 14 and ending February 28, 2000, the total".
 15 2. By renumbering as necessary.

Garman of Story in the chair at 4:10 p.m.

Neuhauser of Johnson moved the adoption of amendment H-4047, to the committee amendment H-3924.

Roll call was requested by Neuhauser of Johnson and Baker of Polk.

On the question "Shall amendment H-4047, to the committee amendment H-3924, be adopted?" (S.F. 268)

The ayes were, 45:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Doderer	Fallon	Fogarty	Gill
Halvorson, R. N.	Hammond	Hansen, S. D.	Harper
Haverland	Henderson	Holveck	Jochum
Koenigs	Kreiman	Larkin	May
McCoy	McKinney	Mertz	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Renaud
Running	Schrader	Shoultz	Wise
Witt			

The nays were, 53:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dickinson	Dinkla
Drake	Eddie	Ertl	Gipp
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Hanson, D. E.	Hanson, D. R.
Hester	Houser	Hurley	Iverson
Kistler	Klemme	Larson	Lundby
Martin	McNeal	Metcalf	Meyer
Millage	Miller	Peterson	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Van Maanen, Spkr.	Weidman	Weigel	Welter
Garman			
Presiding			

Absent or not voting, 2:

Dvorsky Greig

Amendment H-4047 lost.

Plasier of Sioux moved the adoption of the committee amendment H—3924, as amended.

The committee amendment H—3924, as amended, was adopted, placing out of order page 2, lines 23 through 25 of the committee amendment H—4060, previously adopted.

Hanson of Delaware offered the following amendment H—4080 filed from the floor by Hanson, Hansen of Woodbury and Hanson of Black Hawk and moved its adoption:

H—4080

- 1 Amend Senate File 268, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 3 through 20.
- 4 2. By striking page 1, line 21 through page 2,
- 5 line 4.
- 6 3. By striking page 13, line 15 through page 15,
- 7 line 1.
- 8 4. By renumbering and correcting internal
- 9 references as necessary.

Amendment H—4080 was adopted.

Neuhauser of Johnson offered the following amendment H—4068 filed by her from the floor and moved its adoption:

H—4068

- 1 Amend Senate File 268, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by inserting after line 33 the
- 4 following:
- 5 "Sec. _____. NEW SECTION. 8A.3 REPEAL. The
- 6 provisions of this chapter are repealed effective July
- 7 1, 1997."
- 8 2. By striking page 9, line 31 through page 10,
- 9 line 1, and inserting the following: "is determined,
- 10 the department shall identify the standard grant
- 11 payment amount the individual would be paid in the
- 12 other state. For the period of one year from the date
- 13 of applying for assistance in this state, the
- 14 individual's grant shall be equal to the identified
- 15 amount."
- 16 3. By renumbering as necessary.

Amendment H—4068 lost.

Haverland of Polk offered the following amendment H—4050 filed by him and Hammond of Story:

H—4050

- 1 Amend Senate File 268, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 8, by inserting after line 27 the fol-
- 4 lowing:
- 5 "(8) If the individual participates in at least
- 6 one other option, any other arrangement which would
- 7 permit the individual to be a full-time parent,
- 8 including but not limited to participation in a child
- 9 support insurance program which would provide
- 10 increased support from a child support obligor,
- 11 parent, or other interested person."
- 12 2. By renumbering as necessary.

Haverland of Polk asked and received unanimous consent to defer action on amendment H—4065, to amendment H—4050, filed by him from the floor.

Plasier of Sioux offered the following amendment H—4082, to amendment H—4050, filed by him from the floor and moved its adoption:

H—4082

- 1 Amend the amendment, H—4050, to Senate File 268, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 7 through 11, and
- 5 inserting the following: "strengthen the individual's
- 6 ability to be a better parent, including but not
- 7 limited to participation in a parenting education
- 8 program." "

Amendment H—4082 was adopted, placing out of order amendment H—4065, to amendment H—4050, previously deferred.

Speaker Van Maanen in the chair at 5:25 p.m.

On motion by Haverland of Polk amendment H—4050, as amended, was adopted.

Hammond of Story offered the following amendment H—4045 filed by Hammond, et al., and moved its adoption:

H—4045

- 1 Amend Senate File 268, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. By striking page 9, line 27, through page 10,

4 line 1.

5 2. By renumbering as necessary.

Roll call was requested by Millage of Scott and Hammond of Story.

On the question "Shall amendment H—4045 be adopted?"
(S.F. 268)

The ayes were, 19:

Baker	Beatty	Bernau	Brand
Cataldo	Doderer	Dvorsky	Fallon
Hammond	Harper	Haverland	Holveck
Kreiman	Moreland	Murphy	Neuhauser
Osterberg	Schrader	Shultz	

The nays were, 81:

Arnould	Beaman	Bell	Black
Blodgett	Boddicker	Brammer	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Churchill	Cohoon	Connors	Corbett
Daggett	Dickinson	Dinkla	Drake
Eddie	Ertl	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Henderson	Hester	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Mundie
Nelson	O'Brien	Ollie	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

Absent or not voting, none.

Amendment H—4045 lost.

Rafferty of Scott asked and received unanimous consent to defer action on amendment H—4037.

Shultz of Black Hawk offered the following amendment H—4048 filed by him and moved its adoption:

H-4048

1 Amend Senate File 268, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 10, by inserting after line 1 the
4 following:

5 "_____. Implementation of a volunteer representative
6 payee pilot program for a two-year period beginning
7 July 1, 1993, and ending June 30, 1995, in an urban
8 county selected by the department. In implementing
9 the program, the department shall assign a volunteer
10 representative payee to provide advice and support to
11 the recipient parents residing in the pilot project
12 county who are less than 18 years of age, are first-
13 time recipients, and who would benefit from assistance
14 with financial and household management skills. The
15 program shall include the following components:

16 a. The department may arrange to cooperate with
17 other agencies, including but not limited to community
18 action agencies, in operating the program. The
19 department shall coordinate the selection of persons
20 to act as a representative payee and may encourage
21 persons affiliated with other agencies, local
22 businesses, financial institutions, or other
23 appropriate employers to identify employees as
24 potential volunteers. Volunteers may also include
25 departmental staff, workers under contract to the
26 department, or agencies working in cooperation with
27 the department such as community action programs.

28 b. The purpose of a representative payee is to
29 discuss and to assist recipient parents with financial
30 management, household management, health care
31 concerns, and nutrition needs. A representative payee
32 may be authorized by the department to perform any of
33 the following:

34 (1) Receive aid to dependent children payments and
35 other assistance on behalf of a recipient.

36 (2) Act as a cosigner for the recipient's accounts
37 in a financial institution.

38 (3) Other responsibilities outlined in a written
39 plan developed by the department or a designee of the
40 department in consultation with the recipient and the
41 representative payee.

42 c. The department shall conduct child abuse and
43 criminal records checks on persons who are being
44 considered for selection as or who serve as a
45 volunteer representative payee. For purposes of
46 conducting the records checks, a volunteer or
47 prospective volunteer shall be considered a person
48 employed by or being considered for employment by an
49 institution controlled by the department in accordance
50 with the provisions of section 218.13. However, a

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- 1 person who has been convicted of a crime or has a
 2 record of founded child or adult abuse shall not be a
 3 representative payee. The department may establish
 4 other minimum qualifications consistent with the
 5 responsibilities of a representative payee.
 6 d. The department shall provide workers'
 7 compensation coverage for representative payees while
 8 performing their duties. Representative payees shall
 9 be considered employees of the state in the
 10 performance of their duties for purposes of tort
 11 liability under chapter 669.
 12 e. The department shall submit a report to the
 13 general assembly on or before February 1, 1995,
 14 concerning the effectiveness of the pilot program and
 15 providing recommendations for future action."
 16 2. By renumbering as necessary.

Roll call was requested by Shoultz of Black Hawk and Witt of Black Hawk.

On the question "Shall amendment H-4048 be adopted?"
 (S.F. 268)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cphoon	Connors
Doderer	Dvorsky	Fogarty	Gill
Grundberg	Halvorson, R. N.	Hammond	Hansen, S. D.
Harper	Haverland	Henderson	Holveck
Jochum	Koenigs	Kreiman	Larkin
Larson	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dickinson	Dinkla
Drake	Eddie	Ertl	Fallon
Garman	Gipp	Greig	Greiner
Gries	Grubbs	Hahn	Halvorson, R. A.
Hanson, D. E.	Hanson, D. R.	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier

Rafferty
Siegrist
Weidman

Rants
Spenner
Welter

Renken
Tyrrell
Mr. Speaker
Van Maanen

Royer
Vande Hoef

Absent or not voting, none.

Amendment H—4048 lost.

Connors of Polk offered the following amendment H—4049 filed by him and moved its adoption:

H—4049

- 1 Amend Senate File 268, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 10, by inserting after line 1 the
- 4 following:
- 5 "_____. If an individual is less than eighteen years
- 6 of age, is a parent, and is living with the
- 7 individual's parent, in determining the individual's
- 8 eligibility for assistance under chapter 239, the
- 9 department shall consider the individual as a single
- 10 household and shall not consider the resources and
- 11 income of the individual's parent and the parent's
- 12 household in the eligibility determination."
- 13 2. By renumbering as necessary.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 48, nays 51.

Amendment H—4049 lost.

Rafferty of Scott offered the following amendment H—4062 filed by him from the floor:

H—4062

- 1 Amend Senate File 268, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 10, by inserting after line 1 the
- 4 following:
- 5 "_____. Implementation of a school attendance
- 6 provision. Under the provision, the superintendent of
- 7 a school district, authorities in charge of a
- 8 nonpublic school, or a school truancy officer may
- 9 request and receive information from the department of
- 10 human services indicating whether a child who may be
- 11 truant as defined in section 299.8 has a parent who is
- 12 participating in a family investment agreement under
- 13 this section. If referral of the truancy matter to

14 the county attorney pursuant to section 299.5A does
15 not assure the child's attendance, the superintendent,
16 authorities, or school truancy officer may notify the
17 department of the truancy matter and the department
18 may apply a sanction to the parent. The sanction
19 shall be equivalent to a JOBS program sanction for a
20 recipient who does not comply with JOBS program
21 requirements."
22 2. By renumbering as necessary.

Hammond of Story offered the following amendment H-4078, to amendment H-4062, filed by her from the floor and moved its adoption:

H-4078

1 Amend the amendment, H-4062, to Senate File 268, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 6, by inserting after the word
5 "provision," the following: "if".
6 2. Page 1, line 8, by striking the word "may".
7 3. Page 1, by striking lines 9 through 14 and
8 inserting the following: "refers a truancy matter to
9 the county attorney pursuant to section 299.5A, the
10 department of human services shall also be notified.
11 If the child involved in the matter has a parent who
12 is participating in a family investment agreement
13 under this section and the county attorney's referral
14 for mediation or prosecution does".

Amendment H-4078 lost.

Rafferty of Scott moved the adoption of amendment H-4062.

Arnould of Scott rose on a point of order that amendment H-4062 was not germane.

The Speaker ruled the point well taken and amendment H-4062 not germane.

Rafferty of Scott asked for unanimous consent to suspend the rules to consider amendment H-4062.

Objection was raised.

Rafferty of Scott moved to suspend the rules to consider amendment H-4062.

Roll call was requested by Larson of Linn and Grubbs of Scott.

Rule 75 was invoked.

On the question "Shall the rules be suspended to consider amendment H—4062?" (S.F. 268)

The ayes were, 50:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Tyrrell	Vande Hoef	Weidman
Welter	Mr. Speaker		
	Van Maanen		

The nays were, 49:

Arnould	Baker	Beatty	Bernau
Black	Brammer	Brand	Burke
Cataldo	Cohoon	Connors	Dickinson
Doderer	Dvorsky	Fallon	Fogarty
Gill	Halvorson, R. N.	Hammond	Hansen, S. D.
Harper	Haverland	Henderson	Holveck
Jochum	Koenigs	Kreiman	Larkin
May	McCoy	McKinney	Mertz
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Renaud	Running	Schrader
Shoultz	Spenner	Weigel	Wise
Witt			

Absent or not voting, 1:

Bell

The motion to suspend the rules lost, placing out of order amendment H—4037, previously deferred, filed by Rafferty, et al., on April 16, 1993.

Kreiman of Davis offered the following amendment H—4067 filed by him from the floor and moved its adoption:

H—4067

- 1 Amend Senate File 268, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 11, by inserting after line 2 the
- 4 following:

5 "Sec. _____. COST-EFFECTIVENESS REPORT. Beginning
6 with fiscal year 1993-1994 and continuing through
7 fiscal year 1998-1999, the department of human
8 services shall annually analyze and compare the state
9 costs of providing the aid to dependent children
10 program under chapter 239 and the JOBS program
11 implemented under chapter 249C as required by the
12 provisions of this Act with the costs of providing
13 those programs if the provisions of this Act were not
14 implemented. The department shall annually submit a
15 report of the cost comparison to the governor and the
16 general assembly on or before January 15, and the
17 report shall provide both actual and projected cost
18 differences for the fiscal year in progress and for
19 the previous fiscal year."
20 2. By renumbering and correcting internal
21 references as necessary.

A non-record roll call was requested.

The ayes were 40, nays 50.

Amendment H—4067 lost.

Neuhauser of Johnson offered the following amendment H—4042
filed by her and moved its adoption:

H—4042

1 Amend Senate File 268, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 12, line 16, by striking the word
4 "stamps." and inserting the following: "stamps and
5 development of a pilot project in which federal and
6 state public assistance funding streams are
7 decategorized and administered by a community which
8 has designed an alternative to the current system of
9 public assistance. The department shall develop and
10 issue a request for proposals for the pilot project.
11 The pilot project shall include the following
12 components:
13 (1) The pilot project shall decategorize federal
14 and state funding streams, including but not limited
15 to aid to dependent children, JOBS program, child care
16 assistance, and food stamps.
17 (2) The department shall identify in the request
18 for proposals program objectives consistent with the
19 goal of assisting low-income persons to achieve self-
20 sufficiency to the greatest extent possible.
21 (3) A community's proposal shall identify the
22 means to attain the goal and project objectives.
23 (4) The department and the community shall
24 negotiate a contract to implement the pilot project.

25 (5) In implementing the pilot project, the
26 community shall administer 90 percent of the funding
27 that would have been provided to recipients in the
28 community if the funding streams were not
29 decategorized."

30 2. Page 12, by inserting after line 18 the
31 following:

32 "_____. Development of a pilot project directed to a
33 target population of low-income persons who are
34 difficult to employ, or have low job skills, a poor
35 attitude toward employment, no employment experience,
36 or multiple problems affecting their employability.
37 The department shall develop and issue a request for
38 proposals and enter into a contract with an agency to
39 operate the project. The pilot project shall include
40 the following components:

41 (1) The pilot project shall operate as an
42 employment agency directed to the needs of the target
43 population. The pilot project agency shall work with
44 existing counseling and job training programs to place
45 target population persons in temporary or entry level
46 jobs. The primary focus shall be upon private sector
47 employment placements.

48 (2) The pilot project agency shall be the employer
49 of the persons placed for purposes of wages and
50 benefits, including but not limited to workers'

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1 compensation and unemployment insurance.

2 (3) The job placement employer shall pay to the
3 pilot project agency the customary wage for the work
4 performed by the person placed plus a fee. In
5 addition, all of the following shall apply to a job
6 placement employer and to persons placed with the job
7 placement employer by the pilot project agency:

8 (a) Provision of training and work conditions to
9 the person which is similar to that provided to the
10 job placement employer's regular employees.

11 (b) Performance of an evaluation which is
12 regularly provided to the person and to the pilot
13 project agency at least monthly.

14 (c) The job placement employer may terminate the
15 person's employment with the job placement employer at
16 will.

17 (d) The job placement employer may offer a
18 permanent position of employment to the person.

19 (e) If a person obtains a permanent position of
20 employment with a job placement employer, the person
21 shall no longer be employed by or served by the pilot
22 project agency.

23 (4) The state shall provide any public assistance

- 24 to persons who are participating in the pilot project
 25 and who are eligible for such public assistance."
 26 3. Page 12, by striking lines 19 and 20.
 27 4. By renumbering and relettering as necessary.

A non-record roll call was requested.

The ayes were 45, nays 49.

Amendment H—4042 lost.

Peterson of Carroll offered the following amendment H—3971 filed by him:

H—3971

- 1 Amend Senate File 268, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 26, by inserting after line 20 the
 4 following:
 5 "Sec. _____. Section 216.6, subsection 1, paragraph
 6 a, Code 1993, is amended to read as follows:
 7 a. Person to refuse to hire, accept, register,
 8 classify, or refer for employment, to discharge any
 9 employee, or to otherwise discriminate in employment
 10 against any applicant for employment or any employee
 11 because of the age, race, creed, color, sex, national
 12 origin, religion, familial status, or disability of
 13 such applicant or employee, unless based upon the
 14 nature of the occupation. If a disabled person is
 15 qualified to perform a particular occupation, by
 16 reason of training or experience, the nature of that
 17 occupation shall not be the basis for exception to the
 18 unfair or discriminating practices prohibited by this
 19 subsection."
 20 2. By renumbering as necessary.

Plasier of Sioux rose on a point of order that amendment H—3971 was not germane.

The Speaker ruled the point well taken and amendment H—3971 not germane.

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

On the question "Shall the bill pass?" (S.F. 268)

The ayes were, 98:

Arnould	Baker	Beaman	Bernau
Black	Blodgett	Boddicker	Brammer
Brand	Branstad	Brauns	Brunkhorst

Burke	Carpenter	Cataldo	Churchill
Cohoon	Connors	Corbett	Daggett
Dickinson	Dinkla	Doderer	Drake
Dvorsky	Eddie	Ertl	Fallon
Fogarty	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 1:

Beatty

Absent or not voting, 1:

Bell

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 268** be immediately messaged to the Senate.

HOUSE INSISTS

Daggett of Union called up for consideration **Senate File 233**, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for education and cultural programs of this state and providing an effective date, and moved that the House insist on its amendment.

Roll call was requested by Arnould of Scott and Murphy of Dubuque.

On the question "Shall the House insist on its amendment?"
(S.F. 233)

The ayes were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

The nays were, 48:

Arnould	Baker	Beatty	Bernau
Black	Brammer	Brand	Burke
Cataldo	Cohon	Connors	Dickinson
Doderer	Dvorsky	Fallon	Fogarty
Gill	Halvorson, R. N.	Hammond	Hansen, S. D.
Harper	Haverland	Henderson	Holveck
Jochum	Koenigs	Kreiman	Larkin
May	McCoy	McKinney	Mertz
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Renaud	Running	Schrader
Shultz	Weigel	Wise	Witt

Absent or not voting, 1:

Bell

The motion prevailed and the House insists.

CONFERENCE COMMITTEE APPOINTED
(Senate File 233)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 233: Corbett of Linn, Chair; Daggett of Union, Iverson of Wright, Ollie of Clinton and Brand of Benton.

ADOPTION OF HOUSE RESOLUTION 10

Siegrist of Pottawattamie asked and received unanimous consent for the immediate consideration of House Resolution 10, a resolution commemorating the life of South Dakota Governor George S. Mickelson, and moved its adoption.

The motion prevailed and the resolution was adopted.

INTRODUCTION OF BILL

House File 665, by committee on ways and means, a bill for an act relating to events on property held by the Iowa state fair authority and societies managing local fairs, by exempting gross receipts from the sales and services tax.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 20, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 637, a bill for an act relating to the care of animals including livestock, by prohibiting the neglect of animals, providing for the rescue, maintenance, and disposition of neglected animals, providing penalties, and providing for the repeal of sections.

Also: That the Senate has on April 20, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 221, a bill for an act relating to department of human services' statutory provisions involving child abuse information, dependent adult abuse, and child day care.

Also: That the Senate has on April 20, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 320, a bill for an act relating to the development of a community health management information system.

Also: That the Senate has on April 20, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 374, a bill for an act relating to the state department of transportation concerning renewal of driver's licenses by mail and exemptions from fees for abstracts of operating records for public transit system officials.

JOHN F. DWYER, Secretary

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Friday, April 16, 1993. Had I been present, I would have voted "aye" on Senate File 180; and "aye" on amendments H-3889, H-3930, H-3934, H-3936, H-3960, H-3963, H-4013, H-4023, H-4033, H-4034 and H-4035 to amendment H-3628 to Senate File 233; "nay" on Senate File 233; amendment H-3628 to Senate File 233; and amendment H-3941 to amendment H-3628 to Senate File 233.

I was necessarily absent from the House chamber on Monday, April 19, 1993. Had I been present, I would have voted "aye" on House Files 625 and 656; Senate Files 11, 38, 48, 78, 117, 271, 320, 363, 376, 392 and 394.

DICKINSON of Jackson

I was necessarily absent from the House chamber on April 19, 1993. Had I been present, I would have voted "aye" on Senate File 271.

MORELAND of Wapello

**BILL ENROLLED, SIGNED AND SENT TO
SECRETARY OF STATE**

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following resolution has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Secretary of State for her approval on this 20th day of April, 1993: House Joint Resolution 19.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 20, 1993, he approved and transmitted to the Secretary of State the following bills:

House File 88, an act relating to the use of stickers on government vehicles notifying the traveling public that the vehicles are being operated on gasoline blended with ethanol, and providing an effective date.

House File 133, an act authorizing the governor to obtain financial support for the construction of a rural water system.

House File 207, an act relating to the authority of the superintendent of banking to remove a director or officer of a state bank, providing for the continued suspension of certain banking laws, and providing for the retroactive applicability of the Act.

House File 365, an act relating to farm mediation and legal assistance to farmers, by extending the effectiveness of provisions, and providing an effective date.

House File 636, an act relating to information regarding real estate, by providing for the filing of reports, and transfer of certain real estate and providing effective dates.

GOVERNOR'S ITEM VETO MESSAGE

A copy of the following communication was received and placed on file:

April 20, 1993

The Honorable Harold Van Maanen
Speaker of the House
House of Representatives
State Capitol Building
L O C A L

Dear Mr. Speaker:

I hereby transmit House File 429, an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, and the commission of veterans affairs and providing for the elimination of the health data commission and the department of human rights.

House File 429 is, therefore, approved on this date with the following exception which I hereby disapprove.

I am unable to approve the item designated as Section 4, subsection 2, paragraph g, in its entirety. This provision would require the Department of Public Health to establish a revolving fund to administer the water treatment testing program. The Department has statutory authority to contract for administration of the program and to charge a fee for that purpose, therefore, creation of a new revolving fund is unnecessary.

For the above reason, I hereby respectfully disapprove this item in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 429 are hereby approved as of this date.

Sincerely,
Terry E. Branstad
Governor

APPOINTMENT

The following appointment was announced:

CAPITOL PLANNING COMMISSION
(Chapter 18A.1, Code of Iowa)

Darrell Hanson..... To a term ending April 30, 1997

PRESENTATION OF VISITORS

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

Forty senior students from GMG High School, Garwin, accompanied by Ms. Sally Mills. By Brand of Benton and Garman of Story.

One hundred forty state government students from Johnston High School, Johnston, accompanied by Mr. Dave Pitts. By Churchill of Story.

Thirty sixth grade students from Orient-Macksburg Community School District, Orient, accompanied by Tim Mohs. By Dinkla of Guthrie.

Thirty fifth and sixth grade students from West Monona Community School District, Onawa, accompanied by Jo Petersen. By Gries of Crawford.

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, accompanied by Sheri Murphy. By Kreiman of Davis.

Fifty-five fifth grade students from Mann Elementary School, Des Moines, accompanied by Mr. Peterson. By McCoy of Polk.

Fifty fifth grade students from Beaman-Conrad-Liscomb/Union-Whitten Middle School, Union. By Renken of Grundy, McNeal of Hardin and Garman of Story.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 304

Ways and Means: Plasier, Chair; Bernau, Blodgett, Halvorson of Clayton and Osterberg.

House Study Bill 305

Ways and Means: Iverson, Chair; Holveck and Renken.

House Study Bill 306

Ways and Means: Halvorson of Clayton, Chair; Churchill, Gries, Schrader and Weigel.

House Study Bill 307

Ways and Means: Halvorson of Clayton, Chair; Burke, Carpenter, Drake and Osterberg.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 55), relating to events on property held by the Iowa state fair authority and societies managing local fairs, by exempting gross receipts from the sales and services tax.

Fiscal Note is required.

Recommended Amend and Do Pass April 20, 1993.

Committee Bill (Formerly House File 363), relating to the requirement for filing a state individual income tax return and providing a retroactive applicability date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 20, 1993.

RESOLUTION FILED

HCR 32, by Fogarty, a concurrent resolution to designate Spencer, Iowa, the Flag City of Iowa, during its Flagfest '93 celebration from June 11, 1993, to June 13, 1993.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-4061	H.F.	354	Senate Amendment
H-4063	H.F.	214	Senate Amendment
H-4064	H.F.	275	Senate Amendment
H-4069	H.F.	388	Dickinson of Jackson
H-4070	H.F.	584	Witt of Black Hawk Grundberg of Polk
H-4071	S.F.	303	Fallon of Polk Halvorson of Webster Bernau of Story Hammond of Story Neuhauser of Johnson Harper of Black Hawk Wise of Lee
			Osterberg of Linn Kreiman of Davis Jochum of Dubuque Doderer of Johnson Henderson of Scott Brammer of Linn
H-4072	S.F.	370	Neuhauser of Johnson
H-4073	S.F.	398	Iverson of Wright
H-4074	H.F.	369	Senate Amendment
H-4075	H.F.	451	Senate Amendment
H-4076	H.F.	495	Senate Amendment
H-4077	H.F.	389	Senate Amendment
H-4084	S.F.	94	Osterberg of Linn Witt of Black Hawk Henderson of Scott
H-4085	S.F.	94	Osterberg of Linn Witt of Black Hawk Henderson of Scott
H-4086	S.F.	94	Henderson of Scott
H-4087	S.F.	94	Osterberg of Linn
H-4088	S.F.	205	Shultz of Black Hawk

H-4089	S.F.	350	Halvorson of Webster Corbett of Linn
H-4090	S.F.	364	Eddie of Buena Vista
H-4091	S.F.	94	Witt of Black Hawk Grundberg of Polk
H-4092	S.F.	180	Running of Linn Brammer of Linn
H-4093	H.F.	602	Millage of Scott Tyrrell of Iowa
H-4094	H.F.	637	Senate Amendment
H-4095	S.F.	94	Fallon of Polk
H-4096	S.F.	94	Fallon of Polk
H-4097	S.F.	94	Fallon of Polk
H-4098	S.F.	327	Greig of Emmet Iverson of Wright Dinkla of Guthrie Peterson of Carroll Mertz of Kossuth
H-4099	H.F.	647	Gill of Woodbury
H-4100	H.F.	647	Gill of Woodbury
H-4101	H.F.	647	Gill of Woodbury
H-4102	H.F.	647	Gill of Woodbury
H-4103	H.F.	496	Greig of Emmet Iverson of Wright Dinkla of Guthrie Peterson of Carroll Mertz of Kossuth

On motion by Siegrist of Pottawattamie, the House adjourned at 8:30 p.m., until 8:45 a.m., Wednesday, April 21, 1993.

JOURNAL OF THE HOUSE

One Hundred First Calendar Day — Sixty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 21, 1993

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

Prayer was offered by Reverend Robert Schmidtberger, pastor of Sharon Reformed Presbyterian Church, Morningsun.

The Journal of Tuesday, April 20, 1993 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Schrader of Marion, until his arrival, on request of Renaud of Polk.

CONSIDERATION OF BILLS Unfinished Business Calendar

The House resumed consideration of **Senate File 3**, a bill for an act relating to the establishment and regulation of elder group homes, with report of committee recommending amendment and passage, previously deferred and placed on the unfinished business calendar.

Boddicker of Cedar offered the following amendment H—3840 filed by the committee on human resources and moved its adoption:

H—3840

- 1 Amend Senate File 3, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 3, by inserting after line 32 the fol-
- 4 lowing:
- 5 "Sec. _____. NEW SECTION. 231B.4 APPLICABILITY.
- 6 This chapter shall not be construed to require that
- 7 a facility, currently licensed or licensed as a
- 8 different type of facility and serving persons sixty
- 9 years of age or older, also comply with the
- 10 requirements of this chapter."

The committee amendment H—3840 was adopted.

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

On the question "Shall the bill pass?" (S.F. 3)

The ayes were, 93:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Fogrig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Running	Siegrist	Spenner	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 6:

Doderer	Houser	Mertz	Shultz
Tyrrell	Vande Hoef		

Absent or not voting, 1:

Schrader

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

The House resumed consideration of **Senate File 254**, a bill for an act to broaden the definition of children requiring special education to include children who retain some sight but who have a medically diagnosed expectation of visual deterioration and to provide for related matters, previously deferred and placed on the unfinished business calendar.

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

On the question "Shall the bill pass?" (S.F. 254)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Schrader

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

The House resumed consideration of **Senate File 364**, a bill for an act relating to nonpublic school pupil textbook services, previously deferred and placed on the unfinished business calendar.

Grundberg of Polk asked and received unanimous consent to withdraw amendment H—4055 filed by her on April 19, 1993.

Eddie of Buena Vista asked and received unanimous consent to withdraw amendment H—4090 filed by him on April 20, 1993.

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

On the question "Shall the bill pass?" (S.F. 364)

The ayes were, 81:

Arnould	Baker	Beaman	Black
Blodgett	Boddicker	Brammer	Brand
Branstad	Brauns	Brunkhorst	Burke
Carpenter	Cataldo	Churchill	Daggett
Dickinson	Dinkla	Drake	Eddie
Ertl	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hanson, D. E.	Hanson, D. R.	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	O'Brien	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Witt
Mr. Speaker			
Van Maanen			

The nays were, 17:

Beatty	Bell	Bernau	Cohoon
Connors	Doderer	Dvorsky	Fallon
Grundberg	Hammond	Hansen, S. D.	Harper
Nelson	Neuhauser	Ollie	Shoultz
Wise			

Absent or not voting, 2:

Corbett Schrader

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 388**, a bill for an act relating to establishing statewide implementation of 911 telephone services and providing for the funding of such services and providing an effective date, previously deferred and placed on the unfinished business calendar.

Harper of Black Hawk asked and received unanimous consent to withdraw amendment H—3398 filed by her on March 23, 1993.

Halvorson of Clayton offered the following amendment H—3779 filed by him and Renken of Grundy:

H-3779

1 Amend House File 388 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 34A.2, subsection 6, paragraph
5 e, Code 1993, is amended to read as follows:

6 e. A statement of estimated costs to be incurred
7 by the joint E911 service board, including separate
8 estimates of the following:

9 (1) Nonrecurring costs, including, but not limited
10 to, public safety answering points, network equipment,
11 software, database, addressing, initial training, and
12 other capital and start-up expenditures, including the
13 purchase or lease of subscriber names, addresses, and
14 telephone information from the local exchange service
15 provider.

16 (2) Recurring costs, including, but not limited
17 to, network access fees and other telephone charges,
18 software, equipment, and database management, and
19 maintenance, including the purchase or lease of
20 subscriber names, addresses, and telephone information
21 from the local exchange service provider. Recurring
22 costs shall not include personnel costs for a public
23 safety answering point.

24 Costs are limited to nonrecurring and recurring
25 costs directly attributable to the provision of 911
26 emergency telephone communication service and may
27 include costs for radios and other equipment
28 permanently located at the public safety answering
29 point. Costs do not include expenditures for any
30 other purpose, and specifically exclude costs
31 attributable to other emergency services or
32 expenditures for buildings, radios, or personnel,
33 except for the costs of personnel for database
34 management and personnel directly associated with
35 addressing.

36 Sec. 2. Section 34A.3, subsection 1, Code 1993, is
37 amended to read as follows:

38 1. Joint 911 service boards to submit plans. The
39 board of supervisors of each county shall establish a
40 joint 911 service board not later than January 1,
41 1989. Each political subdivision of the state having
42 a public safety agency serving territory within the
43 county is entitled to voting membership on the joint
44 911 service board. Each private safety agency
45 operating within the area is entitled to nonvoting
46 membership on the board. A township which does not
47 operate its own public safety agency, but contracts
48 for the provision of public safety services, is not
49 entitled to membership on the joint 911 service board,
50 but its contractor is entitled to membership according

Page 2

1 to the contractor's status as a public or private
2 safety agency. The joint 911 service board shall
3 develop an enhanced 911 service plan encompassing at
4 minimum the entire county, unless an exemption is
5 granted by the administrator permitting a smaller E911
6 service area. The administrator may grant a
7 discretionary exemption from the single county minimum
8 service area requirement based upon an E911 joint
9 service board's or other E911 service plan operating
10 authority's presentation of evidence which supports
11 the requested exemption if the administrator finds
12 that local conditions make adherence to the minimum
13 standard unreasonable or technically infeasible, and
14 that the purposes of this chapter would be furthered
15 by granting an exemption. The minimum size
16 requirement is intended to prevent unnecessary
17 duplication of public safety answering points and
18 minimize other administrative, personnel, and
19 equipment expenses. An E911 service area must
20 encompass a geographically contiguous area. No
21 exemption shall be granted from the contiguous area
22 requirement. The administrator may order the
23 inclusion of a specific territory in an adjoining E911
24 service plan area to avoid the creation by exclusion
25 of a territory smaller than a single county not
26 serviced by surrounding E911 service plan areas upon
27 request of the joint 911 service board representing
28 the territory. The E911 service plan operating
29 authority shall submit the plan on or before ~~March 1,~~
30 1989 January 1, 1994, to all of the following:

- 31 a. The division.
- 32 b. Public and private safety agencies in the
33 enhanced 911 service area.
- 34 c. Providers affected by the enhanced 911 service
35 plan.

36 An E911 joint service board that has a state-
37 approved service plan in place prior to July 1, 1993,
38 is exempt from the provisions of this section. The
39 division shall establish, by July 1, 1994, E911
40 service plans for those E911 joint service boards
41 which do not have a state-approved service plan in
42 place on or before January 1, 1994.

43 The division shall prepare a statewide summary of
44 the plans submitted and present the summary to the
45 legislature on or before ~~June 1, 1989~~ August 1, 1994.

46 **Sec. 3. NEW SECTION. 34A.6A ALTERNATIVE**
47 **SURCHARGE.**

48 Notwithstanding section 34A.6, the board may
49 request imposition of a surcharge in an amount up to
50 two dollars and fifty cents per month on each

Page 3

- 1 telephone access line. The board shall submit the
- 2 question of the surcharge to voters in the same manner
- 3 as provided in section 34A.6. If approved, the
- 4 surcharge may be collected for a period of twenty-four
- 5 months. At the end of the twenty-four-month period,
- 6 the rate of the surcharge shall revert to one dollar
- 7 per month, per access line."
- 8 2. Title page, by striking line 3 and inserting
- 9 the following: "services."

Dickinson of Jackson offered the following amendment H—4069, to amendment H—3779, filed by him and moved its adoption:

H—4069

- 1 Amend the amendment, H—3779, to House File 388, as
- 2 follows:
- 3 1. Page 1, line 27, by striking the words "radios
- 4 and other" and inserting the following: "portable and
- 5 vehicle radios, communication towers, and other radios
- 6 and".

Amendment H—4069 was adopted.

Harper of Black Hawk asked and received unanimous consent to withdraw the following amendments: H—4027 filed by her on April 16, 1993 and H—3810 filed by Harper, et al., on April 8, 1993.

Halvorson of Clayton moved the adoption of amendment H—3779, as amended.

Amendment H—3779, as amended, was adopted, placing out of order amendment H—3276 filed by Halvorson of Clayton on March 15, 1993.

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

On the question "Shall the bill pass?" (H.F. 388)

The ayes were, 89:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Brammer
Brand	Branstad	Brauns	Brunkhorst
Burke	Carpenter	Cataldo	Churchill
Cohoon	Connors	Corbett	Daggett
Dickinson	Dinkla	Doderer	Drake
Dvorsky	Eddie	Ertl	Fallon
Fogarty	Gill	Gipp	Greig
Greiner	Gries	Grubbs	Hahn

Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Hurley
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Lundby	Martin
McCoy	McKinney	McNeal	Metcalf
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Shultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 9:

Blodgett	Boddicker	Garman	Houser
Iverson	Larson	May	Mertz
Meyer			

Absent or not voting, 2:

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 3, 254, 364 and House File 388.**

The House stood at ease at 10:50 a.m., until the fall of the gavel.

The House resumed session at 11:52 a.m., Speaker Van Maanen in the chair.

On motion by Gipp of Winneshiek, the House recessed at 11:53 a.m., until 1:00 p.m.

SPECIAL PRESENTATION

During the recess, Hanson of Delaware presented to the House sixth grade students from East Buchanan Central Elementary School, Winthrop. They are members of D.A.R.E. and presented several songs. They were accompanied by their teacher, Ms. Reck and Deputy Bill Wolfram of the Buchanan County Sheriff's Department.

AFTERNOON SESSION

The House reconvened, Speaker Van Maanen in the chair.

CONSIDERATION OF
HOUSE CONCURRENT RESOLUTION 24

Hanson of Black Hawk called up for consideration House Concurrent Resolution 24, a concurrent resolution relating to the state board of regents five-year building program.

Hansen of Woodbury offered the following amendment H-3674 filed by him and moved its adoption:

H-3674

- 1 Amend House Concurrent Resolution 24 as follows:
- 2 1. Page 1, line 22, by striking the word
- 3 "projects" and inserting the following: "project".
- 4 2. Page 1, line 23, by striking the word "are"
- 5 and inserting the following: "is".
- 6 3. Page 1, line 25, by striking the word
- 7 "institutions" and inserting the following:
- 8 "institution specified in this Resolution".
- 9 4. Page 2, line 12, by striking the words "the
- 10 institutions" and inserting the following: "an
- 11 institution".
- 12 5. Page 2, line 13, by inserting after the word
- 13 "out" the following: "a".
- 14 6. Page 2, by striking line 14 and inserting the
- 15 following: "project at this time and to finance its
- 16 cost by".
- 17 7. Page 2, by striking line 17 and inserting the
- 18 following: "\$7,441,000, the remaining cost of the
- 19 project to be".
- 20 8. Page 3, line 6, by striking the figure
- 21 "16,380,000" and inserting the following:
- 22 "7,441,000".
- 23 9. Page 3, line 14, by striking the word
- 24 "projects" and inserting the following: "project".
- 25 10. Page 3, line 15, by striking the word
- 26 "institutions" and inserting the following:
- 27 "specified institution".
- 28 11. Page 3, line 21, by striking the word
- 29 "projects" and inserting the following: "project".
- 30 12. Page 3, line 22, by striking the word "any"
- 31 and inserting the following: "the".
- 32 13. Page 3, line 23, by striking the figure
- 33 "16,380,000" and inserting the following:
- 34 "7,441,000".
- 35 14. Page 3, by striking lines 24 through 27.
- 36 15. Page 4, by striking line 2.

- 37 16. Page 4, line 5, by striking the word
 38 "projects" and inserting the following: "the
 39 project".
 40 17. Page 4, line 10, by striking the words "State
 41 University of Iowa and the".
 42 18. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 16, nays 69.

Amendment H—3674 lost.

Brand of Benton asked and received unanimous consent to defer action on amendment H—4112 filed by him from the floor.

Hammond of Story asked and received unanimous consent to defer action on amendment H—3778.

McKinney of Dallas offered the following amendment H—3633 filed by him and moved its adoption:

H—3633

1 Amend House Concurrent Resolution 24 as follows:

2 1. By striking page 3, line 24, through page 4,
 3 line 2, and inserting the following:

4 "Fire and environmental safety, deferred
 5 maintenance, and cost of issuance of bonds at the
 6 institutions of higher education under the control of
 7 the state board of regents in amounts for each
 8 institution determined to be appropriate by the board:
 9 \$ 16,380,000".

Roll call was requested by McKinney of Dallas and Fallon of Polk.

On the question "Shall amendment H—3633 be adopted?"
 (H.C.R. 24)

The ayes were, 25:

Baker	Beatty	Bernau	Black
Brammer	Brand	Burke	Cataldo
Cohoon	Connors	Fallon	Garman
Gill	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hansen, S. D.	Henderson	Holveck	McCoy
McKinney	Mertz	Nelson	Renaud
Running			

The nays were, 73:

Arnould	Beaman	Bell	Blodgett
Boddicker	Branstad	Brauns	Brunkhorst
Carpenter	Churchill	Corbett	Daggett
Dickinson	Dinkla	Doderer	Drake

Dvorsky	Eddie	Ertl	Fogarty
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Hester
Houser	Hurley	Iverson	Jochum
Kistler	Klemme	Koenigs	Kreiman
Larkin	Larson	Lundby	Martin
May	McNeal	Metcalf	Meyer
Miller	Moreland	Mundie	Murphy
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renken	Royer	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

Absent or not voting, 2:

Millage Schrader

Amendment H—3633 lost.

Brand of Benton offered the following amendment H—4112, previously deferred, filed by him from the floor and moved its adoption:

H—4112

- 1 Amend House Concurrent Resolution 24 as follows:
- 2 1. Page 2, line 12, by inserting after the word
- 3 "institutions," the following: "and to meet the
- 4 critical need for deferred maintenance,".
- 5 2. Page 2, line 17, by striking the figure
- 6 "16,380,000" and inserting the following:
- 7 "21,380,000".
- 8 3. Page 3, line 6, by striking the figure
- 9 "16,380,000" and inserting the following:
- 10 "21,380,000".
- 11 4. Page 3, line 23, by striking the figure
- 12 "16,380,000" and inserting the following:
- 13 "21,380,000".
- 14 5. Page 3, by inserting after line 25 the follow-
- 15 ing:
- 16 "Fire and environmental safety and critical
- 17 deferred maintenance".
- 18 6. Page 3, line 27, by striking the figure
- 19 "8,939,000" and inserting the following:
- 20 "10,939,000".
- 21 7. Page 3, by inserting after line 27 the follow-
- 22 ing:
- 23 "Iowa State University of Science and Technology
- 24 Fire and environmental safety and critical deferred
- 25 maintenance

- 26 Cost of issuance of bonds
 27 \$ 2,000,000".
 28 8. Page 3, by inserting after line 29 the follow-
 29 ing:
 30 "Planning for a wellness center".
 31 9. Page 4, line 1, by striking the figure
 32 "7,441,000" and inserting the following: "8,441,000".
 33 10. Page 4, line 2, by striking the figure
 34 "16,380,000" and inserting the following:
 35 "21,380,000".
 36 11. By renumbering as necessary.

Roll call was requested by Brand of Benton and McCoy of Polk.

On the question "Shall amendment H—4112 be adopted?"
 (H.C.R. 24)

The ayes were, 45:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Brunkhorst	Burke	Cataldo	Cohoon
Connors	Doderer	Dvorsky	Fogarty
Gill	Hammond	Hansen, S. D.	Harper
Haverland	Henderson	Holveck	Jochum
Koenigs	Kreiman	Larkin	May
McCoy	McKinney	Mertz	Moreland
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Renaud
Running	Shoultz	Weigel	Wise
Witt			

The nays were, 54:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Carpenter	Churchill	Corbett
Daggett	Dickinson	Dinkla	Drake
Eddie	Ertl	Fallon	Garman
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hanson, D. E.	Hanson, D. R.	Hester
Houser	Hurley	Iverson	Kistler
Klemme	Larson	Lundby	Martin
McNeal	Metcalf	Meyer	Millage
Miller	Mundie	Plasier	Rafferty
Rants	Renken	Royer	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Welter	Mr. Speaker		
	Van Maanen		

Absent or not voting, 1:

Schrader

Amendment H—4112 lost.

Hammond of Story asked and received unanimous consent to withdraw amendment H—3778, previously deferred, filed by her and Bernau of Story on April 7, 1993.

Hanson of Black Hawk moved the adoption of House Concurrent Resolution 24.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 82, nays 17.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE •

Siegrist of Pottawattamie asked and received unanimous consent that **House Concurrent Resolution 24** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Running of Linn, until his return, on request of Renaud of Polk.

Unfinished Business Calendar

The House resumed consideration of **Senate File 370**, a bill for an act relating to setting minimum fines for certain criminal convictions, increasing the civil penalty assessed for certain motor vehicle license revocations, collecting delinquent fines, penalties, costs, and restitution, and allowing community service in lieu of a fine, previously deferred and placed on the unfinished business calendar.

Plasier of Sioux asked and received unanimous consent to defer action on amendment H—3841.

Grubbs of Scott asked and received unanimous consent to withdraw amendment H—4054 filed by him on April 19, 1993, placing out of order amendment H—4105, filed from the floor by Millage of Scott.

Speaker pro tempore Lundby in the chair at 3:55 p.m.

Plasier of Sioux asked and received unanimous consent to withdraw amendment H—3876, filed by him on April 12, 1993.

Grubbs of Scott asked and received unanimous consent to defer action on amendment H—4130 filed by him from the floor.

Neuhauser of Johnson offered the following amendment H—4072 filed by her:

H-4072

- 1 Amend Senate File 370, as passed by the Senate, as
- 2 follows:
- 3 1. By striking page 2, line 7 through 3, line 13
- 4 and inserting the following:
- 5 "Sec. _____. Section 903.1, subsection 1, paragraph
- 6 b, Code 1993, is amended to read as follows:
- 7 b. For a serious misdemeanor, imprisonment not to
- 8 exceed one year, or a fine not to exceed one two
- 9 thousand five hundred dollars, or both."
- 10 2. Title page, lines 1 and 2, by striking the
- 11 words "setting minimum fines for certain criminal
- 12 convictions" and inserting the following: "increasing
- 13 maximum serious misdemeanor fines".
- 14 3. By renumbering as necessary.

Larson of Linn rose on a point of order that amendment H-4072 was not germane.

The Speaker ruled the point not well taken and amendment H-4072 germane.

Neuhauser of Johnson asked and received unanimous consent to amend amendment H-4072 as follows: Line 3, by inserting after the word "through," the word "page."

Neuhauser of Johnson moved the adoption of amendment H-4072.

A non-record roll call was requested.

The ayes were 41, nays 49.

Amendment H-4072 lost.

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 21, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 454, a bill for an act relating to the annual electric supply and cost review for certain public utilities.

Also: That the Senate has on April 21, 1993, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 11, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, and providing for tax exemptions on facilities within such zones.

Also: That the Senate has on April 21, 1993, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 191, a bill for an act relating to the levy of taxes for school libraries in certain school districts.

Also: That the Senate has on April 21, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 271, a bill for an act relating to entities and subject matter under the regulatory authority of the regulated industries unit of the division of insurance, including residential service contracts, continuing care retirement communities, loan brokers, and membership organizations.

Also: That the Senate has on April 21, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 335, a bill for an act relating to the Wallace technology transfer foundation and providing an effective date.

Also: That the Senate has on April 21, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 376, a bill for an act relating to community college athletic programs, community college approval and accreditation standards, repealing provisions for certain studies related to community colleges, and providing for other related matters.

Also: That the Senate has on April 21, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 410, a bill for an act relating to the sales, services, and use tax exemption for sales of educational, religious, or charitable activities.

Also: That the Senate has on April 21, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 412, a bill for an act relating to a records management fee to be collected by the county recorder.

Also: That the Senate has on April 21, 1993, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 27, a concurrent resolution honoring the University of Iowa Women's Basketball Team and Coach C. Vivian Stringer.

JOHN F. DWYER, Secretary

The House stood at ease at 4:14 p.m., until the fall of the gavel.

The House resumed session at 5:06 p.m., Speaker Van Maanen in the chair.

Grubbs of Scott offered the following amendment H—4130, previously deferred, filed by him from the floor:

H—4130

- 1 Amend Senate File 370, as passed by the Senate, as
- 2 follows:

3 1. Page 1, lines 16 and 17, by striking the words
4 and figure "unnumbered paragraph 1,".

5 2. Page 1, line 18, by inserting before the word
6 "Enforce" the following: "5."

7 3. By striking page 1, line 32, through page 2,
8 line 6, and inserting the following:

9 "If professional collection services are procured,
10 the county attorney shall enter on the appropriate
11 record of file with the clerk of the district court an
12 indication of the satisfaction of each obligation to
13 the full extent of all moneys collected in
14 satisfaction of that obligation, including all fees
15 and compensation retained by the collection service
16 incident to the collection and not paid into the
17 office of the clerk.

18 Before a county attorney designates another county
19 official or agency to assist with collection of debts,
20 revenues, moneys, fines, penalties, restitution of
21 court-appointed attorney fees or expense of a public
22 defender, and forfeitures, the board of supervisors of
23 the county must approve the designation.
24 Notwithstanding the disposition provisions of sections
25 602.8106 and 911.3, the county may retain up to
26 thirty-five percent of all moneys collected, excluding
27 amounts collected for victim restitution, as
28 compensation for collection services. The county
29 attorney shall enter on the appropriate record of the
30 clerk of the district court an indication of the
31 satisfaction of each obligation, including the amount
32 retained by the county for collection services and not
33 paid into the office of the clerk.

34 Sec. _____. Section 331.756, subsection 5, Code
35 1993, is amended by adding the following new
36 unnumbered paragraph:

37 NEW UNNUMBERED PARAGRAPH. All fines, penalties,
38 court costs, fees, and restitution for court-appointed
39 attorney fees or expenses of a public defender which
40 are delinquent as defined in section 602.8107 may be
41 collected by the county attorney or the county
42 attorney's designee. In order to receive a percentage
43 of the amounts collected pursuant to section 602.8107,
44 the county attorney must file with the clerk of the
45 district court a notice of full commitment to collect
46 delinquent obligations. The notice shall contain a
47 list of procedures which will be initiated by the
48 county attorney. Amounts collected by the county
49 attorney or the county attorney's designee shall be
50 distributed in accordance with section 602.8107.

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- 1 Sec. _____. Section 331.756, subsection 64A, Code
2 1993, is amended by striking the subsection.
- 3 Sec. _____. Section 421.17, subsection 25, Code
4 1993, is amended to read as follows:
- 5 25. To establish and maintain a procedure to set
6 off against a debtor's income tax refund or rebate any
7 debt which is in the form of a liquidated sum due,
8 owing, and payable to the clerk of the district court
9 as a criminal fine, civil penalty, surcharge, court
10 costs, or restitution of attorney fees incurred as a
11 result of services provided under chapters 13B and
12 815, and section 232.141. The procedure shall meet
13 the following conditions:
- 14 a. Before setoff all outstanding tax liabilities
15 collectible by the department shall be satisfied
16 except that no portion of a refund or rebate shall be
17 credited against tax liabilities, which are not yet
18 due.
- 19 b. Before setoff the county attorney clerk of the
20 district court shall obtain and forward to the
21 department the full name and social security number of
22 the debtor. The department shall cooperate in the
23 exchange of relevant information with the county
24 attorney clerk of the district court. However, only
25 relevant information required by the county attorney
26 clerk of the district court shall be provided by the
27 department. The information shall be held in
28 confidence and shall be used for purposes of setoff
29 only.
- 30 c. The county attorney clerk of the district
31 court, on the first day of February and August of each
32 calendar year, shall submit to the department for
33 setoff the debts described in this subsection, which
34 are at least fifty dollars.
- 35 d. Upon submission of a claim the department shall
36 notify the county attorney if the debtor is entitled
37 to a refund or rebate and of the amount of the refund
38 or rebate and the debtor's address on the income tax
39 return.
- 40 e. Upon notice of entitlement to a refund or
41 rebate the county attorney, upon submission of a claim
42 the department shall send written notification to the
43 debtor of the county attorney's clerk of the district
44 court's assertion of rights to all or a portion of the
45 debtor's refund or rebate and the entitlement to
46 recover the debt through the setoff procedure, the
47 basis of the assertion, the opportunity to request
48 that a joint income tax refund or rebate be divided
49 between spouses, and the debtor's opportunity to give
50 written notice of intent to contest the amount of the

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1 claim. The county attorney shall send a copy of the
2 notice to the department.
3 f e. Upon the request of a debtor or a debtor's
4 spouse to the county attorney department, filed within
5 fifteen days from the mailing of the notice of
6 entitlement to a refund or rebate, and upon receipt of
7 the full name and social security number of the
8 debtor's spouse, the county attorney shall notify the
9 department of the request to divide a joint income tax
10 refund or rebate. The the department shall upon
11 receipt of the notice divide a joint income tax refund
12 or rebate between the debtor and the debtor's spouse
13 in proportion to each spouse's net income as
14 determined under section 422.7.

15 g f. The department shall, after notice has been
16 sent to the debtor by the county attorney, set off the
17 debt against, and deduct a fee established by rule to
18 reflect the cost of processing from the debtor's
19 income tax refund or rebate. The department shall
20 transfer sixty-five ninety percent of the amount set
21 off to the treasurer of state for deposit in the
22 general fund of the state. The remaining thirty-five
23 ten percent shall be remitted to the county and
24 deposited in the general fund of the county judicial
25 department and used to defray the costs of this
26 procedure. If the debtor gives timely written notice
27 of intent to contest the amount of the claim, the
28 department shall hold the refund or rebate until final
29 determination of the correct amount of the claim. The
30 county attorney shall notify the debtor in writing
31 upon completion of setoff.

32 g. The department shall file with the clerk of the
33 district court a notice of the satisfaction of each
34 obligation to the full extent of all moneys collected
35 in satisfaction of the obligation. The clerk shall
36 record the notice and enter a satisfaction for the
37 amounts collected.

38 Sec. _____. Section 421.17, subsection 26, Code
39 1993, is amended to read as follows:

40 26. To provide that in the case of multiple claims
41 to payments filed under subsections 21, 23, 25, and 29
42 that priority shall be given to claims filed by the
43 child support recovery unit or the foster care
44 recovery unit under subsection 21, next priority shall
45 be given to claims filed by the college student aid
46 commission under subsection 23, next priority shall be
47 given to claims filed by the investigations division
48 of the department of inspections and appeals under
49 subsection 21, next priority shall be given to claims
50 filed by a county attorney clerk of the district court

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1 under subsection 25, and last priority shall be given
2 to claims filed by other state agencies under
3 subsection 29. In the case of multiple claims under
4 subsection 29, priority shall be determined in
5 accordance with rules to be established by the
6 director.

7 Sec. _____. Section 602.8102, subsection 164, Code
8 1993, is amended by striking the subsection.

9 Sec. _____. NEW SECTION. 602.8107 COLLECTION OF
10 FINES, PENALTIES, FEES, COURT COSTS, SURCHARGES,
11 INTEREST, AND RESTITUTION.

12 1. Fines, penalties, court costs, fees, interest,
13 restitution for court-appointed attorney fees, and
14 surcharges shall be paid to the clerk of the district
15 court. All amounts collected shall be distributed
16 pursuant to sections 602.8106 and 602.8108 or as
17 otherwise provided by this Code. The clerk may accept
18 payment of an obligation or a portion thereof by
19 credit card. The clerk may charge a fee to reflect
20 the additional cost of processing the payment by
21 credit card.

22 2. Payments received under this section shall be
23 applied in the following priority order:

24 a. Fines or penalties plus any interest due on
25 unsatisfied judgments and criminal penalty surcharges
26 plus interest due on unsatisfied amounts.

27 b. Victim restitution.

28 c. Court costs.

29 d. Court-appointed attorney fees or public
30 defender expenses.

31 3. The clerk of the district court shall initiate
32 procedures pursuant to sections 321.40 and 321.210A if
33 a fine, penalty, court cost, fee, restitution, or
34 surcharge is not paid by the date it is due. At the
35 time of payment, the clerk shall calculate the
36 interest due on unsatisfied judgments.

37 4. A fine, penalty, court cost, fee, or surcharge
38 is deemed delinquent if it is not paid within six
39 months after the date it is assessed. An amount which
40 was ordered by the court to be paid on a date fixed in
41 the future pursuant to section 909.3 is deemed
42 delinquent if it is not received by the clerk within
43 six months after the fixed future date set out in the
44 court order. If an amount was ordered to be paid by
45 installments, and an installment is not received
46 within thirty days after the date it is due, the
47 entire amount of the judgment is deemed delinquent.

48 5. All fines, penalties, court costs, fees,
49 surcharges, and restitution for court-appointed
50 attorney fees or for expenses of a public defender

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1 which are delinquent may be collected by the county
2 attorney or the county attorney's designee. Thirty-
3 five percent of the amounts collected by the county
4 attorney or the county attorney's designee shall be
5 deposited in the general fund of the county if the
6 county attorney has filed the notice required in
7 section 331.756, subsection 5. The remainder shall be
8 paid to the clerk for distribution under section
9 602.8108.

10 This subsection does not apply to amounts collected
11 for victim restitution, the victim compensation fund,
12 criminal penalty surcharge, or amounts collected as a
13 result of procedures initiated under section 321.40,
14 321.210A, or 421.17, subsection 25.

15 The county attorney shall file with the clerk of
16 the district court a notice of the satisfaction of
17 each obligation to the full extent of the moneys
18 collected in satisfaction of the obligation. The
19 clerk of the district court shall record the notice
20 and enter a satisfaction for the amounts collected.

21 6. If a county attorney has not filed a notice of
22 commitment to collect delinquent obligations pursuant
23 to section 331.756, subsection 5, the department of
24 revenue and finance or its designee may collect
25 delinquent fines, penalties, court costs, surcharges,
26 restitutions for court-appointed attorney fees, or
27 expenses of a public defender. From the amounts
28 collected, the department shall pay for the services
29 of its designee and the remainder shall be deposited
30 in the general fund of the state.

31 This subsection does not apply to amounts collected
32 for victim restitution, the new victim restitution
33 fund, criminal penalty surcharge, or amounts collected
34 as a result of procedures initiated under section
35 321.40, 321.210A, or 421.17, subsection 25.

36 The department of revenue and finance or its
37 collection designee shall file with the clerk of the
38 district court a notice of the satisfaction of each
39 obligation to the full extent of the moneys collected
40 in satisfaction of the obligation. The clerk of the
41 district court shall record the notice and enter a
42 satisfaction for the amounts collected."

43 4. Page 3, by inserting after line 13 the
44 following:

45 "Sec. _____. Section 909.3, Code 1993, is amended to
46 read as follows:

47 909.3 PAYMENT IN INSTALLMENTS OR ON A FIXED DATE.

48 1. All fines imposed by the court shall be paid on
49 the day the fine is imposed.

50 2. The court may, in its discretion, order a fine

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1 to be paid in installments, or may fix a date in the
 2 future which is not more than thirty days from the
 3 date the fine is imposed for the payment of the fine,
 4 whenever it appears that the defendant cannot make
 5 immediate payment, or should not be made to do so."

6 5. Page 3, by inserting after line 21 the
 7 following:

8 "Sec. _____, Section 909.6, Code 1993, is amended by
 9 adding the following new unnumbered paragraphs:

10 NEW UNNUMBERED PARAGRAPH. Whenever a court imposes
 11 a fine on an offender, the court shall impose interest
 12 charges on any amount remaining unsatisfied from the
 13 day after sentencing at the rate provided in section
 14 535.3.

15 NEW UNNUMBERED PARAGRAPH. At the time of imposing
 16 the sentence, the court shall inform the offender of
 17 the amount of the fine and that the judgment includes
 18 the imposition of a criminal surcharge, court costs,
 19 and applicable fees. The court shall also inform the
 20 offender of the duty to pay the judgment in a timely
 21 manner and that interest will be charged on
 22 unsatisfied judgments."

23 6. Page 4, by striking lines 1 through 30 and
 24 inserting the following:

25 "Sec. _____, Section 909.9, Code 1993, is repealed."

26 7. By renumbering as necessary.

Millage of Scott offered the following amendment H—4131, to
 amendment H—4130, filed by him from the floor and moved its
 adoption:

H—4131

1 Amend the amendment, H—4130, to Senate File 370, as
 2 passed by the Senate, as follows:

3 1. Page 6, line 2, by striking the word "thirty"
 4 and inserting the following: "one hundred twenty".

5 2. Page 6, by inserting after line 5 the follow-
 6 ing:

7 "For good cause, the court may order that the date
 8 for payment of the fine be extended beyond one hundred
 9 twenty days from the date the fine was imposed."

Amendment H—4131 was adopted.

Grubbs of Scott called up for consideration amendment H—4130,
 as amended.

On motion by Grubbs of Scott, the following amendment H—4134,
 to amendment H—4130, as amended, filed by him from the floor was
 adopted by unanimous consent:

H-4134

- 1 Amend amendment H-4130, to Senate File 370, as
- 2 passed by the Senate, as follows:
- 3 1. Page 4, by striking lines 31 through 36.

On motion by Grubbs of Scott, amendment H-4130, as amended, was adopted.

McNeal of Hardin offered the following amendment H-3841, filed by the committee on judiciary and law enforcement, previously deferred:

H-3841

- 1 Amend Senate File 370, as passed by the Senate, as
- 2 follows:
- 3 1. By striking page 1, line 16 through page 2,
- 4 line 6.
- 5 2. Page 2, by striking lines 31 through 34 and
- 6 inserting the following:
- 7 "a. For a simple misdemeanor, either imprisonment
- 8 not to exceed thirty days, or a fine of at least fifty
- 9 dollars but not to exceed one hundred dollars."
- 10 3. Page 3, line 1, by striking the words "two
- 11 thousand" and inserting the following: "one
- 12 thousand".
- 13 4. By striking page 3, line 14 through page 4,
- 14 line 30.
- 15 5. By renumbering as necessary.

McNeal of Hardin offered the following amendment H-4115, to the committee amendment H-3841, filed by him from the floor and moved its adoption:

H-4115

- 1 Amend the amendment, H-3841, to Senate File 370, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, by striking lines 3 and 4 and
- 4 inserting the following:
- 5 "_____. Page 1, by striking lines 16 through 31."
- 6 2. Page 1, by striking lines 13 and 14 and
- 7 inserting the following:
- 8 "_____. Page 3, by striking lines 14 through 35."
- 9 3. By renumbering as necessary.

Amendment H-4115 was adopted.

On motion by McNeal of Hardin the committee amendment H-3841, as amended, was adopted, placing the following out of order: amendment H-4130, page 1, lines 3 through 6; page 6, lines 6 through 22, previously adopted.

Larson 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. 370)

The ayes were, 60:

Baker	Beaman	Blodgett	Boddicker
Brammer	Branstad	Brauns	Brunkhorst
Burke	Carpenter	Churchill	Corbett
Daggett	Dinkla	Drake	Eddie
Ertl	Garman	Gipp	Greig
Greiner	Gries	Grubbs	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hanson, D. E.	Hanson, D. R.
Hester	Houser	Hurley	Iverson
Kistler	Klemme	Koenigs	Larson
Lundby	Martin	McCoy	McNeal
Metcalf	Meyer	Millage	Miller
Mundie	O'Brien	Plasier	Rafferty
Rants	Renken	Royer	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, 37:

Arnould	Beatty	Bell	Bernau
Black	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Hammond	Hansen, S. D.
Harper	Haverland	Henderson	Holveck
Jochum	Kreiman	Larkin	May
McKinney	Mertz	Moreland	Murphy
Nelson	Neuhauser	Ollie	Osterberg
Peterson	Renaud	Schrader	Shoultz
Weigel			

Absent or not voting, 3:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 370** be immediately messaged to the Senate.

The House resumed consideration of **Senate File 94**, a bill for an act relating to fertilizers or soil conditioners and pesticides by prohibiting regulations by local governmental entities, previously deferred and placed on the unfinished business calendar.

Bernau of Story asked and received unanimous consent to defer action on amendment H-4106, filed by him from the floor.

Witt of Black Hawk asked and received unanimous consent to defer action on amendment H-4113, filed from the floor by Witt, Martin and Grundberg.

The House stood at ease at 6:23 p.m., until the fall of the gavel.

The House resumed session at 6:38 p.m., Speaker Van Maanen in the chair.

Siegrist of Pottawattamie asked and received unanimous consent that Senate File 94 be deferred and that the bill be placed on the unfinished business calendar.

Garman of Story in the chair at 6:40 p.m.

SENATE AMENDMENT CONSIDERED

Millage of Scott called up for consideration **House File 79**, a bill for an act relating to criminal trial testimony by minors and certain victims and witnesses, amended by the Senate and moved that the House concur in the following Senate amendment H-4017:

H-4017

- 1 Amend House File 79, as passed by the House, as
- 2 follows:
- 3 1. Page 1, by inserting after line 31, the
- 4 following:
- 5 "Sec. _____. Section 910A.16, Code 1993, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 4. To the greatest extent
- 8 possible, a multidisciplinary team involving the
- 9 county attorney, law enforcement, community-based
- 10 child advocacy organizations, and personnel of the
- 11 department of human services shall be utilized in
- 12 investigating cases involving a violation of chapter
- 13 709 or 726 with a child.
- 14 Sec. _____. **EFFECTIVE DATE.** This Act, being deemed
- 15 of immediate importance, takes effect upon enactment."
- 16 2. Title page, line 2, by inserting after the
- 17 word "witnesses" the following: "and providing an
- 18 effective date".
- 19 3. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-4017.

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

On the question "Shall the bill pass?" (H.F. 79)

The ayes were, 92:

Arnould	Baker	Beaman	Bell
Bernau	Black	Blodgett	Boddicker
Brammer	Brand	Branstad	Brauns
Brunkhorst	Carpenter	Cataldo	Churchill
Cohoon	Connors	Corbett	Daggett
Dickinson	Dinkla	Drake	Dvorsky
Eddie	Ertl	Fallon	Fogarty
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renken	Royer
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Van Maanen, Spkr.	Weidman	Weigel
Welter	Wise	Witt	Garman
			Presiding

The nays were, none.

Absent or not voting, 8:

Beatty	Burke	Doderer	Hammond
Haverland	Renaud	Running	Schrader

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 79** be immediately messaged to the Senate.

Unfinished Business Calendar

The House resumed consideration of **Senate File 80**, a bill for an act relating to the provision of emergency medical services by a physician assistant, and providing for exemption from liability in certain situations, previously deferred and placed upon the unfinished business calendar.

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

On the question "Shall the bill pass?" (S.F. 80)

The ayes were, 94:

Arnould	Baker	Beaman	Bell
Bernau	Black	Blodgett	Boddicker
Brammer	Brand	Branstad	Brauns
Brunkhorst	Carpenter	Cataldo	Churchill
Cohoon	Connors	Corbett	Daggett
Dickinson	Dinkla	Doderer	Drake
Dvorsky	Eddie	Ertl	Fallon
Fogarty	Gill	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hansen, S. D.	Hanson, D. E.	Hanson, D. R.	Harper
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renken	Royer	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Van Maanen, Spkr.
Weidman	Weigel	Welter	Wise
Witt	Garman		
	Presiding		

The nays were, none.

Absent or not voting, 6:

Beatty	Burke	Haverland	Renaud
Running	Schrader		

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 80** be immediately messaged to the Senate.

Speaker Van Maanen in the chair at 6:54 p.m.

The House resumed consideration of **House File 472**, a bill for an act relating to bonds issued by airport authorities, previously deferred and placed on the unfinished business calendar.

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

On the question "Shall the bill pass?" (H.F. 472)

The ayes were, 93:

Arnould	Baker	Beaman	Bell
Bernau	Black	Blodgett	Boddicker
Brammer	Brand	Branstad	Brauns
Carpenter	Cataldo	Churchill	Cohoon
Connors	Corbett	Daggett	Dickinson
Dinkla	Doderer	Drake	Dvorsky
Eddie	Ertl	Fallon	Fogarty
Garman	Gill	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hansen, S. D.	Hanson, D. E.	Hanson, D. R.	Harper
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renken	Royer	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 1:

Brunkhorst

Absent or not voting, 6:

Beatty	Burke	Haverland	Renaud
Running	Schrader		

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 472** be immediately messaged to the Senate.

SENATE AMENDMENTS CONSIDERED

Brunkhorst of Bremer called up for consideration **House File 342**, a bill for an act relating to the sale, use, possession, and transportation of minnows for commercial or personal use, amended by the Senate and moved that the House concur in the following Senate amendment H—3913:

H—3913

- 1 Amend House File 342, as passed by the House, as
- 2 follows:
- 3 1. Page 2, line 33, by striking the word
- 4 "fifteen" and inserting the following: "fifteen
- 5 twenty".
- 6 2. Page 3, line 1, by striking the word "fifteen"
- 7 and inserting the following: "fifteen twenty".

The motion prevailed and the House concurred in the Senate amendment H—3913.

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

On the question "Shall the bill pass?" (H.F. 342)

The ayes were, 89:

Baker	Beaman	Bell	Black
Blodgett	Boddicker	Brand	Branstad
Brauns	Brunkhorst	Carpenter	Cataldo
Churchill	Cohoon	Connors	Corbett
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Henderson	Hester
Holveck	Harper	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby

Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Millage
Miller	Moreland	Mundie	Murphy
Nelson	Neuhauser	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renken	Royer	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 3:

Arnould	Bernau	Brammer
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Absent or not voting, 8:

Beatty	Burke	Haverland	Meyer
O'Brien	Renaud	Running	Schrader

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 342** be immediately messaged to the Senate.

Grundberg of Polk called up for consideration **House File 448**, a bill for an act extending the time limit for filling school board vacancies, amended by the Senate, and moved that the House concur in the following Senate amendment H-3912:

H-3912

- 1 Amend House File 448, as passed by the House, as
- 2 follows:
- 3 1. Page 1, by inserting after line 18 the fol-
- 4 lowing:
- 5 "Sec. 2. EFFECTIVE DATE. This Act, being deemed
- 6 of immediate importance, takes effect upon enactment."
- 7 2. Title page, line 2, by inserting after the
- 8 word "vacancies" the following: "and providing an
- 9 effective date".

The motion prevailed and the House concurred in the Senate amendment H-3912.

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

On the question "Shall the bill pass?" (H.F. 448)

The ayes were, 93:

Arnould	Baker	Beaman	Bell
Bernau	Black	Blodgett	Boddicker
Brammer	Brand	Branstad	Brauns
Brunkhorst	Carpenter	Cataldo	Churchill
Cohoon	Connors	Corbett	Daggett
Dickinson	Dinkla	Doderer	Drake
Dvorsky	Eddie	Ertl	Fallon
Fogarty	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Henderson	Hester	Holveck
Houser	Hurley	Iverson	Jochum
Kistler	Klemme	Koenigs	Kreiman
Larkin	Larson	Lundby	Martin
May	McCoy	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renken	Royer	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, none.

Absent or not voting, 7:

Beatty	Burke	Haverland	McKinney
Renaud	Running	Schrader	

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 448** be immediately messaged to the Senate.

McNeal of Hardin called up for consideration **House File 151**, a bill for an act relating to plans for release of inmates committed to the custody of the department of corrections, amended by the Senate, and moved that the House concur in the following Senate amendment H—3990:

H—3990

- 1 Amend House File 151, as amended, passed, and
- 2 reprinted by the House, as follows:

- 3 1. Page 1, line 15, by striking the word "The"
 4 and inserting the following: "Following the release
 5 of the inmate, the".
 6 2. Page 1, line 25, by inserting after the word
 7 "release." the following: "The board at least
 8 annually shall review the status of a person other
 9 than a class "A" felon, a class "B" felon serving a
 10 sentence of more than twenty-five years, or a felon
 11 serving a mandatory minimum sentence other than a
 12 class "A" felon, and provide the person with notice of
 13 the board's parole or work release decision."
 14 3. Page 1, by striking lines 28 through 34, and
 15 inserting the following:
 16 "2. Within six months after the commitment of a
 17 person convicted of an offense under chapter 714,
 18 715A, 716, or 716A, a member of the board shall
 19 interview the person as provided in subsection 1. The
 20 board shall develop a plan for the purpose".
 21 4. Page 2, by striking lines 2 through 4, and
 22 inserting the following: "detriment to the community
 23 or to the person."

The motion prevailed and the House concurred in the Senate amendment H—3990.

McNeal of Hardin 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. 151)

The ayes were, 96:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McNeal
Mertz	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer

Schrader
Tyrrell
Welter

Shoultz
Vande Hoef
Wise

Siegrist
Weidman
Witt

Spenner
Weigel
Mr. Speaker
Van Maanen

The nays were, none.

Absent or not voting, 4:

Haverland

Koenigs

McKinney

Running

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 151** be immediately messaged to the Senate.

Grundberg of Polk called up for consideration **House File 584**, a bill for an act relating to housing facilities for persons with certain disabilities, amended by the following Senate amendment H—4019:

H—4019

- 1 Amend House File 584, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 11, by striking the words "five
- 4 or fewer" and inserting the following: "two to five".
- 5 2. Page 1, by striking line 28 and inserting the
- 6 following: "chapter shall be eligible to apply for or
- 7 continue to receive funding provided through".
- 8 3. Page 2, line 13, by striking the word
- 9 "However," and inserting the following: "However,".
- 10 4. Page 2, line 15, by striking the word "home."
- 11 and inserting the following: "home new family homes
- 12 owned or operated by public or private agencies shall
- 13 be disbursed through the residential zones and
- 14 districts and shall not be located within contiguous
- 15 areas equivalent in size to city block areas."
- 16 5. Page 2, line 34, by striking the word
- 17 "However," and inserting the following: "However,".
- 18 6. Page 2, line 35, by striking the word "home."
- 19 and inserting the following: "home new family homes
- 20 owned and operated by public or private agencies shall
- 21 be disbursed throughout the residential zones and
- 22 districts and shall not be located within contiguous
- 23 city block areas."
- 24 7. By renumbering, relettering, or redesignating
- 25 and correcting internal references as necessary.

Witt of Black Hawk asked and received unanimous consent to withdraw amendment H—4070, to the Senate amendment H—4019, filed by him and Grundberg of Polk on April 20, 1993.

On motion by Grundberg of Polk the House concurred in the Senate amendment H-4019.

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

On the question "Shall the bill pass?" (H.F. 584)

The ayes were, 96:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Rafferty
Rants	Renaud	Renken	Royer
Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, none.

Absent or not voting, 4:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 584** be immediately messaged to the Senate.

Vande Hoef of Osceola called up for consideration **House File 169**, a bill for an act relating to rural water districts, by providing for authority to execute agreements for the administration of services, and the incorporation of real property, amended by the Senate, and moved that the House concur in the following Senate amendment H—3993:

H—3993

- 1 Amend House File 169, as passed by the House, as
- 2 follows:
- 3 1. Page 1, line 3, by striking the word "Execute"
- 4 and inserting the following: "Have authority to
- 5 execute".

The motion prevailed and the House concurred in the Senate amendment H—3993.

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

On the question "Shall the bill pass?" (H.F. 169)

The ayes were, 96:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Kreiman
Larkin	Larson	Lundby	Martin
May	McCoy	McKinney	McNeal
Mertz	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Schrader	Shoultz	Siegrist	Spenner

Tyrrell
Welter

Vande Hoef
Wise

Weidman
Witt

Weigel
Mr. Speaker
Van Maanen

The nays were, none.

Absent or not voting, 4:

Halvorson, R. N. Haverland

Koenigs

Running

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 169** be immediately messaged to the Senate.

Hanson of Black Hawk called up for consideration **House File 275**, a bill for an act to permit a person who has been issued a coaching authorization to be employed by a school district as head coach and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H-4064:

H-4064

- 1 Amend House File 275, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 11, by inserting after the figure
- 4 "272." the following: "However, a board of directors
- 5 of a school district shall consider applicants with
- 6 qualifications described below, in the following order
- 7 of priority:
- 8 1. A qualified individual who possesses a valid
- 9 teaching license with a proper coaching endorsement.
- 10 2. A qualified individual who possesses a coaching
- 11 authorization issued by the board of educational
- 12 examiners.
- 13 Qualifications are to be determined by the board of
- 14 directors or their designee or a case-by-case basis.
- 15 PARAGRAPH DIVIDED."

The motion prevailed and the House concurred in the Senate amendment H-4064.

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

On the question "Shall the bill pass?" (H.F. 275)

The ayes were, 88:

Arnould	Baker	Beaman	Beatty
Bell	Black	Blodgett	Boddicker
Brammer	Brand	Branstad	Brunkhorst
Carpenter	Cataldo	Churchill	Cohoon
Connors	Corbett	Daggett	Dickinson
Dinkla	Doderer	Drake	Dvorsky
Eddie	Ertl	Fallon	Fogarty
Garman	Gill	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Kreiman
Larkin	Larson	Lundby	Martin
May	McCoy	McKinney	McNeal
Mertz	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Nelson
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Wise	Mr. Speaker Van Maanen

The nays were, 8:

Bernau	Brauns	Hammond	Harper
Murphy	Neuhauser	Weigel	Witt

Absent or not voting, 4:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 275** be immediately messaged to the Senate.

Halvorson of Clayton called up for consideration **House File 495**, a bill for an act relating to regulation of insurance, including the authority of the division to regulate certain policies and contracts and the parties to such policies and contracts, establishing fees, and providing a penalty, amended by the Senate, and moved that the House concur in the following Senate amendment H-4076:

H-4076

- 1 Amend House File 495, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking page 1, line 1. through page 2, line
- 4 18.
- 5 1. Page 18, by striking lines 8 through 32.
- 6 2. Page 18, by inserting before line 33, the
- 7 following:
- 8 "Sec. _____. WORKERS' COMPENSATION MARKET -
- 9 MONITORING. The commissioner of insurance shall
- 10 monitor the residual and assigned risks markets for
- 11 workers' compensation coverage. The commissioner
- 12 shall monitor, at a minimum, the effect of the
- 13 residual and assigned risks markets on the volume of
- 14 coverage written in the voluntary market."
- 15 3. By renumbering, relettering, or redesignating
- 16 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-4076.

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

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

The ayes were, 93:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Drake	Dvorsky	Eddie	Ertl
Fogarty	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hansen, S. D.	Hanson, D. E.	Harper	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney,
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Schrader	Shoultz	Siegrist

Spenner
Weigel
Mr. Speaker
Van Maanen

Tyrrell
Welter

Vande Hoef
Wise

Weidman
Witt

The nays were, 3:

Doderer

Fallon

Hammond

Absent or not voting, 4:

Hanson, D. R.

Haverland

Koenigs

Running

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 495** be immediately messaged to the Senate.

Dinkla of Guthrie called up for consideration **House File 301**, a bill for an act relating to judicial ethics or grievance hearings and examination and admissions subject to the administrative authority of the supreme court, amended by the Senate, and moved that the House concur in the following Senate amendment H-3744:

H-3744

- 1 Amend House File 301, as passed by the House, as
- 2 follows:
- 3 1. Page 2, by inserting after line 28, the
- 4 following:
- 5 "Sec. _____. Section 602.10123, Code 1993, is amended
- 6 to read as follows:
- 7 602.10123 PROCEEDINGS.
- 8 The proceedings to remove or suspend an attorney
- 9 may be commenced by the direction of the court or on
- 10 motion the petition of any individual. In the former
- 11 case, the court must direct some attorney to draw up
- 12 the accusation; in the latter, the accusation must be
- 13 drawn up and sworn to by the person making it."
- 14 2. By numbering and renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-3744.

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

On the question "Shall the bill pass?" (H.F. 301)

The ayes were, 94:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Cataldo
Churchill	Cphoon	Connors	Corbett
Daggett	Dickinson	Dinkla	Doderer
Drake	Eddie	Ertl	Fallon
Fogarty	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Henderson	Hester	Holveck
Houser	Hurley	Iverson	Jochum
Kistler	Klemme	Kreiman	Larkin
Larson	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, none.

Absent or not voting, 6:

Carpenter	Dvorsky	Haverland	Koenigs
Lundby	Running		

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 301** be immediately messaged to the Senate.

Unfinished Business Calendar

The House resumed consideration of **Senate File 287**, a bill for an act relating to hospital privileges provided certain professionals including certified health service providers in psychology, previously deferred and placed on the unfinished business calendar.

Hurley of Fayette offered the following amendment H—3837 filed by the committee on human resources and moved its adoption:

H-3837

- 1 . Amend Senate File 287, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 27, by inserting after the word
 4 "applies," the following: "This section shall not be
 5 construed to authorize the denial of clinical
 6 privileges to a practitioner or class of practitioners
 7 solely because a hospital has as employees of the
 8 hospital identically licensed practitioners providing
 9 the same or similar services."

The committee amendment H-3837 was adopted.

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

On the question "Shall the bill pass?" (S.F. 287)

The ayes were, 82:

Arnould	Baker	Beatty	Bell
Bernau	Black	Blodgett	Boddicker
Brammer	Brand	Brunkhorst	Burke
Carpenter	Cataldo	Churchill	Cohoon
Connors	Corbett	Daggett	Dickinson
Doderer	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hansen, S. D.	Hanson, D. E.	Hanson, D. R.	Harper
Haverland	Henderson	Holveck	Houser
Hurley	Jochum	Kistler	Klemme
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
Metcalfe	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Schrader	Shultz	Siegrist
Spenner	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 16:

Beaman	Branstad	Brauns	Dinkla
Drake	Garman	Grundberg	Hester
Iverson	McNeal	Mertz	Renken
Royer	Tyrrell	Vande Hoef	Weidman

Absent or not voting, 2:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 287** be immediately messaged to the Senate.

The House resumed consideration of **Senate File 312**, a bill for an act relating to the formation of the friends of capitol hill nonprofit corporation, previously deferred and placed on the unfinished business calendar.

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

On the question "Shall the bill pass?" (S.F. 312)

The ayes were, 97:

Arnould	Baker	Beaman	Beatty
Bell	Black	Blodgett	Boddicker
Brammer	Brand	Branstad	Brauns
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cohoon	Connors	Corbett
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, none.

Absent or not voting, 3:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 312** be immediately messaged to the Senate.

The House resumed consideration of **Senate File 350**, a bill for an act relating to child support and providing for civil penalties, an effective date, and a retroactive applicability date, previously deferred and placed on the unfinished business calendar and amendment H-4003, (found on page 1307 of the House Journal) to the committee amendment H-3824, found on pages 1298 through 1306, pending.

McNeal of Hardin moved the adoption of amendment H-4003, to the committee amendment H-3824.

A non-record roll call was requested.

The ayes were 71, nays 15.

Amendment H-4003 was adopted.

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 350** be deferred and that the bill be placed on the unfinished business calendar.

(The committee amendment H-3824 pending.)

The House resumed consideration of **Senate File 94**, a bill for an act relating to fertilizers or soil conditioners and pesticides by prohibiting regulations by local governmental entities, previously deferred and placed on the unfinished business calendar.

Meyer of Sac offered the following amendment H-4137 filed from the floor by Eddie, Meyer, Bernau, Lundby, Witt, Henderson and Fallon and moved its adoption:

H-4137

- 1 Amend Senate File 94, as passed by the Senate, as
- 2 follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. NEW SECTION. 200.22 PREEMPTION OF
- 6 COUNTY LEGISLATION.
- 7 1. As used in this section, "legislation" means an
- 8 ordinance, motion, resolution, rule, or any other
- 9 enactment adopted by a county board of supervisors
- 10 except orders given to its employees relating to their
- 11 use, storage, transportation, or disposal of a
lizer or soil conditioner in their capacity as

13 public employees or the approved terms of a service or
14 sales contract between a person and the county
15 relating to the use of a fertilizer or soil
16 conditioner.

17 2. The provisions of this chapter and rules
18 adopted by the department pursuant to this chapter
19 shall preempt all legislation adopted by a county
20 relating to the use, sale, distribution, storage,
21 transportation, disposal, formulation, labeling,
22 registration, or manufacture of a fertilizer or soil
23 conditioner. A county shall not adopt or continue in
24 effect legislation relating to the use, sale,
25 distribution, storage, transportation, disposal,
26 formulation, labeling, registration, or manufacture of
27 a fertilizer or soil conditioner, regardless of
28 whether a statute or rule adopted by the department
29 applies to preempt the legislation. Legislation in
30 violation of this section is void and unenforceable.

31 3. This section does not apply to legislation
32 which applies generally to all commercial activity and
33 which is not directed specifically to a matter
34 relating to fertilizers or soil conditioners,
35 including but not limited to zoning.

36 4. This section does not apply to legislation
37 which is required to be adopted by a county in order
38 to comply with a federal or state statute, regulation,
39 or rule.

40 **Sec. 2. NEW SECTION. 206.34 PREEMPTION OF COUNTY**
41 **LEGISLATION.**

42 1. As used in this section, "legislation" means an
43 ordinance, motion, resolution, rule, or any other
44 enactment adopted by a county board of supervisors
45 except orders given to its employees relating to their
46 use, storage, transportation, or disposal of a
47 pesticide in their capacity as public employees or the
48 approved terms of a service or sales contract between
49 a person and the county relating to the use of a
50 pesticide.

Page 2

1 2. The provisions of this chapter and rules
2 adopted by the department pursuant to this chapter
3 shall preempt all legislation adopted by a county
4 relating to the use, sale, distribution, storage,
5 transportation, disposal, formulation, labeling,
6 registration, or manufacture of a pesticide. A county
7 shall not adopt or continue in effect legislation
8 relating to the use, sale, distribution, storage,
9 transportation, disposal, formulation, labeling,
10 registration, or manufacture of a pesticide,
11 regardless of whether a statute or rule adopted by the

12 department applies to preempt the legislation.
13 Legislation in violation of this section is void and
14 unenforceable.

15 3. This section does not apply to legislation
16 which applies generally to all commercial activity and
17 which is not directed specifically to a matter
18 relating to pesticides, including but not limited to
19 zoning.

20 4. This section does not apply to legislation
21 which is required to be adopted by a county in order
22 to comply with a federal or state statute, regulation,
23 or rule.

24 Sec. 3. MORATORIUM — LEGISLATION BY LOCAL
25 GOVERNMENT ENTITIES.

26 The provisions of sections 200.22 and 206.34
27 enacted in this Act, shall also apply to other
28 political subdivisions of this state or any other
29 state authority which is not the general assembly or
30 under the direction of a principal central department
31 as enumerated in section 7E.5, including a city or any
32 special purpose district, until July 1, 1994.

33 Sec. 4. PREEMPTION STUDY. The legislative council
34 shall establish an interim study committee to examine
35 ordinances adopted by local governmental entities
36 other than counties which regulate the use, sale,
37 distribution, storage, transportation, disposal,
38 formulation, labeling, registration, and manufacture
39 of fertilizers or soil conditioners or of pesticides.
40 The study committee shall examine the need to adopt
41 legislation which preempts local governmental entities
42 from adopting such ordinances. The study committee
43 shall report its findings and recommendations to the
44 Seventy-fifth General Assembly by a date established
45 by the legislative council."

46 2. Title page, by striking lines 2 and 3, and
47 inserting the following: "pesticides."

Amendment H—4137 was adopted placing the following amend-
ments out of order:

H—4106, previously deferred, filed by Bernau of Story on April
21, 1993.

H—4113, previously deferred, filed by Witt of Black Hawk, et al.,
on April 21, 1993.

H—4128 filed by Bernau of Story on April 21, 1993.

H—4122 filed by Lundby of Linn and McCoy of Polk on April 21,
1993.

H—3368 filed by Osterberg of Linn on March 19, 1993.

H—3334 filed by Bernau of Story and Hanson of Delaware on
March 17, 1993.

H—4056 filed by Meyer of Sac on April 19, 1993.

H—3217 filed by Hahn of Muscatine on March 10, 1993.

H—3345, to amendment H—3217, filed by Bernau of Story on March 17, 1993.

H—3288, to amendment H—3217, filed by Hahn of Muscatine on March 15, 1993.

H—4104 filed by Hahn of Muscatine on April 21, 1993.

H—3234 filed by Fallon of Polk, et al., on March 11, 1993.

H—3357 filed by Osterberg of Linn and Dvorsky of Johnson on March 18, 1993.

H—3401 filed by Bernau of Story on March 23, 1993.

H—3149 filed by Osterberg of Linn on March 1, 1993.

H—3244 filed by Bernau of Story, et al., on March 11, 1993.

H—3233 filed by Ollie of Clinton on March 11, 1993.

H—4117, to amendment H—3233, filed by Bernau of Story on April 21, 1993.

H—4129, to amendment H—3233, filed by Bernau of Story on April 21, 1993.

H—3248 filed by Bernau of Story, et al., on March 11, 1993.

H—3267 filed by Dvorsky of Johnson, et al., on March 12, 1993.

H—3268 filed by Witt of Black Hawk, et al., on March 12, 1993.

H—3269 filed by Henderson of Scott and Witt of Black Hawk on March 12, 1993.

H—3354 filed by Dvorsky of Johnson, et al., on March 18, 1993.

H—3356 filed by Bernau of Story and Jochum of Dubuque on March 18, 1993.

H—3361 filed by Witt of Black Hawk, et al., on March 19, 1993.

H—3505 filed by Henderson of Scott on March 25, 1993.

H—4107 filed by Henderson of Scott on April 21, 1993.

H—4108 filed by Dvorsky of Johnson and Osterberg of Linn on April 21, 1993.

H—4091 filed by Witt of Black Hawk and Grundberg of Polk on April 20, 1993.

H—3270 filed by Henderson of Scott and Witt of Black Hawk on March 12, 1993.

H—3220 filed by Henderson of Scott on March 11, 1993.

H—3355 filed by Bernau of Story and Osterberg of Linn on March 18, 1993.

H—3358 filed by Osterberg of Linn and Jochum of Dubuque on March 18, 1993.

H—3816 filed by Henderson of Scott on April 8, 1993.

- H-3817 filed by Henderson of Scott on April 8, 1993.
 H-4084 filed by Osterberg of Linn, et al., on April 20, 1993.
 H-4085 filed by Osterberg of Linn, et al., on April 20, 1993.
 H-4086 filed by Henderson of Scott on April 20, 1993.
 H-4087 filed by Osterberg of Linn on April 20, 1993.
 H-4095 filed by Fallon of Polk on April 20, 1993.
 H-4096 filed by Fallon of Polk on April 20, 1993.
 H-4097 filed by Fallon of Polk on April 20, 1993.
 H-4135 filed by Osterberg of Linn on April 21, 1993.

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

On the question "Shall the bill pass?" (S.F. 94)

The ayes were, 78:

Arnould	Baker	Beaman	Bell
Bernau	Black	Blodgett	Boddicker
Brand	Branstad	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Drake	Eddie	Fallon	Fogarty
Garman	Gill	Gipp	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hansen, S. D.	Hanson, D. E.	Hanson, D. R.	Haverland
Henderson	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Kreiman
Larkin	Larson	Lundby	Martin
May	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
O'Brien	Peterson	Plasier	Rafferty
Renaud	Renken	Royer	Schrader
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 19:

Beatty	Brauns	Brunkhorst	Doderer
Dvorsky	Ertl	Greig	Greiner
Halvorson, R. N.	Hammond	Harper	Holveck
Jochum	McCoy	Neuhauser	Ollie
Osterberg	Rants	Shultz	

Absent or not voting, 3:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 94** be immediately messaged to the Senate.

HOUSE FILE 285 WITHDRAWN

Meyer of Sac asked and received unanimous consent to withdraw House File 285 from further consideration by the House.

HOUSE FILE 601 WITHDRAWN

Carpenter of Polk asked and received unanimous consent to withdraw House File 601 from further consideration by the House.

INTRODUCTION OF BILLS

House File 666, by committee on ways and means, a bill for an act relating to the requirement for filing a state individual income tax return and providing a retroactive applicability date provision.

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

House File 667, by committee on ways and means, a bill for an act relating to indebtedness owed to the state, providing for the addition of late fees, providing for the entry of information in a centralized, computerized data bank, prohibiting renewal of vehicle registration to persons owing an obligation to the state, and providing an effective date.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 21, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 625, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds.

Also: That the Senate has, on April 21, 1993, appointed the conference committee to Senate File 233, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for education and cultural programs of this state and providing an effective date, and the members of the Senate are: The Senator from Fayette, Senator Murphy, Chair; the Senator from Palo Alto, Senator Kibbie; the Senator from Dubuque, Senator Welsh; the Senator from Black Hawk, Senator Lind; the Senator from Polk, Senator Kramer.

Also: That the Senate has on April 21, 1993, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 266, a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates.

Also: That the Senate has on April 21, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 349, a bill for an act relating to child support and providing effective and retroactive applicability dates.

JOHN F. DWYER, Secretary

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 20, 1993. Had I been present, I would have voted "aye" on Senate File 268.

BELL of Jasper

I was temporarily absent from the House chamber on April 20, 1993. Had I been present, I would have voted "aye" on Senate File 174.

McCOY of Polk

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

IOWA COLLEGE AID COMMISSION Higher Education Strategic Planning Council

The first Strategic Plan for Iowa Higher Education, pursuant to Chapter 272D.2, Code of Iowa.

PRESENTATION OF VISITORS

Black of Jasper presented to the House Dencil Njoolay, a journalist and economist, from Tanzania.

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

Forty-seven sixth grade students from Greenfield Elementary School, Greenfield, accompanied by Mrs. Rana Glade and Mr. Shawn Wharton. By Dinkla of Guthrie.

Nine sixth grade students from Western Dubuque Schools, Cascade, accompanied by Debbie Link and Ivy Brehm. By Ertl, Jochum and Murphy, all of Dubuque; Welter of Jones and Dickinson of Jackson.

Twenty-five fourth grade students from St. Alphonsus Elementary School, Davenport, accompanied by Jon Ripslinger. By Grubbs and Martin of Scott.

Forty seventh grade students from Park View Middle School, Ankeny, accompanied by Dave Wood and Kathy Lanz. By Haverland of Polk.

Forty seventh grade students from Park View Middle School, Ankeny, accompanied by Mark Milner. By Haverland of Polk.

Forty seventh grade students from Park View Middle School, Ankeny, accompanied by Brad Buck. By Haverland of Polk.

Twenty-five Senior students from Southeast Webster High School, Burnside, accompanied by Jim Ainslie. By Mundie of Webster.

Twenty-five Senior students from Monticello High School, Monticello, accompanied by Frank Frostestad and Cindy Baage. By Welter of Jones.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION

Committee Resolution, a resolution to establish a House policy on sexual harassment.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 21, 1993.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 285), relating to indebtedness owed to the state, providing for the addition of late fees, establishing a computerized data bank, prohibiting renewal of vehicle registration to persons owing an obligation to the state, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 21, 1993.

Committee Bill (Formerly House Study Bill 306), providing for the qualification of persons eligible to receive incentives for the production of ethanol.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 21, 1993.

RESOLUTION FILED

HR 11, by committee on administration, a resolution to establish a House policy on sexual harassment.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-4109	S.F.	398	Blodgett of Cerro Gordo
H-4110	H.F.	144	Carpenter of Polk
			Neuhauser of Johnson.
H-4111	H.F.	210	Spenner of Henry
H-4114	S.C.R.	14	Dvorsky of Johnson
H-4116	H.F.	144	Carpenter of Polk
H-4118	S.F.	350	Plasier of Sioux
			Ertl of Dubuque
H-4119	H.F.	602	Running of Linn
H-4120	H.F.	602	Running of Linn
H-4121	H.F.	602	Running of Linn
H-4123	H.F.	602	Fallon of Polk
H-4124	H.F.	602	Fallon of Polk
H-4125	H.F.	602	Fallon of Polk
H-4126	H.F.	602	Fallon of Polk
H-4127	H.F.	602	Millage of Scott
H-4132	S.F.	191	Senate Amendment
H-4133	H.F.	647	Gill of Woodbury
H-4136	H.F.	625	Senate Amendment
H-4138	H.F.	602	Henderson of Scott
H-4139	S.F.	398	Kreiman of Davis
			Beatty of Warren
H-4140	H.F.	144	Halvorson of Webster
			Carpenter of Polk
H-4142	H.F.	623	Hahn of Muscatine

On motion by Siegrist of Pottawattamie, the House adjourned at 9:35 p.m., until 8:45 a.m., Thursday, April 22, 1993.

JOURNAL OF THE HOUSE

One Hundred Second Calendar Day — Sixty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 22, 1993

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

Prayer was offered by Father Maynard Brothersen of St. Mary Catholic Church, Albia.

The Journal of Wednesday, April 21, 1993 was approved.

SENATE MESSAGES CONSIDERED

Senate File 410, by committee on ways and means, a bill for an act relating to the sales, services, and use tax exemption for sales of educational, religious, or charitable activities.

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

Senate File 412, by committee on ways and means, a bill for an act relating to a records management fee to be collected by the county recorder.

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

PRESENTATION OF PELLA TULIP QUEEN AND HER ATTENDANTS

Speaker Van Maanen presented to the House, from the Speaker's station, Amy Vroom, Queen of the 1993 Pella Tulip Festival, who was accompanied by her parents. Her future plans are to attend college and major in business and psychology.

Queen Amy presented her attendants Karin Vander Ploeg, Darcy Vande Lune, Michele Uitermarkt, and Angie Van Arendonk, who were accompanied by their parents. Queen Amy invited everyone to attend the Pella Tulip Festival which will be on May 6, 7, and 8.

Those present from Pella were dressed in native Dutch costume and distributed the famous Pella Dutch cookies.

The House rose and expressed its welcome.

CONSIDERATION OF BILLS Unfinished Business Calendar

The House resumed consideration of **Senate File 362**, a bill for an act relating to small group rating practices and the availability of

health insurance coverage, previously deferred and placed on the unfinished business calendar.

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

On the question "Shall the bill pass?" (S.F. 362)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Grubbs

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

The House resumed consideration of **Senate File 380**, a bill for an act relating to providing greater accessibility to health care and health care insurance coverage and establishing pilot projects, previously deferred and placed on the unfinished business calendar.

Plasier of Sioux offered the following amendment H—3839 filed by the committee on human resources and moved its adoption:

H—3839

- 1 Amend Senate File 380 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 12, by striking the word "PILOT".
- 4 2. Page 1, line 15, by striking the words "up to
- 5 three".
- 6 3. Page 1, line 16, by striking the word "pilot".
- 7 4. Page 2, line 18, by striking the word "PILOT".
- 8 5. Page 2, line 20, by striking the words "up to
- 9 three".
- 10 6. Page 2, line 21, by striking the word "pilot".
- 11 7. Page 3, by striking lines 15 and 16 and
- 12 inserting the following: "assembly not".
- 13 8. Title page, line 2, by striking the word
- 14 "pilot".

The committee amendment H—3839 was adopted.

Plasier of Sioux offered the following amendment H—3998 filed by him and Haverland of Polk and moved its adoption:

H—3998

- 1 Amend Senate File 380, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 16, by inserting after the word
- 4 "other" the following: "health insurance or health
- 5 care".

Amendment H—3998 was adopted.

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

On the question "Shall the bill pass?" (S.F. 380)

The ayes were, 100:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler

Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, none.

Absent or not voting, none.

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

The House resumed consideration of **Senate File 63**, a bill for an act relating to the establishment of a long-term care asset preservation program, previously deferred and placed on the unfinished business calendar.

Blodgett of Cerro Gordo asked and received unanimous consent to withdraw amendment H—3598 filed by the committee on human resources on March 31, 1993.

Blodgett of Cerro Gordo offered the following amendment H—3599 filed by him and moved its adoption:

H—3599

- 1 Amend Senate File 63, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, lines 20 and 21, by striking the words
- 4 “, the department of elder affairs.”

Amendment H—3599 was adopted.

Blodgett of Cerro Gordo offered the following amendment H—3782 filed by him and moved its adoption:

H—3782

- 1 Amend Senate File 63, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 25, by inserting after the word
- 4 “shall” the following: “seek approval of a state plan
- 5 amendment or”.

Amendment H—3782 was adopted.

Blodgett of Cerro Gordo offered the following amendment H—4006 filed by him and moved its adoption:

H—4006

- 1 Amend Senate File 63, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, by striking lines 29 through 32.
- 4 2. By renumbering as necessary.

Roll call was requested by Grubbs of Scott and Blodgett of Cerro Gordo.

On the question "Shall amendment H—4006 be adopted?"
(S.F. 63)

The ayes were, 54:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dickinson	Dinkla
Drake	Eddie	Ertl	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Hansen, S. D.	Hanson, D. E.	Hanson, D. R.	Hester
Houser	Hurley	Iverson	Kistler
Klemme	Larson	Lundby	Martin
McNeal	Metcalf	Meyer	Millage
Miller	O'Brien	Plasier	Rafferty
Rants	Renken	Royer	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Welter	Mr. Speaker		
	Van Maanen		

The nays were, 46:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Doderer	Dvorsky	Fallon	Fogarty
Halvorson, R. A.	Halvorson, R. N.	Hammond	Harper
Haverland	Henderson	Holveck	Jochum
Koenigs	Kreiman	Larkin	May
McCoy	McKinney	Mertz	Moreland
Mundie	Murphy	Nelson	Neuhauser
Ollie	Osterberg	Peterson	Renaud
Running	Schrader	Shoultz	Weigel
Wise	Witt		

Absent or not voting, none.

Amendment H—4006 was adopted.

The House stood at ease at 10:27 a.m., until the fall of the gavel.

The House resumed session at 11:22 a.m., Speaker Van Maanen in the chair.

Siegrist of Pottawattamie asked and received unanimous consent that Senate File 63 be deferred and that the bill be placed on the unfinished business calendar.

On motion by Siegrist of Pottawattamie the House was recessed at 11:24 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Van Maanen in the chair.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 362 and 380.**

CONSIDERATION OF BILLS

Unfinished Business Calendar

The House resumed consideration of **Senate File 63**, a bill for an act relating to the establishment of a long-term care asset preservation program, previously deferred and placed on the unfinished business calendar.

Blodgett of Cerro Gordo offered the following amendment H-3610 filed by him and moved its adoption:

H-3610

- 1 Amend Senate File 63, as passed by the Senate, as
- 2 follows:
- 3 1. Page 3, line 4, by striking the word
- 4 "increase" and inserting the following: "additional
- 5 exemption".

Amendment H-3610 was adopted.

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

On the question "Shall the bill pass?" (S.F. 63)

The ayes were, 97:

Arnould
Bell

Baker
Bernau

Beaman
Black

Beatty
Blodgett

Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Drake	Dvorsky	Eddie	Ertl
Fogarty	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hansen, S. D.	Hanson, D. E.	Hanson, D. R.	Harper
Haverland	Henderson	Hester	Holveck
Houser	Hurley	Iverson	Jochum
Kistler	Klemme	Koenigs	Kreiman
Larkin	Larson	Lundby	Martin
May	McCoy	McKinney	McNeal
Mertz	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 3:

Doderer	Fallon	Hammond
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Absent or not voting, none.

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

SENATE AMENDMENTS CONSIDERED

Renken of Grundy called up for consideration **House File 354**, a bill for an act relating to the state department of transportation by requiring federal and state cooperation regarding federal funding of transportation, by eliminating liens on public property and providing for retroactive application, by changing inspection requirements of railroads, by providing for the length of buses, by changing the transportation habitual offender statute and providing for additional penalties, by providing for safety standards for privately owned, public use airports, and by providing for the preapplication process for federal funding for airports, amended by the Senate, and moved that the House concur in the following Senate amendment H—4061:

H—4061

- 1 Amend House File 354, as amended, passed, and
- 2 reprinted by the House, as follows:

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

5 "Section 1. Section 6A.10, subsection 1, Code
6 1993, is amended to read as follows:

7 1. The railway corporation shall apply to the
8 department of transportation for permission to
9 condemn. The railway corporation shall serve notice
10 of the application and hearing and provide a copy of
11 the legal description of the property to be condemned
12 to the owner and any recordholders of liens and
13 encumbrances on any land described in the application.
14 The department may, after hearing, report to the
15 district court clerk of the county in which the land
16 is situated the description of the land sought to be
17 condemned. The corporation may begin condemnation
18 procedures in district court for the land described by
19 the authority."

20 2. Page 1, by inserting after line 18 the
21 following:

22 "Sec. _____. Section 321.46, Code 1993, is amended
23 by adding the following new subsection:

24 **NEW SUBSECTION. 7.** If a motor vehicle is leased
25 and the lessee purchases the vehicle upon termination
26 of the lease, the lessor shall, upon claim by the
27 lessee with the lessor within fifteen days of the
28 purchase, assign the registration fee credit and
29 registration plates for the leased motor vehicle to
30 the lessee. Credit shall be applied as provided in
31 subsection 3."

32 3. Page 1, by inserting after line 18 the
33 following:

34 "Sec. _____. Section 321.205, Code 1993, as amended
35 by 1993 Iowa Acts, Senate File 373, section 3, is
36 amended to read as follows:

37 **321.205 CONVICTION OR ADMINISTRATIVE DECISION IN**
38 **ANOTHER STATE.**

39 The department is authorized to suspend or revoke
40 the motor vehicle license of a resident of this state
41 upon receiving notice of the conviction of the
42 resident in another state ~~or for a conviction under~~
43 ~~federal jurisdiction~~ for an offense which, if
44 committed in this state, would be grounds for the
45 suspension or revocation of the license or upon
46 receiving notice of a final administrative decision in
47 another state that the resident has acted in a manner
48 which would be grounds for suspension or revocation of
49 the license in this state.

50 The department shall suspend or revoke for one

Page 2

1 hundred eighty days the motor vehicle license of a

2 resident of this state upon receiving notice of
 3 conviction in another state or under federal
 4 jurisdiction for an a drug or drug-related offense
 5 enumerated under section 321.209, subsection 8."

6 4. Page 4, by striking lines 9 through 13 and
 7 inserting the following: "official of the state does
 8 not create or constitute a lien against public
 9 property held by the state."

10 5. Page 4, by striking line 14.

11 6. Page 4, by striking lines 17 through 19 and
 12 inserting the following: "department, agency,
 13 division, or official of the state."

14 7. Page 4, by inserting after line 19 the
 15 following:

16 "Sec. _____. EFFECTIVE DATE. Sections 7 and 8 of
 17 this Act take effect on January 1, 1994."

18 8. Title page, line 3, by inserting after the
 19 word "transportation," the following: "by permitting
 20 a credit for certain registration fees on leased
 21 vehicles purchased by the lessee,".

22 9. Title page, line 3, by inserting after the
 23 word "transportation," the following: "concerning
 24 motor vehicle license suspension or revocation for
 25 drug-related offenses,".

26 10. Title page, line 10, by inserting after the
 27 word "airports," the following: "and providing an
 28 effective date".

29 11. By renumbering, relettering, or redesignating
 30 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-4061.

Renken of Grundy 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. 354)

The ayes were, 94:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fogarty	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.

Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Miller	Moreland	Mundie	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rants	Renken
Royer	Running	Schrader	Shultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 1:

Fallon

Absent or not voting, 5:

Corbett	Millage	Murphy	Rafferty
Renaud			

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 354** be immediately messaged to the Senate.

Ertl of Dubuque called up for consideration **House File 633**, a bill for an act relating to the approval, disapproval, suspension, or revocation of liquor control licenses, wine permits, or beer permits, the imposition of civil penalties, and the appeal of the actions of local authorities or the administrator of the alcoholic beverages division regarding liquor control licenses, wine permits, and beer permits, and providing for other properly related matters, amended by the following Senate amendment H—4004:

H—4004

- 1 Amend House File 633, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 123.3, subsection 26,
- 6 paragraphs c and e, Code 1993, are amended to read as
- 7 follows:
- 8 c. Is Notwithstanding paragraph "e", the applicant
- 9 is a citizen of the United States and a resident of

10 this state, or licensed to do business in this state
11 in the case of a corporation. Notwithstanding
12 paragraph "f e," in the case of a partnership, only
13 one general partner need be a resident of this state.

14 e. If such person is a corporation, partnership,
15 association, club, or hotel or motel the The
16 requirements of this subsection shall apply to each
17 the following:

18 (1) Each of the officers, directors, and partners
19 of such person, and to any.

20 (2) A person who directly or indirectly owns or
21 controls ten percent or more of any class of stock of
22 such person or.

23 (3) A person who directly or indirectly has an
24 interest of ten percent or more in the ownership or
25 profits of such person. For the purposes of this
26 provision, an individual and the individual's spouse
27 shall be regarded as one person.

28 Sec. _____. Section 123.16, subsection 2, paragraph
29 b, Code 1993, is amended by striking the paragraph."

30 2. Page 1, by inserting after line 13 the
31 following:

32 "Sec. _____. Section 123.24, subsection 2,
33 paragraphs a and b, Code 1993, are amended to read as
34 follows:

35 a. The division may accept from a class "E" liquor
36 control licensee a cashier's check which shows the
37 licensee is the remitter or a check issued by the
38 licensee in payment of alcoholic liquor. If a check
39 is subsequently dishonored, the division shall cause a
40 notice of nonpayment and penalty to be served upon the
41 class "E" liquor control licensee or upon any person
42 in charge of the licensed premises. The notice shall
43 state that if payment or satisfaction for the
44 dishonored check is not made within ten days of the
45 service of notice, the licensee's liquor control
46 license shall may be suspended under section 123.39.
47 The notice of nonpayment and penalty shall be in a
48 form prescribed by the administrator, and shall be
49 sent by certified mail.

50 b. If upon notice and hearing under section 123.39

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1 and pursuant to the provisions of chapter 17A
2 concerning a contested case hearing, the administrator
3 determines that the class "E" liquor control licensee
4 failed to satisfy the obligation for which the check
5 was issued within ten days after the notice of
6 nonpayment and penalty was served on the licensee as
7 provided in paragraph "a" of this subsection, the
8 administrator shall may suspend the licensee's class

9 "E" liquor control license for not less than three
10 days but not more than thirty a period not to exceed
11 ten days.

12 Sec. _____. Section 123.24, subsection 2, paragraph
13 c, Code 1993, is amended by striking the paragraph.

14 Sec. _____. Section 123.29, Code 1993, is amended by
15 striking the section and inserting in lieu thereof the
16 following:

17 123.29 PATENT AND PROPRIETARY PRODUCTS CONTAINING
18 ALCOHOLIC LIQUOR, WINE, OR BEER.

19 1. This chapter does not prohibit the sale of
20 patent and proprietary medicines, tinctures, food
21 products, extracts, toiletries, perfumes, and similar
22 products, which are not susceptible of use as a
23 beverage, but which contain alcoholic liquor, wine, or
24 beer as one of their ingredients. These products may
25 be sold through ordinary wholesale and retail
26 businesses without a license or permit issued by the
27 division.

28 2. This chapter does not prohibit a member of the
29 clergy of any religious denomination which uses vinous
30 liquor in its sacramental ceremonies from purchasing,
31 receiving, possessing, and using vinous liquor for
32 sacramental purposes.

33 Sec. _____. Section 123.30, subsection 1, Code 1993,
34 is amended to read as follows:

35 1. a. A liquor control license may be issued to
36 any person who, or whose officers in the case of a
37 club or corporation, or whose partners in the case of
38 a partnership, are is of good moral character as
39 defined by this chapter.

40 b. As a condition for issuance of a liquor control
41 license or wine or beer permit, the applicant must
42 give consent to members of the fire, police, and
43 health departments and the building inspector of
44 cities; the county sheriff, deputy sheriff, members of
45 the department of public safety, representatives of
46 the division and of the department of inspections and
47 appeals, certified police officers, and any official
48 county health officer to enter upon areas of the
49 premises where alcoholic beverages are stored, served,
50 or sold, without a warrant during business hours of

Page 3

1 the licensee or permittee to inspect for violations of
2 this chapter or ordinances and regulations that cities
3 and boards of supervisors may adopt. However, a
4 subpoena issued under section 421.17 or a warrant is
5 required for inspection of private records, a private
6 business office, or attached living quarters. Persons
7 who are not certified peace officers shall limit the

8 scope of their inspections of licensed premises to the
9 regulatory authority under which the inspection is
10 conducted. All persons who enter upon a licensed
11 premise premises to conduct an inspection shall
12 present appropriate identification to the owner of the
13 establishment or the person who appears to be in
14 charge of the establishment prior to commencing an
15 inspection; however, this provision does not apply to
16 undercover criminal investigations conducted by peace
17 officers.

18 c. As a further condition for the issuance of a
19 class "E" liquor control license, the applicant shall
20 post a bond in a sum of not less than five thousand
21 nor more than fifteen thousand dollars as determined
22 on a sliding scale established by the division;
23 however, a bond shall not be required if all purchases
24 of alcoholic liquor from the division by the licensee
25 are made by cash payment or by means that ensure that
26 the division will receive full payment in advance of
27 delivery of the alcoholic liquor.

28 d. A class "E" liquor control license may be
29 issued to a city council for premises located within
30 the limits of the city if there are no class "E"
31 liquor control licensees operating within the limits
32 of the city and no other applications for a class "E"
33 license for premises located within the limits of the
34 city at the time the city council's application is
35 filed. If a class "E" liquor control license is
36 subsequently issued to a private person for premises
37 located within the limits of the city, the city
38 council shall surrender its license to the division
39 within one year of the date that the class "E" liquor
40 control licensee begins operating, liquidate any
41 remaining assets connected with the liquor store, and
42 cease operating the liquor store.

43 Sec. _____. Section 123.30, subsection 3, paragraph
44 d, Code 1993, is amended to read as follows:

45 d. CLASS "D".

46 (1) A class "D" liquor control license may be
47 issued to a railway corporation, to an air common
48 carrier, and to passenger-carrying boats or ships for
49 hire with a capacity of twenty-five persons or more
50 operating in inland or boundary waters, and shall

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1 authorize the holder to sell or furnish alcoholic
2 beverages, wine, and beer to passengers for
3 consumption only on trains, watercraft as described in
4 this section, or aircraft, respectively. Each license
5 is valid throughout the state. Only one license is
6 required for all trains, watercraft, or aircraft

7 operated in the state by the licensee. However, if a
8 watercraft is an excursion gambling boat licensed
9 under chapter 99F, the owner shall obtain a separate
10 class "D" liquor control license for each excursion
11 gambling boat operating in the waters of this state.

12 (2) A class "D" liquor control licensee who
13 operates a train or a watercraft intrastate only, or
14 an excursion gambling boat licensed under chapter 99F,
15 shall purchase alcoholic liquor from a class "E"
16 liquor control licensee only, wine from a class "A"
17 wine permittee or a class "B" wine permittee who also
18 holds a class "E" liquor control license only, and
19 beer from a class "A" beer permittee only."

20 3. Page 1, by inserting after line 13, the
21 following:

22 "Sec. _____. Section 123.31, unnumbered paragraph 1,
23 Code 1993, is amended to read as follows:

24 Verified Except as otherwise provided in section
25 123.35, verified applications for the original
26 issuance or the renewal of liquor control licenses
27 shall be filed at such the time and in such the number
28 of copies as the administrator shall prescribe, on
29 forms prescribed by the administrator, and, except as
30 provided in section 123.35, shall set forth under oath
31 the following information:"

32 5. Page 4, by inserting after line 16, the
33 following:

34 "Sec. _____. Section 123.35, unnumbered paragraph 2,
35 Code 1993, is amended to read as follows:

36 Such The application, accompanied by the necessary
37 fee and bond, if required, shall be filed in the same
38 manner as is provided for filing the initial
39 application. However, for the renewal of a class "E"
40 license, the simplified application form for renewal,
41 accompanied by the necessary fee and bond if required,
42 shall be filed directly with the administrator without
43 the endorsement of local authorities if all of the
44 following conditions are met: the applicant's license
45 has not been suspended or revoked since the preceding
46 license was issued; a civil penalty has not been
47 imposed against the applicant under this chapter since
48 the preceding license was issued; an administrative
49 proceeding is not pending against the applicant to
50 suspend or revoke the applicant's license or to impose

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1 a civil penalty under this chapter; and the applicant
2 has not been convicted of a violation of this chapter
3 since the preceding license was issued."

4 4. Page 4, by inserting after line 16 the
5 following:

6 "Sec. _____. Section 123.36, subsection 1, Code
7 1993, is amended by striking the subsection."

8 6. By striking page 4, line 19 through page 5,
9 line 6 and inserting the following:

10 "Sec. _____. Section 123.39, subsection 1, Code
11 1993, is amended to read as follows:

12 1. a. Any The administrator or the local
13 authority may suspend a liquor control license, wine
14 permit, or beer permit issued under this chapter may,
15 after notice in writing to the license or permit
16 holder and reasonable opportunity for hearing, and
17 subject to section 123.50 where applicable, be
18 suspended for a period not to exceed one year or
19 revoked, revoke the license or permit, or impose a
20 civil penalty not to exceed one thousand dollars per
21 violation. Before suspension, revocation, or
22 imposition of a civil penalty, the licensee or permit
23 holder shall be given written notice and an
24 opportunity for a hearing. The administrator may
25 appoint a member of the division or may request an
26 administrative law judge from the department of
27 inspections and appeals to conduct the hearing and
28 issue a proposed decision. Upon the motion of a party
29 to the hearing or upon the administrator's own motion,
30 the administrator may review the proposed decision in
31 accordance with chapter 17A. Upon review of the
32 proposed decision, the administrator may affirm,
33 reverse, or modify the proposed decision. A liquor
34 control licensee, wine, or beer permittee aggrieved by
35 a decision of the administrator may seek judicial
36 review of the administrator's decision in accordance
37 with chapter 17A.

38 b. A license or permit issued under this chapter
39 may be suspended or revoked, or a civil penalty may be
40 imposed on the license or permit holder by the local
41 authority or the administrator for any of the
42 following causes:

43 a. (1) Misrepresentation of any material fact in
44 the application for the license or permit.

45 b. (2) Violation of any of the provisions of this
46 chapter.

47 e. (3) Any change in the ownership or interest in
48 the business operated under a class "A", class "B", or
49 class "C" liquor control license, or any wine or beer
50 permit, which change was not previously reported to

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1 and approved by the local authority and the division.

2 d. (4) An event which would have resulted in
3 disqualification from receiving the license or permit
4 when originally issued.

5 e. (5) Any sale, hypothecation, or transfer of the
6 license or permit.

7 f. (6) The failure or refusal on the part of any
8 licensee or permittee to render any report or remit
9 any taxes to the division under this chapter when due.

10 c. A criminal conviction is not a prerequisite to
11 suspension, revocation, or imposition of a civil
12 penalty pursuant to this section. A local authority
13 which acts pursuant to this section or section 123.32
14 shall notify the division in writing of the action
15 taken, and shall notify the licensee or permit holder
16 of the right to appeal a suspension, revocation, or
17 imposition of a civil penalty to the division. Civil
18 penalties imposed and collected by the local authority
19 under this section shall be retained by the local
20 authority. Civil penalties imposed and collected by
21 the division under this section shall be retained by
22 the division.

23 Sec. _____. Section 123.39, subsection 4, Code 1993,
24 is amended to read as follows:

25 4. If the cause for suspension is a first offense
26 violation of section 123.49, subsection 2, paragraph
27 "h", and the violation occurred on or after January 1,
28 1988, the administrator or local authority shall
29 impose a civil penalty in the amount of three hundred
30 dollars in lieu of suspension of the license or
31 permit. Local authorities shall retain civil
32 penalties collected under this paragraph if the
33 proceeding to impose the penalty is conducted by the
34 local authority. The division shall retain civil
35 penalties collected under this paragraph if the
36 proceeding to impose the penalty is conducted by the
37 administrator of the division. If the matter is
38 appealed to the division's hearing board, the hearing
39 board shall not reduce the amount of the civil penalty
40 imposed under this paragraph if a violation of section
41 123.49, subsection 2, paragraph "h" is found.

42 Sec. _____. Section 123.50, subsection 3, unnumbered
43 paragraph 1 and paragraphs a, c, and d, Code 1993, are
44 amended to read as follows:

45 If any licensee, wine permittee, beer permittee, or
46 employee of a licensee or permittee is convicted of a
47 violation of section 123.49, subsection 2, paragraph
48 "h", or if a retail wine or beer permittee is
49 convicted of a violation of paragraph "i" of that
50 subsection, the administrator or local authority

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1 shall, in addition to the other criminal penalties
2 fixed for such violations by this section, assess a
3 civil penalty as follows:

4 a. Upon a first conviction, the violator's liquor
5 control license, wine permit, or beer permit shall be
6 suspended for a period of fourteen days. However, if
7 the conviction is for a violation of section 123.49,
8 subsection 2, paragraph "h", which occurred on or
9 after January 1, 1988, the violator's liquor control
10 license or wine or beer permit shall not be suspended,
11 but the violator shall be assessed a civil penalty in
12 the amount of three hundred dollars. Failure to pay
13 the civil penalty as ordered under section 123.39 for
14 a violation of section 123.49, subsection 2, paragraph
15 "h", or this subsection will result in automatic
16 suspension of the license or permit for a period of
17 fourteen days.

18 c. Upon a third conviction within a period of five
19 three years, the violator's liquor control license,
20 wine permit, or beer permit shall be suspended for a
21 period of sixty days.

22 d. Upon a fourth conviction within a period of
23 five three years, the violator's liquor control
24 license, wine permit, or beer permit shall be revoked.

25 Sec. _____. Section 123.53, Code 1993, is amended by
26 adding the following new subsection:

27 NEW SUBSECTION. 5. Notwithstanding section 8.33,
28 civil penalties imposed and collected by the division
29 shall not revert to the general fund of the state.

30 The moneys from the civil penalties are appropriated
31 for use by the division for the purposes of providing
32 educational programs, information and publications for
33 alcoholic beverage licensees and permittees, local
34 authorities, and law enforcement agencies regarding
35 the laws and rules which govern the alcoholic
36 beverages industry, and for promoting compliance with
37 alcoholic beverage laws and rules.

38 Sec. _____. Section 123.95, Code 1993, is amended by
39 striking the section and inserting in lieu thereof the
40 following:

41 123.95 PREMISES MUST BE LICENSED – EXCEPTION AS
42 TO CONVENTIONS AND SOCIAL GATHERINGS.

43 1. A person shall not allow the dispensing or
44 consumption of alcoholic liquor, except wines and
45 beer, in any establishment unless the establishment is
46 licensed under this chapter or except as otherwise
47 provided in this section. The holder of an annual
48 class "B" liquor control license or an annual class
49 "C" liquor control license may act as the agent of a
50 private social host for the purpose of providing and

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- 1 serving alcoholic liquor, wine, and beer as part of a
- 2 food catering service for a private social gathering

3 in a private place. The holder of an annual special
4 class "C" liquor control license shall not act as the
5 agent of a private social host for the purpose of
6 providing and serving wine and beer as part of a food
7 catering service for a private social gathering in a
8 private place. The private social host or the
9 licensee shall not solicit donations in payment for
10 the food or alcoholic beverages from the guests, and
11 the alcoholic beverages and food shall be served
12 without cost to the guests. Section 123.92 does not
13 apply to a liquor control licensee who acts in
14 accordance with this section when the liquor control
15 licensee is providing and serving food and alcoholic
16 beverages as an agent of a private social host at a
17 private social gathering in a private place which is
18 not on the licensed premises.

19 2. An applicant for a class "B" liquor control
20 license or class "C" liquor control license shall
21 state on the application for the license that the
22 licensee intends to engage in catering food and
23 alcoholic beverages for private social gatherings and
24 the catering privilege shall be noted on the license
25 or permit. A licensee who engages in catering food
26 and alcoholic beverages for private social gatherings
27 shall maintain a record on the licensed premises which
28 includes the name and address of the host of the
29 private social gathering, and the date for which
30 catering was provided. The record maintained pursuant
31 to this section shall be open to inspection pursuant
32 to section 123.30, subsection 1, during normal
33 business hours of the licensee.

34 3. However, bona fide conventions or meetings may
35 bring their own legal liquor onto the licensed
36 premises if the liquor is served to delegates or
37 guests without cost. All other provisions of this
38 chapter shall be applicable to such premises. The
39 provisions of this section shall have no application
40 to private social gatherings of friends or relatives
41 in a private home or private place which is not of a
42 commercial nature nor where goods or services may be
43 purchased or sold nor any charge or rent or other
44 thing of value is exchanged for the use of such
45 premises for any purpose other than for sleeping
46 quarters.

47 Sec. _____. Section 123.177, subsection 1, Code
48 1993, is amended to read as follows:

49 1. A person holding a class "A" wine permit may
50 manufacture and sell, or sell at wholesale, wine for

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1 consumption off the premises. Sales within the state

2 may be made only to persons holding a class "A" or "B"
 3 wine permit, and to persons holding a class "A", "B",
 4 "C" or "D" liquor control license, and to persons
 5 holding a special permit issued under section 123.29,
 6 subsection 3. A class "A" wine permittee having more
 7 than one place of business shall obtain a separate
 8 permit for each place of business where wine is to be
 9 stored, warehoused, or sold."

10 7. Page 5, by striking line 7 and inserting the
 11 following:

12 "Sec. _____. REPEALS. Sections 123.15 and 123.151,
 13 Code 1993, are repealed."

14 8. Title page, line 6, by inserting after the
 15 word "beer permits," the following: "the
 16 appropriation of moneys collected through civil
 17 penalties, the removal of certain restrictions on the
 18 sale of alcoholic beverages,".

19 9. By renumbering, relettering, or redesignating
 20 and correcting internal references as necessary.

Iverson of Wright asked and received unanimous consent to with-
 draw amendment H—4147, to the Senate amendment H—4004, filed
 by him from the floor.

Ertl of Dubuque moved the adoption of the Senate amendment
 H—4004.

The motion prevailed and the House concurred in the Senate
 amendment H—4004.

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

On the question "Shall the bill pass?" (H.F. 633)

The ayes were, 96:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Brauns
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cohon	Connors	Corbett
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Houser	Hurley	Iverson

Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker Van Maanen

The nays were, 4:

Branstad	Holveck	Plasier	Vande Hoef
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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.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 633 and Senate File 63.**

Iverson of Wright called up for consideration **House File 496**, a bill for an act relating to area education agency and school district procedures regarding school reorganization, amended by the following Senate amendment H—3991:

H—3991

- 1 Amend House File 496, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 8, lines 16 and 17, by striking the words
- 4 " — TAX LEVY".
- 5 2. Page 8, line 20, by striking the word
- 6 "district," and inserting the following: "district".
- 7 3. Page 8, by striking lines 23 through 34 and
- 8 inserting the following: "authorizing the board to
- 9 issue bonds, or both."

Greig of Emmet offered the following amendment H—4103, to the Senate amendment H—3991, filed by Greig, et al., and moved its adoption:

H—4103

- 1 Amend the amendment, H—3991, to House File 496, as
- 2 amended, passed, and reprinted by the House, as
- 3 follows:

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

6 "_____. Page 1, by inserting before line 1 the
7 following:

8 "Section 1. Section 257.12, unnumbered paragraph
9 1, Code 1993, is amended to read as follows:

10 In determining weighted enrollment under section
11 257.6, if the board of directors of a school district
12 has approved a contract for sharing under section
13 442.39, subsection 2 or 4, Code 1991, or section
14 257.11 and the school district has initiated an action
15 prior to November 30, 1990, to bring about a
16 reorganization, the reorganized school district shall
17 include, for a period of five six years following the
18 effective date of the reorganization, additional
19 pupils added by the application of the supplementary
20 weighting plan, equal to the pupils added by the
21 application of the supplementary weighting plan in the
22 year preceding the reorganization. For the purposes
23 of this paragraph, the weighted enrollment for the
24 period of six years following the effective date of
25 reorganization shall include the supplementary
26 weighting in the base year used for determining the
27 combined district cost for the first year of the
28 reorganization. However, the weighting shall be
29 reduced by the supplementary weighting added for a
30 pupil whose residency is not within the reorganized
31 district. For purposes of this section paragraph, a
32 reorganized district is one in which the
33 reorganization was approved in an election pursuant to
34 sections 275.18 and 275.20 and takes effect on or
35 after July 1, 1991, and on or before July 1, 1993.
36 Each district which initiated, by a vote of the board
37 of directors or jointly by the affected boards, action
38 to bring about a reorganization or dissolution by
39 November 30, 1990, shall certify the date and the
40 nature of the action taken to the department of
41 education by September 1, 1991.

42 Sec. _____. Section 257.12, unnumbered paragraph 2,
43 Code 1993, is amended to read as follows:

44 A reorganized school district in which eligible
45 pupils were added under section 442.39A, Code 1991,
46 shall continue to have pupils added, subject to the
47 changes in weighting made under section 257.11, until
48 the expiration of the five-year period provided in
49 section 442.39A, Code 1991 this paragraph. For the
50 purposes of this paragraph, the weighted enrollment

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1 continues for a period of six years following the
2 effective date of reorganization and shall include the

3 supplementary weighting in the base year used for
 4 determining the combined district cost for the first
 5 year of the reorganization.””

6 2. Page 1, by inserting after line 9 the
 7 following:

8 “_____. Title page, line 1, by inserting after the
 9 word “to” the following: “supplementary weighting
 10 and”.”

11 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 72, nays 13.

Amendment H—4103 was adopted.

On motion by Iverson of Wright, the House concurred in the Senate amendment H—3991, as amended.

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

On the question “Shall the bill pass?” (H.F. 496)

The ayes were, 94:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Burke	Carpenter	Cataldo
Churchill	Cphoon	Connors	Daggett
Dickinson	Dinkla	Doderer	Drake
Dvorsky	Eddie	Ertl	Fallon
Fogarty	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hansen, S. D.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Renaud
Renken	Royer	Running	Schrader
Shoultz	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 6:

Brunkhorst	Corbett	Grundberg	Hanson, D. E.
Rants	Siegrist		

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.

Unfinished Business Calendar

The House resumed consideration of **Senate File 220**, a bill for an act relating to deaf and hard-of-hearing persons by changing definitions and the ability to charge certain interpreter fees as costs in a legal action, previously deferred and placed on the unfinished business calendar.

Meyer of Sac offered the following amendment H—3838 filed by the committee on human resources and moved its adoption:

H—3838

- 1 Amend Senate File 220, as passed by the Senate, as
- 2 follows:
- 3 1. Page 4, line 13, by striking the word
- 4 "easily".
- 5 2. Page 4, line 14, by striking the word "may"
- 6 and inserting the following: "needs to".

The committee amendment H—3838 was adopted.

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

On the question "Shall the bill pass?" (S.F. 220)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Burke	Carpenter	Cataldo
Churchill	Cohoon	Connors	Daggett
Dickinson	Dinkla	Doderer	Drake
Dvorsky	Eddie	Ertl	Fallan
Fogarty	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson

Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 1:

Brunkhorst

Absent or not voting, 1:

Corbett

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 220** be immediately messaged to the Senate.

The House resumed consideration of **Senate File 57**, a bill for an act relating to the collection and administration of property taxes, special assessments, and various rates, charges, and rentals and providing an effective date, previously deferred and placed on the unfinished business calendar.

Schrader of Marion offered the following amendment H-3906 filed by Schrader, et al., and moved its adoption:

H-3906

- 1 Amend Senate File 57, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, by inserting after line 12 the
- 4 following:
- 5 "Sec. 2A. Section 331.552, subsection 23, Code
- 6 1993, is amended to read as follows:
- 7 23. Collect a fee of ten dollars or three percent
- 8 of the total amount paid, whichever is the greater,
- 9 for issuing a tax sale certificate or and a fee of ten
- 10 dollars for issuing a certificate of redemption from
- 11 tax sale."
- 12 2. Page 6, line 32, by striking the word "two"

13 and inserting the following: "two one and one-half".
 14 3. Page 8, by inserting after line 34 the
 15 following:
 16 "Sec. _____. APPLICABILITY. Section 2A of this Act
 17 and the reduction in the interest rate as provided in
 18 section 11 of this Act apply to tax sales held on or
 19 after the effective date of sections 2A and 11 of this
 20 Act."

Roll call was requested by Schrader of Marion and Kreiman of Davis.

On the question "Shall amendment H—3906 be adopted?"
 (S.F. 57)

The ayes were, 40:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Branstad
Burke	Cohoon	Doderer	Dvorsky
Fallon	Gill	Grubbs	Grundberg
Halvorson, R. N.	Hammond	Hansen, S. D.	Harper
Henderson	Holveck	Jochum	Kreiman
Larson	Martin	McKinney	Murphy
Nelson	Neuhauser	Ollie	Osterberg
Plasier	Rafferty	Renaud	Running
Schrader	Shoultz	Weigel	Wise

The nays were, 58:

Beaman	Blodgett	Boddicker	Brand
Brauns	Brunkhorst	Carpenter	Cataldo
Churchill	Corbett	Daggett	Dickinson
Dinkla	Drake	Ertl	Fogarty
Garman	Gipp	Greig	Greiner
Gries	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Haverland	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Koenigs	Larkin	Lundby	May
McCoy	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	O'Brien	Peterson	Rants
Renken	Royer	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Welter
Witt	Mr. Speaker		
	Van Maanen		

Absent or not voting, 2:

Connors Eddie

Amendment H—3906 lost.

Schrader of Marion asked and received unanimous consent to withdraw amendment H-3602, filed by Schrader, et al., on March 31, 1993.

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

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

The ayes were, 95:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Brauns
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cohoon	Corbett	Daggett
Dickinson	Dinkla	Drake	Dvorsky
Eddie	Ertl	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, 4:

Branstad	Doderer	Fallon	Grundberg
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Absent or not voting, 1:

Connors

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 496 and Senate File 57.**

SENATE AMENDMENTS CONSIDERED

Spenner of Henry called up for consideration House File 210, a bill for an act to provide for a six-month suspension of the driver's license of a person under the age of twenty-one who alters the license to purchase alcohol, amended by the following Senate amendment H-4005:

H-4005

1 Amend House File 210, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 1 through 9.

4 2. Page 1, by striking line 15 and inserting the
5 following: "section 321.216B shall not exceed six
6 months. As soon as practicable after the period of
7 suspension has expired, the department shall expunge
8 information regarding the suspension from the person's
9 driving record."

10 3. Page 1, by inserting after line 15 the
11 following:

12 "Sec. _____. NEW SECTION. 321.216B USE OF MOTOR
13 VEHICLE LICENSE BY UNDERAGE PERSON TO OBTAIN ALCOHOL.

14 A person who is under the age of twenty-one, who
15 alters or displays or has in the person's possession a
16 fictitious or fraudulently altered motor vehicle
17 license and who uses the license to violate or attempt
18 to violate section 123.47 or 123.47A commits a simple
19 misdemeanor. The court shall forward a copy of the
20 conviction or order of adjudication under section
21 232.47 to the department.

22 Sec. _____. Section 321.218, subsection 4, Code
23 1993, is amended by adding the following new
24 unnumbered paragraph:

25 NEW UNNUMBERED PARAGRAPH. If the department
26 receives a record of a conviction of a person under
27 this section but the person's driving record does not
28 indicate what the original grounds of suspension were,
29 the period of suspension under this subsection shall
30 be for a period not to exceed six months."

31 4. Page 1, lines 20 and 21, by striking the
32 figures "321.210A, 321.216" and inserting the
33 following: "321.210A, 321.216 321.216B,".

34 5. Page 1, by inserting after line 23 the
35 following:

36 "Sec. _____. LEGISLATIVE INTENT. It is the intent
37 of the general assembly that suspensions of the motor
38 vehicle license or nonresident operating privileges of
39 minors under section 321.210, subsection 1, paragraph
40 "d", for a violation of section 321.216B, not be used
41 to raise or otherwise negatively impact the insurance

42 rates of those individuals. While the suspension of a
43 motor vehicle license may serve as a useful deterrent
44 to unlawful possession of alcohol, thereby achieving
45 the effect that the general assembly intends, the
46 general assembly intends that only those suspensions
47 that are a result of moving violations be used as the
48 basis for an increase in a person's premium rate for
49 motor vehicle insurance."

50 6. Title page, line 1, by striking the words "to

Page 2

1 provide" and inserting the following: "establishing a
2 criminal offense and providing".

3 7. Title page, line 2, by striking the words

4 "alters the" and inserting the following: "uses an
5 altered".

Spenner of Henry offered the following amendment H-4111, to
the Senate amendment H-4005, and moved its adoption:

H-4111

1 Amend the amendment, H-4005, to House File 210, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, line 3, by inserting after the figure
5 "9" the following: "and inserting the following:

6 "Sec. _____. Section 321.189, subsection 6, Code
7 1993, is amended to read as follows:

8 6. LICENSES ISSUED TO MINORS. A motor vehicle
9 license issued to a person under twenty-one years of
10 age shall be identical in form to any other motor
11 vehicle license except that the word "minor" words
12 "under twenty-one" shall appear prominently on the
13 face of the license. Upon attaining the age of
14 twenty-one, and upon payment of a one dollar fee, the
15 person shall be entitled to a new motor vehicle
16 license or nonoperator's identification card for the
17 unexpired months of the motor vehicle license or
18 card."

19 2. Page 1, line 7, by inserting after the word
20 "expired," the following: "but not later than six
21 months after the date of expiration,".

22 3. By renumbering as necessary.

Amendment H-4111 was adopted.

On motion by Spenner of Henry, the House concurred in the
Senate amendment H-4005, as amended.

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

On the question "Shall the bill pass?" (H.F. 210)

The ayes were, 86:

Arnould	Beaman	Bell	Bernau
Blodgett	Boddicker	Brammer	Brand
Branstad	Brauns	Burke	Carpenter
Cataido	Churchill	Cohoon	Corbett
Daggett	Dickinson	Dinkla	Drake
Dvorsky	Ertl	Fogarty	Garman
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Jochum	Kistler	Klemme	Koenigs
Larkin	Larson	Lundby	Martin
May	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 12:

Baker	Beatty	Black	Brunkhorst
Doderer	Fallon	Gill	Iverson
Kreiman	McCoy	Schrader	Weigel

Absent or not voting, 2:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 210** be immediately messaged to the Senate.

Hahn of Muscatine called up for consideration **House File 623**, a bill for an act relating to appropriations and revenue involving agriculture and natural resources, and making related statutory changes, amended by the following Senate amendment H—4011:

H-4011

1 Amend House File 623, 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 "DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

6 Section 1. GENERAL APPROPRIATION. There is
7 appropriated from the general fund of the state to the
8 department of agriculture and land stewardship for the
9 fiscal year beginning July 1, 1993, and ending June
10 30, 1994, the following amounts, or so much thereof as

11 is necessary, to be used for the purposes designated:

12 1. ADMINISTRATIVE DIVISION

13 a. For salaries, support, maintenance, the support
14 of the state 4-H foundation, support of the statistics
15 bureau, and miscellaneous purposes:

16\$ 1,017,045

17 Of the funds appropriated in this paragraph "a",
18 \$35,000 shall be allocated to the state 4-H foundation
19 to foster the development of Iowa's youth and to
20 encourage them to study the subject of agriculture.

21 Of the funds appropriated in this paragraph "a",
22 \$112,000 and 3.00 FTEs shall be allocated to the
23 statistics bureau to provide county-by-county
24 information on land in farms, production by crop,
25 acres by crop, and county prices by crop. This
26 information shall be made available to the department
27 of revenue and finance for use in the productivity
28 formula for valuing and equalizing the values of
29 agricultural land.

30 b. For the operations of the dairy trade practices
31 bureau:

32\$ 70,565

33 c. For the operations of the agricultural
34 marketing bureau:

35\$ 817,276

36 Of the funds appropriated in this paragraph "c",
37 \$325,000 and 7.00 FTEs shall be used to support
38 horticulture.

39 d. For the purpose of performing commercial feed
40 audits:

41\$ 59,474

42 e. For the purpose of performing fertilizer
43 audits:

44\$ 59,474

45 f. Funds appropriated by this subsection are for
46 the salaries and support of not more than the
47 following full-time equivalent positions:

48FTEs 50.20

49 2. REGULATORY DIVISION

50 a. For salaries, support, maintenance,

Page 2

1	miscellaneous purposes, and for not more than the		
2	following full-time equivalent positions:		
3	.....	\$	3,649,904
4	..... FTEs		128.90
5	b. To cover the costs of inspection, sampling,		
6	analysis, and other expenses necessary for the		
7	administration of chapters 192, 194, and 195:		
8	.....	\$	636,682
9	3. LABORATORY DIVISION		
10	a. For salaries, support, maintenance, and		
11	miscellaneous purposes, including the administration		
12	of the gypsy moth program:		
13	.....	\$	782,329
14	Of the amount appropriated under this paragraph		
15	"a", \$110,000 shall be used to administer a program		
16	relating to the detection, surveillance, and		
17	eradication of the gypsy moth. The department shall		
18	allocate and use the appropriation made under this		
19	paragraph before moneys other than those appropriated		
20	under this paragraph are used to support the program.		
21	b. For the operations of the commercial feed		
22	programs:		
23	.....	\$	726,740
24	c. For the operations of the pesticide programs:		
25	.....	\$	1,186,603
26	d. For the operations of the fertilizer programs:		
27	.....	\$	624,317
28	e. Funds appropriated by this subsection are for		
29	the salaries and support of not more than the		
30	following full-time equivalent positions:		
31	.....	FTEs	78.00
32	4. SOIL CONSERVATION DIVISION		
33	a. For salaries, support, maintenance, assistance		
34	to soil conservation districts, miscellaneous		
35	purposes, and for not more than the following full-		
36	time equivalent positions:		
37	.....	\$	5,138,029
38	..... FTEs		170.52
39	Of the funds appropriated in this paragraph "a",		
40	\$330,000 shall be used to reimburse commissioners of		
41	soil and water conservation districts for		
42	administrative expenses. Moneys used for the payment		
43	of meeting dues by counties shall be matched on a		
44	dollar-for-dollar basis by the soil conservation		
45	division.		
46	b. To provide financial incentives for soil		
47	conservation practices under chapter 161A:		
48	.....	\$	5,950,000
49	c. The following requirements apply to the moneys		
50	appropriated in paragraph "b":		

Page 3

1 (1) Not more than 5 percent of the moneys
2 appropriated in paragraph "b" may be allocated for
3 cost sharing to abate complaints filed under section
4 161A.47.

5 (2) Of the moneys appropriated in paragraph "b", 5
6 percent shall be allocated for financial incentives to
7 establish practices to protect watersheds above
8 publicly owned lakes of the state from soil erosion
9 and sediment as provided in section 161A.73.

10 (3) Not more than 30 percent of a district's
11 allocation of moneys as financial incentives may be
12 provided for the purpose of establishing management
13 practices to control soil erosion on land that is row
14 cropped, including but not limited to no-till
15 planting, ridge-till planting, contouring, and contour
16 strip-cropping as provided in section 161A.73.

17 (4) The state soil conservation committee created
18 in section 161A.4 may allocate moneys to conduct
19 research and demonstration projects to promote
20 conservation tillage and nonpoint source pollution
21 control practices.

22 (5) The financial incentive payments may be used
23 in combination with department of natural resources
24 moneys.

25 d. The provisions of section 8.33 shall not apply
26 to the moneys appropriated in paragraph "b".
27 Unencumbered or unobligated moneys remaining on June
28 30, 1997, from moneys appropriated in paragraph "b"
29 for the fiscal year beginning July 1, 1993, shall
30 revert to the general fund on August 31, 1997.

31 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is
32 appropriated from the general fund of the state to the
33 department of agriculture and land stewardship for the
34 fiscal year beginning July 1, 1993, and ending June
35 30, 1994, the following amount, or so much thereof as
36 is necessary, to be used for the purposes designated:

37 For salaries, support, maintenance, and	
38 miscellaneous purposes, to be used by the department	
39 to continue and expand the farmers' market coupon	
40 program by providing federal special supplemental food	
41 program recipients with coupons redeemable at farmers'	
42 markets, and for not more than the following full-time	
43 equivalent positions:	
44	\$ 186,751
45	FTEs 1.00

46 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.

47 1. There is appropriated from the general fund of
48 the state to the department of agriculture and land
49 stewardship for the fiscal year beginning July 1,
50 1993, and ending June 30, 1994, the following amount,

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1 or so much thereof as is necessary, to be used for the
2 purpose designated:

3 For support of the pseudorabies eradication
4 program:

5\$ 900,000

6 2. Persons, including organizations interested in
7 swine production in this state and in the promotion of
8 Iowa pork products who contribute support to the
9 program, are encouraged to increase financial support
10 for purposes of ensuring the program's effective
11 continuation.

12 Sec. 4. HORSE AND DOG RACING.

13 1. There is appropriated from the moneys available
14 under section 99D.13 to the regulatory division of the
15 department of agriculture and land stewardship for the
16 fiscal year beginning July 1, 1993, and ending June
17 30, 1994, the following amount, or so much thereof as
18 is necessary, to be used for the purpose designated:

19 For salaries, support, maintenance, and
20 miscellaneous purposes for the administration of
21 section 99D.22:

22\$ 182,560

23 2. a. The state veterinarian shall assume
24 responsibilities performed by the Iowa racing and
25 gaming commission in supervising and regulating the
26 health of animals racing under chapter 99D.

27 b. Notwithstanding sections of this Act amending
28 chapter 99D, the Iowa racing and gaming commission
29 shall satisfy all current contracts with commission
30 veterinarians. The commission shall not renew or
31 extend a contract beyond December 1, 1993. As each
32 contract expires, a departmental veterinarian shall
33 assume responsibilities of the commission
34 veterinarian. The Iowa racing and gaming commission
35 shall support payments under existing contracts with
36 other commission veterinarians from moneys
37 appropriated to the commission pursuant to Senate File
38 266, as enacted by the seventy-fifth general assembly
39 for the fiscal year beginning July 1, 1993, and ending
40 June 30, 1994. However, moneys remaining which would
41 otherwise be used to support a commission veterinarian
42 shall be transferred to the department within ten days
43 after the cessation of duties by that commission
44 veterinarian.

45 c. The total amount of the moneys used to support
46 all veterinarians of the commission and the
47 department, as required to administer chapter 99D, and
48 testing by Iowa state university of science and
49 technology shall not exceed \$645,000, unless the
50 commission determines that additional moneys

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1 transferred to the department are required to support
2 departmental veterinarians at a particular track.

3 d. Unless the commission determines that
4 additional moneys transferred to the department are
5 required to support departmental veterinarians at a
6 particular track, not more than \$45,000 shall be used
7 to support a veterinarian at the Waterloo track, not
8 more than \$90,000 shall be used to support a
9 veterinarian at the Council Bluffs track, not more
10 than \$45,000 shall be used to support a veterinarian
11 at the Dubuque track, not more than \$75,000 shall be
12 used to support a veterinarian at the Des Moines
13 track, and not more than \$390,000 shall be used to
14 support Iowa state university of science and
15 technology.

16 e. The racing and gaming commission and the
17 department of agriculture and land stewardship shall
18 provide for the orderly transition of responsibilities
19 under this Act, including the adoption of rules and
20 the transfer of personnel required to implement this
21 Act.

22 INTERSTATE COMPACT ON AGRICULTURAL GRAIN MARKETING

23 Sec. 5. APPROPRIATION. There is appropriated from
24 the general fund of the state to the interstate
25 agricultural grain marketing commission for the fiscal
26 year beginning July 1, 1993, and ending June 30, 1994,
27 the following amount, or so much thereof as is
28 necessary, to be used for the purpose designated:

29 For carrying out duties of the commission as
30 provided in Article IV of the interstate compact on
31 agricultural grain marketing as provided in chapter
32 183:

33\$ 75,000

34 DEPARTMENT OF NATURAL RESOURCES

35 Sec. 6. GENERAL APPROPRIATION. There is
36 appropriated from the general fund of the state to the
37 department of natural resources for the fiscal year
38 beginning July 1, 1993, and ending June 30, 1994, the
39 following amounts, or so much thereof as is necessary,
40 to be used for the purposes designated:

41 1. ADMINISTRATIVE AND SUPPORT SERVICES

42 For salaries, support, maintenance, miscellaneous
43 purposes, and for not more than the following full-
44 time equivalent positions:

45\$ 1,705,345

46FTEs 116.70

47 2. PARKS AND PRESERVES DIVISION

48 For salaries, support, maintenance, miscellaneous
49 purposes, and for not more than the following full-
50 time equivalent positions:

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1	\$	5,387,474
2	FTEs	204.83
3	The department shall transfer all managerial		
4	responsibilities relating to property known as Plum		
5	Grove in Iowa City to the department of cultural		
6	affairs.		
7	3. FORESTS AND FORESTRY DIVISION		
8	For salaries, support, maintenance, miscellaneous		
9	purposes, and for not more than the following full-		
10	time equivalent positions:		
11	.....	\$	1,416,046
12	.....	FTEs	48.71
13	4. ENERGY AND GEOLOGICAL RESOURCES DIVISION		
14	For salaries, support, maintenance, miscellaneous		
15	purposes, and for not more than the following full-		
16	time equivalent positions:		
17	.....	\$	1,642,474
18	.....	FTEs	53.00
19	5. ENVIRONMENTAL PROTECTION DIVISION		
20	For salaries, support, maintenance, miscellaneous		
21	purposes, and for not more than the following full-		
22	time equivalent positions:		
23	.....	\$	2,064,046
24	.....	FTEs	169.00
25	6. FISH AND WILDLIFE DIVISION		
26	For not more than the following full-time		
27	equivalent positions:		
28	.....	FTEs	338.78
29	7. WASTE MANAGEMENT ASSISTANCE DIVISION		
30	For not more than the following full-time		
31	equivalent positions:		
32	.....	FTEs	18.75
33	Sec. 7. STATE FISH AND GAME PROTECTION FUND -		
34	APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.		
35	1. There is appropriated from the state fish and		
36	game protection fund to the division of fish and		
37	wildlife of the department of natural resources for		
38	the fiscal year beginning July 1, 1993, and ending		
39	June 30, 1994, the following amount, or so much		
40	thereof as is necessary, to be used for the purposes		
41	designated:		
42	For administrative support, and for salaries,		
43	support, maintenance, equipment, and miscellaneous		
44	purposes:		
45	.....	\$	19,933,807
46	2. The department shall not expend more moneys		
47	from the fish and game protection fund than provided		
48	in this section, unless the expenditure derives from		
49	contributions made by a private entity, or a grant or		
50	moneys received from the federal government, and is		

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1 approved by the natural resource commission. The
 2 department of natural resources shall promptly notify
 3 the legislative fiscal bureau of the commission's
 4 approval, and the chairpersons and ranking members of
 5 the joint appropriations subcommittee on agriculture
 6 and natural resources concerning the commission's
 7 approval.

8 Sec. 8. MARINE FUEL TAX RECEIPTS – CAPITALS;
 9 NONCAPITALS; AND BOATING FACILITIES AND ACCESS. There
 10 is appropriated from the marine fuel tax receipts
 11 deposited in the general fund of the state to the
 12 department of natural resources for the fiscal year
 13 beginning July 1, 1993, and ending June 30, 1994, the
 14 following amounts, or so much thereof as is necessary,
 15 to be used for the purposes designated:

16 1. For purposes of funding expenditures
 17 traditionally funded from marine fuel tax revenues,
 18 but not considered as capitals or operations:
 19\$ 200,000

20 2. For purposes of maintaining and developing
 21 boating facilities and access to public waters by the
 22 parks and preserves division:
 23\$ 411,311

24 Notwithstanding section 8.33, the unencumbered or
 25 unobligated moneys remaining on June 30, 1994, from
 26 moneys appropriated by this section as provided in
 27 subsections 1 and 2, may be expended during the fiscal
 28 year beginning July 1, 1994, and ending June 30, 1995,
 29 and shall not revert to the general fund until August
 30 31, 1995.

31 Sec. 9. ALL-TERRAIN VEHICLE AND SNOWMOBILE FEES –
 32 TRANSFER FOR ENFORCEMENT PURPOSES. There is
 33 transferred on July 1, 1993, from the fees deposited
 34 under section 321G.7 to the fish and game protection
 35 fund and appropriated to the department of natural
 36 resources for the fiscal year beginning July 1, 1993,
 37 and ending June 30, 1994, the following amount, or so
 38 much thereof as is necessary, to be used for the
 39 purpose designated:

40 For the purpose of enforcing snowmobile laws as
 41 part of the state snowmobile program administered by
 42 the department of natural resources:
 43\$ 100,000

44 Sec. 10. VESSEL FEES – TRANSFER FOR ENFORCEMENT
 45 PURPOSES. There is transferred on July 1, 1993, from
 46 the fees deposited under section 462A.52 to the fish
 47 and game protection fund and appropriated to the
 48 department of natural resources for the fiscal year
 49 beginning July 1, 1993, and ending June 30, 1994, the
 50 following amount, or so much thereof as is necessary,

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1 to be used for the purpose designated:

2 For purposes of administration and enforcement of
3 navigation laws and water safety:

4\$ 950,000

5 IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

6 Sec. 11. LIVESTOCK PRODUCERS ASSISTANCE PROGRAM.

7 1. There is appropriated from the general fund of
8 the state to Iowa state university of science and
9 technology, for the fiscal year beginning July 1,
10 1993, and ending June 30, 1994, the following amount,
11 or so much thereof as is necessary, to be used for the
12 purposes designated:

13 To establish and administer a livestock producers
14 assistance program to provide on-site assistance to
15 persons involved in livestock production in order to
16 increase the efficiency, productivity, and
17 profitability of their operations:

18\$ 300,000

19 2. As a condition of this appropriation, the
20 university shall strive to ensure that the program
21 becomes increasingly self-sufficient.

22 3. The provisions of section 8.33 shall not apply
23 to the moneys appropriated in this section.
24 Unencumbered or unobligated moneys remaining on June
25 30, 1997, from moneys appropriated in this section for
26 the fiscal year beginning July 1, 1993, shall revert
27 to the general fund on August 31, 1997.

28 RESOURCE ENHANCEMENT AND PROTECTION

29 Sec. 12. GENERAL APPROPRIATION. Notwithstanding
30 the amount of the standing appropriation from the
31 general fund of the state under section 455A.18,
32 subsection 3, there is appropriated from the general
33 fund of the state to the Iowa resources enhancement
34 and protection fund, in lieu of the appropriation made
35 in section 455A.18, for the fiscal year beginning July
36 1, 1993, and ending June 30, 1994, the sum of
37 \$7,500,000, of which all moneys shall be allocated as
38 provided in section 455A.19.

39 Sec. 13. DEAPPROPRIATION. The appropriation from
40 the general fund of the state to the Iowa resources
41 enhancement and protection fund for the fiscal year
42 beginning July 1, 1992, and ending June 30, 1993, in
43 1992 Iowa Acts, chapter 1239, section 12, is reduced,
44 as a result of the governor's item veto in section 12,
45 by the following amounts for the purposes designated:

46 1. Allocation to the department of natural
47 resources, in subsection 2, paragraph "a":

48\$ 500,000

49 2. Allocation to the department of agriculture and
50 land stewardship, in subsection 2, paragraph "b":

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1\$ 400,000

2 MISCELLANEOUS

3 Sec. 14. APPROPRIATION - ORGANIC NUTRIENT
4 MANAGEMENT PROGRAM.

5 1. Prior to any appropriation made pursuant to
6 section 455E.11, subsection 2, paragraph "c", there is
7 appropriated for the fiscal year beginning July 1,
8 1993, and ending June 30, 1994, from the household
9 hazardous waste account of the groundwater protection
10 fund created in section 455E.11, to the water
11 protection fund created in section 161C.4 for deposit
12 in the organic nutrient management account, the
13 following amount, or so much thereof as is necessary,
14 to be used for the purposes designated:

15 For purposes of supporting an organic nutrient
16 management program as provided in this Act:
17\$ 900,000

18 2. The appropriation shall be used as follows:
19 a. Not more than 2 percent of the amount shall be
20 used for purposes of administering the program by the
21 soil conservation division.

22 b. The amount of moneys allocated in cost-share
23 payments to a person qualifying under the program
24 shall not exceed 50 percent of the estimated cost of
25 establishing a system or 50 percent of the actual
26 cost, whichever is less.

27 c. A person qualifying under the program shall not
28 receive more than \$7,500 in financial incentives under
29 this program.

30 Sec. 15. REVENUE ADMINISTERED BY THE IOWA
31 COMPREHENSIVE UNDERGROUND STORAGE TANK BOARD -
32 TRANSFER. There is appropriated from the unassigned
33 revenue fund administered by the Iowa comprehensive
34 underground storage tank board, to the department of
35 natural resources for the fiscal year beginning July
36 1, 1993, and ending June 30, 1994, the following
37 amount, or so much thereof as is necessary, to be used
38 for the purpose designated:

39 For administration expenses of the underground
40 storage tank section of the department of natural
41 resources:
42\$ 145,000

43 However, this appropriation is reduced to the
44 extent that the board determines that other state
45 expenditures qualify as a match for moneys
46 appropriated by the United States for purposes of
47 supporting the activities performed by the department
48 in carrying out the underground storage tank program.

49 Sec. 16. STATE NURSERIES. Notwithstanding section
50 17A.2, subsection 10, paragraph "g", the department of

Page 10

1 natural resources shall adopt administrative rules
2 establishing prices of plant material grown at the
3 state forest nurseries to cover all expenses related
4 to the growing of the plants.

5 The department shall develop programs to encourage
6 the wise management and preservation of existing
7 woodlands and shall continue its efforts to encourage
8 forestation and reforestation on private and public
9 lands in the state.

10 The department shall encourage a cooperative
11 relationship between the state forest nurseries and
12 private nurseries in the state in order to achieve
13 these goals.

14 **Sec. 17. TRUST FUND INFORMATION.** The department
15 of revenue and finance in cooperation with the
16 department of agriculture and land stewardship and the
17 department of natural resources shall track receipts
18 to the general fund which have traditionally been
19 deposited into the following funds:

20 1. The fertilizer fund created in section 200.9.

21 2. The pesticide fund created in section 206.12.

22 3. The dairy trade practices trust fund pursuant
23 to section 192A.30.

24 4. The milk fund created in section 192.111.

25 5. The commercial feed fund created in section
26 198.9.

27 6. The marine fuel tax fund created in section
28 452A.79.

29 7. The energy research and development fund
30 provided in section 473.11, enacted in 1993 Acts,
31 Senate File 74.

32 The departments designated in this section shall
33 prepare reports detailing revenue from receipts
34 traditionally deposited into each of the funds. A
35 report shall be submitted to the legislative fiscal
36 bureau at least once for each three-month period as
37 designated by the legislative fiscal bureau.

38 **Sec. 18. DEPARTMENTAL INFORMATION REQUIRED.**

39 1. The department of agriculture and land
40 stewardship and the department of natural resources,
41 in cooperation as necessary with the department of
42 management and the department of personnel, shall
43 provide a list to the legislative fiscal bureau, on a
44 quarterly basis, of all permanent positions added to
45 or deleted from the departments' table of organization
46 in the previous fiscal quarter. This list shall
47 include at least the position number, salary range,
48 projected funding source or sources of each position,
49 and the reason for the addition or deletion. The
50 legislative fiscal bureau may use this information to

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1 assist in the establishment of the full-time
2 equivalent position limits authorized in law for the
3 departments.

4 2. The department of natural resources shall
5 provide the legislative fiscal bureau information and
6 financial data by cost center, on at least a monthly
7 basis, relating to the indirect cost accounting
8 procedure, the amount of funding from each funding
9 source for each cost center, and the internal budget
10 system used by the department. The information shall
11 include but is not limited to financial data covering
12 the department's budget by cost center and funding
13 source prior to the start of the fiscal year, and to
14 the department's actual expenditures by cost center
15 and funding source after the accounting system has
16 been closed for that fiscal year.

17 3. The department of agriculture and land
18 stewardship shall provide the legislative fiscal
19 bureau information and financial data on at least a
20 monthly basis, relating to the internal budget system
21 used by the department. The information shall include
22 but is not limited to financial data covering the
23 department's budget prior to the start of the fiscal
24 year, and to the department's actual expenditures
25 after the accounting system has been closed for that
26 fiscal year.

27 Sec. 19. AIR QUALITY STANDARDS.

28 1. During the fiscal year for which funds are
29 appropriated by section 6 of this Act, the department
30 of natural resources shall not require the
31 installation or use of equipment to control the
32 emission of dust or other particulate matter on or by
33 facilities for storage of grain which are located
34 within the ambient air quality attainment areas for
35 suspended particulates. However, this subsection
36 shall not be effective upon the delegation by the
37 United States to this state of the air operating
38 permit program as provided by the federal Clean Air
39 Act Amendments of 1990, Pub. L. No. 101-549.

40 2. Notwithstanding section 455B.133A, the annual
41 fee of twenty-five dollars per ton on hazardous air
42 pollutants imposed pursuant to that section is not
43 required to be paid, if both of the following occur:

44 a. The Seventy-fifth General Assembly does not
45 enact legislation which authorizes the state to assume
46 responsibilities delegated by the United States
47 relating to the air operating permit program as
48 provided by the federal Clean Air Act Amendments of
49 1990, Pub. L. No. 101-549.

50 b. The fee on hazardous air pollutants included in

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1 Title III of the federal Clean Air Act Amendments of
2 1990 is imposed by the United States.

3 Sec. 20. DEPARTMENTAL STUDIES AND PROJECTS.

4 1. The department of agriculture and land
5 stewardship and the department of inspections and
6 appeals shall jointly study methods of coordinating
7 inspections currently performed by the department of
8 agriculture and land stewardship, including but not
9 limited to the inspections of weights and measures.
10 The departments shall study methods to increase
11 efficiency and cost-savings. The departments shall
12 prepare and submit a report to the general assembly
13 not later than January 10, 1994, detailing findings
14 and recommendations of the departments.

15 2. The department of agriculture and land
16 stewardship shall establish a pilot project in a
17 geographic area in which the inspections of weights
18 and measures are performed based upon criteria which
19 prioritizes inspections according to those weights and
20 measures which are most likely not to be in compliance
21 with state standards.

22 3. The department of natural resources shall study
23 the effects of urban contamination, if any, of state
24 waters. The department shall prepare a report based
25 on the study which shall be delivered to the secretary
26 of the senate and chief clerk of the house of
27 representatives not later than January 10, 1994.

28 Sec. 21. LEASE-PURCHASE CONTRACTS — PROHIBITION.

29 By June 30, 1994, the department of natural resources,
30 or a person acting on behalf of the department,
31 including the department of general services, shall
32 complete the terms and pay the full amount due under
33 any lease-purchase contract for the purchase of
34 personal property acquired by, or on behalf of the
35 department, which was executed after June 30, 1992.
36 This section shall not alter the obligation of the
37 department to reimburse a person who acts to complete
38 the terms or pays an amount due under a lease-purchase
39 contract. However, the department must reimburse the
40 person the full amount due by June 30, 1994. The
41 department shall not extend the terms of any existing
42 lease-purchase contract which would expire on or
43 before June 30, 1994.

44 Sec. 22. PREFERENCE PROVIDED — PERSONS MEETING
45 ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM.

46 In its employment of persons in temporary positions in
47 conservation and outdoor recreation, the department of
48 natural resources shall give preference to persons
49 meeting eligibility requirements for the green thumb
50 program and to persons working toward an advanced

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1 education in natural resources and conservation.

2 Sec. 23. REDUCTIONS IN FULL-TIME EQUIVALENT

3 POSITIONS — GENERAL FUND SUPPORTED APPROPRIATIONS.

4 The number of full-time equivalent positions, as
5 defined in section 8.36A, within the department of
6 natural resources which are reduced in this Act from
7 the number of full-time equivalent positions provided
8 for pursuant to 1992 Iowa Acts, chapter 1239, apply
9 only to full-time equivalent positions supported by
10 appropriations from the general fund of the state.

11 Sec. 24. BRUSHY CREEK RECREATION AREA. The
12 campground used for equestrian activities on the
13 northern part of the Brushy Creek recreation area
14 shall be a permanent campground for such activities.
15 The department in conjunction with the Brushy Creek
16 recreation trails advisory board shall implement the
17 provisions of section 455A.8A, as enacted in this Act,
18 including the development and completion of trail
19 improvements during the construction of the dam. The
20 recreational improvements shall be completed upon
21 completion of the dam.

22 Sec. 25. REVERSION POSTPONEMENT.

23 1. Notwithstanding section 8.33, and 1992 Iowa
24 Acts, chapter 1239, section 8, unencumbered or
25 unobligated moneys remaining on June 30, 1993, from
26 moneys appropriated for purposes of funding projects
27 traditionally funded from marine fuel tax receipts as
28 provided in 1992 Iowa Acts, chapter 1239, section 8,
29 subsections 1 and 4, may be expended during the fiscal
30 year beginning July 1, 1993, and ending June 30, 1994,
31 and shall not revert to the general fund until August
32 31, 1994.

33 2. Notwithstanding section 8.33, unencumbered or
34 unobligated moneys remaining on June 30, 1993, from
35 moneys appropriated pursuant to 1992 Iowa Acts, Second
36 Extraordinary Session, chapter 1001, section 402, may
37 be expended during the fiscal year beginning July 1,
38 1993, and ending June 30, 1994, and shall not revert
39 to the general fund until August 31, 1994.

40 STATUTORY CHANGES

41 Sec. 26. Section 18.12, subsection 10, Code 1993,
42 is amended by adding the following new paragraph:

43 NEW PARAGRAPH. f. Notwithstanding this
44 subsection, the director shall not do either of the
45 following:

46 (1) Enter into a lease-purchase contract or
47 facilitate the execution of a lease-purchase contract
48 for the acquisition of personal property, if the
49 property is to be under the control of the department
50 of natural resources, or the department is to be the

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1 principal user or beneficiary of the property.
2 (2) Enter into a lease-purchase contract or
3 facilitate the execution of a lease-purchase contract
4 for the acquisition of personal property, if the
5 property is to be under the control of the department
6 of agriculture and land stewardship, or the department
7 is to be the principal user or beneficiary of the
8 property.

9 Sec. 27. Section 18.18, Code 1993, is amended by
10 adding the following new subsection:

11 NEW SUBSECTION. 9. The department shall, whenever
12 technically feasible, purchase and use degradable
13 loose foam packing material manufactured from grain
14 starches or other renewable resources, unless the cost
15 of the packing material is more than ten percent
16 greater than the cost of packing material made from
17 nonrenewable resources. For the purposes of this
18 subsection, "packing material" means material, other
19 than an exterior packing shell, that is used to
20 stabilize, protect, cushion, or brace the contents of
21 a package.

22 Sec. 28. Section 99D.2, Code 1993, is amended by
23 adding the following new subsection:

24 NEW SUBSECTION. 9. "State veterinarian" means the
25 veterinarian appointed by the secretary of agriculture
26 pursuant to section 159.5.

27 Sec. 29. Section 99D.13, subsection 2, Code 1993,
28 is amended to read as follows:

29 2. Winnings from each racetrack forfeited under
30 subsection 1 shall escheat to the state and to the
31 extent appropriated by the general assembly shall be
32 used by the department of agriculture and land
33 stewardship to administer section 99D.22. The
34 remainder shall be paid over to the commission used by
35 the state veterinarian to pay all or part of the cost
36 of drug testing at the tracks. The remainder shall be
37 paid over to the commission. To the extent the
38 remainder paid over to the commission, less the cost
39 of drug testing, is from unclaimed winnings from
40 harness racing meets, the remainder shall be used as
41 provided in subsection 3. To the extent the remainder
42 paid to the commission, less the cost of drug testing,
43 is from unclaimed winnings from licensed dog tracks,
44 the commission shall remit annually five thousand
45 dollars, or an equal portion of that amount, to each
46 licensed dog track to carry out the racing dog
47 adoption program pursuant to section 99D.27. To the
48 extent the remainder paid over to the commission, less
49 the cost of drug testing, is from unclaimed winnings
50 from tracks licensed for dog or horse races, the

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1 commission, on an annual basis, shall remit one-third
2 of the amount to the treasurer of the city in which
3 the racetrack is located, one-third of the amount to
4 the treasurer of the county in which the racetrack is
5 located, and one-third of the amount to the racetrack
6 from which it was forfeited. If the racetrack is not
7 located in a city, then one-third shall be deposited
8 as provided in chapter 556. The amount received by
9 the racetrack under this subsection shall be used only
10 for retiring the debt of the racetrack facilities and
11 for capital improvements to the racetrack facilities.

12 Sec. 30. Section 99D.23, Code 1993, is amended to
13 read as follows:

14 99D.23 COMMISSION STATE VETERINARIAN AND CHEMIST.

15 1. The state veterinarian shall supervise and
16 regulate the health of animals racing under this
17 chapter. The department of agriculture and land
18 stewardship may employ or contract with persons
19 required to assist the state veterinarian in
20 performing duties required under this chapter. The
21 department shall designate or appoint departmental
22 veterinarians to assist the state veterinarian. The
23 department and the racing and gaming commission shall
24 at all times cooperate in administering this chapter,
25 and shall share records and information, including
26 results of inspections and tests as required.

27 ¶ 2. The commission department of agriculture and
28 land stewardship shall employ one or more chemists or
29 contract with a qualified chemical laboratory to
30 determine by chemical testing and analysis of saliva,
31 urine, blood, or other excretions or body fluids
32 whether a substance or drug has been introduced which
33 may affect the outcome of a race or whether an action
34 has been taken or a substance or drug has been
35 introduced which may interfere with the testing
36 procedure. The commission department of agriculture
37 and land stewardship shall adopt rules under chapter
38 17A concerning procedures and actions taken on
39 positive drug reports. The commission department of
40 agriculture and land stewardship may adopt by
41 reference the standards of the national association of
42 state racing commissioners, the association of
43 official racing chemists, and New York jockey club, or
44 the United States trotting association, or may adopt
45 any other procedure or standard. The commission
46 department has the authority to retain and preserve by
47 freezing, test samples for future analysis.

48 2 3. The commission department of agriculture and
49 land stewardship shall employ or contract with one or
50 more veterinarians under the direction of the state

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1 veterinarian to extract or procure the saliva, urine,
2 blood, or other excretions or body fluids of the
3 horses or dogs for the chemical testing purposes of
4 this section. A ~~commission~~ departmental veterinarian
5 shall be in attendance at every race meeting held in
6 this state.

7 3 4. A chemist or veterinarian who willfully or
8 intentionally fails to perform the functions or duties
9 of employment required by this section shall be banned
10 for life from employment at a race meeting held in
11 this state.

12 4 5. The ~~commission~~ state veterinarian shall keep
13 a continuing record of the racing soundness of all
14 horses examined by a ~~commission~~ departmental
15 veterinarian at a racetrack.

16 Sec. 31. Section 99D.25, subsections 3, 4, 5, 7,
17 9, 10, and 11, Code 1993, are amended to read as
18 follows:

19 3. The All of the following conduct is prohibited:

20 a. The entering of a horse or dog in a race by the
21 trainer or owner of the horse or dog if the trainer or
22 owner knows or if by the exercise of reasonable care
23 the trainer or owner should know that the horse or dog
24 is drugged or numbed;

25 b. The drugging or numbing of a horse or dog with
26 knowledge or with reason to believe that the horse or
27 dog will compete in a race while so drugged or numbed.
28 However, the commission department of agriculture and
29 land stewardship may by rule establish permissible
30 trace levels of substances foreign to the natural
31 horse or dog that the commission department determines
32 to be innocuous;

33 c. The willful failure by the operator of a racing
34 facility to disqualify a horse or dog from competing
35 in a race if the operator has been notified that the
36 horse or dog is drugged or numbed, or was not properly
37 made available for tests or inspections as required by
38 the commission; and department of agriculture and land
39 stewardship.

40 d. The willful failure by the operator of a racing
41 facility to prohibit a horse or dog from racing if the
42 operator has been notified that the horse or dog has
43 been suspended from racing.

44 4. The owners owner of a horse or dog and their
45 agents and employees or an agent or employee of the
46 owner shall permit a member of the commission or a
47 person employed or appointed by the commission the
48 department of agriculture and land stewardship to make
49 conduct or order tests as the commission state
50 veterinarian deems proper in order to determine

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1 whether a the horse or dog has been improperly
2 drugged. The fact that purse money has been
3 distributed prior to the issuance of a test report
4 shall not be deemed a finding that ~~no~~ a chemical
5 substance has not been administered unlawfully to the
6 horse or dog earning the purse money. The findings of
7 the commission department of agriculture and land
8 stewardship that a horse or dog has been improperly
9 drugged by a narcotic or other drug are prima facie
10 evidence of the fact. The results of the tests shall
11 be kept on file by the commission department of
12 agriculture and land stewardship for at least one year
13 following the tests.

14 5. Every horse which suffers a breakdown on the
15 racetrack, in training, or in competition, and is
16 destroyed, and every other horse which expires while
17 stabled on the racetrack under the jurisdiction of the
18 commission, shall undergo a postmortem examination at
19 a time and place acceptable to the commission state
20 veterinarian to determine the injury or sickness which
21 resulted in euthanasia or natural death. The
22 postmortem examination shall be conducted by a
23 veterinarian employed by the owner or the owner's
24 trainer in the presence of and in consultation with
25 the commission a department veterinarian. Test
26 samples shall be obtained from the carcass upon which
27 the postmortem examination is conducted and shall be
28 sent to a laboratory approved by the commission for
29 testing for foreign substances and natural substances
30 at abnormal levels. When practical, blood and urine
31 test samples should be procured prior to euthanasia.
32 The owner of the deceased horse is responsible for
33 payment of any charges due the veterinarian employed
34 to conduct the postmortem examination. The services
35 of the commission department veterinarian and the
36 laboratory testing of postmortem samples shall be made
37 available by the commission department of agriculture
38 and land stewardship without charge to the owner. A
39 record of every postmortem shall be filed with the
40 commission state veterinarian by the owner's
41 veterinarian within seventy-two hours of the death and
42 shall be submitted on a form supplied by the
43 commission state veterinarian. Each owner and trainer
44 accepts the responsibility for the postmortem
45 examination provided herein as a requisite for
46 maintaining the occupational license issued by the
47 commission state veterinarian.

48 7. Any horse which in the opinion of the
49 commission a department veterinarian has suffered a
50 traumatic injury or disability such that a controlled

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1 program of phenylbutazone administration would not aid
2 in restoring the racing soundness of the horse shall
3 not be allowed to race while medicated with
4 phenylbutazone or with phenylbutazone present in the
5 horse's bodily systems.

6 9. Before a horse is allowed to race using
7 phenylbutazone, the veterinarian attending the horse
8 shall certify to the ~~commission~~ department
9 veterinarian the course of treatment followed in
10 administering the phenylbutazone. -

11 10. The ~~commission~~ department veterinarian shall
12 conduct random tests of bodily substances of horses
13 entered to race each day of a race meeting to aid in
14 the detection of any unlawful drugging. The tests
15 shall be conducted both prior to and after a race.
16 The ~~commission~~ department veterinarian shall also test
17 any horse that breaks down during a race and shall
18 perform an autopsy on any horse that is killed or
19 subsequently destroyed as a result of accident during
20 a race.

21 11. Veterinarians must submit daily to the
22 ~~commission~~ a department veterinarian on a prescribed
23 form a report of all medications and other substances
24 which the veterinarian prescribed, administered, or
25 dispensed for horses registered at a current race
26 meeting. A logbook detailing other professional
27 services performed while on the grounds of a racetrack
28 shall be kept by veterinarians and shall be made
29 immediately available to the ~~commission~~ a department
30 veterinarian or the stewards upon request.

31 Sec. 32. Section 99D.25A, subsections 3 through 7,
32 Code 1993, are amended to read as follows:

33 3. If a horse is to race with phenylbutazone in
34 its system, the trainer shall be responsible for
35 marking the information on the entry blank for each
36 race in which the horse shall use phenylbutazone.
37 Changes made after the time of entry must be submitted
38 on the prescribed form to the ~~commission~~ a department
39 veterinarian no later than scratch time.

40 4. If a test detects concentrations of
41 phenylbutazone in the system of a horse in excess of
42 the level permitted in this section, the commission,
43 upon receiving information from the department of
44 agriculture and land stewardship, shall assess a civil
45 penalty against the trainer of two hundred dollars for
46 the first offense and five hundred dollars for a
47 second offense. The penalty for a third or subsequent
48 offense shall be in the discretion of the commission.
49 A penalty assessed under this subsection shall not
50 affect the placing of the horse in the race.

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1 5. Lasix may be administered to certified
2 bleeders. Upon request, any horse placed on the
3 bleeder list shall, in its next race, be permitted the
4 use of lasix. Once a horse has raced with lasix, it
5 must continue to race with lasix in all subsequent
6 races unless a request is made to discontinue the use.
7 If the use of lasix is discontinued, the horse shall
8 be prohibited from again racing with lasix unless it
9 is later observed to be bleeding. Requests for the
10 use of or discontinuance of lasix must be made to the
11 commission a department veterinarian by the horse's
12 trainer or assistant trainer on a form prescribed by
13 the commission state veterinarian on or before the day
14 of entry into the race for which the request is made.

15 6. Once a horse has been permitted the use of
16 lasix, it must be brought to the detention barn for
17 treatment not less than four hours prior to scheduled
18 post time for the race in which it is entered to
19 start. After the lasix treatment, the commission
20 department of agriculture and land stewardship, by
21 rule, may authorize the release of the horse from the
22 detention barn before the scheduled post time. If a
23 horse is brought to the detention barn late, the
24 commission, upon receiving information from the
25 department of agriculture and land stewardship, shall
26 assess a civil penalty of one hundred dollars against
27 the trainer.

28 7. A horse entered to race with lasix must be
29 treated at least four hours prior to post time. The
30 lasix shall be administered intravenously by a
31 veterinarian employed by the owner or trainer of the
32 horse under the visual supervision of the commission a
33 department veterinarian. The practicing veterinarian
34 must deposit with the commission a department
35 veterinarian at the detention barn an unopened supply
36 of lasix and sterile hypodermic needles and syringes
37 to be used for the administrations. Lasix shall only
38 be administered in a dose level of two hundred fifty
39 milligrams. The commission A department veterinarian
40 shall extract a test sample of the horse's blood,
41 urine, or saliva to determine whether the horse was
42 improperly drugged both before the lasix was
43 administered and after the race is run.

44 Sec. 33. Section 159.5, Code 1993, is amended by
45 adding the following new subsection:

46 **NEW SUBSECTION. 16.** Appoint a state veterinarian
47 who shall be responsible for regulating areas relating
48 to animal health as provided by the secretary.

49 Sec. 34. **NEW SECTION. 159.5A LEASE-PURCHASE CON-**
50 **TRACTS — PROHIBITION.**

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1 The department shall not execute or be a party to a
2 lease-purchase contract for the acquisition of
3 personal property.

4 Sec. 35. Section 161A.6, unnumbered paragraph 5,
5 Code 1993, is amended to read as follows:

6 The commissioners shall provide for the execution
7 of surety bonds for all employees and officers who
8 shall be entrusted with funds or property; shall
9 provide for the keeping of a full and accurate record
10 of all proceedings and of all resolutions,
11 regulations, and orders issued or adopted; and shall
12 provide for a biennial audit of the accounts of
13 receipts and disbursements and shall regularly report
14 to the division a summary of financial information
15 regarding moneys controlled by the commissioners,
16 which are not audited by the state, according to rules
17 adopted by the division.

18 Sec. 36. Section 161C.2, subsection 1, Code 1993,
19 is amended to read as follows:

20 1. Each soil and water conservation district,
21 alone and whenever practical in conjunction with other
22 districts, shall carry out district-wide and multiple-
23 district projects to support water protection
24 practices in the district or districts, including
25 projects to protect this state's groundwater and
26 surface water from point and nonpoint sources of
27 contamination, including but not limited to
28 contamination by agricultural drainage wells,
29 sinkholes, sedimentation, or chemical pollutants.
30 Moneys used to support the water protection projects
31 and practices may include moneys allocated from the
32 water protection fund as provided by rules adopted by
33 the division. However, the projects and practices
34 shall not be supported from the fund's organic
35 nutrient management account.

36 Sec. 37. **NEW SECTION. 161C.2A ORGANIC NUTRIENT**
37 **MANAGEMENT PROGRAM.**

38 1. The division shall establish an organic
39 nutrient management program to provide for the
40 allocation of cost-share moneys as financial
41 incentives to an eligible person applying to
42 participate in the program. The financial incentives
43 shall be used for purposes of establishing organic
44 nutrient management systems which shall facilitate the
45 proper utilization of livestock waste as a nutrient
46 source, and to protect the water resources of this
47 state from livestock waste runoff.

48 2. Moneys used to support financial incentives
49 shall be allocated from the organic nutrient
50 management account of the water protection fund

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1 created in section 161C.4.

2 3. A person shall not be eligible to participate
3 in this program, unless the person is an individual
4 who is actively engaged in farming as provided in
5 section 9H.1, subsection 1, paragraphs "a" through
6 "c", or the person is a family farm corporation,
7 family farm limited partnership, or a family trust,
8 all as defined in section 9H.1.

9 4. The division shall adopt rules to administer
10 this section, including rules relating to the
11 execution of a contract to establish an organic
12 nutrient management system. The rules may require
13 that an eligible person participating in the program
14 maintain the organic nutrient management system for a
15 minimum number of years as a condition to receiving
16 financial incentives. The agreement may be enforced
17 by the division or by a soil and water conservation
18 district as provided by the division, in the same
19 manner as provided for a contract establishing soil
20 and water conservation practices under chapter 161A.

21 Sec. 38. Section 161C.4, unnumbered paragraph 1,
22 Code 1993, is amended to read as follows:

23 A water protection fund is created within the
24 division. The fund is composed of money appropriated
25 by the general assembly for that purpose, and moneys
26 available to and obtained or accepted by the state
27 soil conservation committee from the United States or
28 private sources for placement in the fund. The fund
29 shall be divided into ~~two~~ three accounts, the water
30 quality protection account, and the water protection
31 practices account, and the organic nutrient management
32 account. The first account shall be used to carry out
33 water quality protection projects to protect the
34 state's surface and groundwater from point and
35 nonpoint sources of contamination. The second account
36 shall be used to establish water protection practices
37 with individual landowners including but not limited
38 to woodland establishment and protection,
39 establishment of native grasses and forbs, sinkhole
40 management, agricultural drainage well management,
41 streambank stabilization, grass waterway
42 establishment, stream buffer strip establishment, and
43 erosion control structure construction. Twenty-five
44 percent of funds appropriated to the water protection
45 practices account shall be used for woodland
46 establishment and protection, and establishment of
47 native grasses and forbs. Soil and water conservation
48 district commissioners shall give priority to
49 applications for practices that implement their soil
50 and water resource conservation plan. The organic

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1 nutrient management account shall only be used to
2 support the organic nutrient management program as
3 provided in section 161C.2A. The fund shall be a
4 revolving fund from which moneys may be used for
5 loans, grants, administrative costs, and cost-sharing.

6 Sec. 39. Section 173.9, unnumbered paragraph 1,
7 Code 1993, is amended by striking the paragraph and
8 inserting in lieu thereof the following:

9 The board shall appoint a secretary who shall serve
10 at the pleasure of the board. The secretary shall do
11 all of the following:

12 Sec. 40. Section 206.5, subsection 3, Code 1993,
13 is amended to read as follows:

14 3. a. Commercial applicators A commercial
15 applicator shall choose between a one-year
16 certification for which the applicator shall pay a
17 thirty dollar fee or a three-year certification for
18 which the applicator shall pay a seventy-five dollar
19 fee. Public applicators are exempt from the thirty
20 and seventy-five dollar certification fees and instead
21 are subject to A public applicator shall choose
22 between a one-year certification for which the
23 applicator shall pay a ten-dollar annual certification
24 ten dollar fee or a three-year certification for which
25 the applicator shall pay a fifteen dollar fee for a
26 three-year certification. The A private applicator
27 shall pay a fifteen dollar fee for a three-year
28 certification.

29 b. To be initially certified as a commercial,
30 public, or private applicator shall be tested prior to
31 initial certification, a person must complete an
32 educational program which shall consist of an
33 examination required to be passed by the person. In
34 addition, a After initial certification the
35 commercial, public, or private applicator shall be
36 reexamined every three years following initial
37 certification before the applicator is eligible for a
38 renewal of must renew the certification by completing
39 the educational program which shall consist of either
40 an examination or continuing instructional courses.
41 However, a The commercial, public, or private
42 applicator must pass the examination each third year
43 following initial certification or may elect to attend
44 two hours of continuing instructional courses each
45 year.

46 The department shall adopt rules providing for the
47 program requirements which shall at least include the
48 safe handling, application, and storage of pesticides,
49 the correct calibration of equipment used for the
50 application of pesticides, and the effects of

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1 pesticides upon the groundwater. The department shall
2 adopt by rule criteria for allowing a person required
3 to be certified to complete either a written or oral
4 examination. The department shall administer the
5 instructional courses, by either teaching the courses
6 or selecting persons to teach the courses, according
7 to criteria as provided by rules adopted by the
8 department. The department shall, to the extent
9 possible, select persons to teach the courses in each
10 county. The department is not required to compensate
11 persons selected to teach the courses. In selecting
12 persons, the department shall rely upon organizations
13 interested in the application of pesticides, including
14 associations representing pesticide applicators and
15 associations representing agricultural producers. The
16 Iowa cooperative extension service in agriculture and
17 home economics of Iowa state university of science and
18 technology shall cooperate with the department in
19 administering the instructional courses. The Iowa
20 cooperative extension service may teach courses, train
21 persons selected to teach courses, or distribute
22 informational materials to persons teaching the
23 courses.

24 c. A commercial, public, or private applicator
25 need is not required to be certified to apply
26 pesticides for a period of twenty-one days from the
27 date of initial employment if the commercial, public,
28 or private applicator is under the direct supervision
29 of a certified applicator. For the purposes of this
30 section, "under the direct supervision of" means that
31 the application of a pesticide is made by a competent
32 person acting under the instructions and control of a
33 certified applicator who is physically present, by
34 being in sight or hearing distance of the supervised
35 person.

36 Sec. 41. Section 206.5, subsection 4, Code 1993,
37 is amended to read as follows:

38 4. A commercial applicator who applies pesticides
39 to agricultural land may, in lieu of the requirement
40 of direct supervision, elect to be exempt from the
41 certification requirements for a commercial applicator
42 for a period of twenty-one days, if the applicator
43 meets the requirements of a private applicator. The
44 test shall include, but is not limited to, the area of
45 safe handling of agricultural chemicals and the
46 effects of these chemicals on groundwater. The
47 secretary shall also adopt, by rule, the criteria for
48 the allowance of the selection of the written or oral
49 examination by a person requiring certification.

50 Sec. 42. Section 206.8, subsection 3, Code 1993,

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1 is amended by striking the subsection and inserting in
2 lieu thereof the following:

3 3. This section shall not apply to either of the
4 following:

5 a. A pesticide applicator who applies pesticides
6 which are owned and furnished to the pesticide
7 applicator by another person, if the pesticide
8 applicator does not charge for the sale of the
9 pesticides.

10 b. A federal, state, county, or municipal
11 governmental entity which provides pesticides only for
12 its own programs.

13 Sec. 43. Section 216B.3, Code 1993, is amended by
14 adding the following new subsection:

15 NEW SUBSECTION. 12A. The commission shall,
16 whenever technically feasible, purchase and use
17 degradable loose foam packing material manufactured
18 from grain starches or other renewable resources,
19 unless the cost of the packing material is more than
20 ten percent greater than the cost of packing material
21 made from nonrenewable resources. For the purposes of
22 this subsection, "packing material" means material,
23 other than an exterior packing shell, that is used to
24 stabilize, protect, cushion, or brace the contents of
25 a package.

26 Sec. 44. Section 262.9, Code 1993, is amended by
27 adding the following new subsection:

28 NEW SUBSECTION. 4A. The board shall, whenever
29 technically feasible, purchase and use degradable
30 loose foam packing material manufactured from grain
31 starches or other renewable resources, unless the cost
32 of the packing material is more than ten percent
33 greater than the cost of packing material made from
34 nonrenewable resources. For the purposes of this
35 subsection, "packing material" means material, other
36 than an exterior packing shell, that is used to
37 stabilize, protect, cushion, or brace the contents of
38 a package.

39 Sec. 45. Section 307.21, Code 1993, is amended by
40 adding the following new subsection:

41 NEW SUBSECTION. 4A. The administrator shall,
42 whenever technically feasible, purchase and use
43 degradable loose foam packing material manufactured
44 from grain starches or other renewable resources,
45 unless the cost of the packing material is more than
46 ten percent greater than the cost of packing material
47 made from nonrenewable resources. For the purposes of
48 this subsection, "packing material" means material,
49 other than an exterior packing shell, that is used to
50 stabilize, protect, cushion, or brace the contents of

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1 a package.

2 Sec. 46. Section 455A.8, subsection 2, Code 1993,
3 is amended to read as follows:

4 2. Each voting member of the board shall serve
5 three years, and shall be eligible for reappointment.
6 However, the park ranger responsible for Brushy Creek
7 shall be replaced by the ranger's successor, and the
8 person representing the state advisory board for
9 preserves shall serve at the pleasure of the board.
10 The members department shall reimburse each member,
11 other than the director or the director's designee and
12 the park ranger, are entitled to for actual expenses
13 incurred by the member in performance of the duties of
14 the board. A majority of voting members constitutes a
15 quorum, and the affirmative vote of a majority present
16 is necessary for any action taken by the board, except
17 that a lesser number may adjourn a meeting. A vacancy
18 in the membership of the board does not impair the
19 rights of a quorum to exercise all rights and perform
20 all duties of the board. The board shall meet as
21 required, but at least twice a year. The board shall
22 meet upon call of the chairperson, or upon written
23 request of three members of the board. Written notice
24 of the time and place of the meeting shall be given to
25 each member.

26 Sec. 47. NEW SECTION. 455A.8A BRUSHY CREEK AREA
27 - TRAIL IMPROVEMENTS.

28 The department, in cooperation with the Brushy
29 Creek recreation trails advisory board, shall provide
30 for trail improvements in the recreation area and the
31 state preserve adjoining the recreation area. The
32 department shall establish and maintain a system of
33 trails in the recreation area and the preserve. The
34 trails shall be established or maintained to ensure
35 the minimum possible disturbance to the natural
36 terrain and the natural growth of vegetation,
37 including but not limited to trees. The system of
38 trails shall include equestrian and pedestrian trails.

39 The department in conjunction with the board shall
40 provide for the location, type, and distance of
41 trails, consistent with this section. The pedestrian
42 trails shall be located in view of scenic attractions,
43 including the lake and the valley. The trails shall
44 be established and maintained in areas where hunting
45 is permitted. The department and the board shall plan
46 for the development of the lake shore.

47 The northern and southern part of the area shall be
48 connected by trails. The northern part of the area
49 shall include an equestrian campground which shall be
50 maintained by the department. Trails shall exist on

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1 the eastern and western sides of the lake. An
2 equestrian trail shall extend across the dam. There
3 shall be established convenient road crossings. The
4 southern part of the area shall include an area
5 designed to securely confine horses. The southern
6 part of the area shall also include pedestrian trails.
7 The department shall post signs on the trails, the
8 campground, and at the confinement area.

9 Sec. 48. NEW SECTION. 455A.11 LEASE-PURCHASE
10 CONTRACTS — PROHIBITION.

11 The department shall not execute or be a party to a
12 lease-purchase contract for the acquisition of
13 personal property.

14 Sec. 49. NEW SECTION. 455B.104 PERMITS ISSUED BY
15 THE DEPARTMENT — APPROVAL BY DEFAULT.

16 The department shall either approve or deny a
17 permit to a person applying for a permit under this
18 chapter, within six months from the date that the
19 department receives a completed application for the
20 permit. An application which is not approved or
21 denied within the six-month period shall be approved
22 by default. The department shall issue a permit to
23 the applicant within ten days following the date of
24 default approval. However, this section shall not
25 apply to applications for permits which are issued
26 under Division II, or Division IV, parts 2 through 7.

27 Sec. 50. Section 455B.310, subsection 2, paragraph
28 b, Code 1993, is amended by striking the paragraph and
29 inserting in lieu thereof the following:

30 b. In addition to the tonnage fee amounts imposed
31 under this subsection, the tonnage fee shall be
32 increased by seventy-five cents per ton of solid
33 waste. The moneys collected under this paragraph are
34 appropriated and shall be used as provided in section
35 455E.11, subsection 2, paragraph "a", subparagraph
36 (11A).

37 Sec. 51. Section 455E.11, subsection 2, paragraph
38 a, Code 1993, is amended by adding the following new
39 subparagraph:

40 NEW SUBPARAGRAPH. (11A) Each additional seventy-
41 five cents per ton per year received from the
42 additional tonnage fee imposed pursuant to section
43 455B.310, subsection 2, paragraph "b", shall be
44 allocated for the following purposes:

45 (a) Ten cents per ton per year is appropriated to
46 the department of natural resources to establish a
47 program to provide competitive grants to regional
48 coordinating councils for projects in regional
49 economic development centers related to a by-products
50 and waste exchange system. Grantees under this

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1 program shall coordinate activities with other
2 available state or multistate waste exchanges,
3 including but not limited to the by-products and waste
4 search service at the university of northern Iowa.
5 The department shall consult with the department of
6 economic development and the waste reduction center at
7 the university of northern Iowa in establishing
8 criteria for and the awarding of grants under this
9 program. The department of natural resources shall
10 expend not more than thirty thousand dollars of the
11 moneys appropriated under this subparagraph
12 subdivision to contract with the by-products and waste
13 search service at the university of northern Iowa to
14 provide training and other technical services to
15 grantees under the program. If regional economic
16 development centers cease to exist, the department
17 shall transfer existing contracts to one or more
18 community colleges or councils of governments and
19 shall revise the criteria and rules for this program
20 to allow community colleges or councils of governments
21 to be applicants for competitive grants.

22 (b) Fifteen cents per ton per year is appropriated
23 to the department of natural resources to establish
24 three permanent household hazardous waste collection
25 sites so that both urban and rural population are
26 served and so that collection services are available
27 to the public on a regular basis. An additional five
28 cents per ton per year is appropriated to the
29 department to be used for the payment of
30 transportation costs related to household hazardous
31 waste collection programs.

32 (c) Twelve and one-half cents per ton per year is
33 appropriated to the department of natural resources to
34 provide additional toxic cleanup days. Departmental
35 rules adopted for implementation of toxic cleanup days
36 shall provide sufficient flexibility to respond to the
37 household hazardous material collection needs of both
38 small and large communities.

39 (d) Five cents per ton per year is appropriated to
40 the department of economic development to establish,
41 in cooperation with the department of natural
42 resources, a marketing initiative to assist Iowa
43 businesses producing recycling or reclamation
44 equipment or services, recyclable products, or
45 products from recycled materials to expand into
46 national markets. Efforts shall include the reuse and
47 recycling of sawdust.

48 (e) Five cents per ton per year is appropriated to
49 the university of northern Iowa to develop and
50 maintain the Iowa waste reduction center for the safe

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1 and economic management of solid waste and hazardous
2 substances established at the university of northern
3 Iowa.

4 (f) Eight cents per ton per year is appropriated
5 to the department of natural resources for the
6 provision of assistance to public and private entities
7 in developing and implementing waste reduction and
8 minimization programs for Iowa industries.

9 (g) The remaining moneys are appropriated to the
10 department of natural resources to be used in
11 accordance with subparagraph (8), subparagraph
12 subdivision (b), subparagraph subdivision subparts
13 (ii) through (iv).

14 Sec. 52. NEW SECTION. 461A.17A PAYMENT IN LIEU
15 OF PROPERTY TAXES.

16 The director of the department of natural resources
17 shall submit a budget request to pay the annual
18 property taxes on property held by the department.
19 The budget request shall be submitted to the general
20 assembly as part of the annual budget proposal
21 provided in section 455A.4. The amount of the payment
22 shall be based on property acquired on or after July
23 1, 1993, which would otherwise be subject to the levy
24 of property taxes. The assessed value of property
25 held by the department shall be that determined under
26 section 427.1, subsection 31, and the director may
27 protest the assessed value in the manner provided by
28 law for any property owner to protest an assessment.
29 For the purposes of chapter 257, the assessed value of
30 any property which was acquired by the department on
31 or after July 1, 1993, shall be included in the
32 valuation base of the school district and the payments
33 made pursuant to this section shall be considered as
34 property tax revenues and not as miscellaneous income.
35 The county treasurer shall certify the amount of taxes
36 due to the department. The taxes shall be paid
37 annually from the departmental fund or account from
38 which the property acquisition was funded. If the
39 departmental fund or account has no moneys, no longer
40 exists, or if the acquisition of property was made
41 without an expenditure of funds by the department, the
42 taxes shall be paid from funds in the manner provided
43 by the general assembly. If the total amount of taxes
44 due, as certified to the department, exceeds the
45 amount available for expenditure under this section,
46 the property taxes due shall be reduced
47 proportionately so that the total amount due equals
48 the amount available for expenditure.

49 Sec. 53. Section 904.312, Code 1993, is amended by
50 adding the following new unnumbered paragraph:

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1 NEW UNNUMBERED PARAGRAPH. The director shall,
2 whenever technically feasible, purchase and use
3 degradable loose foam packing material manufactured
4 from grain starches or other renewable resources,
5 unless the cost of the packing material is more than
6 ten percent greater than the cost of packing material
7 made from nonrenewable resources. For the purposes of
8 this subsection, "packing material" means material,
9 other than an exterior packing shell, that is used to
10 stabilize, protect, cushion, or brace the contents of
11 a package.

12 Sec. 54. EFFECTIVE DATE. Section 4 of this Act,
13 being deemed of immediate importance takes effect upon
14 enactment.

15 Sec. 55. EFFECTIVE DATE. Sections 13 and 25 of
16 this Act, being deemed of immediate importance, take
17 effect upon enactment.

18 Sec. 56. EFFECTIVE DATE. Sections 24, 46, and 47
19 of this Act, being deemed of immediate importance,
20 take effect upon enactment."

21 2. Title page, line 2, by striking the words "and
22 making" and inserting the following: "making".

23 3. Title page, line 3, by inserting after the
24 word "changes" the following: ", and providing
25 effective dates".

The House stood at ease at 3:14 p.m., until the fall of the gavel.

The House resumed session at 4:17 p.m., Speaker Van Maanen in the chair.

Hahn of Muscatine offered the following amendment H—4142, to the Senate amendment H—4011, filed by him:

H—4142

1 Amend the Senate amendment, H—4011, to House File
2 623, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, line 16, by striking the figure
5 "1,017,045" and inserting the following: "1,031,045".

6 2. Page 1, line 22, by striking the figure
7 "112,000" and inserting the following: "126,000".

8 3. Page 1, line 22, by striking the figure "3.00"
9 and inserting the following: "4.00".

10 4. Page 1, line 37, by striking the figure
11 "325,000" and inserting the following: "313,880".

12 5. Page 2, line 3, by striking the figure
13 "3,649,904" and inserting the following: "3,687,904".

14 6. Page 2, line 48, by striking the figure
15 "5,950,000" and inserting the following: "5,918,606".

16 7. Page 6, line 1, by striking the figure
17 "5,387,474" and inserting the following: "5,337,474".

18 8. Page 6, line 2, by striking the figure
19 "204.83" and inserting the following: "199.83".

20 9. Page 8, line 37, by striking the figure
21 "7,500,000" and inserting the following: "7,000,000".

22 10. Page 9, by striking line 12 and inserting
23 the following: "in an organic nutrient management
24 account which shall be created by the division of soil
25 conservation of the department of agriculture and land
26 stewardship, the".

27 11. Page 9, line 16, by striking the word "Act"
28 and inserting the following: "section".

29 12. Page 9, by striking line 18, and inserting
30 the following:

31 "_____. a. The division of soil conservation within
32 the department of agriculture and land stewardship
33 shall establish and administer an organic nutrient
34 management program to provide for the allocation of
35 cost-share moneys as financial incentives to eligible
36 persons applying to participate in the program. The
37 financial incentives shall be used for purposes of
38 establishing organic nutrient management systems which
39 shall facilitate the proper utilization of livestock
40 waste as a nutrient source, and to protect the water
41 resources of this state from livestock waste runoff.

42 b. Moneys used to support water protection
43 projects and practices pursuant to section 161C.2
44 shall not be supported from the organic nutrient
45 management account. Notwithstanding section 8.33,
46 moneys in the organic nutrient management account
47 shall not revert as provided in that section, but
48 shall be expended as provided in this section in
49 subsequent fiscal years.

50 c. A person shall not be eligible to participate

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1 in this program, unless the person is an individual
2 who is actively engaged in farming as provided in
3 section 9H.1, subsection 1, paragraphs "a" through
4 "c", or the person is a family farm corporation,
5 family farm limited partnership, or a family trust,
6 all as defined in section 9H.1.

7 d. The division shall adopt rules to administer
8 this section, including rules relating to the
9 execution of a contract to establish an organic
10 nutrient management system. The rules may require
11 that an eligible person participating in the program
12 maintain the organic nutrient management system for a
13 minimum number of years as a condition to receiving
14 financial incentives. The agreement may be enforced

15 by the division or by a soil and water conservation
16 district as provided by the division, in the same
17 manner as provided for a contract establishing soil
18 and water conservation practices under chapter 161A.

19 _____. The appropriation provided in subsection 1
20 shall be subject to the following conditions:"

21 13. Page 12, by striking lines 28 through 43.

22 14. Page 13, by inserting after line 21, the
23 following:

24 "Sec. _____. LIMITATION ON EXPENDITURES - BRUSHY
25 CREEK STATE RECREATION AREA. Not more than \$1,400,000
26 shall be allocated in the fiscal year beginning July
27 1, 1993, and ending June 30, 1994, from the open
28 spaces account of the resources enhancement and
29 protection fund created in section 455A.18, for
30 purposes of supporting the construction of the dam and
31 water impoundment at the Brushy Creek state recreation
32 area."

33 15. By striking page 13, line 41 through page 14,
34 line 8.

35 16. By striking page 19, line 49 through page 20,
36 line 3.

37 17. By striking page 20, line 18 through page 22,
38 line 5.

39 18. Page 26, by striking lines 9 through 13.

40 19. Page 26, by inserting before line 14 the
41 following:

42 "Sec. _____. Section 455A.19, subsection 1,
43 paragraph a, Code 1993, is amended to read as follows:

44 a. Twenty-eight percent shall be allocated to the
45 open spaces account. At least ten percent of the
46 allocations to the account shall be made available to
47 match private funds for open space projects on the
48 cost-share basis of not less than twenty-five percent
49 private funds pursuant to the rules adopted by the
50 natural resources commission. Five percent of the

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1 funds allocated to the open spaces account shall be
2 used to fund the protected waters program. This
3 account shall be used by the department to implement
4 the statewide open space acquisition, protection, and
5 development programs.

6 PARAGRAPH DIVIDED. The department shall give
7 priority to acquisition and control of open spaces of
8 statewide significance. The department shall also use
9 these funds for developments on state property. The
10 total cost of an open spaces project funded under this
11 paragraph "a" shall not exceed two million dollars
12 unless a public hearing is held on the project in the
13 area of the state affected by the project. However,

14 on and after July 1, 1994, the following shall apply:

15 (1) If the total amount appropriated by the
 16 general assembly to the resources enhancement and
 17 protection fund, in any fiscal year as defined in
 18 section 8.36, is seven million dollars or more, not
 19 more than seventy-five percent of moneys in the open
 20 spaces account shall be allocated or obligated during
 21 that fiscal year to support a single project.

22 (2) If the total amount appropriated by the
 23 general assembly to the resources enhancement and
 24 protection fund, in any fiscal year as defined in
 25 section 8.36, is less than seven million dollars, not
 26 more than fifty percent of moneys in the open spaces
 27 account shall be allocated or obligated during that
 28 fiscal year to support a single project.

29 PARAGRAPH DIVIDED. Political subdivisions of the
 30 state shall be reimbursed for property tax dollars
 31 lost to open space acquisitions based on the
 32 reimbursement formula provided for in section 465A.4.
 33 There is appropriated from the open spaces account to
 34 the department the amount in that account, or so much
 35 thereof as is necessary, to carry out the open spaces
 36 program as specified in this paragraph "a". An
 37 appropriation made under this paragraph "a" shall
 38 continue in force for two fiscal years after the
 39 fiscal year in which the appropriation was made or
 40 until completion of the project. All unencumbered or
 41 unobligated funds remaining at the close of the fiscal
 42 year in which the project is completed or at the close
 43 of the final fiscal year, whichever date is earlier,
 44 shall revert to the open spaces account."

45 20. By renumbering as necessary.

Shoultz of Black Hawk offered the following amendment H—4155,
 to amendment H—4142, to the Senate amendment H—4011, filed from
 the floor by Shoultz, Bernau, Schrader and Osterberg and moved its
 adoption:

H—4155

1 Amend amendment, H—4142, to the Senate amendment,
 2 H—4011, to House File 623, as amended, passed, and
 3 reprinted by the House, as follows:

4 1. Page 1, by inserting after line 19 the
 5 following:

6 "_____. Page 8, by inserting after line 28 the
 7 following:

8 "Sec. _____. SPECIAL APPROPRIATION. Prior to any
 9 appropriation made pursuant to section 455E.11,
 10 subsection 2, paragraph "c", there is appropriated for
 11 the fiscal year beginning July 1, 1993, and ending
 12 June 30, 1994, from the household hazardous waste

- 13 account of the groundwater protection fund created in
 14 section 455E.11, the sum of \$900,000, to the resource
 15 enhancement and protection fund created in section
 16 455A.18, of which all moneys shall be allocated as
 17 provided in section 455A.19." "
- 18 2. By striking page 1, line 22 through page 2,
 19 line 20, and inserting the following:
 20 "_____. Page 9, by striking lines 3 through 29."
 21 3. By renumbering as necessary.

Roll call was requested by Shoultz of Black Hawk and Ollie of Clinton.

On the question "Shall amendment H—4155, to amendment H—4142, to the Senate amendment H—4011, be adopted?" (H.F. 623)

The ayes were, 46:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brand	Burke
Cataldo	Cohoon	Connors	Dickinson
Doderer	Dvorsky	Fallon	Gill
Halvorson, R. N.	Hammond	Hansen, S. D.	Harper
Henderson	Holveck	Jochum	Kreiman
Larkin	Lundby	McCoy	McKinney
Moreland	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Rafferty	Rants	Renaud	Running
Schrader	Shoultz	Tyrrell	Weigel
Wise	Witt		

The nays were, 52:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Fogarty	Garman
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hanson, D. E.	Hanson, D. R.	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Koenigs	Larson	Martin	May
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Mundie	Plasier
Renken	Royer	Siegrist	Spenner
Vande Hoef	Weidman	Welter	Mr. Speaker
			Van Maanen

Absent or not voting, 2:

Brammer Haverland

Amendment H—4155 lost.

Hahn of Muscatine moved the adoption of amendment H—4142, to the Senate amendment H—4011.

Amendment H—4142 was adopted.

Osterberg of Linn offered the following amendment H—4154, to the Senate amendment H—4011, filed by him from the floor and moved its adoption:

H—4154

- 1 Amend the Senate amendment, H—4011, to House File
- 2 623, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. By striking page 22, line 12 through page 23,
- 5 line 35.
- 6 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 46, nays 53.

Amendment H—4154 lost.

Shultz of Black Hawk offered the following amendment H—4161, to the Senate amendment H—4011, filed by him from the floor:

H—4161

- 1 Amend the Senate amendment, H—4011, to House File
- 2 623, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 13, by inserting after line 39 the
- 5 following:
- 6 "Sec. _____. DEPOSIT OF MONEYS IN TRUST FUNDS.
- 7 1. Fees collected by the department of agriculture
- 8 and land stewardship for deposit in the fertilizer
- 9 fund pursuant to sections 200.4, 200.8, and 201.13
- 10 shall only be deposited in the fertilizer fund created
- 11 in section 200.9. Fees collected by the department of
- 12 agriculture and land stewardship pursuant to section
- 13 206.12, subsection 3, shall only be deposited in the
- 14 pesticide fund created in section 206.12. Fees paid
- 15 to the secretary of agriculture pursuant to section
- 16 192A.30 shall only be deposited in the dairy trade
- 17 practices trust fund. Fees collected by the
- 18 department of agriculture and land stewardship under
- 19 sections 192.111, 192.133, 194.14, 194.19, 194.20, and
- 20 195.9 shall only be deposited into the milk fund
- 21 established in section 192.111. Fees collected by the
- 22 department of agriculture and land stewardship
- 23 pursuant to section 198.9 shall only be deposited into
- 24 the commercial feed fund. Moneys derived from the

25 excise tax on the sale of motor fuel used in
26 watercraft as provided in sections 452A.79 and 452A.84
27 shall only be deposited into the marine fuel tax fund.
28 Moneys accepted for deposit pursuant to section 473.16
29 shall only be deposited into the energy research and
30 development fund as provided in that section. Any
31 provision in an Act which is enacted by the 1993
32 general assembly and which provides for the transfer
33 or deposit of these moneys to the general fund of the
34 state or which extends the period of deposit for such
35 moneys to the general fund of the state beyond June
36 30, 1993, shall not be effective, regardless of when
37 the Act was enacted.

38 2. Moneys from fees to be deposited in the funds
39 described in subsection 1, shall be appropriated for
40 the fiscal year beginning July 1, 1993, and ending
41 June 30, 1994, for purposes of supporting items
42 provided in this Act traditionally supported by those
43 funds, in lieu of appropriations made from the general
44 fund of the state as provided in this Act. The amount
45 appropriated to support each item from each of these
46 funds shall be the same amount as provided in other
47 sections of this Act used to support that item from
48 the general fund of the state."

49 2. By renumbering as necessary.

Spenner of Henry rose on a point of order that amendment H-4161 was not germane, to the Senate amendment H-4011.

The Speaker ruled the point well taken and amendment H-4161 not germane, to the Senate amendment H-4011.

The House stood at ease at 5:42 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H-4161, to the Senate amendment H-4011, to House File 623 at 6:20 p.m., Speaker Van Maanen in the chair.

Spenner of Henry asked and received unanimous consent to withdraw his previous point of order on the germaneness of amendment H-4161.

Shoultz of Black Hawk moved the adoption of amendment H-4161, to the Senate amendment H-4011.

Roll call was requested by Schrader of Marion and Bernau of Story.

Rule 75 was invoked.

On the question "Shall amendment H-4161, to the Senate amendment H-4011, be adopted?" (H.F. 623)

The ayes were, 47:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brand	Burke
Cataldo	Cohoon	Connors	Dickinson
Dvorsky	Fallon	Fogarty	Gill
Halvorson, R. N.	Hammond	Hansen, S. D.	Harper
Haverland	Henderson	Holveck	Jochum
Koenigs	Kreiman	Larkin	May
McCoy	McKinney	Mertz	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Renaud	Running	Schrader	Shultz
Weigel	Wise	Witt	

The nays were, 52:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Doderer
Drake	Eddie	Ertl	Garman
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hanson, D. E.	Hanson, D. R.	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Larson	Lundby	Martin	McNeal
Metcalf	Meyer	Millage	Miller
Plasier	Rafferty	Rants	Renken
Royer	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Welter	Mr. Speaker
			Van Maanen

Absent or not voting, 1:

Brammer

Amendment H—4161 lost.

Shultz of Black Hawk offered the following amendment H—4162, to the Senate amendment H—4011, filed by him from the floor:

H—4162

1 Amend the Senate amendment, H—4011, to House File
 2 623, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 14, by inserting after line 21 the
 5 following:
 6 "Sec. 100. Section 99B.6, subsection 1, paragraph
 7 k, Code 1993, is amended to read as follows:
 8 k. No A person under the age of eighteen twenty-
 9 one years may shall not participate in the gambling
 10 except pursuant to sections 99B.3, 99B.4, 99B.5, and

11 99B.7. Any licensee knowingly allowing a person under
12 the age of ~~eighteen~~ twenty-one to participate in the
13 gambling prohibited by this paragraph or any person
14 knowingly participating in such gambling with a person
15 under the age of ~~eighteen~~ twenty-one, shall be is
16 guilty of a simple misdemeanor."

17 2. Page 14, by inserting after line 26 the
18 following:

19 "Sec. 101. Section 99D.11, subsection 6, paragraph
20 b, Code 1993, is amended to read as follows:

21 b. The commission may authorize the licensee to
22 simultaneously telecast within the racetrack
23 enclosure, for the purpose of pari-mutuel wagering, a
24 horse or dog race licensed by the racing authority of
25 another state. It is the responsibility of each
26 licensee to obtain the consent of appropriate racing
27 officials in other states as required by the federal
28 Interstate Horseracing Act of 1978, 15 U.S.C. § 3001-
29 3007, to televise races for the purpose of conducting
30 pari-mutuel wagering. A licensee may also obtain the
31 permission of a person licensed by the commission to
32 conduct horse or dog races in this state to televise
33 races conducted by that person for the purpose of
34 conducting pari-mutuel racing. However, arrangements
35 made by a licensee to televise any race for the
36 purpose of conducting pari-mutuel wagering are subject
37 to the approval of the commission, and the commission
38 shall select the races to be televised. The races
39 selected by the commission shall be the same for all
40 licensees approved by the commission to televise races
41 for the purpose of conducting pari-mutuel wagering.
42 The commission shall not authorize the simultaneous
43 telecast or televising of and a licensee shall not
44 simultaneously telecast or televise any horse or dog
45 race for the purpose of conducting pari-mutuel
46 wagering unless the simultaneous telecast or
47 televising is done at the racetrack of a licensee that
48 schedules no less than ~~ninety~~ sixty performances of
49 nine live races each day of the season. For purposes
50 of the taxes imposed under this chapter, races

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1 televised by a licensee for purposes of pari-mutuel
2 wagering shall be treated as if the races were held at
3 the racetrack of the licensee.

4 Sec. 102. Section 99D.11, subsection 6, Code 1993,
5 is amended by adding the following new paragraph:

6 NEW PARAGRAPH. c. The commission shall provide,
7 by rule, for the use and regulation of slot machines
8 at pari-mutuel racetracks licensed under this chapter
9 subject to approval in each affected county by a

10 county-wide referendum. As a part of its regulatory
11 authority, the commission may require that pari-mutuel
12 racing purses are supplemented from on-site gambling
13 revenues.

14 Sec. 103. Section 99D.11, subsection 7, Code 1993,
15 is amended to read as follows:

16 7. A person under the age of eighteen twenty-one
17 years shall not make a pari-mutuel wager."

18 3. Page 15, by inserting after line 11 the
19 following:

20 "Sec. 104. Section 99D.24, subsection 2, Code
21 1993, is amended to read as follows:

22 2. A person knowingly permitting a person under
23 the age of eighteen twenty-one years to make a pari-
24 mutuel wager is guilty of a simple misdemeanor."

25 4. Page 19, by inserting after line 43 the
26 following:

27 "Sec. 105. Section 99E.18, subsection 2, Code
28 1993, is amended to read as follows:

29 2. A ticket or share shall not be sold to a person
30 who has not reached the age of eighteen twenty-one.
31 This does not prohibit the lawful purchase of a ticket
32 or share for the purpose of making a gift to a person.
33 who has not reached the age of eighteen twenty-one. A
34 licensee or a licensee's employee who knowingly sells
35 or offers to sell a lottery ticket or share to a
36 person who has not reached the age of eighteen twenty-
37 one is guilty of a simple misdemeanor. In addition
38 the license of a licensee shall be suspended. A prize
39 won by a person who has not reached the age of
40 eighteen twenty-one but who purchases a winning ticket
41 or share in violation of this subsection shall be
42 forfeited.

43 Sec. 106. Section 99F.4, subsection 4, Code 1993,
44 is amended to read as follows:

45 4. To regulate the wagering structure for gambling
46 excursions including providing a maximum wager of five
47 dollars per hand or play and maximum loss of two
48 hundred one thousand dollars per individual player per
49 gambling excursion.

50 Sec. 107. Section 99F.4, subsection 17, Code 1993,

Page 3

1 is amended to read as follows:

2 17. To define the duration of an excursion which
3 shall be at least three hours during the excursion
4 season. For the off season, the commission shall
5 adopt rules limiting times of admission to excursion
6 gambling boats consistent with maximum loss per player
7 per gambling excursion specified in subsection 4.

8 Sec. 108. Section 99F.7, subsection 5, paragraph

9 a, Code 1993, is amended by striking the paragraph and
10 inserting in lieu thereof the following:

11 a. The square footage allowed to be used for
12 gambling activity shall be determined by the
13 commission.

14 Sec. 109. Section 99F.9, subsection 2, Code 1993,
15 is amended to read as follows:

16 2. Licensees shall only allow a maximum wager of
17 five dollars per hand or play and a maximum loss of
18 two hundred one thousand dollars per person during
19 each gambling excursion. However, the commission may
20 adopt rules allowing additional wagers consistent with
21 generally accepted wagering options in the games of
22 twenty-one and dice.

23 Sec. 110. Section 99F.9, subsection 6, Code 1993,
24 is amended to read as follows:

25 6. A person under the age of eighteen twenty-one
26 years shall not make a wager on an excursion gambling
27 boat and shall not be allowed in the area of the
28 excursion boat where gambling is being conducted.
29 However, a person eighteen years of age or older may
30 be employed to work in a gambling area.

31 Sec. 111. Section 99F.15, subsection 2, Code 1993,
32 is amended to read as follows:

33 2. A person knowingly permitting a person under
34 the age of eighteen twenty-one years to make a wager
35 is guilty of a simple misdemeanor."

36 5. Page 29, by inserting after line 20 the
37 following:

38 "Sec. _____. EFFECTIVE DATE. Sections 100 through
39 111 of this Act, and this section, being deemed of
40 immediate importance, take effect upon enactment." "

Garman of Story rose on a point of order that amendment
H-4162 was not germane, to the Senate amendment H-4011.

The Speaker ruled the point well taken and amendment H-4162
not germane, to the Senate amendment H-4011.

Shoultz of Black Hawk moved to suspend the rules to consider
amendment H-4162.

Roll call was requested by Renaud of Polk and Cataldo of Polk.

Rule 75 was invoked.

On the question "Shall the rules be suspended to consider amend-
ment H-4162, to the Senate amendment H-4011?" (H.F. 623)

The yeas were, 37:

Arnould
Burke

Baker
Cataldo

Beatty
Cohoon

Brauns
Connors

Dickinson	Dvorsky	Ertl	Fogarty
Gill	Grubbs	Halvorson, R. A.	Harper
Haverland	Henderson	Jochum	Larkin
Lundby	Martin	McCoy	McKinney
Mertz	Millage	Moreland	Murphy
Nelson	O'Brien	Ollie	Rafferty
Renaud	Running	Shoultz	Weigel
Wise			

The nays were, 61:

Beaman	Bell	Bernau	Black
Blodgett	Boddicker	Branstad	Brunkhorst
Carpenter	Churchill	Corbett	Daggett
Dinkla	Doderer	Drake	Eddie
Fallon	Garman	Gipp	Greig
Greiner	Gries	Grundberg	Hahn
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Hester	Holveck	Houser
Hurley	Iverson	Kistler	Klemme
Koenigs	Kreiman	Larson	May
McNeal	Metcalf	Meyer	Miller
Mundie	Neuhauser	Osterberg	Peterson
Plasier	Rants	Renken	Royer
Schrader	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Welter	Witt
Mr. Speaker			
Van Maanen			

Absent or not voting, 2:

Brammer	Brand
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The motion to suspend the rules lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Brammer of Linn, until his return, on request of Jochum of Dubuque.

Hahn of Muscatine moved that the House concur in the Senate amendment H—4011, as amended.

Roll call was requested by Bernau of Story and Arnould of Scott.

Rule 75 was invoked.

On the question "Shall the House concur in the Senate amendment H—4011, as amended?" (H.F. 623)

The ayes were, 58:

Baker	Beaman	Blodgett	Boddicker
Branstad	Brauns	Brunkhorst	Carpenter

Cataldo	Churchill	Corbett	Daggett
Dinkla	Drake	Eddie	Ertl
Fogarty	Garman	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Mertz
Meyer	Millage	Miller	Mundie
O'Brien	Plasier	Rafferty	Rants
Renken	Royer	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Welter
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 41:

Arnould	Beatty	Bell	Bernau
Black	Brand	Burke	Cohoon
Connors	Dickinson	Doderer	Dvorsky
Fallon	Gill	Hammond	Hansen, S. D.
Harper	Haverland	Henderson	Holveck
Jochum	Koenigs	Kreiman	Larkin
May	McCoy	McKinney	Metcalf
Moreland	Murphy	Nelson	Neuhauser
Ollie	Osterberg	Peterson	Renaud
Running	Schrader	Shultz	Weigel
Wise			

Absent or not voting, 1:

Brammer

The motion prevailed and the House concurred in the Senate amendment H—4011, as amended.

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

On the question "Shall the bill pass?" (H.F. 623)

The ayes were, 68:

Arnould	Baker	Beaman	Blodgett
Boddicker	Branstad	Brauns	Brunkhorst
Carpenter	Cataldo	Churchill	Connors
Corbett	Daggett	Dinkla	Doderer
Drake	Eddie	Ertl	Fogarty
Garman	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hanson, D. E.	Hanson, D. R.
Hester	Houser	Hurley	Iverson

Kistler	Klemme	Koenigs	Larson
Lundby	Martin	May	McCoy
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Mundie	Neuhauser
O'Brien	Peterson	Plasier	Rafferty
Renaud	Renken	Royer	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Witt	Mr. Speaker
			Van Maanen

The nays were, 31:

Beatty	Bell	Bernau	Black
Brand	Burke	Cohoon	Dickinson
Dvorsky	Fallon	Gill	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Kreiman	Larkin
McKinney	Moreland	Murphy	Nelson
Ollie	Osterberg	Rants	Running
Schrader	Shultz	Wise	

Absent or not voting, 1:

Brammer

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 623** be immediately messaged to the Senate.

Unfinished Business Calendar

The House resumed consideration of **House File 602**, a bill for an act relating to drug testing of certain employees and applicants for employment, previously deferred and placed on the unfinished business calendar.

The following amendments were deferred by unanimous consent:

H—3668, filed by Running of Linn.

H—3693, filed by Running of Linn.

H—4123, to amendment H—4093, filed by Fallon of Polk.

H—4124, to amendment H—4093, filed by Fallon of Polk.

H—4125, to amendment H—4093, filed by Fallon of Polk.

H—4126, to amendment H—4093, filed by Fallon of Polk.

Dickinson of Jackson offered the following amendment H—4160, to amendment H—4093, filed from the floor by Dickinson, Hansen of Woodbury and Gill:

H-4160

1 Amend the amendment, H-4093, to House File 602 as
2 follows:

3 1. Page 1, by striking lines 4 through 22 and
4 inserting the following:

5 "Sec. _____. Section 730.5, subsection 1, Code
6 1993, is amended to read as follows:

7 1. As used in this section, unless the context
8 otherwise requires:

9 a. "drug Drug test" means any blood, urine,
10 saliva, chemical, or skin tissue test conducted for
11 the purpose of detecting the presence of a chemical
12 substance in an individual.

13 b. "Preemployment" means that period of time
14 between when a bona fide offer of employment is made
15 and when employment begins.

16 c. "Employee assistance program" means a program
17 established by an employer that consists of a person
18 or agency contracted or hired by the employer to
19 assist and counsel employees of the employer."

20 2. Page 1, by striking lines 32 through 36, and
21 inserting the following: "equipment, if the employee
22 proposed to be tested was the proximate cause of the
23 accident and the employer has a reasonable suspicion
24 to believe that the employee's faculties were impaired
25 at the time of the".

26 3. Page 1, line 45, by striking the words "a
27 laboratory or testing facility" and inserting the
28 following: "a an independent laboratory or
29 independent testing facility".

30 4. Page 2, by striking lines 26 through 38 and
31 inserting the following: "employer's physician or
32 employee assistance program for substance abuse
33 evaluation and treatment and that employee has
34 completed substance abuse treatment. Such testing may
35 only be required once during a period of time of no
36 more than six months following completion of substance
37 abuse evaluation and treatment."

38 5. By striking page 2, line 44 through page 3,
39 line 15.

40 6. Page 3, by striking lines 41 through 44 and
41 inserting the following: "section were met."

42 7. By striking page 3, line 45 through page 4,
43 line 4.

44 8. By renumbering as necessary.

Royer of Page in the chair at 8:37 p.m.

Dickinson of Jackson moved the adoption of amendment H-4160,
to amendment H-4093.

Roll call was requested by Dickinson of Jackson and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H—4160 be adopted?" (H.F. 602)

The ayes were, 49:

Arnould	Baker	Beatty.	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Siegrist
Spenner	Tyrrell	Vande Hoef	Van Maanen, Spkr.
Weidman	Welter	Royer	
		Presiding	

Absent or not voting, none.

Amendment H—4160 lost.

Running of Linn offered the following amendment H—4119, to amendment H—4093, filed by him:

H—4119

- 1 Amend the amendment, H—4093, to House File 602 as
- 2 follows:
- 3 1. Page 1, line 32, by striking the word
- 4 "hundred" and inserting the following: "thousand".

Speaker Van Maanen in the chair at 9:45 p.m.

The House stood at ease at 9:48 p.m., until the fall of the gavel.

The House resumed session at 10:47 p.m., Speaker Van Maanen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Spenner of Henry, until his return, on request of Siegrist of Pottawattamie.

Running of Linn moved the adoption of amendment H—4119, to amendment H—4093.

A non-record roll call was requested.

The ayes were 47, nays 50.

Amendment H—4119 lost.

Running of Linn offered the following amendment H—4177, to amendment H—4093, filed from the floor by him:

H—4177

1 Amend the amendment, H—4093, to House File 602 as
2 follows:

3 1. Page 1, line 26, by striking the word "job:"
4 and inserting the following: "job. For the purposes
5 of this subparagraph, a pattern of errors of judgment
6 or mistakes involving the performance of a
7 supervisor's, manager's, or officer's job shall
8 constitute probable cause to believe the supervisor's,
9 manager's, or officer's faculties are impaired on the
10 job. This determination shall be made by a committee
11 of employees at the time of the supervisor's,
12 manager's, or officer's annual job performance
13 review."

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

16 "Sec. _____. Section 730.5, Code 1993, is amended by
17 adding the following new subsection:

18 NEW SUBSECTION. 3A. If an employer subjects one
19 group of employees to drug tests as provided in
20 subsection 3, 5, or 7, all employees, supervisors,
21 managers, officers, and directors shall be subject to
22 drug tests on the same conditions."

23 3. By renumbering as necessary."

Gipp of Winneshiek in the chair at 11:38 p.m.

Speaker Van Maanen in the chair at 11:59 p.m.

Fallon of Polk moved that the House adjourn at 12:02 a.m., Friday, April 23, 1993, until 8:45 a.m., Friday, April 23, 1993.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 49, nays 50.

The motion to adjourn lost.

Garman of Story in the chair at 12:22 a.m.

Doderer of Johnson moved to table amendment H-4177, to amendment H-4093.

A non-record roll call was requested.

The ayes were 49, nays 49.

The motion to table amendment H-4117 lost.

Speaker Van Maanen in the chair at 1:02 a.m.

Corbett of Linn in the chair at 1:52 a.m.

QUORUM CALL

A record roll call was requested by McKinney of Dallas and Hammond of Story to determine that a quorum was present.

Present, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Martin
May	McCoy	McKinney	McNeal
Mertz	Metcalf	Meyer	Millage

Miller	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Van Maanen, Spkr.
Weidman	Weigel	Welter	Wise
Witt	Corbett		
	Presiding		

Absent, 2:

Holveck Lundby

The vote revealed a quorum was present.

(House File 602 and amendment H—4177, to amendment H—4093, pending at adjournment.)

INTRODUCTION OF BILLS

House Joint Resolution 28, by Siegrist and Arnould, a joint resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of state license fees received from hunting, fishing, and trapping, and other public or private funds appropriated, allocated, or received by the state for fish and wildlife protection purposes.

Read first time and referred to committee on state government.

House File 668, by committee on ways and means, a bill for an act providing for the qualification of persons eligible to receive incentives for the production of ethanol.

Read first time and placed on the ways and means calendar.

House File 669, by committee on appropriations, a bill for an act requiring that moneys credited to and deposited in the general fund of the state be used for the purposes for which the moneys were collected and providing an effective date.

Read first time and placed on the appropriations calendar.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 22, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 193, a bill for an act relating to increasing the scheduled fine for traffic violations in a road construction zone.

Also: That the Senate has on April 22, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 360, a bill for an act relating to containers used for liquified petroleum gas and providing a penalty.

Also: That the Senate has on April 22, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 409, a bill for an act relating to multipurpose vehicle registration fees for disabled persons.

Also: That the Senate has on April 22, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 579, a bill for an act relating to the disposition of documents pertaining to the issuance of certain bonds or obligations.

Also: That the Senate has on April 22, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 3, a bill for an act relating to the establishment and regulation of elder group homes.

Also: That the Senate has on April 22, 1993, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 206, a bill for an act relating to educational finances, activities, and procedures and providing an effective date.

JOHN F. DWYER, Secretary

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Wednesday evening, April 21, 1993. Had I been present, I would have voted "aye" on House Files 151, 169, 275, 301 and 584; Senate Files 94, 287 and 312.

KOENIGS of Mitchell

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 22nd day of April, 1993: House Files 89, 327, 453, 518, 561 and 645.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing

that on April 22, 1993, he approved and transmitted to the Secretary of State the following bills:

House File 104, an act relating to the employment of administrators by school districts and area education agencies.

House File 217, an act relating to the recording of instruments affecting real estate and providing an applicability date.

House File 236, an act relating to providing well-child care under group accident and sickness insurance, group nonprofit health service plans, and prepaid group plans of health maintenance organizations.

House File 366, an act relating to merged area annual elections.

House File 415, an act relating to the authority to approve the establishment of satellite banking terminals.

House File 578, an act relating to certain transactions with a retailer involving a satellite terminal and providing an effective date.

Senate File 59, an act relating to prohibiting fire fighters and certain emergency medical services personnel from being required to obtain a professional permit to carry weapons as a condition of employment.

PRESENTATION OF VISITORS

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

Seventy-six sixth grade students from Garner-Hayfield Middle School, Garner, accompanied by Ken Krause. By Branstad of Winnebago.

Five high school students from Guthrie Center, accompanied by Cathy Roepke. By Dinkla of Guthrie.

Forty ninth and tenth grade students from Fort Dodge High School and guests from Austria, Fort Dodge, accompanied by Stan Galbraith, Beth Prorok, Markus Schencher and Renate Gmoser. By Halvorson of Webster.

Eighty-six fourth grade students from Westwood Elementary School, Ankeny, accompanied by Bob Stone. By Haverland of Polk.

Forty-three sixth grade students from Nashua Elementary School, Nashua, accompanied by Mr. Anderson, Mr. Zakowski, Miss Shipley, Mr. Sheets and Mrs. McGregor. By Weigel of Chickasaw and Koenigs of Mitchell.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 308 Ways and Means

Relating to the reimbursement of the state sales, services, and use tax paid on sales made to a contractor for use in the fulfillment of a contract with a nonprofit private museum.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, requiring that moneys credited to and deposited in the general fund of the state be used for the purposes for which the moneys were collected and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 22, 1993.

RESOLUTION FILED

HR 12, by Fallon, a House resolution to designate April 29, 1993, as House Pages Day in the Iowa House of Representatives.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-4143	H.F.	144	Halvorson of Webster
H-4144	H.F.	602	Hanson of Delaware
H-4145	H.F.	663	Gries of Crawford
H-4146	S.F.	303	Cataldo of Polk
H-4148	S.F.	398	Kreiman of Davis
H-4149	S.F.	90	Ertl of Dubuque
H-4150	H.F.	602	McKinney of Dallas
H-4151	H.F.	602	McKinney of Dallas
H-4152	H.F.	602	McKinney of Dallas
H-4153	H.F.	602	McKinney of Dallas
H-4156	H.F.	602	Henderson of Scott
H-4157	S.F.	90	Schrader of Marion
H-4158	S.F.	350	Haverland of Polk
H-4159	S.F.	90	Grubbs of Scott
			Rafferty of Scott
			Millage of Scott
			Hurley of Fayette
H-4163	S.F.	206	Senate Amendment
H-4164	H.F.	360	Senate Amendment
H-4165	H.F.	409	Senate Amendment
H-4166	H.F.	193	Senate Amendment

H-4167	S.F.	350	McNeal of Hardin
			Haverland of Polk
H-4168	H.F.	144	Carpenter of Polk
H-4169	H.F.	602	Grundberg of Polk
H-4170	H.F.	602	Murphy of Dubuque
H-4171	H.F.	602	Brammer of Linn
H-4172	H.F.	602	Running of Linn
H-4173	H.F.	602	Running of Linn
H-4174	H.F.	602	Running of Linn
H-4175	H.F.	602	Running of Linn
H-4176	H.F.	602	Brammer of Linn
H-4178	H.F.	602	Brammer of Linn
H-4179	H.F.	602	Hammond of Story
			Doderer of Johnson
Harper of Black Hawk			Neuhauser of Johnson
Jochum of Dubuque			Nelson of Pottawattamie
Mertz of Kossuth			Millage of Scott
H-4180	H.F.	602	Fallon of Polk
H-4181	H.F.	602	Arnould of Scott
H-4182	H.F.	602	

On motion by Siegrist of Pottawattamie, the House adjourned at 2:21 a.m., until 9:30 a.m., Friday, April 23, 1993.

JOURNAL OF THE HOUSE

One Hundred Third Calendar Day — Sixty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 23, 1993

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

Prayer was offered by Reverend Marvin Lindley, pastor of the United Methodist Church, Ida Grove.

The Journal of Thursday, April 22, 1993 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Halvorson of Clayton, until his arrival, on request of Gipp of Winneshiek; Haverland of Polk, until his return, on request of Arnould of Scott.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present.

Rule 75 was invoked.

The vote revealed 90 members present, 10 absent.

RULE 57 SUSPENDED

Carpenter of Polk asked for unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on state government for the consideration of House Joint Resolution 28.

Objection was raised.

Carpenter of Polk moved to suspend the rules for a meeting of the committee on state government.

A non-record roll call was requested.

The ayes were 57, nays 5.

The motion prevailed and the rules were suspended.

HOUSE INSISTS

Hanson of Black Hawk called up for consideration **Senate File 266**, a bill for an act making appropriations and certain related statutory

changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates, and moved that the House insist on its amendment, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED (Senate File 266)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 266: Corbett of Linn, Chair; Hanson of Black Hawk, McNeal of Hardin, Dickinson of Jackson and McCoy of Polk.

SENATE AMENDMENT CONSIDERED

Carpenter of Polk called up for consideration **House File 144**, a bill for an act relating to government ethics, providing penalties, transition provisions, providing for retroactive applicability, and an effective date, amended by the following Senate amendment H-3703:

H-3703

- 1 Amend House File 144, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 11, by inserting after the word
- 4 "state" the following: "but does not include any
- 5 agricultural commodity promotional board, which is
- 6 subject to a producer referendum".
- 7 2. Page 1, line 17, by inserting after the word
- 8 "agency" the following: "but does not include any
- 9 agricultural commodity promotional board, which is
- 10 subject to a producer referendum".
- 11 3. Page 1, by striking lines 24 through 30 and
- 12 inserting the following: "designated by the a
- 13 candidate for a state, county, city, or school office,
- 14 as provided under chapter 56, to receive
- 15 contributions, expend funds, or incur indebtedness on
- 16 behalf of the candidate in excess of five hundred
- 17 dollars in the aggregate as follows:
- 18 a. For a state or county office, in excess of two
- 19 hundred fifty dollars in any calendar year.
- 20 b. For a city or school office, in excess of five
- 21 hundred dollars in any calendar year."
- 22 4. Page 6, line 27, by striking the word "Agency"

23 and inserting the following: "Agency State executive
24 branch agency".

25 5. Page 6, by striking lines 30 and 31, and
26 inserting the following: "state executive branch
27 agency."

28 6. Page 7, by inserting after line 2, the
29 following:

30 "() Persons whose activities are limited to
31 submitting data, views, or arguments in writing, or
32 requesting an opportunity to make an oral presentation
33 under section 17A.4, subsection 1."

34 7. Page 7, by striking line 26 and inserting the
35 following: "board adopted in consultation with the
36 department or agency and pursuant to chapter 17A."

37 8. Page 7, line 31, by striking the word "or".

38 9. Page 7, line 34, by inserting after the figure
39 "7E.4" the following: ", or members of any
40 agricultural commodity promotional board, if the board
41 is subject to a producer referendum".

42 10. Page 8, by inserting after line 35, the
43 following:

44 "_____ Is personally, or is the agent of a person
45 who is, the subject of or party to a matter which is
46 pending before a subunit of a regulatory agency and
47 over which the donee has discretionary authority as
48 part of the donee's official duties or employment
49 within the regulatory agency subunit."

50 11. Page 9, line 7, by striking the word "or" and

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1 inserting the following: "or".

2 12. Page 9, line 8, by inserting after the word
3 "state" the following: ", or an employee of any
4 agricultural commodity promotional board, if the board
5 is subject to a producer referendum".

6 13. Page 9, by inserting after line 9, the
7 following:

8 "_____ "Statewide elected official" means the
9 governor, lieutenant governor, secretary of state,
10 auditor of state, treasurer of state, secretary of
11 agriculture, and attorney general of the state of
12 Iowa."

13 14. Page 12, by striking lines 4 through 15, and
14 inserting the following: "government, or a member of
15 the".

16 15. Page 12, by inserting after line 20, the
17 following:

18 "1A. The head of a major subunit of a department
19 or independent state agency, full-time employee of an
20 office of a statewide elected official or the office
21 of the governor, or a legislative employee, whose

22 position involves a substantial exercise of
23 administrative discretion or the expenditure of public
24 funds, shall not, during the time in which the person
25 serves or is employed by the state, act as a lobbyist
26 before the agency in which the person is employed or
27 before state agencies, officials, or employees with
28 whom the person has substantial or regular contact as
29 part of the person's duties.

30 1B. A state or legislative employee, who is not
31 subject to the requirements of subsection 1A shall not
32 act as a lobbyist in relation to any particular case,
33 proceeding, or application with respect to which the
34 person is directly concerned and personally
35 participates as part of the person's employment."

36 16. Page 12, by striking lines 26 through 28, and
37 inserting the following:

38 "3. The head of a major subunit of a department or
39 independent state agency, full-time employee of an
40 office of a statewide elected official or the office
41 of the governor, or a legislative employee whose
42 position":

43 17. Page 12, by inserting after line 35, the
44 following:

45 "3A. A state or legislative employee, who is not
46 subject to the requirements of subsection 1A shall
47 not, within two years after termination of employment,
48 act as a lobbyist in relation to any particular case,
49 proceeding, or application with respect to which the
50 person was directly concerned and personally

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1 participated as part of the person's employment."

2 18. Page 13, by striking lines 3 and 4 and
3 inserting the following: "assembly, or legislative
4 employee who, within two".

5 19. Page 13, by striking line 9, and inserting
6 the following: "on behalf or as part of the duties of
7 that office or employment."

8 20. Page 13, line 21, by striking the words
9 "department or agency" and inserting the following:
10 "board, in consultation with the department or
11 agency,".

12 21. Page 14, by inserting after line 5, the
13 following:

14 "Sec. _____. Section 68B.7, unnumbered paragraph 1,
15 Code 1993, is amended by striking the unnumbered
16 paragraph."

17 22. Page 15, by inserting after line 20, the
18 following:

19 "_____. Items received from a bona fide charitable,
20 professional, educational, or business organization to

21 which the donee belongs as a dues paying member, if
22 the items are given to all members of the organization
23 without regard to individual members' status or
24 positions held outside of the organization and if the
25 dues paid are not inconsequential when compared to the
26 items received."

27 23. Page 15, line 29, by striking the words "of
28 food and drink" and inserting the following: "or
29 services".

30 24. Page 15, by inserting after line 31, the
31 following:

32 "_____. Food, drink, registration, and scheduled
33 entertainment given once during the legislative
34 session by a chamber of commerce of a political
35 subdivision of the state or a collection of chambers
36 of commerce of political subdivisions at a reception
37 to which all members of the general assembly and
38 legislative employees are invited."

39 25. Page 16, line 17, by inserting after the word
40 "flowers" the following: "or memorials to a church or
41 nonprofit organization".

42 26. Page 16, by inserting after line 17 the fol-
43 lowing:

44 "_____. Gifts which are given to a public official
45 or public employee for the public official's or public
46 employee's wedding or twenty-fifth or fiftieth wedding
47 anniversary."

48 27. Page 16, by inserting after line 25, the
49 following:

50 "_____. Actual expenses of a donee for food,

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1 beverages, travel, and lodging provided by a donor for
2 purposes of allowing a donee to attend an educational
3 or business conference or meeting, if the donee is a
4 member of or provides staff services to the investment
5 board of Iowa public employees' retirement system
6 under section 97B.8."

7 28. Page 16, line 31, by striking the words
8 "state or" and inserting the following: "state."

9 29. Page 16, line 33, by inserting after the word
10 "state" the following: ", or to develop markets for
11 Iowa businesses or products".

12 30. Page 16, line 34, by inserting after the word
13 "business" the following: "or businesses".

14 31. Page 17, line 1, by inserting after the word
15 "business" the following: "or businesses".

16 32. Page 17, line 5, by inserting after the word
17 "business" the following: "or businesses".

18 33. By striking page 17, line 33 through page 18,
19 line 5.

20 34. Page 18, by striking lines 3 through 5 and
21 inserting the following: "person value in excess of
22 three dollars."

23 35. Page 22, by striking lines 3 through 7 and
24 inserting the following: "1994, the board shall
25 administer this chapter and set standards for,
26 investigate complaints relating to, and monitor the
27 ethics of officials, employees, lobbyists, and
28 candidates for office in the executive branch of state
29 government. The board shall also administer and set
30 standards for, investigate complaints relating to, and
31 monitor the campaign finance practices of candidates
32 for public office. The board shall consist of six
33 members and".

34 36. Page 23, by striking lines 1 through 3, and
35 inserting the following: "board, and shall advise the
36 board on all legal matters relating to the
37 administration of this chapter and chapter 56. The
38 state may be represented by the board's legal counsel
39 in any civil action regarding the enforcement of this
40 chapter or chapter 56, or, at the board's request, the
41 state may be represented by the office of the attorney
42 general. Notwithstanding section 19A.3, all of the".

43 37. Page 23, by striking line 32 and inserting
44 the following:

45 "4. Receive and file registration and reporting
46 from lobbyists of the executive branch of state
47 government,".

48 38. Page 23, line 33, by inserting after the
49 words "client disclosure" the following: "from
50 clients of lobbyists of the executive branch of state

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1 government".

2 39. Page 23, line 34, by inserting after the word
3 "information" the following: "from officials and
4 employees in the executive branch of state government
5 who are required to file personal financial disclosure
6 information under this chapter".

7 40. Page 25, line 10, by inserting after the
8 words "opinions to" the following: "local officials
9 and employees and to".

10 41. Page 25, line 17, by inserting after the word
11 "office" the following: "in the executive branch of
12 state government".

13 42. Page 25, line 19, by inserting after the word
14 "lobbyists", the following: "of the executive branch
15 of state government".

16 43. Page 26, line 1, by inserting after the word
17 "office" the following: "in the executive branch of
18 state government".

19 44. Page 28, line 8, by striking the word "shall"
20 and inserting the following: "may".

21 45. Page 29, line 28, by striking the words "A
22 preponderance of the" and inserting the following:
23 "Clear and convincing".

24 46. Page 29, line 30, by striking the word
25 "board." and inserting the following: "board pursuant
26 to this chapter. A preponderance of the evidence
27 shall be required to support a finding that a person
28 has violated chapter 56 or any rules adopted by the
29 board pursuant to chapter 56."

30 47. Page 30, by striking lines 26 through 28 and
31 inserting the following:

32 "1. The board, after a hearing and upon a finding
33 that a violation of this chapter, chapter 56, or
34 rules".

35 48. By striking page 33, line 15, through page
36 36, line 9, and inserting the following:

37 "Sec. 21. Section 68B.35, Code 1993, is amended by
38 striking the section and inserting in lieu thereof the
39 following:

40 68B. 35 FINANCIAL DISCLOSURE — CERTAIN OFFICIALS,
41 MEMBERS OF THE GENERAL ASSEMBLY, AND CANDIDATES.

42 1. The persons specified in subsection 2, shall
43 file a financial statement at times and in the manner
44 provided in this section that contains all of the
45 following:

46 a. A list of each business, occupation, or
47 profession in which the person is engaged and the
48 nature of that business, occupation, or profession,
49 unless already apparent.

50 b. A list of any other sources of income if the

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1 source produces more than one thousand dollars
2 annually in gross income. Such sources of income
3 listed pursuant to this paragraph may be listed under
4 any of the following categories, or under any other
5 categories as may be established by rule:

6 (1) Securities.

7 (2) Instruments of financial institutions.

8 (3) Trusts.

9 (4) Real estate.

10 (5) Retirement systems.

11 (6) Other income categories specified in state and
12 federal income tax regulations.

13 2. The financial statement required by this
14 section shall be filed by the following persons:

15 a. The governor and the lieutenant governor.

16 b. Any statewide elected official.

17 c. The executive or administrative head or heads

18 of any agency of state government.

19 d. The deputy executive or administrative head or
20 heads of an agency of state government.

21 e. The head of a major subunit of a department or
22 independent state agency whose position involves a
23 substantial exercise of administrative discretion or
24 the expenditure of public funds as defined under rules
25 adopted by the board, pursuant to chapter 17A, in
26 consultation with the department or agency.

27 f. Members of the banking board, the ethics and
28 campaign disclosure board, the credit union review
29 board, the economic development board, the employment
30 appeal board, the environmental protection commission,
31 the health facilities council, the Iowa business
32 investment corporation board of directors, the Iowa
33 finance authority, the Iowa product development
34 corporation, the Iowa public employees' retirement
35 system investment board, the lottery board, the
36 natural resource commission, the board of parole, the
37 petroleum underground storage tank fund board, the
38 public employment relations board, the state racing
39 and gaming commission, the state board of regents, the
40 tax review board, the transportation commission, the
41 office of consumer advocate, the utilities board, and
42 any full-time members of other boards and commissions
43 as defined under section 7E.4 who receive an annual
44 salary for their service on the board or commission.

45 g. Members of the general assembly.

46 h. Candidates for state office.

47 i. Legislative employees who are the head or
48 deputy head of a legislative agency or whose position
49 involves a substantial exercise of administrative
50 discretion or the expenditure of public funds.

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1 3. The board in consultation with each executive
2 department or independent agency, shall adopt rules
3 pursuant to chapter 17A to implement the requirements
4 of this section that provide for the time and manner
5 for the filing of financial statements by persons in
6 the department or independent agency.

7 4. The ethics committee of each house of the
8 general assembly shall recommend rules for adoption by
9 each house for the time and manner for the filing of
10 financial statements by members or employees of the
11 particular house. The rules shall provide for the
12 filing of the financial statements with either the
13 chief clerk of the house, the secretary of the senate,
14 or other appropriate person or body.

15 5. A candidate for statewide office shall file a
16 financial statement with the ethics and campaign

17 disclosure board, a candidate for the office of state
18 representative shall file a financial statement with
19 the chief clerk of the house of representatives, and a
20 candidate for the office of state senator shall file a
21 financial statement with the secretary of the senate
22 concerning the year preceding the year in which the
23 election is to be held and concerning so much of the
24 year in which the election is to be held as has
25 elapsed by the date specified in section 43.11 for the
26 filing of nomination papers for state office. The
27 statement shall be filed no later than thirty days
28 after the date on which a person is required to file
29 nomination papers for state office under section
30 43.11. The ethics and campaign disclosure board shall
31 adopt rules pursuant to chapter 17A providing for the
32 filing of the financial statements with the board and
33 for the deposit, retention, and availability of the
34 financial statements. The ethics committees of the
35 house of representatives and the senate shall
36 recommend rules for adoption by the respective house
37 providing for the filing of the financial statements
38 with the chief clerk of the house or the secretary of
39 the senate and for the deposit, retention, and
40 availability of the financial statements.

41 . Sec. _____. NEW SECTION. 68B.35A PERSONAL
42 FINANCIAL DISCLOSURE BY LOCAL OFFICIALS AND LOCAL
43 EMPLOYEES.

44 The governing body of each political subdivision
45 may prescribe rules providing for the disclosure of
46 the financial interests of persons who hold office or
47 are employed by the political subdivision. Rules
48 adopted may provide for differing levels of disclosure
49 based upon the size of the political subdivision and
50 the level of policy-making or spending authority or

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1 discretion possessed by the individual, as a result of
2 holding office or employment by the political
3 subdivision. Any rules adopted shall provide for
4 public access to the information, a central filing
5 system for the information, and a system through which
6 persons subject to personal financial disclosure may
7 receive advice regarding the nature and extent of
8 required disclosure.

9 Sec. _____. NEW SECTION. 68B.35B PERSONAL
10 FINANCIAL DISCLOSURE STATEMENTS OF STATE OFFICIALS AND
11 EMPLOYEES.

12 Personal financial disclosure statements filed with
13 the board, chief clerk of the house, and the secretary
14 of the senate shall be forwarded to the secretary of
15 state for the recording of the information through

16 electronic means. The board and the general assembly
17 shall execute agreements with the secretary of state
18 which provide for public access to and copying of the
19 information, and include a site in the board offices
20 for public viewing and copying of information,
21 contained in personal financial disclosure statements
22 filed with the board, the chief clerk of the house,
23 and the secretary of the senate."

24 49. Page 37, by striking lines 31 and 32, and
25 inserting the following: "shall be filed not later
26 than twenty-five days following any month in which the
27 general assembly is in session and thereafter".

28 50. Page 38, lines 10 and 11, by striking the
29 words ", or after the time of cancellation of a
30 lobbyist's registration,".

31 51. Page 38, line 13, by inserting after the word
32 "items." the following: "A lobbyist who cancels the
33 person's lobbyist registration before January 1 of a
34 year shall file a report listing all reportable items
35 for the year in which the cancellation was filed. A
36 lobbyist who cancels the person's lobbyist
37 registration between January 1 and January 15 of a
38 year shall file a report listing all reportable items
39 for the preceding year and so much of the month of
40 January as has expired at the time of cancellation."

41 52. Page 38, line 28, by striking the words
42 "general assembly or" and inserting the following:
43 "general assembly or".

44 53. Page 38, by striking lines 32 through 34 and
45 inserting the following: "calendar months. Reports
46 by lobbyists' clients shall be filed with the same
47 entity with which the lobbyist filed the lobbyist's
48 report and registration."

49 54. Page 39, line 4, by striking the word "board"
50 and inserting the following: "secretary of the

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1 senate, chief clerk of the house, and the board".

2 55. Page 39, line 23, by striking the words "or
3 the executive council".

4 56. Page 39, line 31, by striking the words "or
5 the executive council".

6 57. Page 40, by inserting after line 3 the
7 following:

8 "Sec. _____. Section 56.2, subsection 4, Code 1993,
9 is amended to read as follows:

10 4. "Candidate's committee" means the committee
11 designated by the candidate for a state, county, city,
12 or school office to receive contributions, expend
13 funds, or incur indebtedness on behalf of the
14 candidate in excess of five hundred dollars in the

15 aggregate as follows:

16 a. For federal, state, or county office, in excess
17 of two hundred fifty dollars in any calendar year on
18 behalf of the candidate.

19 b. For city or school office, in excess of five
20 hundred dollars in any calendar year on behalf of the
21 candidate."

22 58. Page 42, by striking lines 10 through 14, and
23 inserting the following:

24 "c. Notwithstanding section 68B.5A, subsection 1,
25 as amended by this Act, persons who are lobbyists as
26 of the".

27 59. Page 42, by striking line 18, and inserting
28 the following: "July 1, 1994."

29 60. Page 43, by inserting after line 4, the
30 following:

31 "_____. It is the intent of the general assembly
32 that at least two members of the ethics and campaign
33 disclosure board established in this Act be members of
34 the campaign finance disclosure commission,
35 established under section 56.9, immediately prior to
36 the effective date of this Act.

37 _____. Notwithstanding section 68B.35, financial
38 statements filed under section 68B.35 as amended in
39 section 21 of this Act shall not be required to be
40 filed until the rules provided under that section are
41 adopted or prescribed by the entities required to
42 establish rules. Disclosure statements filed during
43 1993, after the adoption or prescribing of rules under
44 section 21 shall cover the period beginning with the
45 effective date of this Act through December 31, 1993."

46 61. Page 43, by striking lines 5 through 11.

47 62. Page 43, by inserting after line 15 the
48 following:

49 "Sec. _____. SEVERABILITY. If any provision of this
50 Act or the application thereof to any person is

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1 invalid, the invalidity shall not affect the
2 provisions or application of this Act which can be
3 given effect without the invalid provisions or
4 application, and to this end the provisions of this
5 Act are severable.

6 Sec. _____. The Code editor shall change names in
7 the Code, as necessary, which refer to the campaign
8 finance disclosure commission to names which refer to
9 the ethics and campaign disclosure board as
10 established in this Act."

11 63. By renumbering, relettering, or redesignating
12 and correcting internal references as necessary.

Carpenter of Polk offered the following amendment H—4057, to the Senate amendment H—3703, filed by her and Neuhauser of Johnson:

H—4057

1 Amend the Senate Amendment H—3703, to House File
2 144, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by striking line 15, and inserting the
5 following: "contributions in excess of five hundred
6 dollars in the aggregate, expend funds in excess of
7 five hundred dollars in the aggregate, or incur
8 indebtedness on".

9 2. Page 1, by striking lines 22 through 27.

10 3. Page 1, by inserting after line 33, the
11 following:

12 "_____. Page 7, line 17, by striking the words "the
13 governor, lieutenant governor,"."

14 4. Page 2, by inserting after line 12, the
15 following:

16 "_____. By striking page 11, line 35, through page
17 12, line 1, and inserting the following:

18 "1. A person who serves as a statewide elected
19 official, the executive or"."

20 5. Page 2, lines 20 and 21, by striking the words
21 "or the office of the governor".

22 6. Page 2, lines 40 and 41, by striking the words
23 "or the office of the governor".

24 7. Page 3, by inserting after line 7, the
25 following:

26 "_____. Page 13, by striking line 13, and inserting
27 the following:

28 "1. No official All"."

29 8. Page 3, by striking lines 12 through 16.

30 9. Page 3, by striking lines 27 through 29 and
31 inserting the following:

32 "_____. Page 15, line 29, by striking the words
33 "Items of food and drink" and inserting the following:
34 "Nonmonetary items"."

35 10. Page 3, by striking lines 30 through 38.

36 11. By striking page 3, line 48, through page 4,
37 line 6.

38 12. Page 4, by striking lines 18 and 19.

39 13. Page 4, by inserting after line 22 the
40 following:

41 "_____. Page 20, by striking line 15 and inserting
42 the following:

43 "Sec. _____, Section 68B.31, subsections 6 and 9,
44 Code 1993, are".

45 _____ Page 21, by inserting after line 12 the
46 following:

47 "9. The ethics committee of each house shall
 48 maintain recommend rules for adoption by the
 49 respective house relating to the confidentiality of a
 50 complaint unless either the complainant or the alleged

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1 violator publicly discloses or information which has
 2 been filed or provided to the committee. Rules
 3 adopted shall provide for initial confidentiality of a
 4 complaint and shall permit the ethics committee to
 5 treat some or all of the contents of a complaint or
 6 other information as confidential if the committee
 7 finds that the criteria established under section
 8 22.7, subsection 18, for keeping certain information
 9 confidential, are met. If the existence of a
 10 complaint or a preliminary investigation. The is made
 11 public, the ethics committee, upon such a disclosure
 12 by the complainant or the alleged violator, may shall
 13 publicly confirm the existence of the complaint or
 14 preliminary inquiry and, in the ethics committee's
 15 discretion, make public the complaint or investigation
 16 and any documents which were issued to either any
 17 party to the complaint or investigation. However,
 18 this subsection shall not prevent the committee from
 19 furnishing the complaint or other information to the
 20 appropriate law enforcement authorities at any time.
 21 Upon commencement of a hearing on a complaint, all
 22 investigative material shall be made available to the
 23 subject of the hearing and any material that is
 24 introduced at the hearing shall be public
 25 information."

26 14. Page 5, line 40, by inserting after the
 27 figure "68B.35" the following: "PERSONAL".

28 15. Page 6, by striking line 15.

29 16. Page 7, line 11, by inserting after the word
 30 "house." the following: "The legislative council
 31 shall adopt rules for the time and manner for the
 32 filing of financial statements by legislative
 33 employees of the central legislative staff agencies."

34 17. By striking page 7, line 41; through page 8,
 35 line 8.

36 18. Page 9, by striking lines 2 and 3, and
 37 inserting the following:

38 "_____. Page 39, line 21, by striking the word
 39 "subsections" and inserting the following:
 40 "subsection".

41 "_____. Page 39, by striking lines 22 through 26."

42 19. Page 9, by striking lines 12 and 13, and
 43 inserting the following: "or school office to receive
 44 contributions in excess of five hundred dollars in the
 45 aggregate, expend funds in excess of five hundred

46 dollars in the aggregate, or incur indebtedness on
47 behalf of the".
48 20. Page 9, line 36, by inserting after the word
49 "Act." the following: "However, members of the
50 campaign finance disclosure commission shall serve as

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1 members of the ethics and campaign disclosure board
2 until the members of the new board are appointed.
3 Employees of the campaign finance disclosure
4 commission shall be retained as employees of the
5 ethics and campaign disclosure board until such time
6 as the board hires its own employees. Rules and
7 procedures of the campaign finance disclosure
8 commission shall remain in effect until amended or
9 rescinded by the ethics and campaign disclosure board.
10 Matters pending before the campaign finance disclosure
11 commission shall, upon the dissolution of the
12 commission and the creation of the board, be treated
13 as if commenced initially before the ethics and
14 campaign disclosure board and shall retain the same
15 status that the matters had before the commission."
16 21. By numbering and renumbering and changing
17 internal references as necessary.

The House stood at ease at 10:35 a.m., until the fall of the gavel.

The House resumed session at 11:31 a.m., Speaker Van Maanen in the chair.

Carpenter of Polk offered the following amendment H—4168, to amendment H—4057, to the Senate amendment H—3703, filed by her and moved its adoption:

H—4168

1 Amend the amendment, H—4057, to the Senate
2 amendment, H—3703, to House File 144, as amended,
3 passed, and reprinted by the House, as follows:

4 1. Page 1, by inserting after line 21 the
5 following:
6 "_____. Page 2, line 29, by inserting after the
7 word "duties" the following: "unless the person is
8 designated, by the agency in which the person serves
9 or is employed, to represent the official position of
10 the agency".

11 _____ Page 2, line 35, by inserting after the word
12 "employment" the following: "unless the person is
13 designated, by the agency in which the person is
14 employed, to represent the official position of the
15 agency"."

16 2. Page 1, line 43, by inserting after the figure

17 "6" the following: ", 8,".

18 3. Page 1, by inserting after line 46 the
19 following:

20 "8. If a hearing on the complaint is ordered the
21 ethics committee shall receive all admissible
22 evidence, determine any factual or legal issues
23 presented during the hearing, and make findings of
24 fact based upon evidence received. Hearings shall be
25 conducted in the manner prescribed in section 17A.12.
26 The rules of evidence applicable under section 17A.14
27 shall also apply in hearings before the ethics
28 committee. A preponderance of clear Clear and
29 convincing evidence shall be required to support a
30 finding that the member of the general assembly or
31 lobbyist before the general assembly has committed a
32 violation of this chapter. Parties to a complaint
33 may, subject to the approval of the ethics committee,
34 negotiate for settlement of disputes that are before
35 the ethics committee. Terms of any negotiated
36 settlements shall be publicly recorded. If a
37 complaint is filed or initiated less than ninety days
38 before the election for a state office, for which the
39 person named in the complaint is the incumbent
40 officeholder, the ethics committee shall, if possible,
41 set the hearing at the earliest available date so as
42 to allow the issue to be resolved before the election.
43 An extension of time for a hearing may be granted when
44 both parties mutually agree on an alternate date for
45 the hearing. The ethics committee shall make every
46 effort to hear all ethics complaints within three
47 months of the date that the complaints are filed.
48 However, after three months from the date of the
49 filing of the complaint, extensions of time for
50 purposes of preparing for hearing may only be granted

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1 by the ethics committee when the party charged in the
2 complaint with the ethics violation consents to an
3 extension. If the party charged does not consent to
4 an extension, the ethics committee shall not grant any
5 extensions of time for preparation prior to hearing.
6 All complaints alleging a violation of this chapter or
7 the code of ethics shall be heard within nine months
8 of the filing of the complaint. Final dispositions of
9 violations, which the ethics committee have found to
10 have been established by a preponderance of clear and
11 convincing evidence, shall be made within thirty days
12 of the conclusion of the hearing on the complaint."

13 4. Page 2, by inserting after line 35 the
14 following:

15 "_____. Page 8, by inserting after line 23 the

16 following:

17 "_____. Page 36, by striking lines 14 through 27
18 and inserting the following: "registration statement
19 at times and in the manner provided in this section.
20 Lobbyists engaged in lobbying activities before the
21 general assembly shall file the statement with the
22 chief clerk of the house of representatives or the
23 secretary of the senate. Lobbyists engaged in
24 lobbying activities before the office of the governor
25 or any state agency shall file the statement with the
26 executive council or with the agency before which the
27 lobbyist is engaged in lobbying activities board. The
28 chief clerk of the house and the secretary of the
29 senate shall provide appropriate registration forms to
30 lobbyists before the general assembly. The executive
31 council board shall prescribe appropriate registration
32 forms for lobbyists before the office of the governor
33 and state agencies. Persons receiving registration
34 statement".

35 _____. Page 36, by striking line 34 and inserting
36 the following: "chief clerk of the house and the
37 secretary of the senate".

38 _____. Page 37, by striking line 13 and inserting
39 the following: "the general assembly, on forms
40 prescribed by each house of the general assembly, a
41 report".

42 5. Page 2, by inserting after line 41 the
43 following:

44 "_____. Page 9, line 5, by striking the word
45 "council" and inserting the following: "counsel"."

46 6. By numbering and renumbering as necessary.

Amendment H—4168 was adopted, placing the following amend-
ments to amendment H—4057, to the Senate amendment H—3703,
out of order:

H—4110, filed by Carpenter of Polk and Neuhauser of Johnson
on April 21, 1993.

H—4116, filed by Carpenter of Polk on April 21, 1993.

Halvorson of Webster offered amendment H—4143, to amend-
ment H—4057, to the Senate amendment H—3703, filed by him and
requested division as follows:

H—4143

1 Amend the amendment, H—4057, to the Senate
2 amendment, H—3703, to House File 144, as amended,
3 passed, and reprinted by the House, as follows:

H-4143A

4 1. Page 1, by inserting after line 35 the
5 following:
6 "_____. Page 3, line 47, by inserting after the
7 word "anniversary." the following: "However, the
8 value of gifts given by restricted donors to elected
9 public officials under this paragraph shall be
10 reported to the board." "

H-4143B

11 2. Page 1, line 43, by inserting after the figure
12 "6" the following: ", 8".
13 3. Page 1, by inserting after line 46 the
14 following:
15 "8. If a hearing on the complaint is ordered the
16 ethics committee shall receive all admissible
17 evidence, determine any factual or legal issues
18 presented during the hearing, and make findings of
19 fact based upon evidence received. Hearings shall be
20 conducted in the manner prescribed in section 17A.12.
21 The rules of evidence applicable under section 17A.14
22 shall also apply in hearings before the ethics
23 committee. A preponderance of clear and convincing
24 evidence shall be required to support a finding that
25 the member of the general assembly or lobbyist before
26 the general assembly has committed a violation of this
27 chapter. Parties to a complaint may, subject to the
28 approval of the ethics committee, negotiate for
29 settlement of disputes that are before the ethics
30 committee. Terms of any negotiated settlements shall
31 be publicly recorded. If a complaint is filed or
32 initiated less than ninety days before the election
33 for a state office, for which the person named in the
34 complaint is the incumbent officeholder, the ethics
35 committee shall, if possible, set the hearing at the
36 earliest available date so as to allow the issue to be
37 resolved before the election. An extension of time
38 for a hearing may be granted when both parties
39 mutually agree on an alternate date for the hearing.
40 The ethics committee shall make every effort to hear
41 all ethics complaints within three months of the date
42 that the complaints are filed. However, after three
43 months from the date of the filing of the complaint,
44 extensions of time for purposes of preparing for
45 hearing may only be granted by the ethics committee
46 when the party charged in the complaint with the
47 ethics violation consents to an extension. If the
48 party charged does not consent to an extension, the
49 ethics committee shall not grant any extensions of
50 time for preparation prior to hearing. All complaints

H-4143B

Page 2

1 alleging a violation of this chapter or the code of
2 ethics shall be heard within nine months of the filing
3 of the complaint. Final dispositions of violations,
4 which the ethics committee have found to have been
5 established by a preponderance of clear and convincing
6 evidence, shall be made within thirty days of the
7 conclusion of the hearing on the complaint."

H-4143C

8 4. Page 2, line 9, by inserting after the word
9 "met." the following: "However, rules adopted shall
10 not restrict the ability of persons who are not
11 members of the ethics committee to lawfully exercise
12 their rights to freedom of speech."

H-4143B

13 5. Page 2, by inserting after line 25 the
14 following:
15 "_____. Page 5, by striking lines 21 through 23."

H-4143D

16 6. Page 2, by striking lines 34 and 35.

H-4143E

17 7. Page 3, by inserting after line 15 the
18 following:
19 "_____. Page 9, line 46, by striking the figure
20 "11" and inserting the following: "8"."
21 8. By numbering and renumbering as necessary.

Halvorson of Webster moved the adoption of amendment H-4143A, to amendment H-4057, to the Senate amendment H-3703.

Amendment H-4143A lost.

Amendment H-4143B was ruled out of order with the previous adoption of amendment H-4168, to amendment H-4057, to the Senate amendment H-3703.

Halvorson of Webster offered the following amendment H-4140, to amendment H-4057, to amendment H-3703, filed by him and Carpenter of Polk and moved its adoption:

H-4140

- 1 Amend the amendment, H-4057, to the Senate
- 2 amendment, H-3703, to House File 144, as amended,
- 3 passed, and reprinted by the House, as follows:
- 4 1. Page 2, line 4, by inserting after the word
- 5 "complaint" the following: "unless the complaint
- 6 has been publicly disclosed."

Amendment H-4140 was adopted.

Halvorson of Webster asked and received unanimous consent to withdraw amendment H-4143C, to amendment H-4057, to the Senate amendment H-3703.

Halvorson of Webster moved the adoption of amendment H-4143D, to amendment H-4057, to the Senate amendment H-3703.

Amendment H-4143D lost.

Halvorson of Webster moved the adoption of amendment H-4143E, to amendment H-4057, to the Senate amendment H-3703.

Amendment H-4143E lost.

On motion by Carpenter of Polk, amendment H-4057, as amended, to the Senate amendment H-3703, was adopted.

Connors of Polk offered amendment H-4186, to the Senate amendment H-3703, filed from the floor by him and Tyrrell of Iowa.

Carpenter of Polk rose on a point of order that amendment H-4186 was not germane, to the Senate amendment H-3703.

The Speaker ruled the point well taken and amendment H-4186 not germane, to the Senate amendment H-3703.

Connors of Polk asked for unanimous consent to suspend the rules to consider amendment H-4186.

Objection was raised.

Connors of Polk moved to suspend the rules to consider amendment H-4186.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 42, nays 50.

The motion to suspend the rules lost.

Connors of Polk asked and received unanimous consent that amendment H—4186, to the Senate amendment H—3703, not be printed in the clip sheet or the House Journal.

Carpenter of Polk moved that the House concur in the Senate amendment H—3703, as amended, which motion prevailed.

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

On the question "Shall the bill pass?" (H.F. 144)

The ayes were, 90:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Boddicker	Brammer
Brand	Brauns	Brunkhorst	Burke
Carpenter	Churchill	Cohoon	Corbett
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Fallon	Fogarty
Garman	Gill	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 7:

Black	Branstad	Cataldo	Connors
Eddie	Renken	Vande Hoef	

Absent or not voting, 3:

Blodgett	Ertl	Halvorson, R. A.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 144** be immediately messaged to the Senate.

Unfinished Business Calendar

The House resumed consideration of **House File 602**, a bill for an act relating to drug testing of certain employees and applicants for employment, previously deferred and placed on the unfinished business calendar and amendment H—4177, to amendment H—4093, found on page 1603 of the House Journal, pending at adjournment.

The House stood at ease at 12:22 p.m., until the fall of the gavel.

The House resumed session at 1:15 p.m., Speaker Van Maanen in the chair.

Siegrist of Pottawattamie asked and received unanimous consent that House File 602 and amendment H—4177, to amendment H—4093, be deferred and that the bill be placed on the unfinished business calendar.

The House resumed consideration of **Senate File 350**, a bill for an act relating to child support and providing for civil penalties, an effective date, and a retroactive applicability date, previously deferred and placed on the unfinished business calendar and the committee amendment H—3824, found on pages 1298 through 1306 of the House Journal, pending.

Halvorson of Webster offered the following amendment H—4089, to the committee amendment H—3824, filed by him and Corbett of Linn:

H—4089

- 1 Amend the amendment, H—3824, to Senate File 350, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, by inserting after line 3 the
- 5 following:
- 6 "_____. Page 18, line 33, by striking the words
- 7 "paragraph a,".
- 8 _____ By striking page 18, line 34, through page
- 9 19, line 5, and inserting the following: "Code 1993,
- 10 is amended by striking the subsection and inserting in
- 11 lieu thereof the following:
- 12 7. a. Notwithstanding section 598.21, subsection
- 13 8, paragraph "k", the establishment of paternity by
- 14 court order, including a court order based on

15 administrative establishment of paternity, or by
16 affidavit, may be overcome if all of the following
17 conditions are met:

18 (1) The court finds that the conclusion of the
19 expert as disclosed by the evidence based upon blood
20 or genetic tests demonstrates that the established
21 father is not the biological father of the child.

22 (2) The action to overcome paternity is filed
23 prior to the child reaching majority.

24 (3) Notice of the action to overcome paternity is
25 served on any parent of the child not initiating the
26 action and any assignee of the support judgment.

27 b. The court may order additional tests to be
28 conducted by the expert or an independent expert in
29 order to confirm a test upon which an expert concludes
30 that the established father is not the biological
31 father of the child.

32 c. If the court finds that the establishment of
33 paternity is overcome, in accordance with all of the
34 conditions prescribed, the established father is
35 relieved of all future support obligations owed on
36 behalf of the child.

37 d. The costs of testing and all court costs shall
38 be paid by the person bringing the action to overcome
39 paternity.

40 e. This subsection shall not be construed as a
41 basis for terminating an adoption decree or for
42 discharging the obligation of an adoptive father to an
43 adopted child pursuant to section 600B.5." "

44 2. Page 3, by striking lines 4 through 11.

45 3. By renumbering as necessary.

Plasier of Sioux rose on a point of order that amendment H—4089 was not germane, to the committee amendment H—3824.

The Speaker ruled the point well taken and amendment H—4089 not germane, to the committee amendment H—3824.

Halvorson of Webster moved to suspend the rules to consider amendment H—4089.

A non-record roll call was requested.

The ayes were 24, nays 51.

The motion to suspend the rules lost.

Halvorson of Webster asked and received unanimous consent to withdraw amendment H—4053, to the committee amendment H—3824, filed by him on April 19, 1993.

Haverland of Polk offered the following amendment H—4158, to the committee amendment H—3824, filed by him and moved its adoption:

H—4158

- 1 Amend the amendment, H—3824, to Senate File 350, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 6, by striking line 21 and inserting the
- 5 following:
- 6 "_____. By striking page 32, line 35 through page
- 7 33, line 13.
- 8 _____ Page 33, by inserting before line 14 the".
- 9 2. By renumbering as necessary.

Amendment H—4158 was adopted.

Hansen of Woodbury offered the following amendment H—4009, to the committee amendment H—3824, filed by him and Halvorson of Webster and moved its adoption:

H—4009

- 1 Amend the amendment, H—3824, to Senate File 350, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 8, by striking lines 4 and 5.
- 5 2. By renumbering as necessary.

Amendment H—4009 was adopted.

Haverland asked and received unanimous consent to defer action on the committee amendment H—3824.

Plasier of Sioux offered the following amendment H—4118, filed by him and Ertl of Dubuque, and moved its adoption:

H—4118

- 1 Amend Senate File 350, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 10 through 12 and
- 4 inserting the following:
- 5 "1. "Compensation" means payment owed by the payor
- 6 of income for:
- 7 a. Labor or services rendered by an employee or
- 8 contractor to the payor of income."
- 9 2. Page 1, by inserting after line 16 the
- 10 following:
- 11 "1A. "Contractor" means a natural person who is an
- 12 independent contractor, including an independent
- 13 trucking owner or operator."

14 3. Page 1, by striking lines 19 through 22 and
15 inserting the following:

16 "a. The first day for which the employee or
17 contractor is owed compensation by the payor of
18 income.

19 b. The first day that an employee or contractor
20 reports to work or performs labor or services for the
21 payor of income."

22 4. Page 1, by striking lines 30 through 32 and
23 inserting the following: "employer in this state for
24 compensation and for whom the employer withholds
25 federal or state tax liabilities from the employee's
26 compensation."

27 5. By striking page 1, line 34 through page 2,
28 line 2 and inserting the following: "who engages an
29 employee for compensation and for whom the employer
30 withholds federal or state tax liabilities from the
31 employee's compensation."

32 6. Page 2, by inserting before line 3 the
33 following:

34 "7A. "Payor of income" includes both an employer
35 and a person doing business in the state who engages a
36 contractor for compensation."

37 7. Page 2, by striking lines 6 through 11 and
38 inserting the following:

39 "a. The first day for which the employee or
40 contractor is owed compensation by the payor of income
41 following an unpaid absence of a minimum of six
42 consecutive weeks.

43 b. The first day that an employee or contractor
44 reports to work or performs labor or services for the
45 payor of income following an unpaid absence of a
46 minimum of six consecutive weeks."

47 8. Page 3, by inserting after line 28, the
48 following:

49 "Sec. _____. NEW SECTION. 252G.3A ALTERNATIVE
50 REPORTING REQUIREMENTS - PENALTY.

Page 2

1 1. Beginning January 1, 1994, a payor of income to
2 whom section 252G.3 is inapplicable, who engages a
3 contractor on or after January 1, 1994, shall report
4 all of the following to the registry within ten days
5 of hiring or rehiring of a contractor:

6 a. The name, address, and federal identification
7 number of the payor of income.

8 b. The contractor's name, address, social security
9 number, and if known, the contractor's date of birth.

10 2. Payors of income to whom section 252G.3 is
11 inapplicable shall report under this section only when
12 all of the following conditions are met.

- 13 a. The contractor is not being engaged for the
 14 sole purpose of performing services on the residential
 15 property of the payor of income.
- 16 b. Payment of income under the contract is
 17 reasonably expected to equal or exceed one thousand
 18 dollars in any twelve-month period.
- 19 c. The contractor will perform labor or services
 20 for a minimum period of two months.
- 21 3. A payor of income required to report under this
 22 section may report the information required under
 23 subsection 1 by any written means authorized by the
 24 unit which results in timely reporting.
- 25 4. Information reported under this section shall
 26 be received and maintained as provided in section
 27 252G.2.
- 28 5. A payor of income required to report under this
 29 section who fails to report is subject to the penalty
 30 provided in section 252G.3, subsection 4."
- 31 9. By renumbering as necessary.

Amendment H—4118 was adopted.

McNeal of Hardin offered the following amendment H—4167 filed
 by him and Haverland of Polk:

H—4167

- 1 Amend Senate File 350, as amended, passed, and
 2 reprinted by the Senate, as follows:
- 3 1. Page 31, by striking lines 13 through 18 and
 4 inserting the following:
- 5 "Sec. 101. Section 252B.13A, subsection 1, Code
 6 1993, is amended to read as follows:
- 7 1. The department shall establish within the unit
 8 a collection services center for the receipt and
 9 disbursement of support payments as defined in section
 10 598.1 as required pursuant to an order for which the
 11 unit is providing enforcement services under this
 12 chapter orders by section 252B.14. For purposes of
 13 this section, support payments do not include attorney
 14 fees, or court costs, or property settlements.
- 15 Sec. 102. Section 252B.13A, subsections 2 and 3,
 16 Code 1993, are amended by striking the subsections.
- 17 Sec. 103. Section 252B.14, Code 1993, is amended
 18 to read as follows:
- 19 252B.14 SUPPORT PAYMENTS — COLLECTION SERVICES
 20 CENTER — CLERK OF THE DISTRICT COURT.
- 21 All support payments required pursuant to orders
 22 entered under this chapter and chapter 234, 252A,
 23 252C, 598, 600B, or any other chapter shall be
 24 directed and processed as follows:

25 1. For the purposes of this section, "support
26 order" includes any order entered pursuant to chapter
27 234, 252A, 252C, 598, 600B, or any other support
28 chapter or proceeding which establishes support
29 payments as defined in section 598.1.

30 1 2. If For support orders being enforced by the
31 child support recovery unit is providing enforcement
32 services for a support order, support payments made
33 pursuant to the order shall be directed to and
34 processed as follows: disbursed by the collection
35 services center.

36 a. Payments made through income withholding, wage
37 assignment, unemployment insurance offset, or tax
38 offset shall be directed to and disbursed by the
39 collection services center.

40 b. Payments made through electronic transfer of
41 funds, including but not limited to use of an
42 automated teller machine, a telephone initiated bank
43 account withdrawal, or an automatic bank account
44 withdrawal shall be directed to and disbursed by the
45 collection services center.

46 c. Payments made through any other method shall be
47 directed to the clerk of the district court in the
48 county in which the order for support is filed and
49 shall be disbursed by the collection services center.

50 2 3. If the child support recovery unit is not

Page 2

1 providing enforcement services for a support order For
2 a support order as to which subsection 2 does not
3 apply, support payments made pursuant to the order
4 shall be directed to and disbursed by the clerk of the
5 district court in the county in which the order for
6 support is filed.

7 3 4. Payments to persons other than the clerk of
8 the district court or the collection services center
9 do not satisfy the support obligations created by a
10 support order or judgment, except as provided for
11 trusts and social security income in section sections
12 252D.1, 598.22, or 598.23, or for tax refunds or
13 rebates in section 602.8102, subsection 47, and except
14 as provided in section 598.22A.

15 Sec. 104. Section 252B.15, subsections 1, 3, and
16 4, Code 1993, are amended by striking the subsections.

17 Sec. 105. Section 252B.16, Code 1993, is amended
18 by adding the following new subsection:

19 NEW SUBSECTION. 3. Once the responsibility for
20 receiving and disbursing support payments has been
21 transferred from a clerk of the district court to the
22 collection services center, the responsibility shall
23 remain with the collection services center even if the

24 child support recovery unit is no longer providing
 25 enforcement services, unless redirected by court
 26 order.”

27 2. Page 35, by inserting after line 4 the
 28 following:

29 “Sec. 106. Section 642.23, Code 1993, is amended
 30 to read as follows:

31 642.23 SUPPORT DISBURSEMENTS BY THE CLERK.

32 Notwithstanding the seventy-day period in section
 33 626.16 for the return of an execution in garnishment
 34 for the payment of a support obligation, the sheriff
 35 shall promptly deposit any amounts collected with the
 36 clerk of the district court, and the clerk shall
 37 disburse the amounts, after subtracting applicable
 38 fees, within ten two working days of deposit to the
 39 filing of an order condemning funds as follows:

40 a. To the person entitled to the support payments
 41 when the clerk of the district court is the official
 42 entity responsible for the receipt and disbursement of
 43 support payments pursuant to section 252B.14.

44 b. To the collection services center when the
 45 collection services center is the official entity
 46 responsible for the receipt and disbursement of
 47 support payments pursuant to section 252B.14.”

48 3. Page 35, by inserting after line 19, the
 49 following:

50 “Sec. 107. REPEAL. 1990 Iowa Acts, chapter 1224,

Page 3

1 section 1, as amended by 1991 Iowa Acts, chapter 62,
 2 section 1, and 1992 Iowa Acts, chapter 1028, section
 3 1, is repealed.”

4 4. Page 35, by inserting after line 33 the
 5 following:

6 “Sec. _____. EFFECTIVE DATE. Sections 101 through
 7 107 of this Act, being deemed of immediate importance,
 8 take effect upon enactment.”

9 5. By renumbering as necessary.

McNeal of Hardin offered the following amendment H—4187, to
 amendment H—4167, filed by him from the floor and moved its
 adoption:

H—4187

1 Amend the amendment, H—4167, to Senate File 350, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 2, by striking line 27 and inserting the
 5 following:

6 “_____. Page 35, by striking lines 5 through 18 and
 7 inserting the”.

8 2. By renumbering as necessary.

Amendment H—4187 was adopted.

On motion by McNeal of Hardin amendment H—4167, as amended, was adopted.

Haverland of Polk offered the following amendment H—4185 filed by him from the floor and moved its adoption:

H—4185

- 1 Amend Senate File 350, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 33, by inserting after line 13 the
- 4 following:
- 5 "Sec. _____. Section 252H.2, unnumbered paragraph 1,
- 6 if enacted by 1993 Iowa Acts, Senate File 349, section
- 7 25, is amended to read as follows:
- 8 252H.2 DEFINITIONS.
- 9 As used in this chapter, unless the context
- 10 otherwise requires "administrator", "caretaker",
- 11 "court order", "department", "dependent child",
- 12 "medical support", "public assistance", and
- 13 "responsible person", mean the same as defined in
- 14 section 252C.1."
- 15 2. By renumbering and correcting internal
- 16 references as necessary.

Amendment H—4185 was adopted.

Halvorson of Webster called up for consideration the committee amendment H—3824, previously deferred.

Halvorson of Webster offered the following amendment H—4188, to the committee amendment H—3824, filed by him from the floor:

H—4188

- 1 Amend the amendment, H—3824, to Senate File 350, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by inserting after line 24, the
- 5 following:
- 6 "_____. Page 9, by inserting after line 18 the
- 7 following:
- 8 "6. Paternity established by affidavit under this
- 9 section may be overcome as provided in section
- 10 252F.7A."
- 11 _____. Page 10, by striking line 3, and inserting
- 12 the following: "252F.7A.""
- 13 2. Page 2, by inserting after line 37, the
- 14 following:
- 15 "Sec. _____. NEW SECTION. 252F.7A OVERCOMING
- 16 ESTABLISHMENT OF PATERNITY — LIMITATIONS.

17 1. Notwithstanding section 598.21, subsection 8,
18 paragraph "k", and section 600B.41, subsection 7, the
19 administrative establishment of paternity or the
20 establishment of paternity by affidavit may be
21 overcome if all of the following conditions are met:

22 a. The court finds that the conclusion of the
23 expert as disclosed by the evidence based upon blood
24 or genetic tests demonstrates that the established
25 father is not the biological father of the child.

26 b. The action to overcome paternity is filed prior
27 to the child reaching majority.

28 c. Notice of the action to overcome paternity is
29 served on any parent of the child not initiating the
30 action and any assignee of the support judgment.

31 2. The court may order additional tests to be
32 conducted by the expert or an independent expert in
33 order to confirm a test upon which an expert concludes
34 that the established father is not the biological
35 father of the child.

36 3. If the court finds that the establishment of
37 paternity is overcome, in accordance with all of the
38 conditions prescribed, the established father is
39 relieved of all future support obligations owed on
40 behalf of the child.

41 4. The costs of testing and all court costs shall
42 be paid by the person bringing the action to overcome
43 paternity.

44 5. This section shall not be construed as a basis
45 for terminating an adoption decree or for discharging
46 the obligation of an adoptive father to an adopted
47 child pursuant to section 600B.5."

48 3. Page 3, by striking lines 4 through 11 and
49 inserting the following:

50 "_____. By striking page 18, line 33, through page

Page 2

1 19, line 5."

2 4. By renumbering as necessary.

Hammond of Story rose on a point of order that amendment H—4188 was not germane, to the committee amendment H—3824.

The Speaker ruled the point not well taken and amendment H—4188 germane, to the committee amendment H—3824.

Garman of Story in the chair at 2:34 p.m.

Halvorson of Webster moved the adoption of amendment H—4188, to the committee amendment H—3824.

A non-record roll call was requested.

The ayes were 18, nays 65.

Amendment H—4188 lost.

On motion by Haverland of Polk the committee amendment H—3824, as amended, was adopted.

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

On the question "Shall the bill pass?" (S.F. 350)

The ayes were, 94:

Arnould	Baker	Beaman	Bell
Bernau	Black	Blodgett	Boddicker
Brammer	Brand	Branstad	Brauns
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cohoon	Connors	Corbett
Daggett	Dinkla	Doderer	Drake
Dvorsky	Eddie	Ertl	Fallon
Fogarty	Gill	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Van Maanen, Spkr.
Weidman	Weigel	Welter	Wise
Witt	Garman		
	Presiding		

The nays were, 5:

Beatty	Dickinson	Halvorson, R. N.	Running
Schrader			

Absent or not voting, 1:

Halvorson, R. A.

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

HOUSE FILE 386 WITHDRAWN

Connors of Polk asked and received unanimous consent to withdraw House File 386 from further consideration by the House.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 350** be immediately messaged to the Senate.

INTRODUCTION OF BILLS

House File 670, by committee on appropriations, a bill for an act relating to the rewriting and reordering of the state budget and financial control Act, and providing an applicability date.

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

House File 671, by committee on ways and means, a bill for an act relating to the definition of income for purposes of the mobile home property tax credit and the homestead tax credit and rent reimbursement and providing effective and applicability dates.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 23, 1993, appointed the conference committee to Senate File 266, a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates, and the members of the Senate are: The Senator from Henry, Senator Vilsack, Chair; the Senator from Wapello, Senator Gettings; the Senator from Polk, Senator Bisignano; the Senator from Sioux, Senator Rensink; the Senator from Mahaska, Senator Hedge.

JOHN F. DWYER, Secretary

HOUSE RESOLUTION 11 REFERRED

The Speaker announced that House Resolution 11, **laid over under Rule 25**, was referred to committee on **administration**.

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 23rd day of April, 1993: House Files 452, 484, 538, 541, 565 and 603.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

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

Fifteen third and fourth grade students from Forest City Christian School, Forest City, accompanied by Joyce Tjarks. By Branstad of Winnebago.

Seventy third grade students from Moulton Elementary School, Des Moines, accompanied by Jean Wegard. By Fallon of Polk.

Fifty sixth grade students from Keota Elementary School, Keota, accompanied by Rod Hill. By Greiner of Washington.

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, accompanied by Mary Beth Thomas. By Kreiman of Davis.

Sixty-five sixth grade students from Boone United Community School District, Boone, accompanied by Mrs. Hora, Mrs. Lang, Mr. Olson and Mrs. Johnson. By O'Brien of Boone.

SUBCOMMITTEE ASSIGNMENTS**House Joint Resolution 27**

Ways and Means: Hanson of Delaware, Chair; Bernau, Blodgett, Doderer, Iverson, Larson and Osterberg.

House Joint Resolution 28

State Government: Gipp, Chair; Hanson of Delaware and Peterson.

Senate File 412

Ways and Means: Iverson, Chair; Burke and Larson.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 256), relating to the rewriting and reordering of the state budget and financial control Act, and providing an applicability date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 22, 1993.

COMMITTEE ON WAYS AND MEANS

Senate File 412, a bill for an act relating to a records management fee to be collected by the county recorder.

Fiscal Note is not required.

Recommended **Do Pass** April 22, 1993.

Committee Bill (Formerly House File 119), relating to the definition of income for purposes of the mobile home property tax credit and the homestead tax credit and rent reimbursement and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Do Pass** April 22, 1993.

Committee Bill (Formerly House Study Bill 289), relating to a taxpayers' procedural bill of rights to promote procedural fairness and due process in matters related to taxation and providing effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 22, 1993.

Committee Bill (Formerly House Study Bill 295), relating to urban renewal and urban revitalization, and to the division of property tax revenue to fund urban renewal projects, and providing for the Act's applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 22, 1993.

AMENDMENTS FILED

H—4183	S.F.	142	Spenner of Henry
H—4184	S.F.	327	McNeal of Hardin

On motion by Siegrist of Pottawattamie, the House adjourned at 3:04 p.m., until 10:00 a.m., Monday April 26, 1993.

JOURNAL OF THE HOUSE

One Hundred Sixth Calendar Day — Seventieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 26, 1993

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

Prayer was offered by Reverend H. Robert Harness, pastor of Holy Trinity Parish, St. Mary Church, Keota.

The Journal of Friday, April 23, 1993 was approved.

INTRODUCTION OF BILLS

House File 672, by committee on ways and means, a bill for an act relating to urban renewal and urban revitalization, and to the division of property tax revenue to fund urban renewal and new jobs training projects, and providing effective and applicability date provisions.

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

House File 673, by committee on ways and means, a bill for an act relating to a taxpayers' procedural bill of rights to promote procedural fairness and due process in matters related to taxation and providing effective and applicability date provisions.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 23, 1993, adopted the following resolution in which the concurrence of the Senate was asked:

House Joint Resolution 17, a joint resolution to nullify an administrative rule of the board of nursing defining the term nurse and providing an effective date.

Also: That the Senate has on April 23, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 348, a bill for an act relating to the filing of certain birth certificates.

Also: That the Senate has on April 23, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 384, a bill for an act relating to tuition reimbursements of postsecondary institutions by school districts under the postsecondary enrollment options Act.

Also: That the Senate has on April 23, 1993, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 623, a bill for an act relating to appropriations and revenue involving agriculture and natural resources, and making related statutory changes.

Also: That the Senate has on April 23, 1993, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 94, a bill for an act relating to fertilizers or soil conditioners and pesticides by prohibiting regulations by local governmental entities.

Also: That the Senate has on April 23, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 287, a bill for an act relating to hospital privileges provided certain professionals including certified health service providers in psychology.

Also: That the Senate has on April 23, 1993, amended the House amendment, concurred in the House amendment, as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 370, a bill for an act relating to setting minimum fines for certain criminal convictions, increasing the civil penalty assessed for certain motor vehicle license revocations, collecting delinquent fines, penalties, costs, and restitution, and allowing community service in lieu of a fine.

Also: That the Senate has on April 23, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 411, a bill for an act relating to bond issuance elections and authorizing a political subdivision to impose an income surtax to partially fund certain bonds by providing a property tax credit, and providing for the Act's applicability.

Also: That the Senate has on April 23, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 415, a bill for an act relating to the establishment of a preadmission assessment program for frail elders considering placement or residing in a nursing facility.

Also: That the Senate has on April 23, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 416, a bill for an act relating to a deduction of amounts received as grants by sanitary disposal projects in determining net income.

Also: That the Senate has on April 23, 1993, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 32, a concurrent resolution expressing support for centers for independent living for persons with disabilities in Iowa.

JOHN F. DWYER, Secretary

CONSIDERATION OF BILLS
Unfinished Business Calendar

The House resumed consideration of **Senate File 391**, a bill for an act relating to the appointment and employment of advocates for persons subject to involuntary hospitalization for mental illness, previously deferred and placed on the unfinished business calendar.

Kreiman of Davis offered the following amendment H—3852 filed by him and moved its adoption:

H—3852

- 1 Amend Senate File 391, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by striking lines 5 through 8 and
 4 inserting the following:
 5 "The district court in each county shall appoint an
 6 individual who".
 7 2. Page 1, line 16, by inserting after the figure
 8 "229.15." the following: "However, if the board of
 9 supervisors of a county notifies the district court
 10 that the board desires to appoint an individual to act
 11 as the advocate in that county, the board shall
 12 appoint the advocate in that county, instead of the
 13 district court."

Amendment H—3852 lost.

Grundberg 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. 391)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin

Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Peterson
Plasier	Rafferty	Rants	Renaud*
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Osterberg

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

SENATE AMENDMENT CONSIDERED

Gipp of Winneshiek called up for consideration **House File 625**, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds, amended by the Senate, and moved that the House concur in the following Senate amendment H—4136:

H—4136

- 1 Amend House File 625 as passed by the House, as
- 2 follows:
- 3 1. Page 1, line 4, by striking the word
- 4 "biennium" and inserting the following: "year".
- 5 2. Page 1, line 5, by striking the figure "1995"
- 6 and inserting the following: "1994".
- 7 3. Page 1, by striking lines 19 and 20.
- 8 4. Page 2, by striking line 11.
- 9 5. Page 2, by striking line 19.

The motion prevailed and the House concurred in the Senate amendment H—4136.

Gipp of Winneshiek 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. 625)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Osterberg

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 625 and Senate File 391.**

Ways and Means Calendar

Senate File 409, a bill for an act naming an I-80 bridge "Schwengel Bridge", was taken up for consideration.

Brunkhorst of Bremer offered amendment H—4192, filed by him from the floor, and requested division as follows:

H—4192

1 Amend Senate File 409, as passed by the Senate, as
2 follows:

H—4192A

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

5 "Section 1. Section 312.2, subsection 19,
6 paragraph a, Code 1993, is amended to read as follows:

7 a. The treasurer of state, before making the
8 allotments provided for in this section, for the
9 fiscal year beginning July 1, 1990, and each
10 succeeding fiscal year, credit from the road use tax
11 fund two million dollars to the county bridge
12 construction fund, which is hereby created. Moneys
13 credited to the county bridge construction fund shall
14 be allocated to counties by the department for bridge
15 construction, and reconstruction, replacement, or
16 realignment based on needs in accordance with rules
17 adopted by the department."

H—4192B

18 2. Page 1, line 6, by inserting after the word
19 "in" the following: "1954,".

H—4192A

20 3. Title page, line 1, by inserting after the
21 word "Bridge" the following: "and relating to the
22 county bridge construction fund".

23 4. By renumbering as necessary.

Brunkhorst of Bremer called up for consideration amendment
H—4192A.

Ertl of Dubuque rose on a point of order that amendment
H—4192A was not germane.

The Speaker ruled the point well taken and amendment
H—4192A not germane.

On motion by Brunkhorst of Bremer, amendment H—4192B was
adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Osterberg of Linn on request of Moreland of Wapello.

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

On the question "Shall the bill pass?" (S.F. 409)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brämmer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Weiler
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Osterberg

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 409** be immediately messaged to the Senate.

House File 664, a bill for an act relating to providing for special valuation for property tax and sales, service, and use tax exemptions for wind energy conversion property, was taken up for consideration.

Greig of Emmet moved that the bill be read a last time now and 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, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhouser
O'Brien	Ollie	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, none.

Absent or not voting, 2:

Corbett Osterberg

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

Unfinished Business Calendar

The House resumed consideration of **Senate File 326**, a bill for an act relating to participation in family support programs, previously deferred and placed on the unfinished business calendar.

Hurley of Fayette offered the following amendment H—3809 filed by the committee on education and moved its adoption:

H-3809

1 Amend Senate File 326, as passed by the Senate, as
2 follows:

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

5 "Section 1. Section 294A.12, unnumbered paragraph
6 2, Code 1993, is amended to read as follows:

7 It is the intent of the general assembly that
8 school districts and area education agencies
9 incorporate into their planning for performance-based
10 pay plans and supplemental pay plans, implementation
11 of recommendations from recently issued national and
12 state reports relating to the requirements of the
13 educational system for meeting future educational
14 needs, especially as they relate to the preparation,
15 working conditions, and responsibilities of teachers,
16 including but not limited to assistance to new
17 teachers, development of teachers as instructional
18 leaders in their schools and school districts, using
19 teachers for evaluation and diagnosis of other
20 teachers' techniques, and the implementation of
21 sabbatical leaves. It is also the intent of the
22 general assembly that a performance-based pay plan and
23 supplemental pay plan submitted by a district include
24 a parent involvement policy designed to increase
25 student achievement and self-esteem by bringing home
26 and school into closer relationship and that provides
27 methods by which parents and teachers may cooperate
28 intelligently in the education of children. It is
29 further the intent of the general assembly that real
30 and fundamental change in the educational system must
31 emerge from the school site if the education system is
32 to remain relevant and that plans funded in this
33 program must be an integral part of a comprehensive
34 school district or area education agency effort toward
35 meeting identified district or agency goals or needs."

36 2. Title page, by striking line 1, and inserting
37 the following: "An Act relating to parent involvement
38 policies in district and area education agency phase
39 III plans, and to participation in family support
40 programs."

41 3. By renumbering as necessary.

The committee amendment H-3809 was adopted.

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

On the question "Shall the bill pass?" (S.F. 326)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Osterberg

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 664 and Senate File 326.**

On motion by Siegrist of Pottawattamie, the House was recessed at 11:20 a.m., until 1:45 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Van Maanen in the chair.

SENATE MESSAGES CONSIDERED

Senate File 411, by committee on ways and means, a bill for an act relating to bond issuance elections and authorizing a political subdivision to impose an income surtax to partially fund certain bonds by providing a property tax credit, and providing for the Act's applicability.

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

Senate File 415, by Horn and Rife, a bill for an act relating to the establishment of a preadmission assessment program for frail elders considering placement or residing in a nursing facility.

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

Senate File 416, by committee on ways and means, a bill for an act relating to a deduction of amounts received as grants by sanitary disposal projects in determining net income.

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

CONSIDERATION OF BILLS

Unfinished Business Calendar

The House resumed consideration of **Senate File 140**, a bill for an act to allow an electric generation and transmission cooperative to establish classes of memberships, previously deferred and placed on the unfinished business calendar.

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

On the question "Shall the bill pass?" (S.F. 140)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Black	Blodgett	Boddicker
Brammer	Brand	Brånstad	Brauns
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cohoon	Connors	Corbett
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley

Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 1:

Bernau

Absent or not voting, 1:

Osterberg

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

HOUSE FILE 611 WITHDRAWN

Greiner of Washington asked and received unanimous consent to withdraw House File 611 from further consideration by the House.

Ways and Means Calendar

House File 667, a bill for an act relating to indebtedness owed to the state, providing for the addition of late fees, providing for the entry of information in a centralized, computerized data bank, prohibiting renewal of vehicle registration to persons owing an obligation to the state, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 667)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman

Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 1:

Schrader

Absent or not voting, 1:

Osterberg

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 667 and Senate File 140** be immediately messaged to the Senate.

House File 663, a bill for an act relating to an increase in property tax dollars certified for purposes of the property tax limitation for the fiscal year beginning July 1, 1994, was taken up for consideration.

Gries of Crawford offered the following amendment H—4145 filed by him and moved its adoption:

H—4145

- 1 Amend House File 663 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 444.25, subsection 1,
- 5 unnumbered paragraph 1, Code 1993, is amended to read
- 6 as follows:
- 7 The maximum amount of property tax dollars which

8 may be certified by a county for taxes payable in the
9 fiscal year beginning July 1, 1993, shall not exceed
10 the amount of property tax dollars certified by the
11 county for taxes payable in the fiscal year beginning
12 July 1, 1992, and, except as otherwise provided in
13 section 444.28, the maximum amount of property tax
14 dollars which may be certified by a county for taxes
15 payable in the fiscal year beginning July 1, 1994,
16 shall not exceed the amount of property tax dollars
17 certified by the county for taxes payable in the
18 fiscal year beginning July 1, 1993, for each of the
19 levies for the following, except for the levies on the
20 increase in taxable valuation due to new construction,
21 additions or improvements to existing structures,
22 remodeling of existing structures for which a building
23 permit is required, annexation, and phasing out of tax
24 exemptions, and on the increase in valuation of
25 taxable property as a result of a comprehensive
26 revaluation by a private appraiser under a contract
27 entered into prior to January 1, 1992, or as a result
28 of a comprehensive revaluation directed or authorized
29 by the conference board prior to January 1, 1992, with
30 documentation of the contract, authorization, or
31 directive on the revaluation provided to the director
32 of revenue and finance, if the levies are equal to or
33 less than the levies for the previous year, levies on
34 that portion of the taxable property located in an
35 urban renewal project the tax revenues from which are
36 no longer divided as provided in section 403.19,
37 subsection 2, or as otherwise provided in this
38 section:

39 Sec. _____. Section 444.25, subsection 2, unnumbered
40 paragraph 1, Code 1993, is amended to read as follows:

41 The maximum amount in property tax dollars which
42 may be certified by a city for taxes payable in the
43 fiscal year beginning July 1, 1993, shall not exceed
44 the amount in property tax dollars certified by the
45 city for taxes payable in the fiscal year beginning
46 July 1, 1992, and, except as otherwise provided in
47 section 444.28, the maximum amount of property tax
48 dollars which may be certified by a city for taxes
49 payable in the fiscal year beginning July 1, 1994,
50 shall not exceed the amount of property tax dollars

Page 2

1 certified by the city for taxes payable in the fiscal
2 year beginning July 1, 1993, for each of the levies
3 for the following, except for the levies on the
4 increase in taxable valuation due to new construction,
5 additions or improvements to existing structures,
6 remodeling of existing structures for which a building

7 permit is required, annexation, and phasing out of tax
8 exemptions, and on the increase in valuation of
9 taxable property as a result of a comprehensive
10 revaluation by a private appraiser under a contract
11 entered into prior to January 1, 1992, or as a result
12 of a comprehensive revaluation directed or authorized
13 by the conference board prior to January 1, 1992, with
14 documentation of the contract, authorization, or
15 directive on the revaluation provided to the director
16 of revenue and finance, if the levies are equal to or
17 less than the levies for the previous year, levies on
18 that portion of the taxable property located in an
19 urban renewal project the tax revenues from which are
20 no longer divided as provided in section 403.19,
21 subsection 2, or as otherwise provided in this
22 section.”.

23 2. Page 1, by inserting after line 33, the
24 following:

25 “Sec. _____. NEW SECTION. 444.28 PROPERTY TAX
26 LIMITATION FOR 1995 FISCAL YEAR — EXCEPTION.

27 For those cities and counties which applied for an
28 exception under section 444.25, subsection 3,
29 paragraph “d”, for the fiscal year beginning July 1,
30 1993, but did not apply for that exception for the
31 fiscal year beginning July 1, 1994, the maximum amount
32 of property tax dollars which may be certified by the
33 city or county for taxes payable in the fiscal year
34 beginning July 1, 1994, shall not exceed the sum of
35 the following:

36 (1) The product of the amount of property tax
37 dollars certified for taxes payable in the fiscal year
38 beginning July 1, 1993, and seventeen-hundredths of one
39 percent.

40 (2) The product of the amount of property tax
41 dollars certified for taxes payable in the fiscal year
42 beginning July 1, 1993, and seventeen-hundredths of one
43 percent plus the amount of property tax dollars
44 certified for taxes payable in the fiscal year
45 beginning July 1, 1993.”

46 3. By renumbering as necessary.

Amendment H—4145 was adopted.

Gries 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. 663)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Osterberg

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

Unfinished Business Calendar

The House resumed consideration of **Senate File 372**, a bill for an act relating to the structured fines pilot program, establishing a civil penalty and surcharge, providing for the distribution of fines, and providing an effective date, previously deferred and placed on the unfinished business calendar.

Rafferty of Scott offered the following amendment H-4039 filed by him and moved its adoption:

H-4039

- 1 Amend Senate File 372, as passed by the Senate, as
- 2 follows:

- 3 1. Page 1, line 1, by inserting before the word
 4 "is" the following: "unnumbered paragraph 2,"
 5 2. Page 1, by striking lines 3 through 24.

Amendment H—4039 was adopted.

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

On the question "Shall the bill pass?" (S.F. 372)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, none.

Absent or not voting, 2:

Miller Osterberg

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

HOUSE FILE 577 WITHDRAWN

Rafferty of Scott asked and received unanimous consent to withdraw House File 577 from further consideration by the House.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 663 and Senate File 372.**

RULES SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend the rules for the immediate consideration of House File 670.

Appropriations Calendar

House File 670, a bill for an act relating to the rewriting and reordering of the state budget and financial control Act, and providing an applicability date, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 670)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell

Vande Hoef
Wise

Weidman
Witt

Weigel
Mr. Speaker
Van Maanen

Welter

The nays were, none.

Absent or not voting, 1:

Osterberg

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 670** be immediately messaged to the Senate.

Ways and Means Calendar

House File 660, a bill for an act relating to income tax return checkoffs for purposes of state individual income tax and establishing an income tax checkoff to support the Iowa state fair foundation and providing for the Act's retroactive applicability, was taken up for consideration.

Hanson of Delaware offered the following amendment H—4197 filed by him from the floor and moved its adoption:

H—4197

- 1 Amend House File 660 as follows:
- 2 1. Page 2, by striking lines 30 and 31 and
- 3 inserting the following: "the least amount has been
- 4 contributed, in the aggregate for the first two tax
- 5 years and through March 15 of the third tax year,
- 6 shall be repealed. This section does".

Amendment H—4197 was adopted.

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

On the question "Shall the bill pass?" (H.F. 660)

The ayes were, 99:

Arnould
Bell
Boddicker
Brauns
Cataldo
Corbett

Baker
Bernau
Brammer
Brunkhorst
Churchill
Daggett

Beaman
Black
Brand
Burke
Cohoon
Dickinson

Beatty
Blodgett
Branstad
Carpenter
Connors
Dinkla

Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Osterberg

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 660** be immediately messaged to the Senate.

House File 661, a bill for an act relating to the exemption from the state sales tax for certain prescription drugs and medical devices and providing for the Act's applicability, was taken up for consideration.

Iverson of Wright offered the following amendment H—4200 filed from the floor by him and moved its adoption:

H—4200

- 1 Amend House File 661 as follows:
- 2 1. Page 1, line 8, by inserting after the word
- 3 "supply," the following: "intended to be".
- 4 2. Page 1, line 16, by inserting after the figure
- 5 "155A.3" the following: ", or a person licensed to
- 6 prescribe drugs".
- 7 3. Page 1, by striking lines 17 through 21, and
- 8 inserting the following:

9 "c. "Prescription drug" means a drug intended to
 10 be dispensed to an ultimate user pursuant to a
 11 prescription drug order or medication order from a
 12 practitioner, or oxygen or insulin dispensed for human
 13 consumption with or without a prescription drug order
 14 or medication order."

Amendment H—4200 was adopted, placing out of order amendment H—4193 filed by Iverson of Wright on April 26, 1993.

Iverson of Wright moved that the bill be read a last time now and 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, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Osterberg

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

Unfinished Business Calendar

The House resumed consideration of **Senate File 245**, a bill for an act relating to the recording of certain instruments in the office of county recorder, previously deferred and placed on the unfinished business calendar.

Greiner of Washington offered the following amendment H—4020 filed by her and moved its adoption:

H—4020

1 Amend Senate File 245, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting after line 29, the
4 following:

5 "Sec. _____ Section 504A.9, unnumbered paragraphs
6 2, 3, 5, 6, and 7, Code 1993, are amended to read as
7 follows:

8 The statement shall be delivered to the secretary
9 of state for filing and recording in the secretary of
10 state's office, and the statement shall be filed and
11 recorded in the office of the county recorder. If the
12 registered office is changed from one county to
13 another, the statement shall be filed and recorded in
14 the office of the county recorder of the county to
15 which the registered office is changed, and a
16 certified copy of the statement shall be furnished by
17 the secretary of state and delivered to the office of
18 the county recorder for filing in the county in which
19 the registered office was located prior to the filing
20 of the statement.

21 If the registered office is changed from one county
22 to another, the corporation shall also cause to be
23 filed and recorded forthwith in the office of the
24 recorder of the county to which such registered office
25 is changed, its original articles of incorporation and
26 all amendments thereto, or copies thereof certified by
27 the secretary of state, or its restated articles and
28 all amendments thereto, or copies thereof certified by
29 the secretary of state. The

30 The change of address of registered office or the
31 change of registered agent or agents or both
32 registered office and agent or agents, as the case may
33 be, shall become effective upon the filing of such
34 statement by the secretary of state, but until such
35 statement is recorded in the office of the recorder as
36 above prescribed, service of process, notice or demand
37 required or permitted by law to be served upon the
38 corporation may be served upon the person who was its
39 registered agent at its registered office prior to the
40 filing of such statement with the same force and

41 effect as if no change in registered office or
42 registered agent had been made.
43 Any registered agent of a corporation may resign as
44 such agent upon filing a written notice thereof,
45 executed in duplicate, with the secretary of state,
46 who shall record one copy and forthwith mail the other
47 copy thereof to the corporation in care of an officer,
48 who is not the resigning registered agent, at the
49 address of such officer as shown by the most recent
50 annual report of the corporation. The copy recorded

Page 2

1 by the secretary of state shall be sent by the
2 secretary to the county recorder of the county in
3 which the registered office is located for recording
4 in the county recorder's office. The appointment of
5 such agent shall terminate upon the expiration of
6 thirty days after receipt of such notice by the
7 secretary of state.

8 The secretary of state may provide for the change
9 of registered office or registered agent on the form
10 prescribed by the secretary of state for the annual
11 report pursuant to section 504A.83, provided that the
12 form contains the information required in this
13 section. If the secretary of state determines that an
14 annual report does not contain the information
15 required by section 504A.83 but otherwise meets the
16 requirements of this section for the purpose of
17 changing the registered office or registered agent,
18 the secretary of state shall file the statement of
19 change of registered office or registered agent before
20 returning the annual report to the corporation
21 pursuant to section 504A.84. The secretary of state
22 shall deliver a notice certifying the change in
23 registered office or registered agent to the office of
24 the county recorder for filing and recording. A
25 statement of change of registered office or registered
26 agent pursuant to this paragraph shall be executed by
27 a person authorized to execute the annual report.

28 Sec. _____. Section 504A.30, Code 1993, is amended
29 to read as follows:

30 504A.30 FILING AND RECORDING OF ARTICLES OF
31 INCORPORATION.

32 The articles of incorporation shall be delivered to
33 the secretary of state for filing and recording in the
34 secretary of state's office, and the same shall be
35 filed and recorded in the office of the county
36 recorder. The secretary of state upon the filing of
37 such articles shall issue a certificate of
38 incorporation and send the same certificate to the
39 corporation or its representative.

40 Sec. _____. Section 504A.32, subsection 1, paragraph
41 c, Code 1993, is amended by striking the paragraph.

42 Sec. _____. Section 504A.37, Code 1993, is amended
43 to read as follows:

44 504A.37 FILING OF ARTICLES OF AMENDMENT.

45 The articles of amendment shall be delivered to the
46 secretary of state for filing and recording in the
47 secretary of state's office, and the same shall be
48 filed and recorded in the office of the county
49 recorder. The secretary of state upon the filing of
50 the articles of amendment shall issue a certificate of

Page 3

1 amendment and send the same certificate to the
2 corporation or its representative.

3 Sec. _____. Section 504A.39, subsection 4,
4 unnumbered paragraph 4, Code 1993, is amended to read
5 as follows:

6 The restated articles of incorporation shall be
7 delivered to the secretary of state for filing and
8 recording in the secretary of state's office and the
9 same shall be filed and recorded in the office of the
10 county recorder.

11 Sec. _____. Section 504A.43, unnumbered paragraph 2,
12 Code 1993, is amended to read as follows:

13 The articles of merger or articles of consolidation
14 shall be delivered to the secretary of state for
15 filing and recording in the secretary of state's
16 office, and the same shall be filed and recorded in
17 the office of the recorder of each county in which the
18 registered office of each domestic merging or
19 consolidating corporation was located prior to the
20 merger or consolidation and, if the new corporation
21 into which the corporations have consolidated is a
22 domestic corporation, in the office of the recorder of
23 the county in which the registered office of the new
24 corporation is located.

25 Sec. _____. Section 504A.52, unnumbered paragraph 1,
26 Code 1993, is amended to read as follows:

27 Such articles of dissolution shall be delivered to
28 the secretary of state for filing and recording in the
29 secretary of state's office, and the same shall be
30 filed and recorded in the office of the county
31 recorder.

32 Sec. _____. Section 504A.62, Code 1993, is amended
33 to read as follows:

34 504A.62 FILING OF DECREE OF DISSOLUTION.

35 In case the court shall enter a decree dissolving a
36 corporation, it shall be the duty of the clerk of such
37 court to cause certified copies of the decree to be
38 filed with and recorded by the secretary of state and

39 the county recorder of the county in which is located
40 the corporation's registered office. No fee shall be
41 charged by the secretary of state or said county
42 recorder for the filing or recording thereof.
43 Sec. _____. Section 504A.73, unnumbered paragraph 5,
44 Code 1993, is amended to read as follows:
45 The secretary of state may provide for the change
46 of registered office or registered agent on the form
47 prescribed by the secretary of state for the annual
48 report pursuant to section 504A.83, provided that the
49 form contains the information required in this
50 section. If the secretary of state determines that an

Page 4

1 annual report does not contain the information
2 required by section 504A.83 but otherwise meets the
3 requirements of this section for the purpose of
4 changing the registered office or registered agent,
5 the secretary of state shall file the statement of
6 change of registered office or registered agent before
7 returning the annual report to the corporation
8 pursuant to section 504A.84. The secretary of state
9 shall deliver a notice certifying the change in
10 registered office or registered agent to the office of
11 the county recorder for filing and recording. A
12 statement of change of registered office or registered
13 agent pursuant to this paragraph shall be executed by
14 a person authorized to execute the annual report.
15 Sec. _____. Section 504A.87, unnumbered paragraph 6,
16 Code 1993, is amended to read as follows:
17 The secretary of state, upon filing the application
18 for reinstatement, shall issue a certificate of
19 reinstatement and file and record the same in the
20 secretary of state's office and, if the application
21 for reinstatement shall set forth a change in the name
22 of the corporation, as required by this section, the
23 same shall constitute an amendment to the articles of
24 incorporation of the corporation and the certificate
25 of reinstatement shall set forth such fact and shall
26 be filed and recorded in the office of the county
27 recorder. Upon the issuance of the certificate of
28 reinstatement, the corporation shall be entitled to
29 continue to act as a corporation for the unexpired
30 portion of its corporate period as fixed by its
31 articles of incorporation, except, that the
32 corporation shall not be entitled to use the name of
33 the corporation at the time of the issuance of the
34 certificate of cancellation if another corporation or
35 foreign corporation is entitled to use such name or
36 such name is then reserved as provided in this
37 chapter.

38 Sec. _____. Section 504A.100, subsection 3,
39 paragraph c, Code 1993, is amended to read as follows:

40 c. As to domestic corporations such instrument
41 shall be delivered to the secretary of state for
42 filing and recording in the secretary of state's
43 office, and the same shall be filed and recorded in
44 the office of the county recorder.

45 If the county of the initial registered office as
46 stated in such instrument is one which is other than
47 the county wherein the principal office or place of
48 business of such corporation, as theretofore
49 designated in its articles of incorporation, was
50 located, the secretary of state shall forward also to

Page 5

1 the county recorder of the county in which the said
2 principal office or place of business of said
3 corporation was located a copy of such instrument and
4 the secretary shall forward to the recorder of the
5 county in which the initial registered office of such
6 corporation is located, in addition to the original of
7 such instrument, a copy of the articles of
8 incorporation of said corporation together with all
9 amendments thereto as then on file in the secretary of
10 state's office."

11 2. By renumbering as necessary.

Amendment H—4020 was adopted.

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

On the question "Shall the bill pass?" (S.F. 245)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin

Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Osterberg

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 661 and Senate File 245.**

The House resumed consideration of **Senate File 398**, a bill for an act relating to the rights of mobile home, personal property, and real property owners and claimants in actions for abandonment and under a lease agreement, previously deferred and placed on the unfinished business calendar.

Blodgett of Cerro Gordo offered the following amendment H-4109 filed by him:

H-4109

- 1 Amend Senate File 398, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 1, line 13, by striking the word "state"
- 4 and inserting the following: "governmental
- 5 subdivision".

Speaker pro tempore Lundby in the chair at 5:04 p.m.

Blodgett of Cerro Gordo moved the adoption of amendment H-4109.

Amendment H-4109 lost.

The following amendments filed by Iverson of Wright were withdrawn by unanimous consent:

H—3975 filed on April 14, 1993.

H—3999 filed on April 15, 1993.

Iverson of Wright offered amendment H—4029 filed by him. Division was requested as follows:

H—4029

- 1 Amend Senate File 398, as amended, passed, and
- 2 reprinted by the Senate, as follows:

H—4029A

- 3 1. Page 5, line 4, by inserting after the word
- 4 "However," the following: "in the case of a
- 5 residential lease,".

H—4029B

- 6 2. Page 10, by striking lines 19 through 35.

On motion by Iverson of Wright, amendment H—4029A was adopted.

Kreiman of Davis offered the following amendment H—4148 filed by him and moved its adoption:

H—4148

- 1 Amend Senate File 398, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 6, line 26, by striking the words "county
- 4 treasurer real property owner" and inserting the
- 5 following: "county treasurer".

Amendment H—4148 was adopted.

Kreiman of Davis offered the following amendment H—4139 filed by him and Beatty of Warren and moved its adoption:

H—4139

- 1 Amend Senate File 398, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 8, line 10, by striking the words "two
- 4 months'" and inserting the following: "two months'
- 5 one month's".
- 6 2. Page 8, line 14, by striking the words "two
- 7 months'" and inserting the following: "two months'
- 8 one month's".

Amendment H—4139 lost.

Iverson of Wright offered the following amendment H—4073 filed by him and moved its adoption:

H-4073

- 1 Amend Senate File 398, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 9, line 17 through page 10,
- 4 line 4.
- 5 2. Page 10, by striking lines 10 through 18.
- 6 3. By renumbering as necessary.

Amendment H-4073 was adopted.

Iverson of Wright called up for consideration amendment H-4029B.

Amendment H-4029B was adopted.

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

On the question "Shall the bill pass?" (S.F. 398)

The ayes were, 83:

Arnould	Beaman	Bell	Black
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Daggett	Dickinson	Dinkla	Drake
Eddie	Ertl	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Houser	Hurley	Iverson	Kistler
Klemme	Koenigs	Larkin	Larson
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	O'Brien	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Siegrist	Spenner	Tyrrell	Vande Hoef
Van Maanen, Spkr.	Weidman	Weigel	Welter
Wise	Witt	Lundby	
		Presiding	

The nays were, 15:

Baker	Beatty	Bernau	Blodgett
Doderer	Dvorsky	Fallon	Halvorson, R. N.
Hammond	Holveck	Jochum	Kreiman
Neuhauser	Ollie	Shultz	

Absent or not voting, 2:

Corbett Osterberg

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

HOUSE FILE 519 WITHDRAWN

Iverson of Wright asked and received unanimous consent to withdraw House File 519 from further consideration by the House.

Speaker Van Maanen in the chair at 5:50 p.m.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 398** be immediately messaged to the Senate.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON STATE GOVERNMENT

House Joint Resolution 28, a joint resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of state license fees received from hunting, fishing, and trapping, and other public or private funds appropriated, allocated, or received by the state for fish and wildlife protection purposes.

Fiscal Note is not required.

Recommended **Do Pass** April 23, 1993.

RULES SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend the rules for the immediate consideration of House Joint Resolution 28.

Regular Calendar

House Joint Resolution 28, a joint resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of state license fees received from hunting, fishing, and trapping, and other public or private funds appropriated, allocated, or received by the state for fish and wildlife protection purposes, with report of committee recommending passage was taken up for consideration.

Gipp of Winneshiek moved that the joint resolution be read a last time now and placed upon its adoption which motion prevailed and the joint resolution was read a last time.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Article VII of the Constitution of the State of Iowa is amended by adding the following new section:

FISH AND WILDLIFE PROTECTION FUNDS. Sec. 9. All revenue derived from state license fees for hunting, fishing, and trapping, and all state funds appropriated for, and federal or private funds received by the state for, the regulation or advancement of hunting, fishing, or trapping, or the protection, propagation, restoration, management, or harvest of fish or wildlife, shall be used exclusively for the performance and administration of activities related to those purposes.

Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the General Assembly to be chosen at the next general election for members of the General Assembly and the Secretary of State is directed to cause it to be published for three consecutive months before the date of the election as provided by law.

On the question "Shall the joint resolution be adopted and agreed to by the House?" (H.J.R. 28)

The ayes were, 75:

Arnould	Baker	Beaman	Beatty
Bell	Black	Blodgett	Boddicker
Brammer	Brand	Brauns	Burke
Cataldo	Churchill	Connors	Corbett
Daggett	Dickinson	Dinkla	Drake
Ertl	Fallon	Fogarty	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Hahn	Halvorson, R. A.	Hansen, S. D.
Hanson, D. E.	Haverland	Henderson	Holveck
Houser	Hurley	Iverson	Jochum
Kistler	Klemme	Koenigs	Kreiman
Larkin	Larson	Lundby	Martin
May	McCoy	McKinney	McNeal
Mertz	Meyer	Moreland	Mundie
Murphy	Nelson	O'Brien	Ollie
Peterson	Plasier	Rafferty	Rants

Renaud	Royer	Running	Schrader
Siegrist	Spenner	Tyrrell	Weidman
Weigel	Welter	Witt	

The nays were, 24:

Bernau	Branstad	Brunkhorst	Carpenter
Cohoon	Doderer	Dvorsky	Eddie
Garman	Grundberg	Halvorson, R. N.	Hammond
Hanson, D. R.	Harper	Hester	Metcalf
Millage	Miller	Neuhauser	Renken
Shoultz	Vande Hoef	Wise	Mr. Speaker
			Van Maanen

Absent or not voting, 1:

Osterberg

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House Joint Resolution 28** be immediately messaged to the Senate.

Unfinished Business Calendar

The House resumed consideration of **Senate File 142**, a bill for an act relating to motorcycle rider education and the use of protective headgear when operating or riding motorcycles and motorized bicycles and the sale of such headgear and providing penalties and a repeal provision, previously deferred and placed on the unfinished business calendar.

Spenner of Henry offered the following amendment H—3395 filed by Spenner, et al., and moved its adoption:

H—3395

- 1 Amend Senate File 142 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. Section 321.189, subsections 7 and 9,
- 6 Code 1993, are amended to read as follows:
- 7 7. CLASS M LICENSE EDUCATION REQUIREMENTS. A
- 8 person under the age of eighteen applying for a
- 9 driver's license valid for the operation of a
- 10 motorcycle shall be required to successfully complete
- 11 a motorcycle education course either approved and or
- 12 established by the department of education or from a

13 private or commercial driver education school licensed
14 by the department. A public school district shall
15 charge a student a fee which shall not exceed the
16 actual cost of instruction minus moneys received by
17 the school district under subsection 9.

18 9. MOTORCYCLE RIDER EDUCATION FUND. The
19 motorcycle rider education fund is established in the
20 office of the treasurer of state. The moneys credited
21 to the fund are appropriated to the department of
22 education to be used to establish new motorcycle rider
23 education courses and reimburse sponsors of motorcycle
24 rider education courses for the costs of providing
25 motorcycle rider education courses approved and or
26 established by the department of education. The
27 department of education shall adopt rules under
28 chapter 17A providing for the distribution of moneys
29 to sponsors of motorcycle rider education courses
30 based upon the costs of providing the education
31 courses. The rules shall allow sponsors to offer
32 courses on an annual basis and shall require that the
33 distribution of moneys to sponsors be based upon the
34 number of persons who complete the sponsor's course
35 and successfully obtain a class M license.

36 Sec. 2. NEW SECTION. 321.444A HELMETS.

37 1. A motorcycle or motorized bicycle shall not be
38 operated upon a highway unless the person who is
39 operating or riding the vehicle is wearing protective
40 headgear which complies with standards and
41 specifications established under 49 C.F.R. § 571.218.
42 For purposes of this section, "wearing protective
43 headgear" means having a safety helmet on the person's
44 head that is fastened with the helmet straps and that
45 is of a size that fits the person's head securely
46 without excessive lateral or vertical movement.

47 2. A person shall not possess for the purpose of
48 sale, offer for sale, or sell protective headgear for
49 use by a person operating or riding upon a motorcycle
50 or motorized bicycle, unless the equipment meets the

Page 2

1 standards and specifications required under this
2 section.

3 Sec. 3. Section 805.8, subsection 2, paragraph e,
4 Code 1993, is amended to read as follows:

5 e. For improperly used or nonused or defective or
6 improper equipment under sections 321.383, 321.384,
7 321.385, 321.386, 321.398, 321.402, 321.403, 321.404,
8 321.409, 321.419, 321.420, 321.423, 321.430, and
9 321.433, the scheduled fine is twenty dollars. For
10 failing to wear protective headgear as required under
11 section 321.444A, the scheduled fine is fifty dollars

12 for an operator and twenty-five dollars for a
 13 passenger.
 14 Sec. 4. If the federal government repeals that
 15 portion of the federal Intermodal Surface
 16 Transportation Efficiency Act of 1991 which provides
 17 sanctions for states which do not have a state law
 18 requiring motorcycle helmets, this Act shall be
 19 repealed on the July 1 following the federal
 20 government's repeal."

Roll call was requested by Spenner of Henry and Jochum of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H—3395 be adopted?"
 (S.F. 142)

The ayes were, 38:

Bernau	Carpenter	Doderer	Dvorsky
Eddie	Fogarty	Gipp	Greig
Gries	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Harper	Haverland
Hester	Holveck	Hurley	Jochum
Koenigs	Kreiman	Martin	McCoy
McKinney	McNeal	Metcalf	Miller
Mundie	Murphy	Neuhauser	O'Brien
Plasier	Royer	Shultz	Spenner
Welter	Mr. Speaker		
	Van Maanen		

The nays were, 61:

Arnould	Baker	Beaman	Beatty
Bell	Black	Blodgett	Boddicker
Brammer	Brand	Branstad	Brauns
Brunkhorst	Burke	Cataldo	Churchill
Cohoon	Connors	Corbett	Daggett
Dickinson	Dinkla	Drake	Ertl
Fallon	Garman	Gill	Greiner
Grubbs	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Henderson	Houser	Iverson	Kistler
Klemme	Larkin	Larson	Lundby
May	Mertz	Meyer	Millage
Moreland	Nelson	Ollie	Peterson
Rafferty	Rants	Renaud	Renken
Running	Schrader	Siegrist	Tyrrell
Vande Hoef	Weidman	Weigel	Wise
Witt			

Absent or not voting, 1:

Osterberg

Amendment H—3395 lost.

Spenner of Henry offered the following amendment H—4183 filed by him and moved its adoption:

H—4183

- 1 Amend Senate File 142, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by inserting after line 33 the
- 4 following:
- 5 "Sec. _____. This Act takes effect October 1, 1993."
- 6 2. Title page, line 4, by inserting after the
- 7 word "provision" the following: "and providing an
- 8 effective date".

Amendment H—4183 was adopted.

Spenner 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.

Rule 75 was invoked.

On the question "Shall the bill pass?" (S.F. 142)

The ayes were, 52:

Bell	Black	Blodgett	Brammer
Brunkhorst	Burke	Cohoon	Connors
Dinkla	Eddie	Gipp	Greig
Gries	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson, D. E.	Hanson, D. R.	Haverland
Henderson	Holveck	Houser	Hurley
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	McCoy	Mertz	Meyer
Millage	Mundie	Nelson	O'Brien
Ollie	Peterson	Plasier	Rafferty
Siegrist	Spenner	Vande Hoef	Weigel
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, 47:

Arnould	Baker	Beaman	Beatty
Bernau	Boddicker	Brand	Branstad
Brauns	Carpenter	Cataldo	Churchill
Corbett	Daggett	Dickinson	Doderer
Drake	Dvorsky	Ertl	Fallon
Fogarty	Garman	Gill	Greiner

Grubbs	Grundberg	Hansen, S. D.	Harper
Hester	Iverson	May	McKinney
McNeal	Metcalf	Miller	Moreland
Murphy	Neuhauser	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Tyrrell	Weidman	

Absent or not voting, 1:

Osterberg

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

IMMEDIATE MESSAGE .

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 142** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 26, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 83, a bill for an act relating to the discharge of dangerous weapons from a motor vehicle at a dwelling, motor vehicle, or one or more persons and providing penalties and providing an effective date.

Also: That the Senate has on April 26, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 210, a bill for an act to provide for a six-month suspension of the driver's license of a person under the age of twenty-one who alters the license to purchase alcohol.

Also: That the Senate has on April 26, 1993, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 24, a concurrent resolution relating to the state board of regents five-year building program.

Also: That the Senate has on April 26, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 220, a bill for an act relating to deaf and hard-of-hearing persons by changing definitions and the ability to charge certain interpreter fees as costs in a legal action.

Also: That the Senate has on April 26, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 405, a bill for an act extending the pollution control equipment property tax exemption to property used for the recycling of waste plastic, wastepaper products, and waste paperboard.

JOHN F. DWYER, Secretary

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 26th day of April, 1993: House Files 79, 200, 275, 448, 454, 491, 527 and 562.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 26, 1993, he approved and transmitted to the Secretary of State the following bills:

House File 89, an act providing penalties for the harvesting of wild ginseng out of season.

House File 327, an act relating to limited liability companies.

House File 453, an act relating to the inspection and regulation of lawn seed, and providing an effective date.

House File 561, an act relating to the practices of nursing and dentistry, including the establishment of penalties.

House File 645, an act relating to exemptions from liability for environmental contamination and providing for a state lien on the property and providing an effective date.

Senate File 38, an act providing for requirements of a financing statement filed under the uniform commercial code, and providing applicability and effective dates.

Senate File 267, an act relating to and making appropriations to the justice system, providing for other related matters concerning the justice system, and providing effective and retroactive applicability dates.

Senate File 347, an act relating to public retirement systems, and including effective and retroactive applicability dates.

Senate File 363, an act relating to motor vehicle dealers by permitting the sale of classic cars and defining adjacent lots for purposes of license fees.

Senate File 392, an act relating to duties and procedures of the department of corrections, providing for agreements for private employment of inmates, application of witness fees earned by an inmate toward payment of restitution or crime victim compensation, removing language relating to transfers of certain inmates, providing for temporary supervision and placement of inmates in violator facilities, making changes in provisions relating to escape from work release, and changing times of payment of certain funds to inmates.

GOVERNOR'S ITEM VETO MESSAGE

A copy of the following communication was received and placed on file:

April 26, 1993

The Honorable Harold Van Maanen
Speaker of the House
House of Representatives
State Capitol Building
L O C A L

Dear Mr. Speaker: -

I hereby transmit House File 518, an act relating to appropriations for the department of human services and the prevention of disabilities policy council and including other provisions and appropriations involving health care and the child and dependent care individual income tax credit, providing for the application of a civil penalty, providing for effective and applicability dates, and providing for retroactive applicability.

House File 518 is a major accomplishment for this session of the General Assembly. I commend the General Assembly for passing key elements of budget and program reform and generally avoiding the use of budget tactics that in the past have created problems in ensuing years.

The appropriations in this bill reflect landmark policy changes in welfare, Medicaid, child support collections and child welfare. I encourage the General Assembly to complete this work by passing the companion legislation to provide the substantive program language.

The Human Investment Program establishes a contract with welfare recipients that will benefit them and taxpayers. Self-sufficiency agreements will require recipients to assume personal responsibility for getting education or employment to become self-supporting. The state will provide assistance through our child care, medical care, job training, and job placement programs. This legislation provides incentives to save and improve family stability.

For the past five years, Iowa has improved child support collections and significant progress is made in this legislation. Employers reporting new hires, early confirmation of paternity, withholding of child support for the self-employed, and publication of the names of those who owe will increase collections. Additional steps should be approved next year - a centralized lien file so those who owe cannot hide assets and withholding auto registrations from those who don't pay.

This legislation continues our efforts to reform spending and get control over automatic pilot spending. Medicaid spending reforms included in the bill save over \$3.5 million without reducing necessary care.

The child welfare initiatives contained in the bill redefine services for children in our state by placing greater emphasis on preventing placement of children in institutional care and strengthening services to keep families together and to keep children in a family home.

House File 518 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 3, subsection 6, in its entirety. This provision would change the method of determining reimbursements to nursing homes. This proposal should be studied further by the Health Care Reform Council to determine its impact on rural health care.

I am unable to approve the items designated as Section 21, subsections 1 through 3, in their entirety. These provisions include nonappropriation rhetoric concerning human services' field staff caseweight factors. While the bill establishes what are described as "optimum" caseweight levels, the amount of funding provided in the bill falls far short of the funding necessary to support the proposed "optimums". Moreover, the methodology for determining the caseweight factors was developed more than fifteen years ago and is outdated. It reflects none of the increases in productivity that have been made possible through better training and advances in technology. Furthermore, the concept of caseweight factors was established to guide the department in allocating staff across the state, it was not intended to be a mechanism for determining the department's budget.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 518 are hereby approved as of this date.

Sincerely,
Terry E. Branstad
Governor

PRESENTATION OF VISITORS

Rants of Woodbury presented to the House the Honorable Don Shoning, former member of the House representing Woodbury County.

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

Thirty-five junior high students from Berg Middle School, Newton, accompanied by Linda Erickson and Larry Brody. By Bell of Jasper.

Twenty-one English as a Second Language students from Harding Middle School, Des Moines, accompanied by Rose Marie Downing. By Fallon of Polk.

CERTIFICATES OF RECOGNITION

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

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1993-187 John Gibson, Council Bluffs — For being named Iowa Speech and Drama Teacher of the Year.
- 1993-188 Jeff Thompson, Orient-Macksburg High School, Orient — For being named Star Farmer from the Southwest Iowa FFA District.
- 1993-189 City of Murray, Quasquicentennial (1868-1993) — For its proud tradition and contributions to the citizens of the State of Iowa in celebrating its Quasquicentennial.
- 1993-190 Erik Mackdanz, Creston — For attaining Academic All-State.
- 1993-191 Nathan Smith, Mount Ayr — For attaining Academic All-State.
- 1993-192 Dr. Terry E. Nettleton, Mason City — For his retirement from the practice of dentistry following 45 years of service to the people of north-central Iowa.
- 1993-193 Mary Gebel, New Hampton — For celebrating her 100th birthday on April 27, 1993.
- 1993-194 Jason Ellingson, Alden — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 187), relating to the Iowa communications network by establishing a board and a council, expanding the definitions of private and public agencies, amending financing provisions, providing for the right of the state to locate and construct the network on public and private property, and exempting the network from certain state department of transportation charges.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 26, 1993.

COMMITTEE ON WAYS AND MEANS

Senate File 410, a bill for an act relating to the sales, services, and use tax exemption for sales of educational, religious, or charitable activities.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H—4203** April 26, 1993.

RESOLUTIONS FILED

HR 13, by Hurley, Hammond, Witt, Grundberg, Garman, Grubbs, Haverland, Brunkhorst and Boddicker, a resolution relating to the entertainment industry's adverse effect on society.

Laid over under **Rule 25**.

SCR 32, by Lloyd-Jones, Bartz, Tinsman, Judge, Sturgeon, Rittmer, McKean, Kramer, Szymoniak, Bennett and Varn, a concurrent resolution expressing support for centers for independent living for persons with disabilities in Iowa.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-4189	H.F.	348	Senate Amendment
H-4190	H.F.	384	Senate Amendment
H-4191	S.F.	370	Senate Amendment
H-4194	H.J.R.	14	Murphy of Dubuque
H-4195	H.J.R.	14	Murphy of Dubuque
H-4196	H.F.	382	Halvorson of Clayton
			Hansen of Woodbury
			Renken of Grundy
H-4198	H.F.	662	Hanson of Delaware
H-4199	S.F.	75	Grundberg of Polk
H-4201	H.F.	360	Ertl of Dubuque
H-4202	H.F.	668	Koenigs of Mitchell
H-4203	S.F.	410	Committee on
			Ways and Means
H-4204	H.F.	637	Greig of Emmet
H-4205	H.F.	83	Senate Amendment
H-4206	S.F.	117	Hammond of Story
H-4207	H.F.	673	Dinkla of Guthrie
			Renken of Grundy
			Churchill of Polk
			Hanson of Delaware
H-4208	H.F.	673	Dickinson of Jackson
			Holveck of Polk
			Schrader of Marion
			Churchill of Polk
			Hanson of Delaware

On motion by Siegrist of Pottawattamie, the House adjourned at 7:50 p.m., until 8:45 a.m., Tuesday, April 27, 1993.

JOURNAL OF THE HOUSE

One Hundred Seventh Calendar Day — Seventy-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 27, 1993

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

Prayer was offered by Father Frank Chiodo, pastor of the Basilica of St. John, Des Moines.

The Journal of Monday, April 26, 1993 was approved.

PETITION FILED

The following petition was received and placed on file:

By Martin of Scott, from four thousand citizens of Scott County asking the State of Iowa to enact legislation to protect the state's children from all forms of child abuse.

INTRODUCTION OF BILL

House File 674, by committee on appropriations, a bill for an act relating to the Iowa communications network by establishing a board and a council and a telecommunications and training program and an apprenticeship and school-to-work transition grant program, expanding the definitions of private and public agencies, amending financing provisions, providing for the issuance of bonds and notes by the Iowa finance authority for telecommunications and training program loans to merged areas, providing for the right of the state to locate and construct the network on public and private property, and exempting the network from certain state department of transportation charges.

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

SENATE MESSAGE CONSIDERED

Senate File 405, by committee on ways and means, a bill for an act extending the pollution control equipment property tax exemption to property used for the recycling of waste plastic, wastepaper products, and waste paperboard.

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

CONSIDERATION OF BILLS Unfinished Business Calendar

The House resumed consideration of **Senate File 278**, a bill for an act to exclude agricultural commodity promotional boards, which are subject to a producer referendum, from the requirements of the chapter relating to conflicts of interest of public officers and employees and from other requirements applicable to state agencies, previously deferred and placed on the unfinished business calendar.

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 278** be deferred and that the bill be placed on the unfinished business calendar.

SENATE AMENDMENTS CONSIDERED

Spenner of Henry called up for consideration **House File 193**, a bill for an act relating to increasing the scheduled fine for traffic violations in a road construction zone, amended by the Senate, and moved that the House concur in the following Senate amendment H-4166:

H-4166

- 1 Amend House File 193, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting after line 8, the
- 4 following:
- 5 "Sec. _____. Section 321.253, Code 1993, is amended
- 6 by adding the following new unnumbered paragraph:
- 7 **NEW UNNUMBERED PARAGRAPH.** The department shall
- 8 post signs informing motorists that the scheduled fine
- 9 for committing a moving traffic violation in a road
- 10 construction zone is doubled or is one hundred
- 11 dollars, whichever is less."
- 12 2. Page 1, line 14, by inserting after the word
- 13 "doubled" the following: "or shall be set at one
- 14 hundred dollars, whichever is less,".
- 15 3. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-4166.

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

On the question "Shall the bill pass?" (H.F. 193)

The ayes were, 80:

Beaman	Beatty	Bell	Bernau
Black	Blodgett	Boddicker	Brammer
Brand	Branstad	Brunkhorst	Burke
Carpenter	Churchill	Cohoon	Connors
Corbett	Daggett	Dinkla	Drake
EdCie	Ertl	Fallon	Fogarty
Garman	Gill	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Kreiman
Larkin	Larson	Lundby	Martin
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renken	Royer	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, 20:

Arnould	Baker	Brauns	Cataldo
Dickinson	Doderer	Dvorsky	Halvorson, R. N.
Hammond	Holveck	Koenigs	May
McCoy	McKinney	Moreland	Renaud.
Running	Schrader	Shoultz	Weigel

Absent or not voting, none.

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

Houser of Pottawattamie called up for consideration **House File 214**, a bill for an act establishing a loess hills development and conservation authority, specify its membership, powers, and duties, and providing for other properly related matters, amended by the Senate, and moved that the House concur in the following Senate amendment H-4063:

H-4063

- 1 Amend House File 214, as amended, passed, and re-
- 2 printed by the House, as follows:
- 3 1. Page 1, line 4, by inserting after the word
- 4 "of" the following: "Lyon,".
- 5 2. Page 2, by inserting after line 14 the
- 6 following:
- 7 "_____. This section is not intended to affect the

- 8 authority of the department of natural resources in
 9 its acquisition, development, and management of public
 10 lands within the counties represented by the
 11 authority.”
 12 3. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H—4063.

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

On the question “Shall the bill pass?” (H.F. 214)

The ayes were, 100:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cphoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman,
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Murdie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, none.

Absent or not voting, none.

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 193 and 214.**

Ways and Means Calendar

House File 662, a bill for an act relating to the assessment of real property for purposes of the division of tax revenue for industrial new jobs training projects and small business new jobs training projects and providing for the Act's applicability, was taken up for consideration.

Hanson of Delaware offered the following amendment H—4198 filed by him and moved its adoption:

H—4198

1 Amend House File 662 as follows:

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

4 "Section 1. Section 260E.4, Code 1993, is amended
5 by adding the following new unnumbered paragraph:

6 NEW UNNUMBERED PARAGRAPH. If a community college
7 uses incremental property taxes to fund a project
8 creating new jobs, the community college shall provide
9 a report to the department of economic development and
10 to the taxing entities affected by the division of
11 revenue detailing the number of employees to be
12 trained and the projected cost of the training,
13 including administrative costs directly attributable
14 to the project. For each year in which incremental
15 property taxes are used to fund a project creating new
16 jobs, the community college shall provide the
17 department of economic development and the taxing
18 entities affected by the division of revenue a report
19 detailing the revenues generated for that year, a
20 specific description of the training conducted, the
21 number of employees trained under the project, the
22 number of those employees still employed by the
23 business, and the median wage of those employees
24 trained under the project and still employed by the
25 business.

26 Sec. 2. Section 260F.4, Code 1993, is amended by
27 adding the following new unnumbered paragraph:

28 NEW UNNUMBERED PARAGRAPH. If a community college
29 uses incremental property taxes to fund a project
30 creating new jobs, the community college shall provide
31 a report to the department of economic development and
32 to the taxing entities affected by the division of

33 revenue detailing the number of employees to be
 34 trained and the projected cost of the training,
 35 including administrative costs directly attributable
 36 to the project. For each year in which incremental
 37 property taxes are used to fund a project creating new
 38 jobs, the community college shall provide the
 39 department of economic development and the taxing
 40 entities affected by the division of revenue a report
 41 detailing the revenues generated for that year, a
 42 specific description of the training conducted, the
 43 number of employees trained under the project, the
 44 number of those employees still employed by the
 45 business, and the median wage of those employees
 46 trained under the project and still employed by the
 47 business."
 48 2. Title page, line 1, by inserting after the
 49 word "relating" the following: "to reporting
 50 requirements for new jobs training projects and".

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1 3. By renumbering as necessary.

Amendment H—4198 was adopted.

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

On the question "Shall the bill pass?" (H.F. 662)

The ayes were, 93:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Churchill	Cohoon	Connors	Corbett
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Martin	May
McCoy	McKinney	McNeal	Metcalf
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken

Royer	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 6:

Halvorson, R. N.	Larson	Lundby	Mertz
Meyer	Running		

Absent or not voting, 1:

Cataldo

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 662** be immediately messaged to the Senate.

SENATE AMENDMENTS CONSIDERED

Boddicker of Cedar called up for consideration **House File 451**, a bill for an act relating to certain reports required to be reported by, or to, sheriffs and other law enforcement agencies, amended by the Senate, and moved that the House concur in the following Senate amendment H—4075:

H—4075

- 1 Amend House File 451, as amended, passed, and re-
- 2 printed by the House, as follows:
- 3 1. Page 1, line 11, by striking the words
- 4 "serious injury," and inserting the following:
- 5 "gunshot or stab wound or other serious bodily
- 6 injury,".
- 7 2. Page 1, lines 14 and 15, by striking the words
- 8 "any such injury of violence a serious injury" and
- 9 inserting the following: "any such gunshot or stab
- 10 wound or other serious injury of violence,".
- 11 3. Page 1, line 21, by striking the words
- 12 "serious injury" and inserting the following:
- 13 "gunshot or stab wound or other serious bodily
- 14 injury".
- 15 4. Page 1, line 23, by striking the word
- 16 "serious" and inserting the following: "gunshot or
- 17 stab wound or other serious bodily".
- 18 5. Page 2, line 2, by striking the word "serious"
- 19 and inserting the following: "gunshot or stab wound
- 20 or other serious bodily".
- 21 6. Page 2, line 3, by striking the word "serious"

22 and inserting the following: "gunshot or stab wound
23 or other serious bodily".

The motion prevailed and the House concurred in the Senate amendment H—4075.

Boddicker of Cedar 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. 451)

The ayes were, 99:

Baker	Beaman	Beatty	Bell
Bernau	Black	Blodgett	Boddicker
Brammer	Brand	Branstad	Brauns
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cphoon	Connors	Corbett
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shouitz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Weiter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Arnould

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

Blodgett of Cerro Gordo called up for consideration **House File 409**, a bill for an act relating to multipurpose vehicle registration fees.

for disabled persons, amended by the Senate, and moved that the House concur in the following Senate amendment H—4165:

H—4165

1 Amend House File 409, as passed by the House, as
2 follows:

3 1. Page 1, by striking lines 7 through 9 and
4 inserting the following: "of the vehicle or for a
5 multipurpose vehicle if the vehicle's owner or a
6 member of the vehicle owner's household uses a
7 wheelchair as the only means of mobility shall be
8 seventy-five ~~sixty~~ dollars for the first through fifth
9 model years and shall be fifty-five dollars for each
10 model year thereafter. To qualify under this
11 paragraph.".

12 2. Page 1, line 12, by inserting after the word
13 "services:" the following: "For purposes of this
14 unnumbered paragraph, "uses a wheelchair" does not
15 include use of a wheelchair due to a temporary injury
16 or medical condition."

17 3. Page 1, by striking lines 19 through 21 and
18 inserting the following: "and exit of the vehicle or
19 for a multipurpose vehicle if the vehicle's owner or a
20 member of the vehicle owner's household uses a
21 wheelchair as the only means of mobility shall be
22 seventy-five ~~sixty~~ dollars for the first through fifth
23 model years and shall be fifty-five dollars for each
24 model year thereafter. To qualify under this".

25 4. Page 1, line 25, by inserting after the word
26 "services:" the following: "For purposes of this
27 subparagraph, "uses a wheelchair" does not include use
28 of a wheelchair due to a temporary injury or medical
29 condition."

30 5. Page 1, by inserting after line 25, the
31 following:

32 "Sec. _____. 1993 Iowa Acts, Senate File 232,
33 sections 17 and 18, are repealed."

34 6. By renumbering, relettering, or redesignating
35 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H—4165.

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

On the question "Shall the bill pass?" (H.F. 409)

The ayes were, 100:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker Van Maanen

The nays were, none.

Absent or not voting, none.

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 409 and 451.**

Ways and Means Calendar

House File 474, a bill for an act authorizing a city or county to impose an economic development property tax levy, was taken up for consideration.

Plasier of Sioux offered the following amendment H—3545 filed by him:

H-3545

1 Amend House File 474 as follows:

2 1. Page 1, line 2, by inserting after the word
3 "LEVY" the following: "OR SURTAX".

4 2. Page 1, line 3, by inserting after the figure
5 "1." the following: "a."

6 3. Page 1, line 3, by striking the word "section"
7 and inserting the following: "subsection".

8 4. Page 1, line 8, by striking the figure "2."
9 and inserting the following: "b."

10 5. Page 1, line 14, by striking the word and
11 figure "subsection 1" and inserting the following:
12 "paragraph "a"".

13 6. Page 1, line 16, by striking the word
14 "section" and inserting the following: "subsection".

15 7. Page 1, line 20, by striking the figure "3."
16 and inserting the following: "c."

17 8. Page 1, line 35, by striking the figure "4."
18 and inserting the following: "d."

19 9. Page 2, line 5, by striking the figure "5."
20 and inserting the following: "e."

21 10. Page 2, by inserting after line 11 the
22 following:

23 "2. a. In lieu of the economic development levy
24 in subsection 1, a county may impose, as provided in
25 this subsection, an economic development income surtax
26 to raise revenues to be used for economic development
27 purposes. The economic development surtax shall not
28 exceed the amount that can be raised by a twenty-five
29 cents per thousand dollars of assessed valuation levy.

30 b. Upon its own motion, the board may impose the
31 economic development income surtax for up to five
32 years not to exceed the limit specified in paragraph
33 "a". Prior to the imposition the board shall provide
34 notice of intent to impose the economic development
35 surtax, that the surtax could be imposed for up to
36 five years, the surtax rate, and the specific purpose
37 and purposes for which revenues shall be expended.
38 After thirty days from the date of publication of the
39 notice the board may impose the income surtax unless
40 within thirty days from the date of the publication of
41 the notice the board receives a petition requesting an
42 election be held on the question of the imposition of
43 the economic development surtax signed by eligible
44 electors equal in number to ten percent of the number
45 voting at the last general election but not to exceed
46 one thousand persons. If no petition is received, the
47 board may impose the economic development surtax. If
48 a valid petition is received, the board may rescind
49 its intent or the board shall, within sixty days of
50 receipt of the petition, direct the county

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1 commissioner of elections to submit the question of
2 the imposition of an economic development surtax to
3 the qualified electors of the county at a state
4 general election or at a special election as
5 designated by the board. The election shall not be
6 held sooner than sixty days after publication of
7 notice of the ballot proposition. The county may
8 submit the question on imposition only once during a
9 fiscal year. The ballot proposition shall state the
10 maximum rate of the income surtax, that the surtax
11 would be authorized for the next five fiscal years,
12 that the board will decide before each fiscal year of
13 the five-year period if the income surtax will be
14 imposed and the rate, and a statement as to the
15 specific purpose or purposes for which revenues shall
16 be expended.

17 c. If a majority of those voting on the question
18 of imposition of the economic development income
19 surtax favors its imposition, the board may impose the
20 surtax for a five-year period. The economic
21 development surtax may first be imposed for the fiscal
22 year during which the favorable election was held.

23 d. If an economic development surtax is imposed,
24 the board, before each year of the five-year period,
25 shall decide if the surtax will be imposed, and if
26 imposed, the rate not to exceed a percent that will
27 raise an amount in excess of the limit specified in
28 paragraph "a". If the board wishes to continue the
29 economic development surtax, it may do so in the
30 manner provided in this subsection for imposition
31 within the twelve-month period prior to the
32 termination of the five-year period.

33 e. Revenues received by a county from its economic
34 development surtax shall be used for the purpose or
35 purposes specified in the notice of intent to impose
36 the surtax or, if an election is held, on the ballot
37 proposition to enhance economic development in the
38 area in which the surtax is imposed. However, before
39 the county expends any of these revenues, it shall
40 determine that the use will be for a public purpose as
41 determined pursuant to section 15A.1, subsection 2.

42 3. The economic development income surtax imposed
43 pursuant to subsection 2 shall be imposed on the state
44 individual income tax of each individual residing in
45 the county at the end of the individual's applicable
46 tax year. However, the cumulative total of the
47 percents of income surtax imposed on any taxpayer in
48 the county shall not exceed twenty percent. The
49 surtax rate shall be set so as not to raise an amount
50 that exceeds the amount that could be raised by the

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1 maximum economic development levy under subsection 1.
2 For purposes of this section, "state individual income
3 tax" means the tax computed under section 422.5, less
4 the credits allowed in chapter 422, division II.

5 4. The income surtax shall be imposed January 1 of
6 the fiscal year in which the income surtax was imposed
7 for tax years beginning on or after January 1, and is
8 repealed as of December 31 for tax years beginning
9 after December 31.

10 The director of revenue and finance shall
11 administer the income surtax as nearly as possible in
12 conjunction with the administration of state income
13 tax laws. The director shall provide on the regular
14 state tax forms for reporting the income surtax.

15 An ordinance imposing the income surtax shall adopt
16 by reference the applicable provisions of the
17 appropriate sections of chapter 422, division II. All
18 powers and requirements of the director in
19 administering the state income tax law apply to the
20 administration of the income surtax, including but not
21 limited to, the provisions of sections 422.4, 422.20
22 to 422.31, 422.68, 422.70, and 422.72 to 422.75.

23 Local officials shall confer with the director of
24 revenue and finance for assistance in drafting the
25 ordinance imposing the income surtax. A certified
26 copy of the ordinance shall be filed with the director
27 as soon as possible after passage.

28 The director, in consultation with local officials,
29 shall collect and account for the income surtax and
30 any interest and penalties. The director shall credit
31 the income surtax receipts and any interest and
32 penalties collected from returns filed on or before
33 November 1 of the calendar year following the tax year
34 for which the income surtax is imposed to an "economic
35 development income tax fund" established in the office
36 of the treasurer of state. All income surtax receipts
37 and any interest and penalties received or refunded
38 from returns filed after November 1 of the calendar
39 year following the tax year for which the income
40 surtax is imposed shall be deposited in or withdrawn
41 from the state general fund and shall be considered
42 part of the cost of administering the income surtax.

43 5. On or before December 15, the director of
44 revenue and finance shall make an accounting of the
45 income surtax receipts and any interest and penalties
46 collected from returns filed on or before November 1
47 and shall certify to the treasurer of state this
48 amount collected. The treasurer of state shall remit
49 within fifteen days of the certification by the
50 director to each county which has imposed the income

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1 surtax the amount in the economic development income
2 surtax fund collected as a result of its surtax.

3 Income surtax moneys received by a county shall be
4 used as provided in subsection 2, paragraph "e".

5 11. Page 2, line 13, by striking the word
6 "subsection" and inserting the following:
7 "subsections".

8 12. Page 3, by inserting after line 23 the
9 following:

10 "NEW SUBSECTION. 23. a. In lieu of the economic
11 development levy in subsection 22, a city may impose,
12 as provided in this subsection, an economic
13 development income surtax to raise revenues to be used
14 for economic development purposes. The economic de-
15 velopment surtax shall not exceed the amount that can
16 be raised by a twenty-five cents per thousand dollars
17 of assessed valuation levy.

18 b. Upon its own motion, the governing body may
19 impose the economic development income surtax for up
20 to five years not to exceed the limit specified in
21 paragraph "a". Prior to the imposition the governing
22 body shall provide notice of intent to impose the
23 economic development surtax, that the surtax could be
24 imposed for up to five years, the surtax rate, and the
25 specific purpose and purposes for which revenues shall
26 be expended. After thirty days from the date of
27 publication of the notice the governing body may
28 impose the income surtax unless within thirty days
29 from the date of the publication of the notice the
30 governing body receives a petition requesting an
31 election be held on the question of the imposition of
32 the economic development surtax signed by eligible
33 electors equal in number to ten percent of the number
34 voting at the last regular city election but not to
35 exceed three hundred persons. If no petition is
36 received, the governing body may impose the economic
37 development surtax. If a valid petition is received,
38 the governing body may rescind its intent or the
39 governing body shall, within sixty days of receipt of
40 the petition, direct the county commissioner of
41 elections to submit the question of the imposition of
42 an economic development surtax to the qualified
43 electors of the city at a state general election,
44 regular city election, or at a special election as
45 designated by the governing body. The election shall
46 not be held sooner than sixty days after publication
47 of notice of the ballot proposition. The city may
48 submit the question on imposition only once during a
49 fiscal year. The ballot proposition shall state the
50 maximum rate of the income surtax, that the surtax

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1 would be authorized for the next five fiscal years,
2 that the governing body will decide before each fiscal
3 year of the five-year period if the income surtax will
4 be imposed and the rate, and a statement as to the
5 specific purpose or purposes for which revenues shall
6 be expended.

7 c. If a majority of those voting on the question
8 of imposition of the economic development income
9 surtax favors its imposition, the governing body may
10 impose the surtax for a five-year period. The
11 economic development surtax may first be imposed for
12 the fiscal year during which the favorable election
13 was held.

14 d. If an economic development surtax is imposed,
15 the governing body, before each year of the five-year
16 period, shall decide if the surtax will be imposed,
17 and if imposed, the rate not to exceed a percent that
18 will raise an amount in excess of the limit specified
19 in paragraph "a". If the governing body wishes to
20 continue the economic development surtax, it may do so
21 in the manner provided in this subsection for
22 imposition within the twelve-month period prior to the
23 termination of the five-year period.

24 e. Revenues received by a city from its economic
25 development surtax shall be used for the purpose or
26 purposes specified in the notice of intent to impose
27 the surtax or, if an election is held, on the ballot
28 proposition to enhance economic development in the
29 area in which the surtax is imposed. However, before
30 the city expends any of these revenues, it shall
31 determine that the use will be for a public purpose as
32 determined pursuant to section 15A.1, subsection 2.

33 f. The economic development income surtax imposed
34 pursuant to this subsection shall be imposed on the
35 state individual income tax of each individual
36 residing in the city at the end of the individual's
37 applicable tax year. However, the cumulative total of
38 the percents of income surtax imposed on any taxpayer
39 in the city shall not exceed twenty percent. The
40 surtax rate shall be set so as not to raise an amount
41 that exceeds the amount that could be raised by the
42 maximum economic development levy under subsection 22.
43 For purposes of this subsection, "state individual
44 income tax" means the tax computed under section
45 422.5, less the credits allowed in chapter 422,
46 division II.

47 g. The income surtax shall be imposed January 1 of
48 the fiscal year in which the income surtax was imposed
49 for tax years beginning on or after January 1, and is
50 repealed as of December 31 for tax years beginning

Page 6

1 after December 31.

2 The director of revenue and finance shall
3 administer the income surtax as nearly as possible in
4 conjunction with the administration of state income
5 tax laws. The director shall provide on the regular
6 state tax forms for reporting the income surtax.

7 An ordinance imposing the income surtax shall adopt
8 by reference the applicable provisions of the
9 appropriate sections of chapter 422, division II. All
10 powers and requirements of the director in
11 administering the state income tax law apply to the
12 administration of the income surtax, including but not
13 limited to, the provisions of sections 422.4, 422.20
14 to 422.31, 422.68, 422.70, and 422.72 to 422.75.
15 Local officials shall confer with the director of
16 revenue and finance for assistance in drafting the
17 ordinance imposing the income-surtax. A certified
18 copy of the ordinance shall be filed with the director
19 as soon as possible after passage.

20 The director, in consultation with local officials,
21 shall collect and account for the income surtax and
22 any interest and penalties. The director shall credit
23 the income surtax receipts and any interest and
24 penalties collected from returns filed on or before
25 November 1 of the calendar year following the tax year
26 for which the income surtax is imposed to an "economic
27 development income surtax fund" established in the
28 office of the treasurer of state. All income surtax
29 receipts and any interest and penalties received or
30 refunded from returns filed after November 1 of the
31 calendar year following the tax year for which the
32 income surtax is imposed shall be deposited in or
33 withdrawn from the state general fund and shall be
34 considered part of the cost of administering the
35 income surtax.

36 h. On or before December 15, the director of
37 revenue and finance shall make an accounting of the
38 income surtax receipts and any interest and penalties
39 collected from returns filed on or before November 1
40 and shall certify to the treasurer of state this
41 amount collected. The treasurer of state shall remit
42 within fifteen days of the certification by the
43 director to each city which has imposed the income
44 surtax the amount in the economic development income
45 surtax fund collected as a result of its surtax.

46 Income surtax moneys received by a city shall be
47 used as provided in paragraph "e".

48 13. Title page, line 2, by inserting after the
49 word "levy" the following: "or income surtax".

Plasier of Sioux asked and received unanimous consent to withdraw amendment H—3578 filed by him on March 30, 1993.

Halvorson of Clayton rose on a point of order that amendment H—3545 was not germane.

The Speaker ruled the point well taken and amendment H—3545 not germane.

Plasier of Sioux moved to suspend the rules to consider amendment H—3545.

A non-record roll call was requested.

The ayes were 54, nays 39.

The motion prevailed and the rules were suspended.

Plasier of Sioux moved the adoption of amendment H—3545.

Roll call was requested by Brammer of Linn and Bernau of Story.

On the question "Shall amendment H—3545 be adopted?"
(H.F. 474)

The ayes were, 61:

Arnould	Beatty	Bell	Bernau
Black	Boddicker	Brammer	Brand
Branstad	Burke	Carpenter	Cataldo
Cohoon	Connors	Daggett	Dickinson
Drake	Dvorsky	Eddie	Fallon
Fogarty	Garman	Gill	Greig
Grundberg	Hammond	Hansen, S. D.	Harper
Haverland	Holveck	Houser	Hurley
Jochum	Klemme	Koenigs	Kreiman
Larkin	Larson	May	McCoy
McKinney	Metcalf	Miller	Moreland
Murphy	Nelson	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rants
Renaud	Renken	Running	Schrader
Vande Hoef	Weigel	Welter	Wise
Witt			

The nays were, 38:

Beaman	Blodgett	Brauns	Brunkhorst
Churchill	Corbett	Dinkla	Doderer
Ertl	Gipp	Greiner	Gries
Grubbs	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hanson, D. E.	Hanson, D. R.	Henderson	Hester
Iverson	Kistler	Lundby	Martin
McNeal	Mertz	Meyer	Millage
Mundie	Neuhauser	Rafferty	Royer

Shoultz
Weidman

Siegrist
Mr. Speaker
Van Maanen

Spenner

Tyrrell

Absent or not voting, 1:

Baker

Amendment H—3545 was adopted.

Plasier of Sioux offered the following amendment H—3549 filed by him and moved its adoption:

H—3549

- 1 Amend House File 474 as follows:
- 2 1. Page 1, line 9, by striking the words "a
- 3 majority" and inserting the following: "at least
- 4 sixty percent".
- 5 2. Page 1, line 35, by striking the words "a
- 6 majority" and inserting the following: "at least
- 7 sixty percent".
- 8 3. Page 2, line 20, by striking the words "a
- 9 majority" and inserting the following: "at least
- 10 sixty percent".
- 11 4. Page 3, line 12, by striking the words "a
- 12 majority" and inserting the following: "at least
- 13 sixty percent".

A non-record roll call was requested.

The ayes were 55, nays 30.

• Amendment H—3549 was adopted.

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

On the question "Shall the bill pass?" (H.F. 474)

The ayes were, 52:

Beaman	Bell	Bernau	Black
Blodgett	Brand	Branstad	Brunkhorst
Churchill	Daggett	Dickinson	Dinkla
Drake	Dvorsky	Eddie	Fogarty
Gill	Gipp	Greig	Grundberg
Halvorson, R. A.	Halvorson, R. N.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Hester	Houser
Jochum	Kistler	Koenigs	Kreiman
Larkin	McCoy	McNeal	Metcalf
Meyer	Millage	Miller	Nelson
O'Brien	Ollie	Plasier	Rants
Royer	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Mr. Speaker
			Van Maanen

The nays were, 48:

Arnould	Baker	Beatty	Boddicker
Brammer	Brauns	Burke	Carpenter
Cataldo	Cohoon	Connors	Corbett
Doderer	Ertl	Fallon	Garman
Greiner	Gries	Grubbs	Hahn
Hammond	Hansen, S. D.	Henderson	Holveck
Hurley	Iverson	Klemme	Larson
Lundby	Martin	May	McKinney
Mertz	Moreland	Mundie	Murphy
Neuhauser	Osterberg	Peterson	Rafferty
Renaud	Renken	Running	Schrader
Shoultz	Welter	Wise	Witt

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.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 474** be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Daggett of Union called up for consideration **Senate File 191**, a bill for an act relating to the levy of taxes for school libraries in certain school districts, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—4132:

H—4132

- 1 Amend the House amendment, S—3544, to Senate File
- 2 191, as passed by the Senate, as follows:
- 3 1. Page 1, line 7, by striking the words "not
- 4 less" and inserting the following: "no fewer".

The motion prevailed and the House concurred in the Senate amendment H—4132.

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

On the question "Shall the bill pass?" (S.F. 191)

The ayes were, 100:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker Van Maanen

The nays were, none.

Absent or not voting, none.

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 191** be immediately messaged to the Senate.

Garman of Story in the chair at 11:10 a.m.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 27, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 136, a bill for an act relating to the care of dogs and cats transferred by animal care facilities, authorizing fees and providing penalties.

Also: That the Senate has on April 27, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 174, a bill for an act concerning compliance with the federal Americans with Disabilities Act and making penalties applicable.

Also: That the Senate has on April 27, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 326, a bill for an act relating to participation in family support programs.

Also: That the Senate has on April 27, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 350, a bill for an act relating to child support and providing for civil penalties, an effective date, and a retroactive applicability date.

Also: That the Senate has on April 27, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 372, a bill for an act relating to the structured fines pilot program, establishing a civil penalty and surcharge, providing for the distribution of fines, and providing an effective date.

Also: That the Senate has on April 27, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 380, a bill for an act relating to providing greater accessibility to health care and health care insurance coverage and establishing pilot projects.

Also: That the Senate has on April 27, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 381, a bill for an act relating to the production of livestock.

Also: That the Senate has on April 27, 1993, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 394, a bill for an act relating to establishing a debt due for medical assistance resulting from a transfer of assets, and to allowable claims against a conservatorship for the cost of medical care or services provided to a recipient of medical assistance.

JOHN F. DWYER, Secretary

On motion by Siegrist of Pottawattamie, the House was recessed at 11:18 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Van Maanen in the chair.

QUORUM CALL

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

SENATE AMENDMENT CONSIDERED

McNeal of Hardin called up for consideration **House File 83**, a bill for an act relating to the discharge of dangerous weapons from a motor vehicle at a dwelling, motor vehicle, or one or more persons and providing penalties and providing an effective date, amended by the following Senate amendment H—4205:

H—4205

1 Amend House File 83, 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 708.6, Code 1993, is amended
6 to read as follows:

7 708.6 TERRORISM.

8 A person commits a class "D" "C" felony when the
9 person, with the intent to injure or provoke fear or
10 anger in another, shoots, throws, launches, or
11 discharges a dangerous weapon at, into, or in a
12 building, vehicle, airplane, railroad engine, railroad
13 car, or boat, occupied by another person, or within an
14 assembly of people, and thereby places the occupants
15 or people in reasonable apprehension of serious injury
16 or threatens to commit such an act under circumstances
17 raising a reasonable expectation that the threat will
18 be carried out.

19 A person commits a class "D" felony when the person
20 shoots, throws, launches, or discharges a dangerous
21 weapon at, into, or in a building, vehicle, airplane,
22 railroad engine, railroad car, or boat, occupied by
23 another person, or within an assembly of people, and
24 thereby places the occupants or people in reasonable
25 apprehension of serious injury or threatens to commit
26 such an act under circumstances raising a reasonable
27 expectation that the threat will be carried out."

28 2. Title page, by striking lines 1 through 4 and
29 inserting the following: "An Act relating to the
30 offense of terrorism and providing penalties."

McCoy of Polk offered the following amendment H—4213, to the Senate amendment H—4205, filed by him from the floor and moved its adoption:

H—4213

1 Amend the Senate amendment, H—4205, to House File
2 83, as amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by inserting after line 27 the
5 following:

6 "Sec. _____. This Act, being deemed of immediate

- 7 importance, takes effect upon enactment."
 8 2. Page 1, line 30, by inserting after the word
 9 "penalties" the following: "and providing an
 10 effective date".
 11 3. By numbering and renumbering as necessary.

Amendment H—4213 was adopted.

On motion by McNeal of Hardin the House concurred in the Senate amendment H—4205, as amended.

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

On the question "Shall the bill pass?" (H.F. 83)

The ayes were, 97:

Arnould	Beaman	Bell	Bernau
Black	Blodgett	Boddicker	Brammer
Brand	Branstad	Brauns	Brunkhorst
Burke	Carpenter	Cataldo	Churchill
Cohoon	Connors	Corbett	Daggett
Dickinson	Dinkla	Doderer	Drake
Dvorsky	Eddie	Ertl	Fallon
Fogarty	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 1:

Beatty

Absent or not voting, 2:

Baker

Ollie

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 83** be immediately messaged to the Senate.

Unfinished Business Calendar

The House resumed consideration of **Senate File 163**, a bill for an act relating to abolition of certain civil service commissions, use of electronic voice recording devices at civil service meetings, and relating to qualifications and requirements for appointment, promotion, or employment in positions governed by civil service, previously deferred and placed on the unfinished business calendar.

Greiner of Washington offered the following amendment H—3844 filed by the committee on local government and moved its adoption:

H—3844

- 1 Amend Senate File 163, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 1 through 19.
- 4 2. Page 2, line 25, by striking the word "only"
- 5 and inserting the following: "and for promotions".
- 6 3. Page 2, line 33, by inserting after the word
- 7 "exist." the following: "However, for original
- 8 appointments only, no more than four lists of ten
- 9 persons each shall be certified for each one-year
- 10 period of eligibility."
- 11 4. By striking page 2, line 34, through page 3,
- 12 line 19.
- 13 5. Page 4, by inserting after line 30, the
- 14 following:
- 15 "Sec. _____. TRANSITION. Notwithstanding section 4
- 16 of this Act, if a list for promotion is certified
- 17 between July 1, 1992, and June 30, 1993, and is not
- 18 exhausted within one year, the commission shall
- 19 certify an additional list of ten persons in order of
- 20 their standing as of the date of certification of the
- 21 initial list in anticipation of additional vacancies
- 22 for the eligibility period. This additional list
- 23 shall be certified to the council as eligible for
- 24 appointment to fill such vacancies as may exist."
- 25 6. By renumbering as necessary.

The committee amendment H—3844 was adopted.

Greiner of Washington moved that the bill be read a last time now and 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, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Peterson
Neuhauser	O'Brien	Osterberg	Nelson
Plasier	Rafferty	Rants	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, none.

Absent or not voting, 2:

Ollie Renaud

Under the provision of Rule 76, conflict of interest, Renaud of Polk refrained from voting.

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

The House resumed consideration of **Senate File 296**, a bill for an act relating to criminal proceedings and amounts available for victim reparation, previously deferred and placed on the unfinished business calendar.

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

On the question "Shall the bill pass?" (S.F. 296)

The ayes were, 97:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Burke	Carpenter	Cataldo
Churchill	Cohoon	Connors	Corbett
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Nelson	Neuhauser	O'Brien
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, none:

Absent or not voting, 3:

Brunkhorst Murphy Ollie

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

The House resumed consideration of **Senate File 278**, a bill for an act to exclude agricultural commodity promotional boards, which are subject to a producer referendum, from the requirements of the chapter relating to conflicts of interest of public officers and employees and from other requirements applicable to state agencies, previously deferred and placed on the unfinished business calendar.

Eddie of Buena Vista offered the following amendment H-4212 filed by him from the floor and moved its adoption:

H-4212

- 1 Amend Senate File 278, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking lines 1 through 30.
- 4 2. Title page, by striking lines 3 and 4 and
- 5 inserting the following: "requirements".
- 6 3. By renumbering as necessary.

Amendment H—4212 was adopted.

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

On the question "Shall the bill pass?" (S.F. 278)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 2:

Doderer Hammond

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.

SENATE AMENDMENTS CONSIDERED

Larson of Linn called up for consideration **Senate File 370**, a bill for an act relating to setting minimum fines for certain criminal convictions, increasing the civil penalty assessed for certain motor vehicle license revocations, collecting delinquent fines, penalties, costs, and restitution, and allowing community service in lieu of a fine, amended by the Senate, and moved that the House concur in the following Senate amendment H—4191:

H-4191

1 Amend the House amendment, S-3592, to Senate File
2 370, as passed by the Senate, as follows:

3 1. Page 1, by striking line 3 and inserting the
4 following:

5 "_____. Page 1, lines 16 and 17, by striking the
6 words and figure "unnumbered paragraph 1,".

7 _____. Page 1, line 18, by inserting before the
8 word "Enforce" the following: "5." "

9 2. Page 1, lines 38 and 39, by striking the words
10 "county attorney's designee" and inserting the follow-
11 ing: "person procured or designated by the county
12 attorney".

13 3. Page 1, line 46, by striking the words "county
14 attorney's designee" and inserting the following:
15 "person procured or designated by the county
16 attorney".

17 4. Page 4, line 45, by striking the words "county
18 attorney's designee" and inserting the following:
19 "person procured or designated by the county
20 attorney".

21 5. Page 4, line 48, by inserting after the figure
22 "5" the following: ", unless the county attorney has
23 discontinued collection efforts on a particular
24 delinquent amount and has transferred collection
25 responsibilities to the department of revenue and
26 finance".

27 6. Page 5, lines 4 and 5, by striking the figures
28 and word "321.40, 321.210A, or".

29 7. Page 5, line 14, by inserting after the figure
30 "5" the following: ", or has transferred collection
31 responsibility for a particular delinquent amount to
32 the department".

33 8. Page 5, line 26, by striking the figures and
34 word "321.40, 321.210A, or".

35 9. Page 6, by striking line 9 and inserting the
36 following:

37 "_____. Page 3, by inserting after line 21 the
38 following:

39 "Sec. _____. Section 909.6, Code 1993, is amended by
40 adding the following new unnumbered paragraphs:

41 NEW UNNUMBERED PARAGRAPH. If a court imposes a
42 fine on an offender, the court shall impose interest
43 charges on any amount remaining unsatisfied from the
44 day after sentencing at the rate provided in section
45 535.3.

46 NEW UNNUMBERED PARAGRAPH. At the time of imposing
47 the sentence, the court shall inform the offender of
48 the amount of the fine and that the judgment includes
49 the imposition of a criminal surcharge, court costs,
50 and applicable fees. The court shall also inform the

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1 offender of the duty to pay the judgment in a timely
2 manner and that interest will be charged on
3 unsatisfied judgments.””

4 10. Page 6, by inserting after line 11 the
5 following:

6 ““Sec. _____. Section 909.10, if enacted by 1993
7 Iowa Acts, Senate File 267, section 22, is amended to
8 read as follows:

9 909.10 COLLECTION OF DELINQUENT AMOUNTS BY THE
10 COURT.

11 1. As used in this section, unless the context
12 otherwise requires, “delinquent amounts” means a fine,
13 court-imposed court costs in a criminal proceeding, or
14 criminal surcharge imposed pursuant to section 911.2,
15 which remains unpaid after two years from the date
16 that the fine, court costs, or surcharge was imposed,
17 and which is not collected by the county attorney
18 pursuant to section 909.9 602.8107. However, if the
19 fine may be paid in installments pursuant to section
20 909.3, the fine is not a delinquent amount unless the
21 installment remains unpaid after two years from the
22 date the installment was due.

23 2. Notwithstanding the disposition sections of
24 sections 602.8106 and 911.3, upon the collection of
25 delinquent amounts, the clerks of the district court
26 shall remit the delinquent amounts to the treasurer of
27 state for deposit into the revolving fund established
28 pursuant to section 602.1302, to be used for the
29 payment of jury and witness fees and mileage.”

30 11. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H—4191.

Larson 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?” (S.F. 370)

The ayes were, 70:

Arnould	Baker	Beaman	Bell
Blodgett	Boddicker	Brammer	Branstad
Brauns	Burke	Carpenter	Cataldo
Churchill	Cohon	Connors	Corbett
Daggett	Dinkla	Drake	Ertl
Fogarty	Garman	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hanson, D. E.
Hanson, D. R.	Haverland	Henderson	Hester

Houser	Hurley	Iverson	Kistler
Klemme	Larkin	Larson	Lundby
Martin	May	McCoy	McNeal
Mertz	Metcalf	Meyer	Millage
Miller	Mundie	O'Brien	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Siegrist	Spenner
Tyrrell	Weidman	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 26:

Beatty	Bernau	Black	Brand
Dickinson	Doderer	Dvorsky	Fallon
Gill	Hammond	Hansen, S. D.	Harper
Holveck	Jochum	Koenigs	Kreiman
McKinney	Moreland	Murphy	Nelson
Neuhauser	Ollie	Osterberg	Peterson
Schrader	Weigel		

Absent or not voting, 4:

Brunkhorst	Eddie	Shoultz	Vande Hoef
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 163, 296, 278 and 370.**

Grubbs of Scott called up for consideration **Senate File 206**, a bill for an act relating to educational finances, activities, and procedures and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H-4163:

H-4163

- 1 Amend the House amendment, S-3545, to Senate File
- 2 206, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, by striking lines 8 through 19.

The motion prevailed and the House concurred in the Senate amendment H-4163.

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

On the question "Shall the bill pass?" (S.F. 206)

The ayes were, 95:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hanson, D. E.	Hanson, D. R.	Harper
Haverland	Henderson	Hester	Holveck
Houser	Hurley	Iverson	Jochum
Kistler	Klemme	Koenigs	Kreiman
Larkin	Larson	Lundby	Martin
May	McCoy	McKinney	McNeal
Mertz	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasler	Rafferty	Rants
Renaud	Renken	Royer	Running
Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 5:

Eddie	Greiner	Hansen, S. D.	Murphy
Vande Hoef			

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

MOTION TO RECONSIDER LOST

Running of Linn called up for consideration the motion to reconsider Senate File 180 filed by him on April 16, 1993 and moved to reconsider the vote by which **Senate File 180**, a bill for an act relating to thrift certificates and their exemption from certain filing and registration requirements, passed the House and was placed on its last reading on April 16, 1993.

Roll call was requested by Running of Linn and Holveck of Polk.

On the question "Shall the motion to reconsider prevail?" (S.F. 180)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cphoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

The motion to reconsider lost, placing out of order the motion to reconsider Senate File 180 filed by Larson of Linn on April 16, 1993 and amendment H—4092 filed by Running of Linn and Brammer of Linn on April 20, 1993.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 206 and 180.**

Unfinished Business Calendar

The House resumed consideration of **Senate File 293**, a bill for an act relating to the presence of victim counselors in proceedings pertaining to the offense, previously deferred and placed on the unfinished business calendar.

Grundberg 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. 293)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Lundby

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 293** be immediately messaged to the Senate.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 32

Fogarty of Palo Alto called up for consideration **House Concurrent Resolution 32**, a concurrent resolution to designate Spencer, Iowa,

the Flag City of Iowa, during its Flagfest '93 celebration from June 11, 1993, to June 13, 1993, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House Concurrent Resolution 32** be immediately messaged to the Senate.

The House stood at ease at 2:27 p.m., until the fall of the gavel.

The House resumed session at 3:43 p.m., Speaker Van Maanen in the chair.

CONSIDERATION OF BILLS Appropriations Calendar

House File 669, a bill for an act requiring that moneys credited to and deposited in the general fund of the state be used for the purposes for which the moneys were collected and providing an effective date, was taken up for consideration.

Corbett of Linn offered the following amendment H—4226 filed by him from the floor:

H—4226

- 1 Amend House File 669 as follows:
- 2 1. Page 2, by striking lines 7 through 13 and
- 3 inserting the following:
- 4 "Sec. _____. Section 99D.17, unnumbered paragraph 2,
- 5 Code 1993, is amended to read as follows:
- 6 Notwithstanding the provisions of this section
- 7 directing that funds received be deposited into the
- 8 pari-mutuel regulation fund, for the fiscal period
- 9 beginning on July 1, 1991, and ending June 30, 1993,
- 10 all funds received shall be deposited into the general
- 11 fund of the state.
- 12 Sec. _____. Section 99E.10, subsection 1, paragraph
- 13 a, unnumbered paragraph 2, Code 1993, is amended to
- 14 read as follows:
- 15 Notwithstanding the provisions of this lettered
- 16 paragraph, directing that a portion of gross lottery
- 17 revenues be deposited into the gamblers assistance
- 18 fund or the provisions of section 99F.11 directing
- 19 that a portion of the adjusted gross receipts under
- 20 chapter 99F be deposited into the gamblers assistance
- 21 fund, for the fiscal period beginning July 1, 1991,
- 22 and ending June 30, 1993, moneys that were to be

23 deposited into the gamblers assistance fund pursuant
 24 to this lettered paragraph and section 99F.11,
 25 subsection 3, shall be deposited into the general fund
 26 of the state.

27 Sec. _____. Section 99F.4, subsection 2, unnumbered
 28 paragraph 2, Code 1993, is amended to read as follows:

29 Notwithstanding the provisions of this subsection
 30 and sections 99F.10 and 99F.17 directing that all
 31 license and admission fees be paid to the commission
 32 or be deposited into a special account, for the fiscal
 33 period beginning on July 1, 1991, and ending June 30,
 34 1993, all fees shall be deposited into the general
 35 fund of the state.

36 Sec. _____. Section 192.111, subsection 3, paragraph
 37 c, Code 1993, is amended to read as follows:

38 c. Notwithstanding the provisions of paragraph
 39 "a", and sections 192.133, 194.14, 194.19, 194.20, and
 40 195.9 directing that fees collected and appropriations
 41 made for dairy control be deposited into the milk
 42 fund, for the fiscal period beginning on July 1, 1991,
 43 and ending June 30, 1993, all fees collected under
 44 those sections shall be deposited into the general
 45 fund of the state. All moneys deposited in the
 46 general fund under this section shall be appropriated
 47 for the costs of inspection, sampling, analysis, and
 48 other expenses necessary for the administration of
 49 this chapter and chapters 194 and 195. Such
 50 appropriations shall not be deposited into the milk

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1 fund.

2 Sec. _____. Section 192A.30, unnumbered paragraph 2,
 3 Code 1993, is amended to read as follows:

4 Notwithstanding the provisions of this section,
 5 fees paid to the secretary shall not be deposited into
 6 the dairy trade practices trust fund for the fiscal
 7 period beginning on July 1, 1991, and ending June 30,
 8 1993, but shall be deposited into the general fund of
 9 the state.

10 Sec. _____. Section 198.9, subsection 3, unnumbered
 11 paragraph 4, Code 1993, is amended to read as follows:

12 Notwithstanding the provisions of this subsection
 13 directing that fees collected be deposited into the
 14 commercial feed fund, for the fiscal period beginning
 15 on July 1, 1991, and ending June 30, 1993, all fees
 16 collected shall be deposited into the general fund of
 17 the state.

18 Sec. _____. Section 200.9, unnumbered paragraph 2,
 19 Code 1993, is amended to read as follows:

20 Notwithstanding the provisions of this section and
 21 section 201.13 directing that those fees collected

22 under sections 200.4 and 200.8 and moneys received
23 under chapter 201 be deposited into the fertilizer
24 fund, for the fiscal period beginning on July 1, 1991,
25 and ending June 30, 1993, all such fees and moneys
26 shall be deposited into the general fund of the state.
27 Moneys received under chapter 201 and deposited into
28 the general fund of the state as a result of this
29 paragraph are appropriated for purposes of section
30 201.13.

31 Sec. _____. Section 206.12, subsection 3, unnumbered
32 paragraph 2, Code 1993, is amended to read as follows:

33 Notwithstanding the provisions of this subsection
34 directing that fifty dollars of each fee collected be
35 deposited into the pesticide fund, for the fiscal
36 period beginning on July 1, 1991, and ending June 30,
37 1993, fifty dollars of each fee collected shall be
38 deposited into the general fund of the state.

39 Sec. _____. Section 312.2, subsection 13, unnumbered
40 paragraph 2, Code 1993, is amended to read as follows:

41 Notwithstanding the provisions of this subsection
42 directing that twenty-five cents on each title
43 issuance be annually credited to the department of
44 justice for deposit into the motor vehicle fraud
45 account, for the fiscal period beginning on July 1,
46 1991, and ending June 30, 1993, the twenty-five cents
47 on each title issuance shall be deposited into the
48 general fund of the state.

49 Sec. _____. Section 312.2, subsection 15, unnumbered
50 paragraph 2, Code 1993, is amended to read as follows:

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1 Notwithstanding the provisions of this subsection
2 directing that one-twentieth of eighty percent of the
3 revenue derived from the operation of section 423.7,
4 be deposited into the public transit assistance fund,
5 for the fiscal period beginning on July 1, 1991, and
6 ending June 30, 1993, such amount shall be deposited
7 into the general fund of the state. There is
8 appropriated from the general fund of the state for
9 each fiscal year to the state department of
10 transportation the amount of revenues credited to the
11 general fund of the state during the fiscal year under
12 this subsection to be used for purposes of public
13 transit assistance under chapter 324A.

14 Sec. _____. Section 321.52, subsection 4, paragraph
15 c, unnumbered paragraph 3, Code 1993, is amended to
16 read as follows:

17 Notwithstanding the provisions of this lettered
18 paragraph directing that five dollars of each fee be
19 paid to the Iowa law enforcement academy, for the
20 fiscal period beginning on July 1, 1991, and ending

21 June 30, 1993, such five dollars shall be deposited
22 into the general fund of the state.

23 Sec. _____. Section 324A.6, subsection 1, unnumbered
24 paragraph 2, Code 1993, is amended to read as follows:

25 Notwithstanding the provisions of this section and
26 section 312.2, subsection 15, directing that moneys be
27 deposited into the public transit assistance fund, for
28 the fiscal period beginning on July 1, 1991, and
29 ending June 30, 1993, all such moneys under these
30 sections shall be deposited into the general fund of
31 the state. There is appropriated during this fiscal
32 period from moneys received by the department by
33 agreements, grants, gifts, or other means and
34 deposited into the state general fund as a result of
35 this paragraph to the department for purposes of this
36 subsection. Moneys appropriated from the general fund
37 under this paragraph and section 312.2, subsection 15,
38 shall not be deposited into the public transit
39 assistance fund.

40 Sec. _____. Section 327H.18, unnumbered paragraph 2,
41 Code 1993, is amended to read as follows:

42 Notwithstanding the provisions of this section and
43 sections 327I.7, subsection 14, and 327H.20 directing
44 that moneys received or reimbursements made be
45 deposited into the railroad assistance fund, for the
46 fiscal period beginning on July 1, 1991, and ending
47 June 30, 1993, such moneys shall be deposited into the
48 general fund of the state and for that period all
49 moneys received by the department by agreements,
50 grants, gifts, or other means which were deposited

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1 into the state general fund as a result of this
2 paragraph are appropriated for state railroad
3 assistance under this chapter. Such appropriations
4 shall not be deposited into the railroad assistance
5 fund.

6 Sec. _____. Section 327I.23, subsection 3, Code
7 1993, is amended to read as follows:

8 3. Notwithstanding the provisions of section
9 327I.7, subsection 14, and section 327I.26 and other
10 provisions of law directing that moneys be deposited
11 into the special railroad facility fund and directing
12 that moneys in the fund be appropriated for purposes
13 of the authority, for the fiscal period beginning on
14 July 1, 1991, and ending June 30, 1993, all moneys
15 directed to be deposited in the fund shall be
16 deposited into the general fund of the state and
17 during that period all moneys received under
18 subsection 2 are appropriated to the authority for
19 purposes of subsection 2 and other moneys appropriated

20 to the authority may be used for purposes of this
21 section.

22 Sec. _____. Section 328.36, unnumbered paragraph 4,
23 Code 1993, is amended to read as follows:

24 Notwithstanding the provisions of this section and
25 sections 452A.82 and 328.21, directing that moneys
26 remaining after the cost of administering the aviation
27 fuel tax fund and money received by the department be
28 deposited into the state aviation fund, for the fiscal
29 period beginning on July 1, 1991, and ending June 30,
30 1993, such moneys shall be deposited into the general
31 fund of the state and refunds under section 328.24
32 during that period shall be paid from the state
33 general fund of the state.

34 Sec. _____. Section 452A.79, unnumbered paragraph 3,
35 Code 1993, is amended to read as follows:

36 Notwithstanding the provisions of this section and
37 section 452A.84 directing that certain moneys be
38 transferred or deposited into the marine fuel tax
39 fund, for the fiscal period beginning on July 1, 1991,
40 and ending June 30, 1993, such moneys shall be
41 deposited into the general fund of the state.

42 Sec. _____. Section 461A.79, subsection 4, Code
43 1993, is amended to read as follows:

44 4. Notwithstanding any other provision of law, for
45 the fiscal period beginning on July 1, 1991, and
46 ending June 30, 1993, moneys to be credited to or
47 deposited in the public outdoor recreation and
48 resources fund shall be credited to or deposited to
49 the general fund of the state and appropriations made
50 for purposes of this section shall not be deposited

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1 into the public outdoor recreation and resources fund
2 but shall be allocated as provided in this section.
3 Sec. _____. Section 473.11, subsection 1, paragraph
4 f, unnumbered paragraph 2, as enacted by the 1993 Iowa
5 Acts, Senate File 74, section 1, is amended to read as
6 follows:

7 Notwithstanding the provisions of this paragraph
8 directing that moneys be deposited into the energy
9 research and development fund, for the fiscal period
10 beginning July 1, 1991, and ending June 30, 1993, all
11 moneys shall be deposited into the general fund of the
12 state.

13 Sec. _____. Section 476.10, unnumbered paragraph 4,
14 Code 1993, is amended to read as follows:

15 Whenever the board shall deem it necessary in order
16 to carry out the duties imposed upon it in connection
17 with rate regulation under section 476.6,
18 investigations under section 476.3, or review

19 proceedings under section 476.31, the board may employ
20 additional temporary or permanent staff, or may
21 contract with persons who are not state employees for
22 engineering, accounting, or other professional
23 services, or both. The costs of these additional
24 employees and contract services shall be paid by the
25 public utility whose rates are being reviewed in the
26 same manner as other expenses are paid under this
27 section. For the fiscal period beginning Beginning on
28 July 1, 1991, and ending June 30, 1993, there is
29 appropriated out of any funds in the state treasury
30 not otherwise appropriated, such sums as may be
31 necessary to enable the board to hire additional staff
32 and contract for services under this section. The
33 board shall increase quarterly assessments specified
34 in unnumbered paragraph 2, by amounts necessary to
35 enable the board to hire additional staff and contract
36 for services under this section. The authority to
37 hire additional temporary or permanent staff that is
38 granted to the board by this section shall not be
39 subject to limitation by any administrative or
40 executive order or decision that restricts the number
41 of state employees or the filling of employee
42 vacancies, and shall not be subject to limitation by
43 any law of this state that restricts the number of
44 state employees or the filling of employee vacancies
45 unless that law is made applicable to this section by
46 express reference to this section. Before the board
47 expends or encumbers an amount in excess of the funds
48 budgeted for rate regulation and before the board
49 increases quarterly assessments pursuant to this
50 paragraph, the director of the department of

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1 management shall approve the expenditure or
2 encumbrance. Before approval is given, the director
3 of the department of management shall determine that
4 the expenses exceed the funds budgeted by the general
5 assembly to the board for rate regulation and that the
6 board does not have other funds from which the
7 expenses can be paid. Upon approval of the director
8 of the department of management the board may expend
9 and encumber funds for the excess expenses, and
10 increase quarterly assessments to raise the additional
11 funds. The board and the office of consumer advocate
12 may add additional personnel or contract for
13 additional assistance to review and evaluate energy
14 efficiency plans and the implementation of energy
15 efficiency programs including, but not limited to,
16 professionally trained engineers, accountants,
17 attorneys, skilled examiners and inspectors, and

18 secretaries and clerks. The board and the office of
19 the consumer advocate may expend additional sums
20 beyond those sums appropriated. However, the
21 authority to add additional personnel or contract for
22 additional assistance must first be approved by the
23 department of management. The additional sums shall
24 be provided to the board and the office of the
25 consumer advocate by the utilities subject to the
26 energy efficiency requirements in this chapter. The
27 assessments shall be in addition to and separate from
28 the quarterly assessment.

29 Sec. _____. Section 476.10, unnumbered paragraph 8,
30 Code 1993, is amended to read as follows:

31 Notwithstanding the provisions of this section and
32 sections 478.4, 479.16, and 479A.9 directing that fees
33 paid to the utilities division or other moneys be
34 deposited into the utilities trust fund and not be
35 transferred to the general fund of the state, and
36 directing that expenses be paid from the utilities
37 trust fund, for the fiscal period beginning on July 1,
38 1991, and ending June 30, 1993, all such fees and
39 other moneys collected under those sections shall be
40 deposited into the general fund of the state and
41 expenses required to be paid under this section shall
42 be paid from funds appropriated for those purposes.

43 Sec. _____. Section 524.207, unnumbered paragraph 6,
44 Code 1993, is amended to read as follows:

45 Notwithstanding the provisions of this section
46 directing that fees and other moneys received be
47 deposited into the banking revolving fund and not be
48 transferred to the general fund of the state, and
49 directing that expenses be paid from the banking
50 revolving fund, for the fiscal period beginning on

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1 July 1, 1991, and ending June 30, 1993, all fees and
2 moneys collected shall be deposited into the general
3 fund of the state and expenses required to be paid
4 under this section shall be paid from funds
5 appropriated for those purposes.

6 Sec. _____. Section 533.67, unnumbered paragraph 6,
7 Code 1993, is amended to read as follows:

8 Notwithstanding the provisions of this section
9 directing that fees and other moneys received be
10 deposited into the credit union revolving fund and not
11 be transferred to the general fund of the state, and
12 directing that expenses be paid from the credit union
13 revolving fund, for the fiscal period beginning on
14 July 1, 1991, and ending June 30, 1993, all fees and
15 other moneys collected shall be deposited into the
16 general fund of the state and expenses required to be

17 paid under this section shall be paid from funds
18 appropriated for those purposes.

19 Sec. _____. Section 546.10, subsection 6, unnumbered
20 paragraph 2, Code 1993, is amended to read as follows:

21 Notwithstanding the provisions of this subsection
22 and sections 542B.12, 542C.3, 543B.14, 543D.6,
23 544A.11, and 544B.14 directing that fees and other
24 moneys be deposited into the professional licensing
25 revolving fund and not to be transferred to the
26 general fund of the state, and directing that expenses
27 be paid from the professional licensing revolving
28 fund, for the fiscal period beginning on July 1, 1991,
29 and ending June 30, 1993, all fees collected under
30 those sections shall be deposited into the general
31 fund of the state and expenses required to be paid
32 under this subsection shall be paid from funds
33 appropriated for those purposes.

34 Sec. _____. Section 546.11, unnumbered paragraph 2,
35 Code 1993, is amended to read as follows:

36 Notwithstanding this section and sections 476.10,
37 524.207, 533.67, 546.9, and 546.10 directing the
38 utilities division, banking division, credit union
39 division, alcoholic beverages division, and
40 professional licensing division to transfer from
41 appropriated trust funds to the administrative
42 services trust fund the division's share of
43 administrative services and directing that costs for
44 administrative services provided by the department to
45 the divisions be paid from the administrative services
46 trust fund, for the fiscal period beginning on July 1,
47 1991, and ending June 30, 1993, all expenses for
48 administrative services shall be paid from
49 appropriations made from the general fund of the state
50 for these expenses.

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1 Sec. _____. Section 556.18, subsection 1, Code 1993,
2 is amended to read as follows:

3 1. Except as provided in subsection 3, all All
4 funds received under this chapter, including the
5 proceeds from the sale of abandoned property under
6 section 556.17, shall be deposited monthly by the
7 treasurer of state in the general fund of the state.
8 However, the treasurer of state shall retain in a
9 separate trust fund an amount not exceeding two
10 hundred thousand dollars from which the treasurer of
11 state shall make prompt payment of claims duly allowed
12 under section 556.20. Before making the deposit, the
13 treasurer of state shall record the name and last
14 known address of each person appearing from the
15 holders' reports to be entitled to the abandoned

16 property and of the name and last known address of
17 each insured person or annuitant, and with respect to
18 each policy or contract listed in the report of a life
19 insurance corporation, its number, the name of the
20 corporation, and the amount due. The record shall be
21 available for public inspection at all reasonable
22 business hours.

23 Sec. _____. Section 556.18, subsection 3, Code 1993,
24 is amended by striking the subsection.

25 Sec. _____. 1991 Iowa Acts, chapter 264, section
26 905, is amended to read as follows:

27 SEC. 905.

28 1. Notwithstanding the restrictions relating to
29 the transfer and use of moneys in the utilities trust
30 fund in section 476.10, the insurance revolving fund
31 in section 505.7, the banking revolving fund in
32 section 524.207, the credit union revolving fund in
33 section 533.67, and the professional licensing
34 revolving fund in section 546.10, the cash balances in
35 those five funds resulting from covered charges to
36 regulated industries for purposes of cash flow and the
37 build-up of surplus balances remaining on June 30,
38 1991, shall be transferred to the general fund of the
39 state. However, state general fund cash balances
40 shall be available from the general fund of the state
41 to the utilities division, insurance division, banking
42 division, credit union division, and the professional
43 licensing and regulation division for cash flow
44 purposes to enable the timely payment of expenses
45 without regard to seasonal cash flow for the fiscal
46 years ending June 30, 1992, and June 30, 1993. Upon
47 completion of the fiscal year ending June 30, 1993,
48 any amount transferred to the general fund of the
49 state from each of those five funds shall be returned
50 to the fund from which the amount was transferred.

Page 9

1 2. Notwithstanding the restrictions relating to
2 the use of the moneys in the fertilizer fund in
3 section 200.9, and the pesticide fund in section
4 206.12, subsection 3, cash balances remaining on June
5 30, 1991, that are not needed to pay expenses of the
6 fiscal year ending June 30, 1991, are transferred to
7 the general fund of the state. However, state general
8 fund cash balances shall be available from the general
9 fund of the state to the department of agriculture and
10 land stewardship for cash flow purposes to enable the
11 timely payment of expenses incurred for purposes for
12 which moneys in the fertilizer and pesticide funds are
13 to be used for the fiscal years ending June 30, 1992,
14 and June 30, 1993. Upon completion of the fiscal year

15 ending June 30, 1993, any amount transferred to the
 16 general fund of the state from each of those two funds
 17 shall be returned to the fund from which the amount
 18 was transferred.

19 Sec. _____. 1991 Iowa Acts, chapter 268, section
 20 508, subsection 3, unnumbered paragraph 2 and lettered
 21 paragraphs a, b, c, and d, are amended by striking the
 22 unnumbered paragraph and the lettered paragraphs.

23 Sec. _____. CODE EDITOR. The Code editor shall
 24 submit to the general assembly through the Code
 25 editor's bills coordinating amendments to sections of
 26 the Code which make reference to those funds and
 27 accounts which as a result of the enactment of this
 28 Act will no longer have moneys credited to or
 29 deposited into them but instead the moneys will be
 30 credited to or deposited into the general fund of the
 31 state.

32 Sec. _____. EFFECTIVE DATE. This Act, being deemed
 33 of immediate importance, takes effect upon enactment."

34 2. Title page, line 1, by striking the word
 35 "moneys" and inserting the following: "certain moneys
 36 shall be".

37 3. Title page, line 2, by striking the word "be"
 38 and inserting the following: "and shall be".

The House stood at ease at 3:48 p.m., until the fall of the gavel.

The House resumed session at 3:51 p.m., Speaker Van Maanen in the chair.

Holveck of Polk offered the following amendment H-4227, to amendment H-4226, filed by him and Hammond of Story from the floor and moved its adoption:

H-4227

- 1 Amend the amendment, H-4226, to House File 669 as
- 2 follows:
- 3 1. Page 1, by striking lines 12 through 26.
- 4 2. By renumbering as necessary.

Roll call was requested by Holveck of Polk and Wise of Lee.

Rule 75 was invoked.

On the question "Shall amendment H-4227, to amendment H-4226, be adopted?" (H.F. 669)

The ayes were, 48:

Arnould
Bernau

Baker
Black

Beatty
Brammer

Bell
Brand

Burke	Cohoon	Connors	Dickinson
Doderer	Dvorsky	Fallon	Fogarty
Gill	Halvorson, R. N.	Hammond	Hansen, S. D.
Harper	Haverland	Henderson	Holveck
Jochum	Koenigs	Kreiman	Larkin
May	McKinney	Mertz	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Renaud	Running	Schrader	Shoultz
Vande Hoef	Weigel	Wise	Witt

The nays were, 52:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Cataldo
Churchill	Corbett	Daggett	Dinkla
Drake	Eddie	Ertl	Garman
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hanson, D. E.	Hanson, D. R.	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Larson	Lundby	Martin	McCoy
McNeal	Metcalf	Meyer	Millage
Miller	Plasier	Rafferty	Rants
Renken	Royer	Siegrist	Spenner
Tyrrell	Weidman	Welter	Mr. Speaker Van Maanen

Absent or not voting, none.

Amendment H—4227 lost.

Cohoon of Des Moines offered the following amendment H—4229, to amendment H—4226, filed by him from the floor and moved its adoption: .

H—4229

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. Page 1, by striking lines 27 through 35.
- 4 2. By renumbering as necessary.

Roll call was requested by Cohoon of Des Moines and Koenigs of Mitchell.

Rule 75 was invoked.

On the question "Shall amendment H—4229, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 47:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cohoon	Connors	Dickinson
Doderer	Dvorsky	Fallon	Fogarty
Gill	Halvorson, R. N.	Hammond	Hansen, S. D.
Harper	Haverland	Henderson	Holveck
Jochum	Koenigs	Kreiman	Larkin
May	McKinney	Mertz	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Renaud	Running	Schrader	Shoultz
Weigel	Wise	Witt	

The nays were, 53:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Cataldo
Churchill	Corbett	Daggett	Dinkla
Drake	Eddie	Ertl	Garman
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hanson, D. E.	Hanson, D. R.	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Larson	Lundby	Martin	McCoy
McNeal	Metcalf	Meyer	Millage
Miller	Plasier	Rafferty	Rants
Renken	Royer	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Welter
Mr. Speaker			
Van Maanen			

Absent or not voting, none.

Amendment H—4229 lost.

Weigel of Chickasaw offered the following amendment H—4230, to amendment H—4226, filed by him from the floor and moved its adoption:

H—4230

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. By striking page 1, line 36 through page 2,
- 4 line 1.
- 5 2. By renumbering as necessary.

Roll call was requested by Weigel of Chickasaw and Wise of Lee.

Rule 75 was invoked.

On the question "Shall amendment H—4230, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H—4230 lost.

Weigel of Chickasaw offered the following amendment H—4231, to amendment H—4226, filed by him from the floor and moved its adoption:

H—4231

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. Page 2, by striking lines 2 through 9.
- 4 2. By renumbering as necessary.

Roll call was requested by Weigel of Chickasaw and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H—4231, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cphoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H—4231 lost.

May of Worth offered the following amendment H—4232, to amendment H—4226, filed by him and Mundie of Webster from the floor and moved its adoption:

H—4232

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. Page 2, by striking lines 10 through 17.
- 4 2. By renumbering as necessary.

Roll call was requested by May of Worth and Gill of Woodbury.

Rule 75 was invoked.

On the question "Shall amendment H—4232, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H—4232 lost.

Dickinson of Jackson offered the following amendment H—4238, to amendment H—4226, filed from the floor by Dickinson, Mertz and Mundie and moved its adoption:

H—4238

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. Page 2, by striking lines 18 through 30.
- 4 By renumbering as necessary.

Roll call was requested by Bernau of Story and Moreland of Wapello.

Rule 75 was invoked.

On the question "Shall amendment H—4238, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cphoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H—4238 lost.

Osterberg of Linn offered the following amendment H—4235, to amendment H—4226, filed by him and Mundie of Webster from the floor and moved its adoption:

H—4235

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. Page 2, by striking lines 31 through 38.
- 4 2. By renumbering as necessary.

Roll call was requested by Osterberg of Linn and Murphy of Dubuque.

On the question "Shall amendment H—4235, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H—4235 lost.

Black of Jasper offered the following amendment H—4236, to amendment H—4226, filed by him and Koenigs of Mitchell from the floor and moved its adoption:

H—4236

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. Page 2, by striking lines 39 through 48.
- 4 2. By renumbering as necessary.

Roll call was requested by Bernau of Story and Peterson of Carroll.

Rule 75 was invoked.

On the question "Shall amendment H—4236, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shultz	Weigel	Wise
Witt			

The nays were, 50:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Hahn	Halvorson, R. A.	Hanson, D. E.	Hanson, D. R.
Hester	Houser	Hurley	Iverson
Kistler	Klemme	Larson	Lundby
Martin	McNeal	Metcalf	Meyer
Millage	Miller	Plasier	Rafferty
Rants	Renken	Royer	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Welter	Mr. Speaker		
	Van Maanen		

Absent or not voting, 1:

Grundberg

Amendment H—4236 lost.

Dvorsky of Johnson offered the following amendment H—4244, to amendment H—4226, filed from the floor by Dvorsky, Neuhauser, Fogarty and Jochum and moved its adoption:

H—4244

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. By striking page 2, line 49 through page 3,
- 4 line 13.
- 5 2. By renumbering as necessary.

Roll call was requested by Bernau of Story and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H—4244, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cphoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H—4244 lost.

Renaud of Polk offered the following amendment H—4247, to amendment H—4226, filed by him from the floor and moved its adoption:

H—4247

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. Page 3, by striking lines 14 through 22.
- 4 2. By renumbering as necessary.

Roll call was requested by Bernau of Story and Peterson of Carroll.

Rule 75 was invoked.

On the question "Shall amendment H—4247, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H—4247 lost.

Dvorsky of Johnson offered the following amendment H—4245, to amendment H—4226, filed from the floor by Dvorsky, Neuhauser, Fogarty and Jochum and moved its adoption:

H—4245

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. Page 3, by striking lines 23 through 39.
- 4 2. By renumbering as necessary.

Roll call was requested by Dvorsky of Johnson and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H-4245, to amendment H-4226, be adopted?" (H.F. 669)

The ayes were, 50:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Eddie
Fallon	Fogarty	Gill	Halvorson, R. N.
Hammond	Hansen, S. D.	Harper	Haverland
Henderson	Holveck	Jochum	Koenigs
Kreiman	Larkin	May	McCoy
McKinney	Mertz	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Renaud
Running	Schrader	Shoultz	Weigel
Wise	Witt		

The nays were, 50:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Ertl	Garman	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Hanson, D. E.	Hanson, D. R.
Hester	Houser	Hurley	Iverson
Kistler	Klemme	Larson	Lundby
Martin	McNeal	Metcalf	Meyer
Millage	Miller	Plasier	Rafferty
Rants	Renken	Royer	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Welter	Mr. Speaker		
	Van Maanen		

Absent or not voting, none.

Amendment H-4245 lost.

Bell of Jasper offered the following amendment H-4228, to amendment H-4226, filed by him and Black of Jasper from the floor and moved its adoption:

H-4228

1 Amend the amendment, H-4226, to House File 669 as

2 follows:

3 1. By striking page 3, line 40 through page 4,

4 line 5.

5 2. By renumbering as necessary.

Roll call was requested by Bernau of Story and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H-4228, to amendment H-4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H-4228 lost.

Bell of Jasper offered the following amendment H-4237, to amendment H-4226, filed by him and Black of Jasper from the floor and moved its adoption:

H-4237

- 1 Amend the amendment, H-4226, to House File 669 as
- 2 follows:
- 3 1. Page 4, by striking lines 6 through 21.
- 4 2. By renumbering as necessary.

Roll call was requested by Bernau of Story and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H-4237, to amendment H-4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H-4237 lost.

Koenigs of Mitchell offered the following amendment H—4234, to amendment H—4226, filed by him and Mundie of Webster from the floor and moved its adoption:

H—4234

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. Page 4, by striking lines 22 through 33.
- 4 2. By renumbering as necessary.

Roll call was requested by Koenigs of Mitchell and Mundie of Webster.

On the question "Shall amendment H—4234, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cphoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H—4234 lost.

Shoultz of Black Hawk offered the following amendment H—4233, to amendment H—4226, filed by him from the floor:

H—4233

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. Page 4, by striking lines 34 through 41.
- 4 2. By renumbering as necessary.

Speaker pro tempore Lundby in the chair at 5:58 p.m.

Shoultz of Black Hawk moved the adoption of amendment H—4233, to amendment H—4226.

Roll call was requested by Shoultz of Black Hawk and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H—4233, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 48:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Dvorsky	Fallon	Fogarty
Gill	Halvorson, R. N.	Hammond	Hansen, S. D.
Harper	Haverland	Henderson	Holveck
Jochum	Koenigs	Kreiman	Larkin
May	McCoy	McKinney	Mertz
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Renaud	Running	Schrader
Shoultz	Weigel	Wise	Witt

The nays were, 52:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Doderer
Drake	Eddie	Ertl	Garman
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hanson, D. E.	Hanson, D. R.	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Larson	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spanner	Tyrrell	Vande Hoef
Van Maanen, Spkr.	Weidman	Welter	Lundby
			Presiding

Absent or not voting, none.

Amendment H—4233 lost.

Witt of Black Hawk offered the following amendment H—4246, to amendment H—4226, filed from the floor by Witt, Dvorsky and Osterberg and moved its adoption:

H—4246

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. Page 5, by striking lines 3 through 12.
- 4 2. By renumbering as necessary.

Roll call was requested by Witt of Black Hawk and Hansen of Woodbury.

Rule 75 was invoked.

On the question "Shall amendment H—4246, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Martin	McNeal	Metcalf	Meyer
Millage	Miller	Plasier	Rafferty
Rants	Renken	Royer	Siegrist
Spenner	Tyrrell	Vande Hoef	Van Maanen, Spkr.
Weidman	Welter	Lundby	
		Presiding	

Absent or not voting, none.

Amendment H—4246 lost.

Fallon of Polk offered the following amendment H—4253, to amendment H—4226, filed from the floor by Fallon, Renaud, Holveck and Brand and moved its adoption:

H—4253

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. By striking page 5, line 13 through page 6,
- 4 line 42.
- 5 2. By renumbering as necessary.

Roll call was requested by Fallon of Polk and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H—4253, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 48:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cohoon	Connors	Dickinson
Doderer	Dvorsky	Fallon	Fogarty
Gill	Halvorson, R. N.	Hammond	Hansen, S. D.
Harper	Haverland	Henderson	Holveck
Jochum	Koenigs	Kreiman	Larkin
May	McCoy	McKinney	Mertz
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Renaud	Running	Schrader
Shultz	Weigel	Wise	Witt

The nays were, 52:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Cataldo
Churchill	Corbett	Daggett	Dinkla
Drake	Eddie	Ertl	Garman
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hanson, D. E.	Hanson, D. R.	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Larson	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Van Maanen, Spkr.	Weidman	Welter	Lundby
			Presiding

Absent or not voting, none.

Amendment H—4253 lost.

Black of Jasper offered the following amendment H—4243, to amendment H—4226, filed from the floor by Black, Weigel, Holveck, Dvorsky, Fogarty, Renaud, Gill and Hansen of Woodbury:

H—4243

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. By striking page 6, line 43, through page 7,
- 4 line 5.
- 5 2. By renumbering as necessary.

Speaker Van Maanen in the chair at 6:38 p.m.

Black of Jasper moved the adoption of amendment H—4243, to amendment H—4226.

Roll call was requested by Bernau of Story and Weigel of Chickasaw.

Rule 75 was invoked.

On the question "Shall amendment H—4243, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley

Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H—4243 lost.

Harper of Black offered the following amendment H—4241, to amendment H—4226, filed from the floor by Harper, Witt, Halvorson of Webster and Murphy and moved its adoption:

H—4241

- 1 1. Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. Page 7, by striking lines 6 through 18.
- 4 2. By renumbering as necessary.

Roll call was requested by Hansen of Woodbury and Shoultz of Black Hawk.

Rule 75 was invoked.

On the question "Shall amendment H—4241, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.

Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H—4241 lost.

Witt of Black Hawk offered the following amendment H—4239, to amendment H—4226, filed by him from the floor and moved its adoption:

H—4239

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. Page 7, by striking lines 19 through 33.
- 4 2. By renumbering as necessary.

Roll call was requested by Witt of Black Hawk and Hammond of Story.

Rule 75 was invoked.

On the question "Shall amendment H—4239, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp

Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H—4239 lost.

Peterson of Carroll offered the following amendment H—4240, to amendment H—4226, filed by him from the floor and moved its adoption:

H—4240

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. By striking page 8, line 25 through page 9,
- 4 line 18.
- 5 2. By renumbering as necessary.

Roll call was requested by Peterson of Carroll and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H—4240, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cphoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

The nays were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H—4240 lost.

Murphy of Dubuque offered the following amendment H—4255, to amendment H—4226, filed by him from the floor and moved its adoption:

H—4255

- 1 Amend the amendment, H—4226, to House File 669 as
- 2 follows:
- 3 1. Page 1, by striking lines 4 through 11.
- 4 2. By renumbering as necessary.

Roll call was requested by Murphy of Dubuque and Burke of Marshall.

Rule 75 was invoked.

On the question "Shall amendment H—4255, to amendment H—4226, be adopted?" (H.F. 669)

The ayes were, 48:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollic
Osterberg	Peterson	Renaud	Running
Schrader	Weigel	Wise	Witt

The nays were, 52:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Welter	Mr. Speaker Van Maanen

Absent or not voting, none.

Amendment H—4255 lost.

Corbett of Linn called up for consideration amendment H—4226.

Arnould of Scott rose on a point of order that amendment H—4226 was not germane.

The Speaker ruled the point well taken and amendment H—4226 not germane.

Siegrist of Pottawattamie moved that the rules be suspended to consider amendment H—4226.

Roll call was requested by Arnould of Scott and Murphy of Dubuque.

On the question "Shall the rules be suspended to consider amendment H—4226?" (H.F. 669)

The ayes were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier

Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

The nays were, 49:

Arnold	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

Absent or not voting, none.

The motion to suspend the rules prevailed.

Brammer of Linn rose on a point of order and invoked House Rule 32 to refer House File 669 to committee on ways and means.

The Speaker ruled the point well taken and House Rule 32 in order.

Siegrist of Pottawattamie moved to suspend House Rule 32 to consider House File 669.

Roll call was requested by Brammer of Linn and Gill of Woodbury.

On the question "Shall the rules be suspended?" (H.F. 669)

The ayes were, 51:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

The nays were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shultz	Weigel	Wise
Witt			

Absent or not voting, none.

The motion to suspend the rules prevailed.

Corbett of Linn moved the adoption of amendment H—4226.

Roll call was requested by Bernau of Story and Brammer of Linn.

Rule 75 was invoked.

On the question "Shall amendment H—4226 be adopted?"
(H.F. 669)

The ayes were, 51:

Baker	Beaman	Blodgett	Boddicker
Branstad	Brauns	Brunkhorst	Carpenter
Cataldo	Churchill	Corbett	Daggett
Dinkla	Doderer	Eddie	Ertl
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hanson, D. E.	Hanson, D. R.	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Larson	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

The nays were, 49:

Arnould	Beatty	Bell	Bernau
Black	Brammer	Brand	Burke
Cohoon	Connors	Dickinson	Drake
Dvorsky	Fallon	Fogarty	Garman
Gill	Halvorson, R. N.	Hammond	Hansen, S. D.
Harper	Haverland	Henderson	Holveck

Jochum	Koenigs	Kreiman	Larkin
Lundby	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

Absent or not voting, none.

Amendment H—4226 was adopted.

Gipp 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. 669)

The ayes were, 51:

Baker	Beaman	Blodgett	Branstad
Brauns	Brunkhorst	Carpenter	Cataldo
Churchill	Corbett	Daggett	Dinkla
Doderer	Drake	Eddie	Ertl
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hanson, D. E.	Hanson, D. R.	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Larson	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

The nays were, 49:

Arnould	Beatty	Bell	Bernau
Black	Boddicker	Brammer	Brand
Burke	Cohoon	Connors	Dickinson
Dvorsky	Fallon	Fogarty	Garman
Gill	Halvorson, R. N.	Hammond	Hansen, S. D.
Harper	Haverland	Henderson	Holveck
Jochum	Koenigs	Kreiman	Larkin
Lundby	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

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.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 669** be immediately messaged to the Senate.

INTRODUCTION OF BILL

House File 675, by Siegrist and Arnould, a bill for an act relating to the regulation of milk and milk products.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 27, 1993, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 144, a bill for an act relating to government ethics, providing penalties, transition provisions, providing for retroactive applicability, and an effective date.

Also: That the Senate has on April 27, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 263, a bill for an act relating to requirements for fingerprint reporting and access by individuals and their attorneys to criminal history data.

Also: That the Senate has on April 27, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 267, a bill for an act relating to the definition of resident for taking fish, game, and other protected species of animal.

Also: That the Senate has on April 27, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 632, a bill for an act placing a moratorium on construction and operation of certain commercial waste incinerators and providing an effective date.

Also: That the Senate has on April 27, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 635, a bill for an act relating to the solicitation and giving of contributions to certain candidates for state office for which a special election is held during the regular legislative session.

Also: That the Senate has on April 27, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 644, a bill for an act extending upgrade dates and insurance premiums and requiring a noncompliance surcharge for underground storage tanks.

Also: That the Senate has on April 27, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 196, a bill for an act relating to the sales, services, and use tax in connection with printing activities and providing effective and applicability dates.

Also: That the Senate has on April 27, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 245, a bill for an act relating to the recording of certain instruments in the office of county recorder.

Also: That the Senate has on April 27, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 398, a bill for an act relating to the rights of mobile home, personal property, and real property owners and claimants in actions for abandonment and under a lease agreement.

Also: That the Senate has on April 27, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 409, a bill for an act naming an I-80 bridge "Schwengel Bridge".

JOHN F. DWYER, Secretary

SENATE MESSAGES CONSIDERED

Senate File 196, by committee on ways and means, a bill for an act relating to the sales, services, and use tax in connection with printing activities and providing effective and applicability dates.

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

Senate File 381, by committee on agriculture, a bill for an act relating to the production of livestock.

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

CONFERENCE COMMITTEE REPORT FILED

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

ELIZABETH A. ISAACSON
Chief Clerk of the House

Senate File 266, a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions,

department of insurance, department of utilities, and the racing and gaming commission and providing effective dates.

1. That the conference committee is unable to agree.

ON THE PART OF THE HOUSE:

RON CORBETT, Chair
RICK DICKINSON
MATT McCOY

ON THE PART OF THE SENATE:

TOM VILSACK, Chair
TONY BISIGNANO
DON E. GETTINGS

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 27, 1993, he approved and transmitted to the Secretary of State the following bills:

House File 452, an act extending the waiver provision for the education standards requiring an articulated sequential elementary-secondary guidance program and a media services program to support the total curriculum.

House File 484, an act relating to the authority of the department of inspections and appeals by providing for the collection of debts owed to the department of human services, by providing for the licensure of certain facilities as psychiatric medical institutions for children, by authorizing access to criminal histories to certain tribal gaming officials, and by providing an effective date.

House File 538, an act repealing provisions relating to and abolishing the county boards of social welfare and providing an effective date.

House File 541, an act relating to vital records by directing the Iowa department of public health to implement a vital records modernization project and providing an appropriation.

House File 565, an act relating to membership of community action agency boards and providing effective and retroactive applicability dates.

House File 603, an act relating to sanitary districts by providing for the funding of sanitary districts by special assessment and the disposition of property after annexation.

Senate File 78, an act making technical changes to transportation Code provisions concerning applications for registration and title, relating to the speed limit laws, concerning the agency appeal process regarding the sale of railroad property, and relating to the issuance of commercial vehicle violation citations.

Senate File 225, an act relating to technical and other changes within the Code to transfer the library division, regional library system, library compact, state data center, and public broadcasting division from the department of cultural affairs to the department of education and to transfer the Terrace Hill commission from the department of cultural affairs to the department of general services, and providing for related matters.

Senate File 335, an act relating to the Wallace technology transfer foundation and providing an effective date.

Senate File 343, an act relating to standards for land surveying by designating an Iowa plane coordinate system.

Senate File 374, an act relating to the state department of transportation concerning renewal of driver's licenses by mail.

PRESENTATION OF VISITORS

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

Forty fourth grade students from East Elementary School, Ankeny, accompanied by Pat Carlson and Diane Blomgren. By Haverland of Polk.

Thirty-three eighth grade students from Clarion Middle School, Clarion, accompanied by Sue Mechem. By Iverson of Wright.

CERTIFICATES OF RECOGNITION

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

ELIZABETH A. ISAACSON
Chief Clerk of the House

- | | |
|----------|---|
| 1993-195 | Chris Timmsen, Wilton—For award of merit in the 1993 feed grain award of Career Planning Program. |
| 1993-196 | Anne Moser, Thomas Jefferson High School, Council Bluffs—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll. |
| 1993-197 | Jenifer Steger, Abraham Lincoln High School, Council Bluffs—For being named to the 1993 Academic All-State Regional Team. |
| 1993-198 | Scott Kendall, Boone—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll. |
| 1993-199 | Teresa Arnold, Ogden—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll. |
| 1993-200 | Chad Doellinger, Newton—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll. |
| 1993-201 | Bree Hadsall, Colfax—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll. |
| 1993-202 | Shawn Ruden, Dubuque—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll. |
| 1993-203 | Daniel Faidley, Prairie City—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll. |
| 1993-204 | Sarah Rapp, Burlington—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll. |
| 1993-205 | Erich Jaeger, Cedar Falls High School—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll. |

- 1993-206 Sarah Aeilts, Central Lyon High School, Rock Rapids—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-207 Gary Kueper, Dubuque—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-208 Kevin Braun, Dubuque—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-209 Andrew Stephens, Marshalltown—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-210 Nikolaus Loening, Iowa City—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-211 Yung Chyung, Iowa City—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-212 Doug Carmichael, Iowa City—For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.

SUBCOMMITTEE ASSIGNMENTS

Senate File 410

Ways and Means: Hanson of Delaware, Chair; Churchill and Osterberg.

Senate File 411

Ways and Means: Halvorson of Clayton, Chair; Burke, Carpenter, Drake and Osterberg.

Senate File 416

Ways and Means: Greig, Chair; Carpenter and Osterberg.

RESOLUTION FILED

HCR 33, by Eddie, Welter, Koenigs, Vande Hoef, Weigel, Fogarty, Mundie, Bernau, Branstad, Dinkla, Meyer, Mertz, May, Brauns, Hahn, Greig, Greiner, Houser, Klemme and Henderson, a concurrent resolution relating to the research and development of soybean-based industrial and consumer products.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-4209	H.F.	668	Lundby of Linn
H-4210	H.F.	668	Lundby of Linn
H-4211	H.F.	668	Lundby of Linn
H-4214	S.F.	394	Senate Amendment
H-4215	H.F.	136	Senate Amendment
H-4216	H.F.	674	Hansen of Woodbury
H-4217	H.F.	674	Hansen of Woodbury
H-4218	H.F.	674	Hansen of Woodbury

H-4219	H.F.	674	Hansen of Woodbury
H-4220	H.F.	674	Hansen of Woodbury
H-4221	H.F.	674	Hansen of Woodbury
H-4222	H.F.	263	Senate Amendment
H-4223	H.F.	674	Hansen of Woodbury
H-4224	H.F.	674	Hansen of Woodbury
H-4225	H.F.	674	Hansen of Woodbury
H-4242	H.F.	267	Senate Amendment
H-4248	H.F.	674	Hansen of Woodbury
H-4249	H.F.	674	Dickinson of Jackson
H-4250	H.F.	674	Hansen of Woodbury
H-4251	H.F.	674	Hansen of Woodbury
H-4252	H.F.	674	Schrader of Marion
H-4254	H.F.	632	Senate Amendment
H-4256	H.F.	674	Murphy of Dubuque
H-4257	H.F.	635	Senate Amendment
H-4258	H.F.	644	Senate Amendment
H-4259	H.F.	674	Gill of Woodbury
H-4260	H.F.	674	McNeal of Hardin
H-4261	H.F.	674	McNeal of Hardin
			Grubbs of Scott
H-4262	H.F.	674	Murphy of Dubuque
H-4263	H.F.	674	Murphy of Dubuque
H-4264	H.F.	674	Millage of Scott

On motion by Siegrist of Pottawattamie, the House adjourned at 8:52 p.m., until 8:45 a.m., Wednesday, April 28, 1993.

JOURNAL OF THE HOUSE

One Hundred eighth Calendar Day — Seventy-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 28, 1993

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

Prayer was offered by Reverend Maurice Lind, pastor of Faith Lutheran Church, Mount Pleasant.

The Journal of Tuesday, April 27, 1993 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By Brunkhorst of Bremer, from ten constituents opposing the reinstatement of the death penalty in Iowa.

By Gipp of Winneshiek, from twenty-nine concerned Iowans opposing the reinstatement of the death penalty in Iowa.

By Ollie of Clinton, from eighty-seven constituents opposing House File 533, relating to use of mobile transmitters to hunt coyotes.

By Rants of Woodbury, from twelve constituents from Sioux City opposing the death penalty.

By Renken of Grundy, from eighteen residents of Grundy County opposing reinstatement of the death penalty in Iowa.

RULE 57 SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for an immediate meeting of the committee on agriculture for the consideration of House File 675.

The House stood at ease at 9:00 a.m., until the fall of the gavel.

The House resumed session at 9:34 a.m., Speaker Van Maanen in the chair.

INTRODUCTION OF BILL

House File 676, by committee on ways and means, a bill for an act relating to the suspension and abatement of property taxes for machinery and equipment and for certain other real property.

Read first time and placed on the ways and means calendar.

CONSIDERATION OF BILLS
Unfinished Business Calendar

The House resumed consideration of **Senate File 371**, a bill for an act relating to probate, including certain notice provisions and statutory shares, previously deferred and placed on the unfinished business calendar.

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

On the question "Shall the bill pass?" (S.F. 371)

The ayes were, 100:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cphoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, none.

Absent or not voting, none.

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

HOUSE FILE 596 WITHDRAWN

McNeal of Hardin asked and received unanimous consent to withdraw House File 596 from further consideration by the House.

SENATE AMENDMENTS CONSIDERED

Churchill of Polk called up for consideration **House File 389**, a bill for an act relating to administrative dissolutions, nonprofit corporations, and foreign corporations, establishing fees for certain filings, and other related matters, amended by the Senate, and moved that the House concur in the following Senate amendment H-4077:

H-4077

1 Amend House File 389, as passed by the House, as
2 follows:

3 1. Page 8, by inserting after line 8, the
4 following:

5 "Sec. _____. Section 499.40, Code 1993, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 8. The name and street address of
8 the association's initial registered agent.

9 Sec. _____. Section 499.45, subsection 4, Code 1993,
10 is amended by striking the subsection.

11 Sec. _____. Section 499.49, unnumbered paragraph 1,
12 Code 1993, is amended to read as follows:

13 Each association shall, before April 1 of each
14 year, file a report with the secretary of state on
15 forms prescribed by the secretary, ~~to be accompanied~~
16 ~~by the annual fee required by section 499.45,~~
17 ~~subsection 4.~~ Such report shall be signed by an
18 officer of the association, or a receiver or trustee
19 liquidating its affairs, and shall state:

20 Sec. _____. Section 499.54, Code 1993, is amended to
21 read as follows:

22 499.54 FOREIGN ASSOCIATIONS.

23 Any foreign corporation ~~now or hereafter organized~~
24 under generally similar laws of any other state shall
25 be admitted to do business in Iowa upon compliance
26 with the general laws relating to foreign corporations
27 and payment of the same fees as would be required
28 under section ~~494.4~~ 490.122 ~~if the foreign~~
29 ~~co-operative corporation is~~ a foreign corporation for
30 profit seeking authority to transact business in Iowa
31 under chapter ~~494~~ 490. Upon the secretary of state
32 being satisfied that ~~such~~ the foreign corporation is
33 so organized and has so complied, the secretary shall
34 issue it a certificate authorizing ~~it~~ the foreign
35 corporation to do business in Iowa.

36 Such ~~a~~ foreign associations corporation thus
37 admitted shall be entitled to all remedies provided in

38 this chapter, and to enforce all contracts theretofore
 39 or thereafter made by it the foreign corporation which
 40 any association might make under this chapter.

41 If such a foreign corporation amends its articles
 42 it shall forthwith file a copy thereof of the
 43 amendment with the secretary of state, certified by
 44 the secretary or other proper official of the state
 45 under whose laws it is formed, and shall pay the fees
 46 prescribed for amendments by section 494.5 490.122.
 47 Foreign corporations shall also file statements and
 48 pay fees otherwise prescribed by said section 494.5
 49 490.122.

50 Sec. _____. NEW SECTION. 499.72 REGISTERED OFFICE

Page 2

1 **AND REGISTERED AGENT.**

2 Each association must continuously maintain in this
 3 state both of the following:

4 1. A registered office that may be the same as any
 5 of its places of business.

6 2. A registered agent, who may be any of the
 7 following:

8 a. An individual who resides in this state and
 9 whose business office is identical with the registered
 10 office.

11 b. A domestic corporation or not-for-profit
 12 domestic corporation whose business office is
 13 identical with the registered office.

14 c. A foreign corporation or not-for-profit foreign
 15 corporation authorized to transact business in this
 16 state whose business office is identical with the
 17 registered office.

18 Sec. _____. NEW SECTION. 499.73 CHANGE OF
 19 REGISTERED OFFICE OR REGISTERED AGENT.

20 1. An association may change its registered office
 21 or registered agent by delivering to the secretary of
 22 state for filing a statement of change that sets forth
 23 all of the following:

24 a. The name of the association.

25 b. The street address of its current registered
 26 office.

27 c. If the current registered office is to be
 28 changed, the street address of the new registered
 29 office.

30 d. The name of its current registered agent.

31 e. If the current registered agent is to be
 32 changed, the name of the new registered agent and the
 33 new agent's written consent, either on the statement
 34 or attached to it, to the appointment.

35 f. That after the change or changes are made, the
 36 street addresses of its registered office and the

37 business office of its registered agent will be
38 identical.

39 2. If a registered agent changes the street
40 address of the registered agent's business office, the
41 registered agent may change the street address of the
42 registered office of any association for which the
43 person is the registered agent by notifying the
44 association in writing of the change and signing,
45 either manually or in facsimile, and delivering to the
46 secretary of state for filing a statement that
47 complies with the requirements of subsection 1 and
48 recites that the association has been notified of the
49 change.

50 3. If a registered agent changes the registered

Page 3

1 agent's business address to another place, the
2 registered agent may change the business address and
3 the address of the registered agent by filing a
4 statement as required in subsection 2 for each
5 association, or a single statement for all
6 associations named in the notice, except that it need
7 be signed only by the registered agent or agents and
8 need not be responsive to subsection 1, paragraph "e",
9 and must recite that a copy of the statement has been
10 mailed to each association named in the notice.

11 4. An association may also appoint or change its
12 registered office or registered agent in its annual
13 report.

14 Sec. _____. NEW SECTION. 499.74 RESIGNATION OF
15 REGISTERED AGENT.

16 1. A registered agent may resign the agent's
17 agency appointment by signing and delivering to the
18 secretary of state for filing the signed original and
19 two exact or conformed copies of a statement of
20 resignation. The statement may include a statement
21 that the registered office is also discontinued.

22 2. After filing the statement the secretary of
23 state shall mail one copy to the registered office, if
24 not discontinued, and the other copy to the
25 association at its principal office.

26 3. The agency appointment is terminated, and the
27 registered office discontinued if so provided, on the
28 thirty-first day after the date on which the statement
29 was filed.

30 Sec. _____. NEW SECTION. 499.75 SERVICE ON
31 ASSOCIATION.

32 1. An association's registered agent is the
33 association's agent for service of process, notice, or
34 demand required or permitted by law to be served on
35 the association.

- 36 2. If an association has no registered agent, or
37 the agent cannot with reasonable diligence be served,
38 the association may be served by registered or
39 certified mail, return receipt requested, addressed to
40 the secretary of the association at its principal
41 office. Service is perfected under this subsection at
42 the earliest of any of the following:
- 43 a. The date the association receives the mail.
 - 44 b. The date shown on the return receipt, if signed
45 on behalf of the association.
 - 46 c. Five days after its deposit in the United
47 States mail, as evidenced by the postmark, if mailed
48 postpaid and correctly addressed.
- 49 3. This section does not prescribe the only means,
50 or necessarily the required means, of serving an

Page 4

- 1 association.
- 2 Sec. _____. NEW SECTION. 499.76 GROUNDS FOR
3 ADMINISTRATIVE DISSOLUTION.
- 4 The secretary of state may commence a proceeding
5 under section 499.77 to administratively dissolve an
6 association if any of the following apply:
- 7 1. The association does not pay within sixty days
8 after they are due any franchise taxes or penalties
9 imposed by this chapter or other law.
 - 10 2. The association has not delivered an annual
11 report to the secretary of state in a form that meets
12 the requirements of section 499.49, within sixty days
13 after it is due.
 - 14 3. The association is without a registered agent
15 or registered office in this state for sixty days or
16 more.
 - 17 4. The association does not notify the secretary
18 of state within sixty days that its registered agent
19 or registered office has been changed, that its
20 registered agent has resigned, or that its registered
21 office has been discontinued.
 - 22 5. The association's period of duration stated in
23 its articles of incorporation expires.
- 24 Sec. _____. NEW SECTION. 499.77 PROCEDURE FOR AND
25 EFFECT OF ADMINISTRATIVE DISSOLUTION.
- 26 1. If the secretary of state determines that one
27 or more grounds exist under section 499.76 for
28 dissolving an association, the secretary of state
29 shall serve the association by ordinary mail with
30 written notice of the secretary of state's
31 determination pursuant to section 499.75.
 - 32 2. If the association does not correct each ground
33 for dissolution or demonstrate to the reasonable
34 satisfaction of the secretary of state that each

35 ground determined by the secretary of state does not
36 exist within sixty days after service of the notice is
37 perfected pursuant to section 499.75, the secretary of
38 state shall administratively dissolve the association
39 by signing a certificate of dissolution that recites
40 the ground or grounds for dissolution and its
41 effective date. The secretary of state shall file the
42 original of the certificate and serve a copy on the
43 association pursuant to section 499.75.

44 3. An association administratively dissolved
45 continues its existence but shall not carry on any
46 business except that necessary to wind up and
47 liquidate its business and affairs and notify
48 claimants.

49 4. The administrative dissolution of an
50 association does not terminate the authority of its

Page 5

1 registered agent.

2 Sec. ____ NEW SECTION. 499.78 REINSTATEMENT
3 FOLLOWING ADMINISTRATIVE DISSOLUTION.

4 1. An association administratively dissolved under
5 section 499.77 may apply to the secretary of state for
6 reinstatement within two years after the effective
7 date of dissolution. The application must meet all of
8 the following requirements:

9 a. Recite the name of the association at its date
10 of dissolution and the effective date of its
11 administrative dissolution.

12 b. State that the ground or grounds for
13 dissolution either did not exist or have been
14 eliminated.

15 2. If the secretary of state determines that the
16 application contains the information required by
17 subsection 1 and that the information is correct, the
18 secretary of state shall cancel the certificate of
19 dissolution and prepare a certificate of reinstatement
20 that recites the secretary of state's determination
21 and the effective date of reinstatement, file the
22 original of the certificate, and serve a copy on the
23 association pursuant to section 499.75.

24 3. When the reinstatement is effective, it relates
25 back to and takes effect as of the effective date of
26 the administrative dissolution as if the
27 administrative dissolution had never occurred.

28 Sec. ____ NEW SECTION. 499.78A APPEAL FROM
29 DENIAL OF REINSTATEMENT.

30 1. If the secretary of state denies an
31 association's application for reinstatement following
32 administrative dissolution, the secretary of state
33 shall serve the association pursuant to section 499.75

- 34 with a written notice that explains the reason or
 35 reasons for denial.
- 36 2. The association may appeal the denial of
 37 reinstatement to the district court within thirty days
 38 after service of the notice of denial is perfected.
 39 The association appeals by petitioning the court to
 40 set aside the dissolution and attaching to the
 41 petition copies of the secretary of state's
 42 certificate of dissolution, the association's
 43 application for reinstatement, and the secretary of
 44 state's notice of denial.
- 45 3. The court may summarily order the secretary of
 46 state to reinstate the dissolved association or may
 47 take other action the court considers appropriate.
- 48 4. The court's final decision may be appealed as
 49 in other civil proceedings."
- 50 2. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-4077.

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

On the question "Shall the bill pass?" (H.F. 389)

The ayes were, 100:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running

Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, none.

Absent or not voting; none.

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

Hurley of Fayette called up for consideration **House File 384**, a bill for an act relating to tuition reimbursements of postsecondary institutions by school districts under the postsecondary enrollment options Act, amended by the Senate, and moved that the House concur in the following Senate amendment H-4190:

H-4190

1 Amend House File 384, as passed by the House, as
2 follows:

3 1. Page 1, by striking lines 1 through 11.

4 2. Page 1, line 23, by inserting after the figure
5 "261C.6" the following: "and shall reimburse the
6 school district for its costs".

7 3. Page 1, by inserting after line 28 the
8 following:

9 "If the local area education agency verifies that
10 the pupil was unable to complete the course for
11 reasons including but not limited to the pupil's
12 physical incapacity, death in the family, or the
13 pupil's move to another school district, a
14 verification by the area education agency shall
15 constitute a waiver to the requirement that the pupil,
16 pupil's parent, guardian, or legal custodian pay the
17 costs of the course to the school district."

18 4. Page 1, by inserting after line 28 the
19 following:

20 "Sec. _____. **NEW SECTION. 261C.9 TUITION REFUND.**

21 An eligible postsecondary institution shall make
22 pro rata adjustments to tuition reimbursement amounts
23 based upon federal guidelines established pursuant to
24 20 U.S.C. § 1091b."

25 5. Page 1, by inserting after line 28 the follow-
26 ing:

27 "Sec. _____. **NEW SECTION. 279.38A MEMBERSHIP IN**
28 **OTHER ORGANIZATIONS.**

29 Duly elected members of boards of directors and
30 designated administrators of school corporations may
31 join, including the payment of dues, and participate
32 in local, regional, and national organizations which

- 33 directly relate to the functions of the board of
 34 directors.”
 35 6. Title page, line 3, by inserting after the
 36 word “Act” the following: “and membership in
 37 organizations relating to duties of a board of
 38 directors of a school corporation”.
 39 7. By renumbering, relettering, or redesignating
 40 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H—4190.

Hurley of Fayette 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. 384)

The ayes were, 100:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier,	Rafferty	Rants
Renaud	Renken	Royer	Running
Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, none.

Absent or not voting, none.

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

Halvorson of Clayton called up for consideration **House File 382**, a bill for an act relating to delinquency charges on, and the conversion of, certain consumer transactions, amended by the following Senate amendment H—3992:

H—3992

- 1 Amend House File 382 as amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by striking line 4, and inserting the
- 4 following: "the installment, or a maximum of five ten
- 5 dollars."
- 6 2. Page 1, by striking lines 5 through 16.

Halvorson of Clayton offered the following amendment H—4196, to the Senate amendment H—3992, filed by Halvorson of Clayton, et al., and moved its adoption:

H—4196

- 1 Amend the Senate amendment, H—3992, to House File
- 2 382, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, line 4, by striking the word "ten" and
- 5 inserting the following: "twenty".

Roll call was requested by Kreiman of Davis and Halvorson of Webster.

Rule 75 was invoked.

On the question "Shall amendment H—4196, to the Senate amendment H—3992, be adopted?" (H.F. 382)

The ayes were, 52:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Hahn	Halvorson, R. A.	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Mr. Speaker
			Van Maanen

The nays were, 48:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cphoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Grundberg	Halvorson, R. N.
Hammond	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Wise	Witt

Absent or not voting, none.

Amendment H—4196 was adopted.

Halvorson of Clayton moved that the House concur in the Senate amendment H—3992, as amended.

A non-record roll call was requested.

The ayes were 52, nays 37.

The motion prevailed and the House concurred in the Senate amendment H—3992, as amended.

Halvorson of Clayton 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. 382)

The ayes were, 59:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Ertl	Fogarty	Garman
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hansen, S. D.	Hanson, D. E.	Hanson, D. R.	Hester
Houser	Hurley	Iverson	Kistler
Klemme	Koenigs	Larson	Lundby
Martin	May	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Mundie	Plasier	Rafferty	Rants
Renken	Royer	Siegrist	Spanner

Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Mr. Speaker	
		Van Maanen	

The nays were, 41:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Gill	Halvorson, R. N.	Hammond	Harper
Haverland	Henderson	Holveck	Jochum
Kreiman	Larkin	McCoy	McKinney
Moreland	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Renaud	Running	Schrader	Shoultz
Witt			

Absent or not voting, none.

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 389, 384, 382 and Senate File 371.**

Unfinished Business Calendar

The House resumed consideration of **Senate File 290**, a bill for an act relating to the moratorium on the granting of permits for the construction or operation of infectious waste treatment or disposal facilities, previously deferred and placed on the unfinished business calendar.

Rants of Woodbury offered the following amendment H-3745 filed by the committee on energy and environmental protection and moved its adoption:

H-3745

- 1 Amend Senate File 290 as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 455B.503, Code 1993, is
- 6 amended to read as follows:
- 7 455B.503 INFECTIOUS WASTE TREATMENT AND DISPOSAL
- 8 FACILITIES - PERMITS REQUIRED - RULES.
- 9 The commission shall adopt rules which require a
- 10 person who owns or operates an infectious waste

11 treatment or disposal facility to obtain an operating
12 permit before initial operation of the facility. The
13 rules shall specify the information required to be
14 submitted with the application for a permit and the
15 conditions under which a permit may be issued,
16 suspended, modified, revoked, or renewed. The rules
17 shall address but are not limited to the areas of
18 operator safety, recordkeeping and tracking
19 procedures, best available appropriate technologies,
20 emergency response and remedial action procedures,
21 waste minimization procedures, and long-term
22 liability. The department shall submit proposed rules
23 to the commission and notify the general assembly of
24 the submission of the proposed rules pursuant to
25 section 7A.11 by January 15, 1993 and the commission
26 shall adopt rules by January 15, 1994. The department
27 shall not grant permits for the construction or
28 operation of a commercial infectious waste treatment
29 or disposal facility until the commission has adopted
30 the required rules, and in no event earlier than July
31 1, ~~1993~~ 1994."

32 2. Page 1, line 3, by inserting after the word
33 and figure "subsection 1" the following: "and
34 subsection 3, paragraph a".

35 3. Page 1, line 13, by striking the words
36 "constructed or" and inserting the following:
37 "exclusively constructed or exclusively owned and".

38 4. Page 1, line 16, by inserting after the word
39 "jointly" the following: "and exclusively".

40 5. Page 1, line 16, by inserting after the word
41 "or" the following: "jointly and exclusively own
42 and".

43 6. Page 2, by inserting after line 8, the
44 following:

45 "a. An existing infectious waste treatment or
46 disposal facility shall comply with the standards and
47 limitations adopted by July 1, 1994 1995, or as
48 federal standards and limitations become final,
49 whichever is earlier."

50 7. Title page, line 3, by inserting after the

Page 2

1 word "facilities" the following: "and providing for
2 exemptions".

3 8. By renumbering, relettering, or redesignating
4 and correcting internal references as necessary.

The committee amendment H-3745 was adopted.

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

On the question "Shall the bill pass?" (S.F. 290)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Halvorson, R. N.

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

SENATE AMENDMENT CONSIDERED

Millage of Scott called up for consideration **Senate File 394**, a bill for an act relating to establishing a debt due for medical assistance resulting from a transfer of assets, and to allowable claims against a conservatorship for the cost of medical care or services provided to a recipient of medical assistance, amended by the Senate, and moved that the House concur in the following Senate amendment H—4214:

H-4214

- 1 Amend the House amendment, S-3527, to Senate File
- 2 394, as passed by the Senate, as follows:
- 3 1. Page 1, by inserting after line 39, the
- 4 following:
- 5 "_____. Page 3, line 3, by striking the words
- 6 "inspections and appeals" and inserting the following:
- 7 "human services".
- 8 _____. Page 3, lines 16 and 17, by striking the
- 9 words "inspections and appeals" and inserting the
- 10 following: "human services".
- 11 _____. Page 3, line 22, by striking the words
- 12 "inspections and appeals" and inserting the following:
- 13 "human services".
- 14 _____. Page 3, line 24, by striking the words
- 15 "inspections and appeals" and inserting the following:
- 16 "human services".
- 17 _____. Page 3, lines 29 and 30, by striking the
- 18 words "inspections and appeals" and inserting the
- 19 following: "human services".
- 20 _____. Page 3, line 34, by striking the words
- 21 "inspections and appeals" and inserting the following:
- 22 "human services".
- 23 _____. Page 4, line 5, by striking the words
- 24 "inspections and appeals" and inserting the following:
- 25 "human services".
- 26 _____. Page 4, lines 7 and 8, by striking the words
- 27 "inspections and appeals" and inserting the following:
- 28 "human services".
- 29 _____. Page 4, line 11, by striking the words
- 30 "inspections and appeals" and inserting the following:
- 31 "human services".
- 32 _____. Page 4, line 18, by striking the words
- 33 "inspections and appeals" and inserting the following:
- 34 "human services".
- 35 _____. Page 4, line 22, by striking the words
- 36 "inspections and appeals" and inserting the following:
- 37 "human services".
- 38 _____. Page 4, line 27, by striking the words
- 39 "inspections and appeals" and inserting the following:
- 40 "human services".
- 41 _____. Page 4, line 30, by striking the words
- 42 "inspections and appeals" and inserting the following:
- 43 "human services".
- 44 _____. Page 5, lines 10 and 11, by striking the
- 45 words "or the department of inspections and appeals".
- 46 _____. Page 5, line 16, by striking the words
- 47 "inspections and appeals" and inserting the following:
- 48 "human services".
- 49 _____. Page 5, line 24, by striking the words
- 50 "inspections and appeals" and inserting the following:

Page 2

- 1 "human services".
- 2 _____. Page 6, line 1, by striking the words
- 3 "inspections and appeals" and inserting the following:
- 4 "human services".
- 5 _____. Page 6, line 7, by striking the words
- 6 "inspections and appeals'" and inserting the
- 7 following: "human services'".
- 8 2. Page 1, by inserting after line 40, the
- 9 following:
- 10 "_____. Page 7, by striking lines 2 through 4 and
- 11 inserting the following: "administered by the
- 12 department of human services. All administrative
- 13 discretion in the".
- 14 3. Renumber as necessary.

The motion prevailed and the House concurred in the Senate amendment H-4214.

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

On the question "Shall the bill pass?" (S.F. 394)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gipp	Greiner	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spanner	Tyrrell	Vande Hoef

Weidman
Witt

Weigel
Mr. Speaker
Van Maanen

Welter

Wise

The nays were, none.

Absent or not voting, 2:

Gill

Halvorson, R. N.

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

HOUSE REFUSED TO CONCUR

Blodgett of Cerro Gordo called up for consideration **House File 348**, a bill for an act relating to the filing of certain birth certificates, amended by the Senate, and moved that the House concur in the following Senate amendment H—4189:

H—4189

- 1 Amend House File 348, as passed by the House, as
- 2 follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. Section 144.13, subsection 4, Code
- 6 1993, is amended by striking the subsection."

The motion lost and the House refused to concur in the Senate amendment H—4189.

Carpenter of Polk called up for consideration **House File 111**, a bill for an act updating the Iowa Code references to the federal Internal Revenue Code and providing retroactive applicability and effective dates, amended by the Senate, and moved that the House concur in the following Senate amendment H—3129:

H—3129

- 1 Amend House File 111, as passed by the House, as
- 2 follows:
- 3 1. Page 1, by inserting before line 1, the
- 4 following:
- 5 "Section 1. **NEW SECTION. 421.11 LEGISLATIVE**
- 6 **INTENT REGARDING EXCISE TAXES.**
- 7 It is the understanding and intent of the Seventy-
- 8 fourth and Seventy-fifth General Assemblies that the
- 9 term "excise tax" as used in 1992 Iowa Acts, chapter
- 10 1249, and Senate Joint Resolution 2, if passed by the
- 11 Seventy-fifth General Assembly, which propose a
- 12 constitutional amendment relating to fish and game
- 13 protection funds, is limited to those excise taxes

- 14 imposed by the United States government."
 15 2. Page 2, line 12, by striking the word "This"
 16 and inserting the following: "Except for section 1 of
 17 this Act, this".
 18 3. By renumbering sections as needed.

The motion lost and the House refused to concur in the Senate amendment H-3129.

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 348, 111 and Senate Files 290 and 394.**

On motion by Siegrist of Pottawattamie, the House recessed at 11:08 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Van Maanen in the chair.

QUORUM CALL

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

RULES SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend the rules for the immediate consideration of House File 675.

CONSIDERATION OF BILLS

Regular Calendar

House File 675, a bill for an act relating to the regulation of milk and milk products, was taken up for consideration.

Eddie 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. 675)

The ayes were, 91:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Blodgett	Boddicker
Brammer	Brand	Branstad	Brauns
Burke	Carpenter	Cataldo	Churchill
Cohoon	Connors	Corbett	Daggett
Dickinson	Dinkla	Doderer	Drake

Dvorsky	Eddie	Ertl	Fallon
Fogarty	Gill	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Hurley	Iverson
Jochum	Kistler	Koenigs	Kreiman
Larkin	Larson.	Lundby	Martin
May	McCoy	McKinney	McNeal
Mertz	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Siegrist	Spenner
Tyrrell	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, 6:

Brunkhorst	Garman	Hansen, S. D.	Houser
Klemme	Vande Hoef		

Absent or not voting, 3:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 675** be immediately messaged to the Senate.

MOTION TO RECONSIDER PREVAILED

Blodgett of Cerro Gordo called up for consideration the motion to reconsider Senate File 117, filed by him on April 19, 1993, and moved to reconsider the vote by which **Senate File 117**, a bill for an act relating to children who are exposed to illegal drugs by including such children under the definitions of a child in need of assistance and child abuse under certain circumstances and by amending the title and scope and responsibilities of the council on chemically exposed infants to include children, passed the House and was placed on its last reading on April 19, 1993.

A non-record roll call was requested.

The ayes were 73, nays none.

The motion prevailed and Senate File 117 was reconsidered, placing out of order the motion to reconsider Senate File 117, filed by Hammond of Story on April 19, 1993.

Hammond of Story offered the following amendment H-4206 filed by her and moved its adoption:

H-4206

- 1 Amend Senate File 117 as follows:
- 2 1. Page 3, by inserting after line 32, the
- 3 following:
- 4 "Sec. _____. APPROPRIATION. There is appropriated
- 5 from the general fund of the state to the department
- 6 of human services for the fiscal year beginning July
- 7 1, 1993, and ending June 30, 1994, the following
- 8 amount, or so much thereof as is necessary, to be used
- 9 for the purposes designated:
- 10 For costs to implement the provisions of sections
- 11 1, 2, and 3 of this Act:
- 12\$ 370,901".
- 13 2. Title page, line 5, by inserting after the
- 14 word "children" the following: "and providing an
- 15 appropriation".
- 16 3. By renumbering as necessary.

Roll call was requested by Hammond of Story and Witt of Black Hawk.

Rule 75 was invoked.

On the question "Shall amendment H-4206 be adopted?"
(S.F. 117)

The ayes were, 50:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Carpenter	Cataldo	Churchill
Cohoon	Connors	Dickinson	Doderer
Dvorsky	Fallon	Gill	Halvorson, R. N.
Hammond	Hansen, S. D.	Harper	Haverland
Henderson	Holveck	Jochum	Koenigs
Kreiman	Larkin	May	McCoy
McKinney	Mertz	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Renaud
Running	Schrader	Shoultz	Weigel
Wise	Witt		

The nays were, 50:

Beaman	Blodgett	Eddicker	Branstad
Brauns	Brunkhorst	Corbett	Daggett

Dinkla	Drake	Eddie	Ertl
Fogarty	Garman	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Hanson, D. E.	Hanson, D. R.
Hester	Houser	Hurley	Iverson
Kistler	Klemme	Larson	Lundby
Martin	McNeal	Metcalf	Meyer
Millage	Miller	Plasier	Rafferty
Rants	Renken	Royer	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Welter	Mr. Speaker		
	Van Maanen		

Absent or not voting, none.

Amendment H—4206 lost.

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

On the question "Shall the bill pass?" (S.F. 117)

The ayes were, 81:

Arnould	Beaman	Bell	Black
Blodgett	Boddicker	Brammer	Brand
Branstad	Brunkhorst	Burke	Cataldo
Churchill	Choon	Connors	Corbett
Daggett	Dickinson	Dinkla	Drake
Dvorsky	Eddie	Ertl	Fogarty
Garman	Gill	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Jochum	Kistler	Larkin	Larson
Lundby	May	McCoy	McKinney
McNeal	Metcalf	Millage	Miller
Moreland	Mundie	Murphy	Nelson
O'Brien	Ollie	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Mr. Speaker			
Van Maanen			

The nays were, 17:

Baker	Beatty	Bernau	Carpenter
Doderer	Fallon	Hammond	Harper
Iverson	Koenigs	Kreiman	Martin
Mertz	Meyer	Neuhauser	Osterberg
Witt			

Absent or not voting, 2:

Brauns

Klemme

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 117** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 28, 1993, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 83, a bill for an act relating to the discharge of dangerous weapons from a motor vehicle at a dwelling, motor vehicle, or one or more persons and providing penalties and providing an effective date.

Also: That the Senate has on April 28, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 319, a bill for an act relating to the development and delivery of a summary of the procedures and rights involved in a civil commitment proceeding to a person who applies for the involuntary commitment of another.

Also: That the Senate has on April 28, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 328, a bill for an act requiring a single state insurance registration system for motor carriers.

Also: That the Senate has on April 28, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 388, a bill for an act relating to establishing statewide implementation of 911 telephone services and providing for the funding of such services.

Also: That the Senate has on April 28, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 400, a bill for an act authorizing city utilities to include cable communication or television systems.

Also: That the Senate has on April 28, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 533, a bill for an act allowing the use of mobile transmitters to hunt coyotes and subjecting violators to an existing scheduled fine.

Also: That the Senate has on April 28, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 63, a bill for an act relating to the establishment of a long-term care asset preservation program.

Also: That the Senate has on April 28, 1993, 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 abolition of certain civil service commissions, use of electronic voice recording devices at civil service meetings, and relating to qualifications and requirements for appointment, promotion, or employment in positions governed by civil service.

Also: That the Senate has on April 28, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 278; a bill for an act to exclude agricultural commodity promotional boards, which are subject to a producer referendum, from the requirements of the chapter relating to conflicts of interest of public officers and employees and from other requirements applicable to state agencies.

Also: That the Senate has on April 28, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 418, a bill for an act relating to the annexation of land to cities.

JOHN F. DWYER, Secretary

The House stood at ease at 2:04 p.m., until the fall of the gavel.

The House resumed session at 4:52 p.m., Speaker Van Maanen in the chair.

SENATE AMENDMENT CONSIDERED

Rants of Woodbury called up for consideration **House File 263**, a bill for an act relating to requirements for fingerprint reporting and access by individuals and their attorneys to criminal history data, amended by the Senate, and moved that the House concur in the following Senate amendment H-4222:

H-4222

1 Amend House File 263, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 28 through 31 and
4 inserting the following: "taken of a person who has
5 been arrested for a public offense subject to an
6 enhanced penalty for conviction of a second or
7 subsequent offense. In addition to the fingerprints
8 as herein".

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

11 "Sec. _____. NEW SECTION. 690.5 ADMINISTRATIVE
12 SANCTIONS.

13 An agency subject to fingerprinting and disposition
14 requirements under this chapter shall take all steps

15 necessary to ensure that all agency officials and
16 employees understand the requirements and shall
17 provide for and impose administrative sanctions, as
18 appropriate, for failure to report as required.

19 If a criminal justice agency subject to
20 fingerprinting and disposition requirements fails to
21 comply with the requirements, the commissioner of
22 public safety shall order that the agency's access to
23 criminal history record information maintained by the
24 repository be denied or restricted until the agency
25 complies with the reporting requirements.

26 The state court administrator shall develop a
27 policy to ensure that court personnel understand and
28 comply with the fingerprinting and disposition
29 requirements and shall also develop sanctions for
30 court personnel who fail to comply with the
31 requirements."

32 3. Page 3, line 25, by inserting after the word
33 "identification." the following: "The department
34 shall not copy the fingerprint identification and
35 shall return or destroy the identification after the
36 copy of the criminal history data is made."

37 4. Page 5, by inserting after line 4 the
38 following:

39 "Sec. _____. Section 692.16, Code 1993, is amended
40 to read as follows:

41 692.16 REVIEW AND REMOVAL.

42 At least every year the bureau shall review and
43 determine current status of all Iowa arrests reported,
44 which are at least one year old with no disposition
45 data. Any Iowa arrest recorded within a computer data
46 storage system which has no disposition data after
47 five four years shall be removed unless there is an
48 outstanding arrest warrant or detainer on such charge.

49 Sec. _____. Section 692.17, Code 1993, is amended to
50 read as follows:

Page 2

1 692.17 EXCLUSIONS — PURPOSES.

2 Criminal history data in a computer data storage
3 system shall not include arrest or disposition data
4 after the person has been acquitted or the charges
5 dismissed.

6 For the purposes of this section, "criminal history
7 data" includes information maintained by any criminal
8 justice agency if the information otherwise meets the
9 definition of criminal history data set forth in
10 section 692.1 and also includes the source documents
11 of the information included in the criminal history
12 data and fingerprint records.

13 Criminal history data may be collected for

14 management or research purposes."

15 5. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H—4222.

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

On the question "Shall the bill pass?" (H.F. 263)

The ayes were, 96:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cphoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Henderson	Hester	Holveck
Houser	Hurley	Iverson	Jochum
Kistler	Klemme	Koenigs	Kreiman
Larkin	Larson	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, none.

Absent or not voting, 4:

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

SENATE MESSAGE CONSIDERED

Senate File 418, by committee on ways and means, a bill for an act relating to the annexation of land to cities.

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 263** be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Ertl of Dubuque called up for consideration **House File 360**, a bill for an act relating to containers used for liquified petroleum gas and providing a penalty, amended by the following Senate amendment H-4164:

H-4164

- 1 Amend House File 360, as passed by the House, as
- 2 follows:
- 3 1. Page 1, lines 7 and 8, by striking the words
- 4 "in writing".
- 5 2. Page 1, line 10, by inserting after the word
- 6 "compound" the following: "except when the owner is
- 7 unable to supply liquified petroleum gas to a person
- 8 to whom the owner is leasing or furnishing the
- 9 container and to whom the owner ordinarily supplies
- 10 the liquified petroleum gas".
- 11 3. Page 1, line 16, by striking the word "of" and
- 12 inserting the following: "indicating ownership by".

Ertl of Dubuque offered the following amendment H-4201, to the Senate amendment H-4164, filed by him and moved its adoption:

H-4201

- 1 Amend the Senate amendment, H-4164, to House File
- 2 360, as passed by the House, as follows:
- 3 1. Page 1, line 10, by inserting after the word
- 4 "gas" the following: "in which case, the owner shall
- 5 authorize the refilling of the container by another
- 6 person designated by the owner".

Amendment H-4201 was adopted.

On motion by Ertl of Dubuque, the House concurred in the Senate amendment H-4164, as amended.

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

On the question, "Shall the bill pass?" (H.F. 360)

The ayes were, 95:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Brauns
Burke	Carpenter	Cataldo	Churchill
Cohoon	Connors	Corbett	Daggett
Dickinson	Dinkla	Doderer	Drake
Dvorsky	Eddie	Ertl	Fallon
Fogarty	Garman	Gill	Gipp
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorsop, R. A.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, 4:

Branstad	Brunkhorst	Greig	Halvorsen, R. N.
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Absent or not voting, 1:

Lundby

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 360** be immediately messaged to the Senate.

RULES SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend the rules for the immediate consideration of House File 676.

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 676, a bill for an act relating to the suspension and abatement of property taxes for machinery and equipment and for

certain other real property, with report of committee recommending passage was taken up for consideration.

Dickinson of Jackson asked and received unanimous consent to defer action on amendment H—4276 filed from the floor by Dickinson, Gill, Weigel and Fogarty.

Halvorson of Clayton offered the following amendment H—4289 filed from the floor by Halvorson of Clayton, Dickinson, Lundby, Rants, Corbett, Gill, Millage, Mertz, Rafferty, Greig, Tyrrell, Larson, Welter, Royer, Martin, McCoy, Wise and Burke:

H—4289

1 Amend House File 676 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 427.1, Code 1993, is amended
5 by adding the following new subsection:

6 **NEW SUBSECTION. 43. MACHINERY AND COMPUTER**

7 **EQUIPMENT.** Property defined in section 427A.1,
8 subsection 1, paragraphs "e" and "j", and assessed
9 pursuant to section 427B.10 or 427B.17, the assessed
10 valuation of which is one thousand five hundred
11 dollars or less.

12 **Sec. 2. NEW SECTION. 427B.19 TEMPORARY EXEMPTION**
13 **FROM TAX — NEW MACHINERY.**

14 Beginning July 1, 1993, property described in
15 section 427B.17, and acquired or initially leased on
16 or after July 1, 1993, shall be exempt from property
17 taxation for a period of time to be determined as
18 provided in this section.

19 The duration of the exemption from property
20 taxation for any one item of property shall not exceed
21 the amount of time that item of property is scheduled
22 to fully depreciate, according to the applicable
23 depreciation schedule contained in the industrial
24 machinery and equipment guide published by the
25 department of revenue and finance. The department is
26 instructed to revise the industrial machinery and
27 equipment guide to provide a depreciation schedule for
28 machinery and equipment with a life of at least thirty
29 years.

30 Upon expiration of the exemption, the property
31 shall be assessed and taxed in accordance with section
32 427B.17."

33 2. Title page, by striking lines 1 through 3 and
34 inserting the following: "An Act relating to the
35 exemption from property taxation for certain new
36 machinery and computer equipment."

Royer of Page in the chair at 5:25 p.m.

Gill of Woodbury offered the following amendment H—4295, to amendment H—4289, filed by him from the floor and moved its adoption:

H—4295

- 1 Amend the amendment, H—4289, to House File 676 as
- 2 follows:
- 3 1. Page 1, lines 9 and 10, by striking the words
- 4 "the assessed valuation of which" and inserting the
- 5 following: "if owned by the same person and the
- 6 combined assessed valuation of all such property".

Amendment H—4295 was adopted.

Halvorson of Webster offered the following amendment H—4294, to amendment H—4289, filed by him and moved its adoption:

H—4294

- 1 Amend the amendment, H—4289, to House File 676 as
- 2 follows:
- 3 1. Page 1, by inserting after line 32 the follow-
- 4 ing:
- 5 "Sec. _____. ANTISEVERABILITY CLAUSE. If any
- 6 provision of this Act is found to be unconstitutional,
- 7 the entire Act shall be null and void."
- 8 2. By renumbering as necessary.

Amendment H—4294 lost.

Dvorsky of Johnson offered the following amendment H—4297, to amendment H—4289, filed by him and Hammond of Story from the floor:

H—4297

- 1 Amend the amendment, H—4289, to House File 676 as
- 2 follows:
- 3 1. Page 1, by inserting after line 32 the
- 4 following:
- 5 "Sec. _____. Section 444.25, subsection 1,
- 6 unnumbered paragraph 1, and subsection 2, unnumbered
- 7 paragraph 1, Code 1993, are amended to read as
- 8 follows:
- 9 The maximum amount of property tax dollars which
- 10 may be certified by a county for taxes payable in the
- 11 fiscal year beginning July 1, 1993, shall not exceed
- 12 the amount of property tax dollars certified by the
- 13 county for taxes payable in the fiscal year beginning
- 14 July 1, 1992, and the maximum amount of property tax
- 15 dollars which may be certified by a county for taxes
- 16 payable in the fiscal year beginning July 1, 1994,

17 shall not exceed the amount of property tax dollars
18 certified by the county for taxes payable in the
19 fiscal year beginning July 1, 1993, for each of the
20 levies for the following, except for the levies on the
21 increase in taxable valuation due to new construction,
22 additions or improvements to existing structures,
23 remodeling of existing structures for which a building
24 permit is required, annexation, and phasing out of tax
25 exemptions, and on the increase in valuation of
26 taxable property as a result of a comprehensive
27 revaluation by a private appraiser under a contract
28 entered into prior to January 1, 1992, or as a result
29 of a comprehensive revaluation directed or authorized
30 by the conference board prior to January 1, 1992, with
31 documentation of the contract, authorization, or
32 directive on the revaluation provided to the director
33 of revenue and finance, if the levies are equal to or
34 less than the levies for the previous year, levies on
35 that portion of the taxable property located in an
36 urban renewal project the tax revenues from which are
37 no longer divided as provided in section 403.19,
38 subsection 2, or as otherwise provided in this
39 section:

40 The maximum amount in property tax dollars which
41 may be certified by a city for taxes payable in the
42 fiscal year beginning July 1, 1993, shall not exceed
43 the amount in property tax dollars certified by the
44 city for taxes payable in the fiscal year beginning
45 July 1, 1992, and the maximum amount of property tax
46 dollars which may be certified by a city for taxes
47 payable in the fiscal year beginning July 1, 1994,
48 shall not exceed the amount of property tax dollars
49 certified by the city for taxes payable in the fiscal
50 year beginning July 1, 1993, for each of the levies

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1 for the following, except for the levies on the
2 increase in taxable valuation due to new construction,
3 additions or improvements to existing structures,
4 remodeling of existing structures for which a building
5 permit is required, annexation, and phasing out of tax
6 exemptions, and on the increase in valuation of
7 taxable property as a result of a comprehensive
8 revaluation by a private appraiser under a contract
9 entered into prior to January 1, 1992, or as a result
10 of a comprehensive revaluation directed or authorized
11 by the conference board prior to January 1, 1992, with
12 documentation of the contract, authorization, or
13 directive on the revaluation provided to the director
14 of revenue and finance, if the levies are equal to or
15 less than the levies for the previous year, levies on

16 that portion of the taxable property located in an
 17 urban renewal project the tax revenues from which are
 18 no longer divided as provided in section 403.19,
 19 subsection 2, or as otherwise provided in this
 20 section:

21 Sec. _____. Section 444.25, subsection 3, paragraph
 22 d, Code 1993, is amended to read as follows:

23 d. Unusual need for additional moneys to finance
 24 existing programs which would provide substantial
 25 benefit to city or county residents or compelling need
 26 to finance new programs which would provide
 27 substantial benefit to city or county residents. The
 28 increase in taxes levied under this exception for the
 29 fiscal year beginning July 1, 1993, is limited to no
 30 more than the product of the total tax dollars levied
 31 in the fiscal year beginning July 1, 1992, and the
 32 percent change in the price index for government
 33 purchases by type for state and local governments
 34 computed for calendar year 1992. The increase in
 35 taxes levied under this exception for the fiscal year
 36 beginning July 1, 1994, is limited to no more than the
 37 product of the total tax dollars levied in the fiscal
 38 year beginning July 1, 1993, and the percent change in
 39 the price index for government purchases by type for
 40 state and local governments computed for calendar year
 41 1993. The price index for government purchases by
 42 type for state and local governments is defined by the
 43 bureau of economic analysis of the United States
 44 department of commerce and published in table 7.11 of
 45 the national income and products accounts. For
 46 purposes of this paragraph, tax dollars levied in the
 47 fiscal years beginning July 1, 1992, and July 1, 1993,
 48 shall not include funds levied for paragraphs "a",
 49 "b", and "c" of this subsection.

50 Application of this exception shall require an

Page 3

1 original publication of the budget and a public
 2 hearing and a second publication and a second hearing
 3 both in the manner and form prescribed by the director
 4 of the department of management, notwithstanding the
 5 provisions of sections 331.434, 384.16, and 362.3.
 6 The publications and hearings prescribed in this
 7 paragraph shall be held and the budget certified no
 8 later than March 15. The taxes levied for cities and
 9 counties whose budgets are certified after March 15,
 10 1993, shall be frozen at the fiscal year beginning
 11 July 1, 1992, level; and the taxes levied for cities
 12 and counties whose budgets are certified after March
 13 15, 1994, shall be frozen at the fiscal year beginning
 14 July 1, 1993, level.

15 Sec. _____. Section 444.25, subsection 4, unnumbered
16 paragraph 1, Code 1993, is amended to read as follows:

17 In lieu of the procedures in sections 24.48 and
18 331.426, which procedures do not apply for taxes
19 payable in the fiscal years year beginning July 1,
20 1993, and July 1, 1994, if a city or county needs to
21 raise property tax dollars from a tax levy in excess
22 of the limitations imposed by subsection 1 or 2, the
23 following procedures apply:

24 Sec. _____. Section 444.27, Code 1993, is amended to
25 read as follows:

26 444.27 SECTIONS VOID.

27 Sections 24.48 and 331.426 are void for the fiscal
28 years year beginning July 1, 1993, and July 1, 1994."

29 2. Page 1, line 34, by inserting after the words
30 "to the" the following: "duration of the property tax
31 limitation on counties and cities, and the".

32 3. By renumbering as necessary.

Gill of Woodbury rose on a point of order that amendment
H-4297 was not germane, to amendment H-4289.

The Speaker ruled the point well taken and amendment H-4297
not germane, to amendment H-4289.

Dvorsky of Johnson asked for unanimous consent to suspend the
rules to consider amendment H-4297.

Objection was raised.

Dvorsky of Johnson moved to suspend the rules to consider
amendment H-4297.

A non-record roll call was requested.

The ayes were 33, nays 55.

The motion to suspend the rules lost.

Neuhauser of Johnson offered the following amendment H-4299,
to amendment H-4289, filed by her from the floor:

H-4299

1 Amend the amendment, H-4289, to House File 676 as
2 follows:

3 1. Page 1, line 14, by inserting before the word
4 "Beginning" the following: "1."

5 2. Page 1, by striking line 32 and inserting the
6 following: "427B.17.

7 2. On or before July 1 of each year, the treasurer
8 shall prepare a statement listing for each taxing
9 jurisdiction in the county the amount of property

10 taxes which would have been payable in the coming
 11 fiscal year if the property was assessed pursuant to
 12 section 427B.17 instead of being totally exempt as
 13 provided in subsection 1 and shall certify and forward
 14 one copy of the statement to the department of revenue
 15 and finance not later than July 1 of each year.

16 _____. Each county treasurer shall be reimbursed an
 17 amount equal to the lost property taxes for that
 18 county determined pursuant to subsection 2. The
 19 reimbursement shall be made in two equal installments
 20 on or before September 30 and March 30 of each year.
 21 The county treasurer shall apportion the disbursement
 22 in the manner provided in section 445.57." "

23 3. Page 1, line 36, by inserting after the word
 24 "equipment" the following: "and providing
 25 reimbursement for taxes not levied".

Speaker Van Maanen in the chair at 6:59 p.m.

Neuhauser of Johnson moved the adoption of amendment
 H-4299, to amendment H-4289.

Roll call was requested by Halvorson of Clayton and Spenner of
 Henry.

Rule 75 was invoked.

On the question "Shall amendment H-4299, to amendment
 H-4289, be adopted?" (H.F. 676)

The ayes were, 64:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Brand	Brauns	Brunkhorst	Burke
Carpenter	Cataldo	Cohoon	Connors
Doderer	Dvorsky	Fallon	Fogarty
Garman	Gill	Greig	Gries
Grundberg	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Klemme	Koenigs
Kreiman	Larkin	May	McCoy
McKinney	McNeal	Mertz	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Renaud	Running	Shoultz
Weigel	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, 35:

Boddicker	Brammer	Branstad	Churchill
Corbett	Daggett	Dickinson	Dinkla
Drake	Eddie	Ertl	Gipp
Greiner	Grubbs	Hahn	Halvorson, R. A.
Hanson, D. E.	Kistler	Larson	Lundby
Martin	Metcalf	Meyer	Millage
Miller	Rafferty	Rants	Renken
Royer	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Welter	

Absent or not voting, 1:

Schrader

Amendment H—4299 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Schrader of Marion, for the remainder of the day, on request of Running of Linn.

On motion by Halvorson of Clayton amendment H—4289, as amended, was adopted, placing the following amendments filed from the floor out of order:

H—4276, previously deferred, filed by Dickinson, et al.

H—4288 filed by Kreiman of Davis.

H—4290 filed by Kreiman, Harper of Black Hawk and Schrader of Marion.

H—4292 filed by Kreiman of Davis and Schrader of Marion.

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. 676)

The ayes were, 70:

Arnould	Baker	Beaman	Bell
Bernau	Black	Boddicker	Brammer
Branstad	Burke	Cataldo	Churchill
Cohoon	Connors	Daggett	Dickinson
Dinkla	Drake	Dvorsky	Eddie
Ertl	Fogarty	Gill	Gipp
Greig	Greiner	Grubbs	Hahn
Halvorson, R. A.	Hansen, S. D.	Harper	Henderson
Houser	Hurley	Jochum	Kistler
Koenigs	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney

Mertz	Metcalf	Millage	Moreland
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Peterson	Rafferty	Rants
Renaud	Renken	Royer	Running
Shoultz	Siegrist	Spenner	Tyrrell
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 29:

Beatty	Blodgett	Brand	Brauns
Brunkhorst	Carpenter	Corbett	Doderer
Fallon	Garman	Gries	Grundberg
Halvorson, R. N.	Hammond	Hanson, D. E.	Hanson, D. R.
Haverland	Hester	Holveck	Iverson
Klemme	Kreiman	McNeal	Meyer
Miller	Mundie	Osterberg	Plasier
Vande Hoef			

Absent or not voting, 1:

Schrader

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

HOUSE INSISTS

Eddie of Buena Vista called up for consideration **Senate File 11**, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, and providing for tax exemptions on facilities within such zones, and moved that the House insist on its amendment, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED

(Senate File 11)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 11: Eddie of Buena Vista, Chair; Vande Hoef of Osceola, Greig of Emmet, Koenigs of Mitchell and Weigel of Chickasaw.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 676 and Senate File 11**.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 28, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 457, a bill for an act relating to school administration, accreditation, finance, transportation, and providing effective and applicability dates.

JOHN F. DWYER, Secretary

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 28, 1993, he approved and transmitted to the Secretary of State the following bills:

House File 79, an act relating to criminal trial testimony by minors and certain victims and witnesses and providing an effective date.

House File 200, an act establishing a volunteer physician program within the Iowa department of public health and providing for certain immunity from liability.

House File 275, an act to permit a person who has been issued a coaching authorization to be employed by a school district as head coach and providing an effective date.

House File 448, an act extending the time limit for filling school board vacancies and providing an effective date.

House File 454, an act relating to the annual electric supply and cost review for certain public utilities.

House File 491, an act relating to postsecondary enrollment options for pupils at the school for the deaf and the Iowa braille and sight saving school.

House File 527, an act relating to the duties of the clerk of the district court and the appointment of an associate probate judge.

House File 562, an act relating to requirements for licensure of massage therapists.

Senate File 48, an act designating the Iowa department of public health as the lead agency for the coordination and regulation of emergency medical services and establishing an emergency medical services fund.

Senate File 254, an act to broaden the definition of children requiring special education to include children who retain some sight but who have a medically diagnosed expectation of visual deterioration and to provide for related matters.

Senate File 271, an act relating to entities and subject matter under the regulatory authority of the regulated industries unit of the division of insurance, including residential service contracts, continuing care retirement communities, loan brokers, and membership organizations.

Senate File 288, an act relating to cosmetology including providing an exclusion from the definition of the practice of cosmetology arts and sciences for the purpose of licensure.

Senate File 320, an act relating to the development of a community health management information system.

Senate File 364, an act relating to nonpublic school pupil textbook services.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

CITIZENS' AIDE/OMBUDSMAN

The annual report of the Citizens' Aide/Ombudsman for calendar year 1992, pursuant to Chapter 2C.18, Code of Iowa.

PRESENTATION OF VISITORS

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

Fifty-seven fifth grade students from Gilbert Elementary School, Gilbert, accompanied by Dorothy Rust. By Garman of Story.

One hundred fifteen fifth grade students from Nevada Middle School, Nevada, accompanied by Kim Rolland. By Garman of Story.

Fifty-six eighth grade students from St. Edwards School, Waterloo, accompanied by Donald Sullivan and Caroline Miecznikowski. By Hanson, Shoultz and Harper, all of Black Hawk.

Forty high school students from Harmony High School, Farmington, accompanied by Amy Morgan. By Kistler of Jefferson.

Four eighth grade students from Pine Grove Mennonite School, Lime Springs, accompanied by Kathy Schmidt and their parents. By Weigel of Chickasaw.

SUBCOMMITTEE ASSIGNMENT

House File 675

Agriculture: Eddie, Chair; Fogarty and Meyer.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 309 Appropriations

Relating to the compensation and benefits for public officials and employees and making appropriations.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 675, a bill for an act relating to the regulation of milk and milk products.

Fiscal Note is not required.

Recommended **Do Pass** April 28, 1993.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 196), relating to a property tax exemption for machinery and computer equipment.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 27, 1993.

AMENDMENTS FILED

H-4265	H.F.	672	Weigel of Chickasaw Koenigs of Mitchell Larson of Linn
H-4266	H.F.	674	Murphy of Dubuque
H-4267	H.F.	674	Wise of Lee Cohoon of Des Moines Larkin of Lee Harper of Black Hawk
			McNeal of Hardin
H-4268	H.F.	674	Wise of Lee
H-4269	H.F.	674	Shultz of Black Hawk Cohoon of Des Moines Larkin of Lee Harper of Black Hawk
			Murphy of Dubuque
H-4270	H.F.	674	Rafferty of Scott
H-4272	H.F.	644	McKinney of Dallas
H-4273	H.F.	674	McKinney of Dallas
H-4274	H.F.	674	Boddicker of Cedar
H-4275	S.F.	311	Carpenter of Polk
H-4277	S.F.	308	Neuhauser of Johnson
H-4278	H.F.	674	Murphy of Dubuque
H-4279	H.F.	319	Senate Amendment
H-4281	H.F.	674	Murphy of Dubuque
H-4282	H.F.	674	Murphy of Dubuque
H-4283	H.F.	674	Wise of Lee Dvorsky of Johnson Larkin of Lee Nelson of Pottawattamie Jochum of Dubuque

H-4287	H.F.	328	Senate Amendment
H-4302	H.F.	674	Dickinson of Jackson
H-4303	H.F.	674	Halvorson of Webster
H-4304	H.F.	674	McKinney of Dallas
			Hansen of Woodbury
H-4305	H.F.	674	Hansen of Woodbury

On motion by Siegrist of Pottawattamie, the House adjourned at 8:29 p.m., until 8:45 a.m., Thursday, April 29, 1993.

JOURNAL OF THE HOUSE

One Hundred Ninth Calendar Day — Seventy-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 29, 1993

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

Prayer was offered by Reverend Ron Strack, pastor of the First Assembly of God Church, Urbandale.

The Journal of Wednesday, April 28, 1993 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By Daggett of Union, from eight constituents opposing the death penalty.

By Grundberg of Polk, from two hundred sixty-one constituents and other voters opposing reinstatement of the death penalty.

By Jochum of Dubuque, from forty-eight constituents opposing the reinstatement of the death penalty in Iowa.

HOUSE RESOLUTION 12 ADOPTED

Fallon of Polk called up for consideration House Resolution 12, a resolution to designate April 29, 1993, as House Pages Day in the Iowa House of Representatives, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Van Maanen invited the House Pages to the Speaker's station for a special presentation and thanked them for their service to the House of Representatives.

Certificates of excellence for serving with honor and distinction as a House Page during the First Regular Session of the Seventy-fifth General Assembly were presented to the following Pages by Speaker Van Maanen and Minority Leader Arnould of Scott:

Beverly Ailes
Tennille Altizer
Danielle Bright
Juston Brommel

Jonathan Degner
Jenniffer DeHeer
Brian Dreith
Brenna Findley

Angie Hanson
 Melissa Harbaugh
 Barry Hartman
 Sharon Haselhoff
 Traci Howard
 Jodi Hubbartt
 Kim Johnson
 Melissa Johnson
 Jennifer Kallem

Ben Knight
 Matthew Larson
 Crystal McManus
 Kathryn McNeal
 Trudy McQuoid
 Traysa Nissen
 Travis Parker
 John Rasmussen
 Jodi Trebon

The House rose and expressed its appreciation.

SPECIAL PRESENTATION

Speaker Van Maanen and Minority Leader Arnould of Scott presented a Certificate of Recognition to Doorkeeper Dwight Dugan, who has served the State of Iowa since 1933 and the House since 1986.

The House rose and expressed its appreciation.

SENATE AMENDMENTS CONSIDERED

Greig of Emmet called up for consideration **House File 637**, a bill for an act relating to the care of animals including livestock, by prohibiting the neglect of animals, providing for the rescue, maintenance, and disposition of neglected animals, providing penalties, and providing for the repeal of sections, amended by the Senate amendment H-4094 as follows:

H-4094

- 1 Amend House File 637, as passed by the House, as
- 2 follows:
- 3 1. Page 1, by inserting after line 19 the
- 4 following:
- 5 "Sec. _____. NEW SECTION. 266.51 DEFINITIONS.
- 6 As used in this section, unless the context
- 7 otherwise requires:
- 8 1. "Administrator" means the president of Iowa
- 9 state university of science and technology, or a
- 10 person designated by the president to carry out the
- 11 provisions of this division.
- 12 2. "Livestock" means an animal belonging to the
- 13 bovine, caprine, equine, ovine, or porcine species, or
- 14 poultry.
- 15 3. "Specialist" means an animal agriculture
- 16 specialist employed pursuant to section 266.52.
- 17 Sec. _____. NEW SECTION. 266.52 ADMINISTRATION -
- 18 SPECIALISTS.
- 19 The administrator shall appoint and direct animal

20 agriculture specialists who have knowledge of
21 livestock waste management and laws, regulations, and
22 practices affecting livestock production operations.

23 Sec. _____. NEW SECTION. 266.53 LIVESTOCK
24 PRODUCERS ASSISTANCE PROGRAM.

25 1. A livestock producers assistance program is
26 established. The administrator shall administer the
27 program, and direct specialists to assist livestock
28 producers participating in the program according to
29 procedures established by the administrator. A
30 specialist shall conduct an on-site evaluation of the
31 producer's livestock production operations for
32 purposes of analyzing the operation's waste management
33 system, and shall make recommendations relating to
34 improving waste management practices and procedures.
35 The administrator may establish procedures and
36 criteria required for producers participating in the
37 program.

38 2. The administrator shall establish a schedule of
39 fees which shall be paid by or on behalf of livestock
40 producers who participate in the program. The fees
41 may vary according to the type of services provided or
42 according to the length of time that the producer
43 participates in the program. The fees shall be
44 deposited in an account administered by Iowa state
45 university of science and technology and used solely
46 for carrying out this program as directed by the
47 administrator. Section 8.33 does not apply to moneys
48 deposited into the account. A person paying the fee
49 shall be delivered a receipt for payment of services
50 provided under the program.

Page 2

1 Sec. _____. NEW SECTION. 266.54 LIVESTOCK WASTE
2 IMPACT ANALYSIS

3 1. The administrator shall direct specialists to
4 conduct livestock waste impact analyses. An analysis
5 shall consist of an on-site evaluation of the
6 livestock waste management system of the producer, and
7 a written report based on the evaluation which shall
8 include any recommendations relating to improving
9 waste management practices and procedures.

10 2. The administrator shall direct a specialist to
11 conduct a livestock waste impact analysis, upon
12 request by one of the following:

13 a. A livestock producer who is party to a
14 controversy or case under chapter 455B or a party to a
15 dispute under chapter 654B which involves an action
16 which is alleged to be a nuisance interfering with the
17 enjoyment of another person.

18 b. The department of natural resources or the

19 attorney general who is a party to a controversy or
20 case under chapter 455B, if another party to the
21 controversy or case is a livestock producer.

22 c. The farm mediation service mediating a dispute
23 under chapter 654B which involves an action alleged to
24 be a nuisance interfering with the enjoyment of a
25 person who is a party to the dispute.

26 d. A party to a dispute under chapter 654B which
27 involves an action alleged to be a nuisance
28 interfering with the enjoyment of the party.

29 3. a. The administrator may require that requests
30 include information required by the administrator, be
31 submitted on forms prescribed by the administrator,
32 and be submitted according to procedures required by
33 the administrator. The request may include a
34 statement explaining special circumstances which
35 require expedited action. A person submitting a
36 request shall promptly notify the administrator if the
37 request has been withdrawn.

38 b. The administrator shall promptly answer the
39 person submitting the request that the request has
40 been accepted or refused. If the request is accepted,
41 the answer shall state whether an analysis is expected
42 to be delayed, and the estimated date that the delayed
43 analysis is expected to be delivered. The analysis
44 shall be delivered to the person submitting the
45 request within twenty days from receipt of the request
46 by the administrator, unless the analysis is delayed.
47 A copy of the analysis shall be provided to any other
48 party to a controversy or case under chapter 455B, or
49 to another party to a dispute and the farm mediation
50 service mediating a dispute under chapter 654B.

Page 3

1 c. The administrator shall determine the priority
2 to be assigned a request and shall develop a system of
3 priorities for completing analyses, including the
4 performance of evaluations and the preparation of
5 reports. The administrator shall consult with the
6 department of natural resources, the attorney general,
7 and the farm mediation service in developing the
8 system. The administrator may refuse to accept a
9 request based upon the system of priorities.

10 4. An animal agriculture specialist shall not
11 enter onto the property where a livestock production
12 operation is located without the consent of the owner.
13 If the owner does not consent to the evaluation, the
14 analysis shall include the owner's denial of the
15 evaluation as noted by the specialist in the report.

16 5. Verbal or written information relating to the
17 evaluation and information contained in the analysis

18 is confidential communication, including information
19 transmitted between the administrator and a specialist
20 or staff of the administrator, information transmitted
21 by a specialist discussing a controversy or case with
22 parties under chapter 455B, or a dispute in a
23 mediation proceeding under chapter 654B. The
24 administrator, staff, or a specialist shall not be
25 examined in any judicial or administrative or judicial
26 proceeding regarding confidential communications, and
27 is not subject to administrative or judicial process
28 requiring the disclosure of confidential
29 communications. An analysis shall not be admitted
30 into evidence in an administrative or judicial
31 proceeding.

32 6. This section does not require the department of
33 natural resources or the attorney general to delay the
34 prosecution of a controversy or case under chapter
35 455B, or the referral of a case by the department to
36 the attorney general under section 455B.109. This
37 section also does not require a delay in mediation
38 proceedings as provided in chapter 654B. The
39 department or attorney general may consider an
40 available analysis in making determinations regarding
41 the controversy or case, including but not limited to
42 the assessment or collection of a penalty, the
43 prosecution of a case, or a settlement with the
44 opposing party. The department or attorney general is
45 not required to change the findings of its
46 investigation or a penalty sought or assessed under
47 chapter 455B because of the analysis. The parties to
48 a dispute in mediation may also consider an available
49 analysis to the extent agreed to by the parties.

50 7. Iowa state university of science and technology

Page 4

1 is required to carry out this section only to the
2 extent moneys are appropriated or contributed for the
3 purposes of carrying out this section."

4 2. Page 2, by striking lines 28 through 32 and
5 inserting the following: "to section 481A.60, or dog
6 or cat, and fails to supply the animal during
7 confinement with a sufficient quantity of food, and
8 water, or who fails does any of the following commits
9 the offense of livestock neglect:"

10 3. Page 2, lines 34 and 35, by striking the words
11 "appropriate care according to" and inserting the
12 following: "care consistent with".

13 4. Page 3, line 3, by striking the word "Beats"
14 the and inserting the following: "Repeatedly beats".

15 5. Page 3, line 7, by inserting before the word
16 "commits" the following: "intentionally".

17 6. By striking page 5, line 1, through page 8,
18 line 9, and inserting the following:

19 "Sec. _____. NEW SECTION. 717B.1 ANIMAL DEFINED.

20 As used in this chapter, "animal" means a nonhuman
21 vertebrate which does not include livestock as defined
22 in section 717.1A; does not include game, fur-bearing
23 animals, fish, amphibians, or reptiles, all as defined
24 in section 481A.1; and does not include species of
25 nongame declared to be a nuisance pursuant to section
26 481A.42.

27 Sec. _____. NEW SECTION. 717B.2 CRUELTY TO
28 ANIMALS.

29 A person who impounds or confines, in any place, an
30 animal and fails to supply the animal during
31 confinement with a sufficient quantity of food, and
32 water, or who fails to provide a dog or cat with
33 adequate shelter, or who tortures, torments, deprives
34 of necessary sustenance, mutilates, beats, or kills an
35 animal by any means which cause unjustified pain,
36 distress, or suffering, whether intentionally or
37 negligently, commits the offense of cruelty to
38 animals.

39 A person who commits the offense of cruelty to
40 animals is guilty of a simple misdemeanor. A person
41 who intentionally commits the offense of cruelty to
42 animals which results in serious injury to or the
43 death of an animal is guilty of a serious misdemeanor.

44 Sec. _____. NEW SECTION. 717B.5 DISPOSITION OF
45 NEGLECTED AND ABUSED ANIMALS.

46 If a person is found guilty of a violation of this
47 chapter, the disposition of the neglected or abused
48 animal shall be determined by a court.

49 Sec. _____. NEW SECTION. 717B.6 NEGLECTED ANIMALS
50 - DISABLED ANIMALS KILLED.

Page 5

1 1. An official designated by a county or city may
2 take charge of an animal when the owner fails to
3 properly take care and provide for it, and may furnish
4 the animal with proper care, either on the person's
5 own premises or on the premises of the owner. The
6 county or city has a lien on the animal for the care,
7 and the reasonable value of the care may be collected
8 by the county or city from the owner.

9 2. A peace officer or officer of a society for the
10 prevention of cruelty to animals, may humanely destroy
11 a disabled animal that is neglected or stray."

12 7. Page 8, line 13, by inserting after the word
13 "not" the following: "intentionally".

14 8. By striking page 8, line 18, through page 9,
15 line 7.

16 9. Page 9, by striking line 26, and inserting the
17 following:

18 "Sec. _____. REPEALS. Sections 169B.49, 717.4."

19 10. Page 9, by inserting after line 27, the
20 following:

21 "Sec. _____. TRANSFER OF SECTIONS RELATING TO
22 CRUELTY OR ABUSE TO ANIMALS. The Code editor shall
23 transfer sections 717.1, and 717.3, Code 1993, to
24 chapter 717B, as created in this Act, and shall
25 organize the sections of the chapter in such a manner
26 as to enhance their readability."

27 11. Title page, line 4, by inserting after the
28 word "repeal" the following: "and transfer".

29 12. By renumbering, relettering, or redesignating
30 and correcting internal references as necessary.

Greig of Emmet offered the following amendment H—4204, to the Senate amendment H—4094, filed by him and moved its adoption:

H—4204

1 Amend the Senate amendment, H—4094, to House File
2 637, as passed by the House, as follows:

3 1. Page 1, by inserting after line 4 the
4 following:

5 "Sec. _____. NEW SECTION. 169B.50 DISPOSITION AND
6 DESTRUCTION OF ABANDONED OR PERMANENTLY DISTRESSED
7 LIVESTOCK AND OTHER ANIMALS.

8 1. A county or city may dispose of or destroy
9 livestock, as defined in section 717.1A, which has
10 been abandoned. A county or city or an animal shelter
11 or pound, as defined in section 162.1, may dispose of
12 or destroy any other animal, as defined in section
13 717B.1, which has been abandoned.

14 2. A county or city may provide for the immediate
15 destruction of livestock and a county or city or an
16 animal shelter or pound may provide for the
17 destruction of any other animal as provided in
18 subsection 1, if at the time of the destruction, the
19 owner of the livestock or other animal is absent or
20 unable to care for the livestock or other animal, and
21 the livestock or other animal is permanently
22 distressed by disease or injury to a degree that would
23 result in severe and prolonged suffering.

24 The destruction of livestock or another animal as
25 provided in this section shall be accomplished by a
26 humane method which may be by euthanasia as defined in
27 section 162.2."

28 2. Page 4, line 14, by striking the words "the
29 and" and inserting the following: "and".

30 3. Page 4, by inserting after line 14, the
31 following:

32 "_____. Page 3, by inserting after line 6 the
33 following:

34 "_____ This section does not apply to an
35 institution, as defined in section 145B.1, or a
36 research facility, as defined in section 162.2,
37 provided that the institution or research facility
38 performs functions within the scope of accepted
39 practices of disciplines associated with the
40 institution or research facility." "

41 4. Page 4, by inserting after line 16 the
42 following:

43 "_____. Page 4, line 2, by striking the word "only"
44 and inserting the following: "by a humane method
45 which may be".

46 5. Page 4, line 16, by striking the word
47 "commits" and inserting the following: "commits".

48 6. By striking page 4, line 17 through page 5,
49 line 28 and inserting the following:

50 "_____. Page 4, line 10, by striking the words "AND

Page 2

1 ABUSED ANIMALS INJURED" and inserting the following:
2 "AND ABUSED ANIMALS".

3 _____ Page 4, lines 15 and 16, by striking the
4 words "which is the subject of the wrongful treatment"
5 and inserting the following: "neglected by the person
6 as provided in section 717.2".

7 _____ Page 5, line 5, by inserting after the
8 figure "717.1A" the following: "; does not include
9 game, fur-bearing animals, fish, amphibians, or
10 reptiles, all as defined in section 481A.1; and does
11 not include species of nongame declared to be a
12 nuisance pursuant to section 481A.42".

13 _____ Page 8, line 13, by inserting after the word
14 "not" the following: "intentionally".

15 _____ Page 8, by striking line 22, and inserting
16 the following: "of an animal neglected by the person
17 as provided in section 717.2." "

18 7. By renumbering as necessary.

Amendment H—4204 was adopted.

On motion by Greig of Emmet, the House concurred in the Senate amendment H—4094, as amended.

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

On the question "Shall the bill pass?" (H.F. 637)

The ayes were, 100:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Schrader	Shultz	Siegrist	Spenner
Tyrrell	Vánde Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker Van Maanen

The nays were, none.

Absent or not voting, none.

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

Dinkla of Guthrie called up for consideration **House File 136**, a bill for an act relating to the care of dogs and cats transferred by animal care facilities, authorizing fees and providing penalties, amended by the Senate, and moved that the House concur in the following Senate amendment H-4215:

H-4215

- 1 Amend House File 136, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking page 1, line 16 through page 3,
- 4 line 33, and inserting the following:
- 5 "_____. The pound or animal shelter maintaining
- 6 custody of the dog or cat may require that a person
- 7 being transferred ownership of the dog or cat
- 8 reimburse the pound or animal shelter for the amount
- 9 in expenses incurred by the pound or animal shelter in

10 sterilizing the dog or cat, if the dog or cat is
11 sterilized prior to the transfer of ownership of the
12 dog or cat to the person.

13 _____. a. The sterilization agreement may be on a
14 form which shall be prescribed by the department. The
15 agreement shall contain the signature and address of
16 the person receiving custody of the dog or cat, and
17 the signature of the representative of the pound or
18 animal shelter.

19 b. The sterilization shall be completed as soon as
20 practicable, but prior to the transfer of the
21 ownership of the dog or cat by the pound or animal
22 shelter. The pound or animal shelter may grant an
23 extension of the period required for the completion of
24 the sterilization if the extension is based on a
25 reasonable determination by a licensed veterinarian.

26 c. A pound or animal shelter shall transfer
27 ownership of a dog or cat, conditioned upon the
28 confirmation that the sterilization has been completed
29 by a licensed veterinarian who performed the
30 procedure. The confirmation shall be a receipt
31 furnished by the office of the attending veterinarian.

32 d. A person who fails to satisfy the terms of the
33 sterilization agreement shall return the dog or cat
34 within twenty-four hours following receipt of a demand
35 letter which shall be delivered to the person by the
36 pound or animal shelter personally or by certified
37 mail.

38 _____. a. A person who does not comply with the
39 provisions of a sterilization agreement is guilty of a
40 simple misdemeanor.

41 b. A person who fails to return a dog or cat upon
42 receipt of a demand letter is guilty of a simple
43 misdemeanor.

44 c. A pound or animal shelter which knowingly fails
45 to".

46 2. Page 4, line 5, by inserting after the word
47 "state" the following: "and are appropriated on July
48 1 of each year in equal amounts to each track licensed
49 to race dogs to support the racing dog adoption
50 program as provided in section 99D.27".

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1 3. Page 5, line 2, by inserting after the word
2 "paragraph." the following: "The class B dealer shall
3 not transfer a dog to an institution or research
4 facility, if the dog is a greyhound registered with
5 the national greyhound association and the dog raced
6 at a track associated with pari-mutuel racing, unless
7 the class B dealer receives written approval of the
8 transfer from a person who owned an interest in the

- 9 dog while the dog was racing."
 10 4. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H—4215.

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

On the question "Shall the bill pass?" (H.F. 136)

The ayes were, 100:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cphoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, none.

Absent or not voting, none.

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

CONSIDERATION OF BILLS Unfinished Business Calendar

The House resumed consideration of **Senate Joint Resolution 3**, a joint resolution supporting the granting of commonwealth status to the territory of Guam, previously deferred and placed on the unfinished business calendar.

Fallon of Polk offered the following amendment H—3678 filed by him and moved its adoption:

H—3678

- 1 Amend Senate Joint Resolution 3, as passed by the
- 2 Senate, as follows:
- 3 1. Page 1, by striking lines 3 through 6.
- 4 2. Page 1, line 8, by striking the word "also".

Amendment H—3678 lost, placing out of order amendment H—3712 filed by Fallon of Polk on April 5, 1993.

Martin of Scott moved that the joint resolution be read a last time now and placed upon its adoption which motion prevailed and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to by the House?" (S.J.R. 3)

The ayes were, 96:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cphoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Shoultz	Siegrist

Tyrrell
Welter

Vande Hoef
Wise

Weidman
Witt

Weigel
Mr. Speaker
Van Maanen

The nays were, 4:

Garman

Halvorson, R. N.

Moreland

Spenner

Absent or not voting, none.

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

SENATE AMENDMENTS CONSIDERED

Brauns of Muscatine called up for consideration **House File 328**, a bill for an act requiring a single state insurance registration system for motor carriers, amended by the Senate, and moved that the House concur in the following Senate amendment H-4287:

H-4287

1 Amend House File 328, as passed by the House, as
2 follows:

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

5 "Section 1. There is appropriated from the road
6 use tax fund to the state department of transportation
7 for the fiscal year beginning July 1, 1993, and ending
8 June 30, 1994, in addition to other appropriations
9 made to the department for that fiscal year, the
10 following amount, or so much thereof as is necessary,
11 for the purpose designated:

12 For the participation of the department in the
13 single state insurance registration system for motor
14 carriers, as required in section 327B.1, unnumbered
15 paragraph 3, and for salaries, support, maintenance,
16 miscellaneous purposes, and for not more than the
17 following full-time equivalent positions:

18\$ 250,000
19FTEs 2.00".

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

22 "Sec. 100. 1993 Iowa Acts, Senate File 363,
23 section 2, as enacted by the Seventy-fifth General
24 Assembly, takes effect upon the effective date of this
25 section.

26 Sec. _____. Section 100 of this Act, being deemed of
27 immediate importance, takes effect upon enactment."

28 3. Title page, line 2, by inserting after the word "carriers"
29 the following: ", and making an appropriation".

30 4. Title page, line 2, by inserting after the
31 word "carriers" the following: "and providing an

32 effective date".

33 5. By renumbering, relettering, or redesignating

34 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H—4287.

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

On the question "Shall the bill pass?" (H. F. 328)

The ayes were, 100:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Schrader	Shultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker
			Van Maanen

The nays were, none.

Absent or not voting, none.

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 136, 328, 637 and Senate Joint Resolution 3.**

Rafferty of Scott called up for consideration **House File 644**, a bill for an act extending upgrade dates and insurance premiums and requiring a noncompliance surcharge for underground storage tanks, amended by the Senate amendment H-4258 as follows:

H-4258

1 Amend House File 644, as passed by the House, as
2 follows:

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

5 "Section 1. Section 455G.9, subsection 1, Code
6 1993, is amended by adding the following new
7 paragraph:

8 NEW PARAGRAPH. i. Corrective action, for a
9 release which was tested prior to October 26, 1990,
10 and for which the site was issued a no further action
11 letter by the department of natural resources and
12 which was later determined, due to sale of the
13 property or removal of a nonoperating tank, to require
14 remediation which was reported to the administrator by
15 October 26, 1992, in an amount as specified in
16 subsection 4. In order to qualify for benefits under
17 this paragraph, the applicant must not have operated a
18 tank on the property during the period of time for
19 which the applicant owned the property."

20 2. Page 1, by inserting before line 1, the
21 following:

22 "Sec. _____. Section 455G.10, subsection 3, Code
23 1993, is amended by adding the following new
24 unnumbered paragraph:

25 NEW UNNUMBERED PARAGRAPH. The benefits under this
26 section shall be available to small businesses
27 entering into the petroleum business."

28 3. Page 1, line 17, by inserting after the figure
29 "1993," the following: "or who fails to enter into a
30 contract on or before October 26, 1993, which, upon
31 completion, will bring the owner or operator into
32 compliance with either paragraph "a" or "b" by January
33 1, 1995."

34 4. Title page, line 1, by inserting before the
35 word "extending" the following: "providing remedial
36 benefits for certain contaminated sites and".

37 5. Title page, line 3, by inserting after the
38 word "tanks" the following: "and relating to loan

39 guarantees”.

40 6. By renumbering as necessary.

Rafferty of Scott offered the following amendment H—4272, to the Senate amendment H—4258, filed by him and moved its adoption:

H—4272

- 1 Amend the Senate amendment, H—4258, to House File
- 2 644, as passed by the House, as follows:
- 3 1. Page 1, by striking lines 3 through 19.
- 4 2. Page 1, by striking lines 34 through 36.
- 5 3. By renumbering as necessary.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 41, nays 59.

Amendment H—4272 lost.

Siegrist of Pottawattamie asked and received unanimous consent to defer action on House File 644.

(Senate amendment H—4258 pending.)

Hanson of Delaware called up for consideration **House File 635**, a bill for an act relating to the solicitation and giving of contributions to certain candidates for state office for which a special election is held during the regular legislative session, amended by the Senate, and moved that the House concur in the following Senate amendment H—4257:

H—4257

- 1 Amend House File 635, as passed by the House, as
- 2 follows:
- 3 1. Page 1, line 22, by inserting after the words
- 4 “election is” the following: “called or”.

The motion prevailed and the House concurred in the Senate amendment H—4257.

Hanson of Delaware 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. 635)

The ayes were, 99:

Arnould
Bell

Baker
Bernau

Beaman
Black

Beatty
Blodgett

Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greid	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Corbett

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

Ways and Means Calendar

Senate File 412, a bill for an act relating to a records management fee to be collected by the county recorder, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 412)

The ayes were, 93:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors

Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson, D. E.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Martin
May	McCoy	McKinney	McNeal
Mertz	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 4:

Gill	Hansen, S. D.	Larson	Lundby
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Absent or not voting, 3:

Corbett	Grundberg	Hanson, D. R.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 635 and Senate File 412.**

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 29, 1993, receded from the Senate amendment to, and passed the following bill in which the concurrence of the Senate was asked:

House File 111, a bill for an act updating the Iowa Code references to the federal Internal Revenue Code and providing retroactive applicability and effective dates.

Also: That the Senate has on April 29, 1993, receded from the Senate amendment to, and passed the following bill in which the concurrence of the Senate was asked:

House File 348, a bill for an act relating to the filing of certain birth certificates.

Also: That the Senate has on April 29, 1993, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 360, a bill for an act relating to containers used for liquified petroleum gas and providing a penalty.

Also: That the Senate has on April 29, 1993, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 382, a bill for an act relating to delinquency charges on, and the conversion of, certain consumer transactions.

Also: That the Senate has on April 29, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 472, a bill for an act relating to bonds issued by airport authorities.

Also: That the Senate has on April 29, 1993, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 496, a bill for an act relating to area education agency and school district procedures regarding school reorganization.

Also: That the Senate has on April 29, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 641, a bill for an act relating to the department of agriculture and land stewardship, by providing for the assessment and collection of civil penalties against commercial applicators of pesticides.

Also: That the Senate has on April 29, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 660, a bill for an act relating to income tax return checkoffs for purposes of state individual income tax and establishing an income tax checkoff to support the Iowa state fair foundation and providing for the Act's retroactive applicability.

Also: That the Senate has on April 29, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 661, a bill for an act relating to the exemption from the state sales tax for certain prescription drugs and medical devices and providing for the Act's applicability.

Also: That the Senate has on April 29, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 664, a bill for an act relating to providing for special valuation for property tax and sales, service, and use tax exemptions for wind energy conversion property.

Also: That the Senate has on April 29, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 669, a bill for an act requiring that certain moneys shall be credited to and deposited in the general fund of the state and shall be used for the purposes

for which the moneys were collected and providing an effective date.

Also: That the Senate has on April 29, 1993, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 32, a concurrent resolution to designate Spencer, Iowa, the Flag City of Iowa, during its Flagfest '93 celebration from June 11, 1993, to June 13, 1993.

Also: That the Senate has on April 28, 1993, appointed the conference committee to Senate File 11, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, and providing for tax exemptions on facilities within such zones, and the members of the Senate are: The Senator from Kossuth, Senator Priebe, Chair; the Senator from Polk, Senator Palmer; the Senator from Tama, Senator Husak; the Senator from Worth, Senator Bartz; the Senator from Plymouth, Senator Banks.

Also: That the Senate has on April 28, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 117, a bill for an act relating to children who are exposed to illegal drugs by including such children under the definitions of a child in need of assistance and child abuse under certain circumstances and by amending the title and scope and responsibilities of the council on chemically exposed infants to include children.

Also: That the Senate has on April 28, 1993, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 142, a bill for an act relating to motorcycle rider education and the use of protective headgear when operating or riding motorcycles and motorized bicycles and the sale of such headgear and providing penalties and a repeal provision.

Also: That the Senate has on April 29, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 290, a bill for an act relating to the moratorium on the granting of permits for the construction or operation of infectious waste treatment or disposal facilities.

Also: That the Senate has on April 28, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 384, a bill for an act relating to dependent adult and child abuse and establishing criminal penalties.

Also: That the Senate has on April 28, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 422, a bill for an act relating to the compensation and benefits for public officials and employees and making appropriations.

Also: That the Senate has on April 29, 1993, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 33, a concurrent resolution supporting an upper Mississippi River and Illinois waterway feasibility study.

Also: That the Senate has on April 29, 1993, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 34, a concurrent resolution relating to the research and development of soybean-based industrial and consumer products.

JOHN F. DWYER, Secretary

SENATE MESSAGES CONSIDERED

Senate File 384, by committee on judiciary, a bill for an act relating to dependent adult and child abuse and establishing criminal penalties.

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

Senate File 422, by committee on appropriations, a bill for an act relating to the compensation and benefits for public officials and employees and making appropriations.

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

The House stood at ease at 10:34 a.m., until the fall of the gavel.

The House resumed session at 11:50 a.m., Speaker Van Maanen in the chair.

On motion by Connors of Polk, the House recessed at 11:51 a.m., until 1:45 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Van Maanen in the chair.

PRESENTATION OF 1993 MISS TEENAGE U.S.A.

Renaud of Polk presented to the House and escorted to the well, Jamie Solinger of Altoona, 1993 Miss Teenage U.S.A. Jamie told the House of the experiences she has had during her reign. She was accompanied by her father, Jeff Solinger.

The House rose and expressed its welcome.

The House stood at ease at 1:56 p.m., until the fall of the gavel.

The House resumed session at 3:20 p.m., Speaker Van Maanen in the chair.

CONSIDERATION OF BILLS

Unfinished Business Calendar

The House resumed consideration of **House File 602**, a bill for an act relating to drug testing of certain employees and applicants for

employment, previously deferred and placed on the unfinished business calendar, and amendment H—4177, to amendment H—4093, found on page 1603 of the House Journal, pending.

Running of Linn asked and received unanimous consent to defer action on amendment H—4177.

Millage of Scott asked and received unanimous consent to defer action on amendment H—4093.

Peterson of Carroll offered the following amendment H—4323 filed from the floor by Peterson, Millage, Burke and Tyrrell and moved its adoption:

H—4323

1 Amend House File 602 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 730.5, subsection 1, Code
5 1993, is amended to read as follows:

6 1. As used in this section, unless the context
7 otherwise requires:

8 a. "drug Drug test" means any blood, urine,
9 saliva, chemical, or skin tissue test conducted for
10 the purpose of detecting the presence of a chemical
11 substance in an individual.

12 b. "Preemployment" means that period of time
13 between when a bona fide offer of employment is made
14 and when employment begins.

15 Sec. 2. Section 730.5, subsection 3, paragraph a,
16 Code 1993, is amended to read as follows:

17 a. The employer has probable cause to believe that
18 an employee's faculties are impaired on the job. For
19 purposes of this paragraph, an employer that does not
20 have probable cause to believe that the employee's
21 faculties are impaired on the job shall be deemed to
22 have probable cause to test an employee if the
23 employer is investigating an accident in the workplace
24 and all of the following conditions are met:

25 (1) The employer has reasonable grounds to believe
26 that the employee proposed to be tested either
27 directly caused or directly contributed to the
28 accident.

29 (2) The surrounding circumstances do not
30 reasonably indicate that the employee was not
31 impaired.

32 (3) The accident results in a situation where a
33 person has suffered an injury which requires medical
34 treatment away from the workplace or which involves
35 damage to property and equipment in an amount

36 reasonably estimated to exceed one thousand dollars at
37 the time of the accident.

38 (4) Prior to the accident, the employer has
39 provided the employee to be tested with written notice
40 of the employer's rules or policies regarding alcohol
41 and controlled substances and testing when a workplace
42 accident or injury occurs.

43 Sec. 3. Section 730.5, subsection 3, paragraph c,
44 Code 1993, is amended to read as follows:

45 c. The test sample withdrawn from the employee is
46 analyzed by a laboratory or testing facility that has
47 been approved under rules adopted by the department of
48 public health. The laboratory or testing facility
49 shall report to the employer only the presence of
50 alcohol or illegal controlled substances in any test

Page 2

1 sample.

2 Sec. 4. Section 730.5, subsection 7, Code 1993, is
3 amended to read as follows:

4 7. A drug test conducted as a part of a physical
5 examination performed as a part of a preemployment
6 physical or as a part of a regularly scheduled
7 physical is only permissible In addition to drug
8 testing permitted by subsection 3, drug testing of an
9 employee or applicant for employment shall also be
10 permitted under the following circumstances:

11 a. For a preemployment physical application
12 process, the employer shall include notice that a drug
13 test will be part of a preemployment physical
14 application process in any notice or advertisement
15 soliciting applicants for employment or in the
16 application for employment, and an applicant for
17 employment shall be personally informed of the
18 requirement for a drug test at the first interview.

19 b. For a regularly scheduled physical, the
20 employer shall give notice that a drug test will be
21 part of the physical at least thirty days prior to the
22 date the physical is scheduled.

23 c. An employer may require an employee, as a
24 condition of employment, to undergo drug testing if
25 that employee has been referred by the employer for
26 substance abuse evaluation pursuant to subsection 3,
27 paragraph "f", and treatment was recommended by the
28 evaluation. The employee may be required to undergo
29 drug testing without prior notice, but in no case
30 shall more than four tests be conducted in the twelve-
31 month period following the employee's completion of
32 substance abuse treatment if the treatment was
33 recommended by the evaluation.

34 Drug testing conducted under this subsection shall

- 35 conform to the requirements of subsection 3,
36 paragraphs "c", "d", "e", and "f"; however, paragraph
37 "f" shall not apply to drug tests conducted as a part
38 of a preemployment physical application process."

Amendment H—4323 was adopted, placing the following amendments out of order:

H—3668, previously deferred, filed by Running of Linn on April 2, 1993.

H—3693, previously deferred, filed by Running of Linn on April 2, 1993.

H—4093, previously deferred, filed by Millage of Scott and Tyrrell of Iowa on April 20, 1993.

H—4123 (previously deferred), to amendment H—4093, filed by Fallon of Polk on April 21, 1993.

H—4124 (previously deferred), to amendment H—4093, filed by Fallon of Polk on April 21, 1993.

H—4125 (previously deferred), to amendment H—4093, filed by Fallon of Polk on April 21, 1993.

H—4126 (previously deferred), to amendment H—4093, filed by Fallon of Polk on April 21, 1993.

H—4120, to amendment H—4093, filed by Running of Linn on April 21, 1993.

H—4121, to amendment H—4093, filed by Running of Linn on April 21, 1993.

H—4150, to amendment H—4093, filed by McKinney of Dallas on April 22, 1993.

H—4156, to amendment H—4093, filed by Henderson of Scott on April 22, 1993.

H—4138, to amendment H—4093, filed by Henderson of Scott on April 21, 1993.

H—4127, to amendment H—4093, filed by Millage of Scott on April 21, 1993.

H—4151, to amendment H—4093, filed by McKinney of Dallas on April 22, 1993.

H—4144, to amendment H—4093, filed by Hanson of Delaware on April 22, 1993.

H—4152, to amendment H—4093, filed by McKinney of Dallas on April 22, 1993.

H—4153, to amendment H—4093, filed by McKinney of Dallas on April 22, 1993.

H-4169, to amendment H-4093, filed by Grundberg of Polk on April 22, 1993.

H-4170, to amendment H-4093, filed by Murphy of Dubuque on April 22, 1993.

H-4171, to amendment H-4093, filed by Brammer of Linn on April 22, 1993.

H-4172, to amendment H-4093, filed by Running of Linn on April 22, 1993.

H-4173, to amendment H-4093, filed by Running of Linn on April 22, 1993.

H-4174, to amendment H-4093, filed by Running of Linn on April 22, 1993.

H-4175, to amendment H-4093, filed by Running of Linn on April 22, 1993.

H-4176, to amendment H-4093, filed by Brammer of Linn on April 22, 1993.

H-4177 (previously deferred), to amendment H-4093, filed by Running of Linn on April 22, 1993.

H-4178, to amendment H-4093, filed by Brammer of Linn on April 22, 1993.

H-4179, to amendment H-4093, filed by Hammond, et al., on April 22, 1993.

H-4180, to amendment H-4093, filed by Millage of Scott on April 22, 1993.

H-4181, to amendment H-4093, filed by Fallon of Polk on April 22, 1993.

H-4182, to amendment H-4093, filed by Arnould of Scott on April 22, 1993.

H-3434 filed by Murphy of Dubuque on March 24, 1993.

H-3764 filed by Burke of Marshall on April 6, 1993.

H-3448 filed by Fallon of Polk on March 24, 1993.

H-3498 filed by Fallon of Polk on March 25, 1993.

H-3766, to amendment H-3498, filed by Burke of Marshall on April 6, 1993.

H-3534 filed by Fallon of Polk on March 29, 1993.

H-3535 filed by Fallon of Polk on March 29, 1993.

H-3765, to amendment H-3535, filed by Burke of Marshall on April 6, 1993.

H-3527 filed by Murphy of Dubuque on March 26, 1993.

H-3742, to amendment H-3527, filed by Murphy of Dubuque on April 6, 1993.

H-3694 filed by Running of Linn and Gill of Woodbury on April 2, 1993.

- H—3609 filed by Running of Linn on April 1, 1993.
 H—3680 filed by McKinney of Dallas on April 2, 1993.
 H—3433 filed by Henderson of Scott on March 24, 1993.
 H—3679 filed by McKinney, et al., on April 2, 1993.
 H—3695 filed by Running, et al., on April 2, 1993.
 H—3681 filed by McKinney, et al., on April 2, 1993.

Millage 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. 602)

The ayes were, 73:

Arnould	Beaman	Blodgett	Boddicker
Branstad	Brauns	Brunkhorst	Burke
Carpenter	Churchill	Corbett	Daggett
Dickinson	Dinkla	Doderer	Drake
Dvorsky	Eddie	Ertl	Fogarty
Garman	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Haverland	Henderson	Hester
Houser	Hurley	Iverson	Jochum
Kistler	Klemme	Koenigs	Kreiman
Larson	Martin	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Mundie	Nelson	Neuhauser	O'Brien
Ollie	Peterson	Plasier	Rafferty
Rants	Renken	Royer	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 27:

Baker	Beatty	Bell	Bernau
Black	Brammer	Brand	Cataldo
Cohoon	Connors	Fallon	Gill
Halvorson, R. N.	Harper	Holveck	Larkin
Lundby	May	McCoy	McKinney
Moreland	Murphy	Osterberg	Renaud
Running	Schrader	Weigel	

Absent or not voting, none.

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 602** be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Spenner of Henry called up for consideration **Senate File 142**, a bill for an act relating to motorcycle rider education and the use of protective headgear when operating or riding motorcycles and motorized bicycles and the sale of such headgear and providing penalties and a repeal provision, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H-4306, to the House amendment:

H-4306

- 1 Amend the House amendment, S-3640, to Senate File
- 2 142, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, by inserting after line 42 the
- 5 following:
- 6 "_____. Page 1, line 15, by striking the words and
- 7 figures "1993 through September 1994" and inserting
- 8 the following: "1994 through September 1995".
- 9 _____. Page 1, line 16, by striking the figure
- 10 "1994" and inserting the following: "1995"."
- 11 2. Page 2, by inserting after line 33 the
- 12 following:
- 13 "Sec. 200. NEW SECTION. 321.447 HELMETS
- 14 1. A motorcycle or motorized bicycle shall not be
- 15 operated upon a highway by a person who is eighteen
- 16 years of age or younger unless the person who is
- 17 operating or riding the vehicle is wearing protective
- 18 headgear which complies with standards and
- 19 specifications established under 49 C.F.R. § 571.218.
- 20 For purposes of this section, "wearing protective
- 21 headgear" means having a safety helmet on the person's
- 22 head that is fastened with the helmet straps and that
- 23 is of a size that fits the person's head securely
- 24 without excessive lateral or vertical movement.
- 25 2. This section shall not apply to a person
- 26 operating a motorcycle or motorized bicycle in a
- 27 parade.
- 28 3. A violation of this section shall be a
- 29 scheduled violation under section 805.8, subsection 2,
- 30 paragraph "e". The scheduled fine for a violation of
- 31 this section is fifty dollars for an operator and
- 32 twenty-five dollars for a passenger."
- 33 3. Page 3, by striking line 4 and inserting the
- 34 following:

- 35 "Sec. 201. EFFECTIVE DATE. Section 200, this
 36 section, and section 202 of this Act take effect on
 37 October 1, 1993.
 38 Sec. 202. REPEAL. Section 200 of this Act is
 39 repealed on October 1, 1994.
 40 Sec. _____. EFFECTIVE DATE. This Act, other than
 41 sections 200, 201, and 202, takes effect on October 1,
 42 1994."
 43 4. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H—4306, to the House amendment.

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

On the question "Shall the bill pass?" (S.F. 142)

The ayes were, 54:

Bell	Blodgett	Boddicker	Brammer
Branstad	Brauns	Brunkhorst	Burke
Dinkla	Ertl	Fogarty	Gipp
Greig	Greiner	Gries	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hanson, D. E.	Hanson, D. R.
Haverland	Hester	Holveck	Houser
Kistler	Klemme	Koenigs	Kreiman
Larkin	Larson	Lundby	Martin
McCoy	McNeal	Meyer	Millage
Miller	Mundie	Nelson	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Royer	Siegrist	Spenner
Vande Hoef	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 46:

Arnould	Baker	Beaman	Beatty
Bernau	Black	Brand	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Doderer
Drake	Dvorsky	Eddie	Fallon
Garman	Gill	Grubbs	Grundberg
Hammond	Hansen, S. D.	Harper	Henderson
Hurley	Iverson	Jochum	May
McKinney	Mertz	Metcalf	Moreland
Murphy	Neuhauser	Rants	Renaud
Renken	Running	Schrader	Shoultz
Tyrrell	Weidman		

Absent or not voting, none.

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 142** be immediately messaged to the Senate.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 29, 1993, adopted the following resolution in which the concurrence of the Senate was asked:

House Joint Resolution 28, a joint resolution proposing an amendment to the Constitution of the State of Iowa to restrict the expenditure of state license fees received from hunting, fishing, and trapping, and other public or private funds appropriated, allocated, or received by the state for fish and wildlife protection purposes.

JOHN F. DWYER, Secretary

The House stood at ease at 4:42 p.m., until the fall of the gavel.

The House resumed session at 5:45 p.m., Speaker Van Maanen in the chair.

QUORUM CALL

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

RULE 57 SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for immediate meetings of the committee on appropriations and the committee on ways and means.

The House stood at ease at 5:50 p.m., until the fall of the gavel.

The House resumed session at 7:11 p.m., Speaker Van Maanen in the chair.

QUORUM CALL

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

The House stood at ease at 7:20 p.m., until the fall of the gavel.

The House resumed session at 8:01 p.m., Speaker Van Maanen in the chair.

SUBCOMMITTEE ASSIGNMENT

Senate File 422

Appropriations: Metcalf, Chair; Hammond, McNeal, Miller and Peterson.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 422, a bill for an act relating to the compensation and benefits for public officials and employees and making appropriations.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—4327 April 29, 1993.

CONSIDERATION OF BILLS Appropriations Calendar

Senate File 422, a bill for an act relating to the compensation and benefits for public officials and employees and making appropriations, with report of committee recommending amendment and passage was taken up for consideration.

QUORUM CALL

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

Metcalf of Polk offered the following amendment H—4327, filed from the floor by the committee on appropriations, and moved its adoption:

H—4327

- 1 Amend Senate File 422, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, line 9, by inserting after the word
- 4 "payments" the following: "and step increases".

The committee amendment H-4327 was adopted.

Peterson of Carroll offered the following amendment H-4332, filed from the floor by Peterson, Gipp, Arnould, Halvorson of Clayton, Connors and Lundby, and moved its adoption:

H-4332

1 Amend Senate File 422, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 20 the
 4 following:

5 "Sec. _____. ELECTIVE EXECUTIVE OFFICIALS.

6 1. The annual salary rates specified in this
 7 section are effective for the pay period beginning
 8 December 30, 1994, and for subsequent fiscal years
 9 until otherwise provided by the general assembly. The
 10 salaries provided for in this section shall be paid
 11 from funds appropriated to the department or agency
 12 specified in this section pursuant to any Act of the
 13 general assembly or if the appropriation is not
 14 sufficient, from the salary adjustment fund.

15 2. The following annual salary rates shall be paid
 16 to the person holding the position indicated:

17 a. OFFICE OF THE GOVERNOR

18 (1) Salary for governor:
 19\$ 79,800

20 (2) Salary for lieutenant governor:
 21\$ 62,400

22 b. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

23 Salary for the secretary of agriculture:
 24\$ 62,400

25 c. DEPARTMENT OF JUSTICE

26 Salary for the attorney general:
 27\$ 76,500

28 d. OFFICE OF THE AUDITOR OF STATE

29 Salary for the auditor of state:
 30\$ 62,400

31 e. OFFICE OF THE SECRETARY OF STATE

32 Salary for the secretary of state:
 33\$ 62,400

34 f. OFFICE OF THE TREASURER OF STATE

35 Salary for the treasurer of state:
 36\$ 62,400"

37 2. By striking page 5, line 17 through page 6,
 38 line 23, and inserting the following:

39 "Sec. 11. Section 2.10, subsections 1, 3, 6, and
 40 7, Code 1993, are amended to read as follows:

41 1. Every member of the general assembly except the
 42 presiding officer of the senate, the speaker of the
 43 house, the majority and minority floor leader of each
 44 house, and the president pro tempore of the senate and

45 speaker pro tempore of the house, shall receive an
46 annual salary of eighteen thousand ~~one~~ eight hundred
47 dollars for the year ~~1991~~ 1995 and subsequent years
48 while serving as a member of the general assembly. In
49 addition, each such member shall receive the sum of
50 ~~fifty~~ sixty dollars per day for expenses of office,

Page 2

1 except travel, for each day the general assembly is in
2 session commencing with the first day of a legislative
3 session and ending with the day of final adjournment
4 of each legislative session as indicated by the
5 journals of the house and senate, except that if the
6 length of the first regular session of the general
7 assembly exceeds one hundred ten calendar days and the
8 second regular session exceeds one hundred calendar
9 days, the payments shall be made only for one hundred
10 ten calendar days for the first session and one
11 hundred calendar days for the second session.
12 However, members from Polk county shall receive
13 ~~thirty-five~~ forty-five dollars per day. Each member
14 shall receive a ~~seventy-five~~ one hundred twenty-five
15 dollar per month allowance for legislative district
16 constituency postage, travel, telephone costs, and
17 other expenses. Travel expenses shall be paid at the
18 rate established by section 18.117 for actual travel
19 in going to and returning from the seat of government
20 by the nearest traveled route for not more than one
21 time per week during a legislative session. However,
22 any increase from time to time in the mileage rate
23 established by section 18.117 shall not become
24 effective for members of the general assembly until
25 the convening of the next general assembly following
26 the session in which the increase is adopted; and this
27 provision shall prevail over any inconsistent
28 provision of any present or future statute.

29 3. The speaker of the house, presiding officer of
30 the senate, and the majority and minority floor leader
31 of each house shall each receive an annual salary of
32 ~~twenty-seven~~ twenty-nine thousand ~~nine~~ hundred dollars
33 for the year ~~1991~~ 1995 and subsequent years while
34 serving in that capacity. The president pro tempore
35 of the senate and the speaker pro tempore of the house
36 shall receive an annual salary of nineteen thousand
37 ~~one~~ nine hundred dollars for the year ~~1991~~ 1995 and
38 subsequent years while serving in that capacity.
39 Expense and travel allowances shall be the same for
40 the speaker of the house and the presiding officer of
41 the senate, the president pro tempore of the senate
42 and the speaker pro tempore of the house, and the
43 majority and minority leader of each house as provided

- 44 for other members of the general assembly."
 45 3. Page 6, line 26, by striking the word
 46 "seventy" and inserting the following: "sixty".
 47 4. Page 7, line 8, by striking the word "seventy"
 48 and inserting the following: "sixty".

Roll call was requested by Larson of Linn and Peterson of Carroll.

On the question "Shall amendment H—4332 be adopted?"
 (S.F. 422)

The ayes were, 54:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Cataldo	Cohoon	Connors	Corbett
Dickinson	Doderer	Dvorsky	Gill
Gipp	Grundberg	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Harper
Haverland	Hester	Holveck	Jochum
Koenigs	Larkin	Lundby	May
McCoy	McKinney	Mertz	Metcalf
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Renaud	Running
Schrader	Shultz	Siegrist	Spenner
Weigel	Wise		

The nays were, 46:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Churchill	Daggett	Dinkla	Drake
Eddie	Ertl	Fallon	Fogarty
Garman	Greig	Greiner	Gries
Grubbs	Hahn	Hanson, D. R.	Henderson
Houser	Hurley	Iverson	Kistler
Klemme	Kreiman	Larson	Martin
McNeal	Meyer	Millage	Miller
Moreland	Rants	Renken	Royer
Tyrrell	Vande Hoef	Weidman	Welter
Witt	Mr. Speaker		
	Van Maanen		

Absent or not voting, none.

Amendment H—4332 was adopted, placing out of order amendment H—4333, filed from the floor by Metcalf of Polk.

Dvorsky of Johnson offered the following amendment H—4331, filed from the floor by Dvorsky, Neuhauser, Doderer, Brand, Witt, Harper, Osterberg, Hammond, and Shultz, and moved its adoption:

H-4331

- 1 Amend Senate File 422 as follows:
 2 1. Page 4, by inserting after line 14 the
 3 following:
 4 "Sec. _____. REGENTS MERIT EXEMPT PAY ADJUSTMENTS.
 5 There is appropriated from the general fund of the
 6 state to the state board of regents for the fiscal
 7 year beginning July 1, 1993, and ending June 30, 1994,
 8 the sum of \$125,000, or so much thereof as necessary,
 9 to provide pay adjustments for regents merit exempt
 10 employees. The funds shall be used to adjust pay
 11 disparities resulting from pay adjustments provided to
 12 regents employ ees covered by collective bargaining
 13 agreements and pay adjustments provided for regent
 14 merit exempt employees."

Roll call was requested by Witt of Black Hawk and Millage of Scott.

Rule 75 was invoked.

On the question "Shall amendment H-4331 be adopted?"
 (S.F. 422)

The ayes were, 31:

Baker	Bell	Bernau	Black
Brand	Branstad	Brauns	Cataldo
Cohoon	Dinkla	Doderer	Dvorsky
Eddie	Fogarty	Garman	Grubbs
Hammond	Hanson, D. E.	Harper	Haverland
Holveck	Iverson	Jochum	Larkin
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Shultz	Witt	

The nays were, 69:

Arnould	Beaman	Beatty	Blodgett
Boddicker	Brammer	Brunkhorst	Burke
Carpenter	Churchill	Connors	Corbett
Daggett	Dickinson	Drake	Ertl
Fallon	Gill	Gipp	Greig
Greiner	Gries	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hansen, S. D.	Hanson, D. R.
Henderson	Hester	Houser	Hurley
Kistler	Klemme	Koenigs	Kreiman
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalfe	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Siegrist	Spenner	Tyrrell	Vande Hoef

Weidman
Mr. Speaker
Van Maanen

Weigel

Welter

Wise

Absent or not voting, none.

Amendment H—4331 lost.

Brunkhorst of Bremer asked and received unanimous consent to withdraw amendment H—4328 filed by him from the floor.

Fallon of Polk offered the following amendment H—4329 filed from the floor by him and Hammond of Story:

H—4329

1 Amend Senate File 422, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 7, by inserting after line 14 the follow-
4 ing:
5 "Sec. _____. Section 2.10, Code 1993, is amended by
6 adding the following new subsection:
7 **NEW SUBSECTION. 8.** A member of the general
8 assembly may return to the state treasury all or a
9 part of the salary, per diem, or expenses paid to the
10 member pursuant to this section. The member may
11 specify the public use for the returned money. A
12 member has no income tax liability for that portion of
13 the member's salary or per diem which is returned to
14 the state treasury pursuant to this subsection. The
15 administrative officer of each house shall provide a
16 form at the convening of each legislative session to
17 allow legislators to return any portion of their
18 salaries or expenses according to this section."

Metcalf of Polk rose on a point of order that amendment H—4329 was not germane.

The Speaker ruled the point not well taken and amendment H—4329 germane.

Fallon of Polk moved the adoption of amendment H—4329.

Roll call was requested by Fallon of Polk and Murphy of Dubuque.

On the question "Shall amendment H—4329 be adopted?"
(S.F. 422)

The ayes were, 51:

Arnould	Beatty	Bell	Bernau
Boddicker	Brand	Brunkhorst	Burke
Churchill	Cphoon	Connors	Corbett
Dvorsky	Eddie	Fallon	Fogarty

Gill	Greiner	Gries	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Harper
Henderson	Holveck	Hurley	Iverson
Jochum	Kistler	Koenigs	Kreiman
Larson	Martin	May	McCoy
McKinney	Mertz	Moreland	Mundie
Murphy	Nelson	O'Brien	Ollie
Osterberg	Peterson	Running	Schrader
Tyrrell	Weigel	Witt	

The nays were, 49:

Baker	Beaman	Black	Blodgett
Brammer	Branstad	Brauns	Carpenter
Cataldo	Daggett	Dickinson	Dinkla
Doderer	Drake	Ertl	Garman
Gipp	Greig	Grubbs	Grundberg
Hahn	Hanson, D. E.	Hanson, D. R.	Haverland
Hester	Houser	Klemme	Larkin
Lundby	McNeal	Metcalf	Meyer
Millage	Miller	Neuhauser	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Shoultz	Siegrist	Spenner
Vande Hoef	Weidman	Welter	Wise
Mr. Speaker			
Van Maanen			

Absent or not voting, none.

Amendment H—4329 was adopted.

Fallon of Polk offered the following amendment H—4330 filed by him from the floor:

H—4330

- 1 Amend the Senate File 422, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 7, by inserting after line 14 the
- 4 following:
- 5 "Sec. _____. SPECIAL ELECTION ON COMPENSATION FOR
- 6 MEMBERS OF THE GENERAL ASSEMBLY. The state
- 7 commissioner of elections shall call a special
- 8 election for the purpose of submitting a proposition
- 9 to the state electorate related to determining the
- 10 compensation of members of the general assembly. The
- 11 state commissioner of elections shall call the special
- 12 election to coincide with a regular city election
- 13 scheduled before January 1, 1994.
- 14 The ballot submitted at the special election shall
- 15 set forth a statement in substantially the following
- 16 form:
- 17 Shall the salary and expenses of the members of the
- 18 general assembly be determined as follows:

- 19 _____. By the general assembly as currently provided by law?
20 _____. By a referendum of the state electorate on a salary
21 and expense proposition submitted by the general
22 assembly?

23 (VOTE FOR ONLY ONE)

- 24 The proposition shall be submitted by the state
25 commissioner in the same manner as public measures are
26 submitted to the voters as provided in chapter 49A."

Spenner of Henry rose on a point of order that amendment H-4330 was not germane.

The Speaker ruled the point well taken and amendment H-4330 not germane.

Brunkhorst of Bremer offered the following amendment H-4337 filed by him from the floor:

H-4337

- 1 Amend Senate File 422, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 7, by inserting after line 14, the
4 following:

- 5 "Sec. _____. Section 97B.41, subsection 20,
6 paragraph a, unnumbered paragraph 2, Code 1993, is
7 amended to read as follows:

- 8 Wages for a member of the general assembly means
9 the total compensation received by a member of the
10 general assembly, whether paid in the form of per diem
11 or annual salary, exclusive of expense and travel
12 allowances paid to a member of the general assembly
13 except as otherwise provided in this paragraph. Wages
14 includes per diem payments paid to members of the
15 general assembly during interim periods between
16 sessions of the general assembly. Wages also includes
17 daily allowances to members of the general assembly
18 for nontravel expenses of office during a session of
19 the general assembly, but does not include the portion
20 of the daily allowance which exceeds the maximum
21 established by law for members from Polk county."

Halvorson of Webster rose on a point of order that amendment H-4337 was not germane.

The Speaker ruled the point well taken and amendment H-4337 not germane.

Brunkhorst of Bremer moved to suspend the rules to consider amendment H-4337.

A non-record roll call was requested.

The ayes were 16, nays 65.

The motion to suspend the rules lost.

Hurley of Fayette offered the following amendment H—4338, filed from the floor by Hurley, Grubbs, Larson, Meyer, Boddicker, Martin, Welter, Tyrrell, Fallon and Brunkhorst:

H—4338

- 1 Amend Senate File 422, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 7, line 16, by inserting after the figure
- 4 "1995." the following: "However, the increases for
- 5 members of the general assembly provided in this Act
- 6 shall not be paid to members of the general assembly
- 7 until a determination has been made by the department
- 8 of revenue and finance and concurred in by the auditor
- 9 of state after June 30 of a fiscal year that the state
- 10 budget funded by the general assembly for the fiscal
- 11 year ending that June 30 is balanced according to
- 12 generally accepted accounting principles. Upon such a
- 13 determination by the department of revenue and finance
- 14 and the auditor of state, the increases shall be paid
- 15 retroactive to the preceding January 1."

Millage of Scott rose on a point of order that amendment H—4338 was not germane.

The Speaker ruled the point well taken and amendment H—4338 not germane.

Hurley of Fayette moved to suspend the rules to consider amendment H—4338.

A non-record roll call was requested.

The ayes were 31, nays 57.

The motion to suspend the rules lost.

Garman of Story offered the following amendment H—4336 filed from the floor by Garman, Ertl, Brunkhorst and Branstad and moved its adoption:

H—4336

- 1 Amend Senate File 422, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 5, line 17 through page 7,
- 4 line 16.

Roll call was requested by Garman of Story and Boddicker of Cedar.

On the question "Shall amendment H—4336 be adopted?"
(S.F. 422)

The ayes were, 40:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Churchill	Daggett
Dinkla	Doderer	Drake	Ertl
Fallon	Garman	Greig	Greiner
Gries	Hahn	Hanson, D. E.	Henderson
Houser	Hurley	Iverson	Kistler
Klemme	Kreiman	Larson	Martin
Meyer	Moreland	O'Brien	Rants
Renken	Royer	Tyrrell	Vande Hoef
Weidman	Welter	Witt	Mr. Speaker
			Van Maanen

The nays were, 60:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Carpenter	Cataldo	Cohoon
Connors	Corbett	Dickinson	Dvorsky
Eddie	Fogarty	Gill	Gipp
Grubbs	Grundberg	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. R.	Harper
Haverland	Hester	Holveck	Jochum
Koenigs	Larkin	Lundby	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Millage	Miller	Mundie
Murphy	Nelson	Neuhauser	Ollie
Osterberg	Peterson	Plasier	Rafferty
Renaud	Running	Schrader	Shoultz
Siegrist	Spenner	Weigel	Wise

Absent or not voting, none.

Amendment H—4336 lost.

Siegrist of Pottawattamie asked and received unanimous consent to defer action on Senate File 422.

Ways and Means Calendar

Senate File 410, a bill for an act relating to the sales, services, and use tax exemption for sales of educational, religious, or charitable activities, with report of committee recommending amendment and passage was taken up for consideration.

Hanson of Delaware offered the following amendment H—4203 filed by the committee on ways and means:

H—4203

1 Amend Senate File 410, as passed by the Senate, as
2 follows:

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

5 "Section 1. Section 422.43, subsection 1, Code
6 1993, is amended to read as follows:

7 1. There is imposed a tax of five percent upon the
8 gross receipts from all sales of tangible personal
9 property, consisting of goods, wares, or merchandise,
10 except as otherwise provided in this division, sold at
11 retail in the state to consumers or users; a like rate
12 of tax upon the gross receipts from the sales,
13 furnishing, or service of gas, electricity, water,
14 heat, pay television service, and communication
15 service, including the gross receipts from such sales
16 by any municipal corporation or joint water utility
17 furnishing gas, electricity, water, heat, pay
18 television service, and communication service to the
19 public in its proprietary capacity, except as
20 otherwise provided in this division, when sold at
21 retail in the state to consumers or users; a like rate
22 of tax upon the gross receipts from all sales of
23 tickets or admissions to places of amusement, fairs,
24 and athletic events except those of elementary and
25 secondary educational institutions; a like rate of tax
26 on the gross receipts from an entry fee or like charge
27 imposed solely for the privilege of participating in
28 an activity at a place of amusement, fair, or athletic
29 event unless the gross receipts from the sales of
30 tickets or admissions charges for observing the same
31 activity are taxable under this division; and a like
32 rate of tax upon that part of private club membership
33 fees or charges paid for the privilege of
34 participating in any athletic sports provided club
35 members."

36 2. Title page, line 1, by inserting after the
37 word "the" the following: "sales tax on certain entry
38 fees and the".

39 3. By renumbering as necessary.

Schrader of Marion rose on a point of order that amendment H—4203 was not germane.

The Speaker ruled the point well taken and amendment H—4203 not germane.

Hanson of Delaware moved to suspend the rules to consider amendment H—4203.

A non-record roll call was requested.

The ayes were 67, nays 16.

The motion prevailed and the rules were suspended.

On motion by Hanson of Delaware, the committee amendment H—4203 was adopted.

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

On the question "Shall the bill pass?" (S.F. 410)

The ayes were, 95:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renken	Royer
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, 5:

Doderer	Halvorson, R. N.	Renaud	Running
Schrader			

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.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 410** be immediately messaged to the Senate.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Senate File 418, a bill for an act relating to the annexation of land to cities.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H—4326 April 29, 1993.

RULES SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend the rules for the immediate consideration of **Senate File 418**.

Ways and Means Calendar

Senate File 418, a bill for an act relating to the annexation of land to cities, with report of committee recommending amendment and passage, was taken up for consideration.

Iverson of Wright offered the following amendment H—4326, filed from the floor by the committee on ways and means, and moved its adoption:

H—4326

- 1 Amend Senate File 418, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 29, by striking the word
- 4 "service".

The committee amendment H—4326 was adopted.

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

On the question "Shall the bill pass?" (S.F. 418)

The ayes were, 90:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Burke	Cataldo	Churchill
Cohoon	Connors	Corbett	Daggett
Dinkla	Doderer	Drake	Dvorsky
Eddie	Ertl	Fogarty	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Iverson	Jochum
Kistler	Koenigs	Kreiman	Larkin
Larson	Martin	May	McCoy
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 8:

Brunkhorst	Carpenter	Dickinson	Fallon
Garman	Gill	Klemme	McKinney

Absent or not voting, 2:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 418** be immediately messaged to the Senate.

Unfinished Business Calendar

The House resumed consideration of **Senate File 387**, a bill for an act relating to the family resource center demonstration program, previously deferred and placed on the unfinished business calendar.

Hurley of Fayette offered the following amendment H—3822 filed by the committee on education and moved its adoption:

H-3822

1 Amend Senate File 387, as passed by the Senate, as
2 follows:

3 1. Page 1, line 5, by striking the word "The" and
4 inserting the following: "The If the general assembly
5 appropriates moneys for the establishment of family
6 resource centers, the".

7 2. Page 2, line 6, by inserting after the word
8 "childhood" the following: "education or".

9 3. Page 2, line 9, by inserting after the word
10 "economics" the following: ", or at least five years
11 of experience as an administrator of a licensed early
12 childhood education or development program".

13 4. Page 2, line 11, by striking the word
14 "including" and inserting the following: "including
15 includes".

16 5. Page 3, lines 22 and 23, by striking the words
17 "or a positive youth development program" and
18 inserting the following: ", and other programs as the
19 community determines,".

The committee amendment H-3822 was adopted.

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

On the question "Shall the bill pass?" (S.F. 387)

The ayes were, 100:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants

Renaud	Renken	Royer	Running
Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Witt	Mr. Speaker Van Maanen

The nays were, none.

Absent or not voting, none.

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 387** be immediately messaged to the Senate.

UNANIMOUS CONSENT

Corbett of Linn asked and received unanimous consent that House Study Bill 309 not be printed or introduced as a bill out of committee on appropriations.

Ways and Means Calendar

House File 671, a bill for an act relating to the definition of income for purposes of the mobile home property tax credit and the homestead tax credit and rent reimbursement and providing effective and applicability dates, was taken up for consideration.

Blodgett 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. 671)

The ayes were, 93:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Blodgett	Boddicker
Brammer	Brand	Branstad	Brauns
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cohoon	Connors	Corbett
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greiner	Gries	Grubbs
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hansen, S. D.	Hanson, D. E.	Hanson, D. R.	Harper
Haverland	Henderson	Hester	Holveck
Hurley	Iverson	Jochum	Kistler
Koenigs	Kreiman	Larkin	Larson

Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, 7:

Black	Greig	Grundberg	Houser
Klemme	Meyer	Vande Hoef	

Absent or not voting, none.

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 671** be immediately messaged to the Senate.

ADOPTION OF SENATE CONCURRENT RESOLUTION 29

Spenner of Henry asked and received unanimous consent for the immediate consideration of **Senate Concurrent Resolution 29**, a concurrent resolution relating to the common control of the Union Pacific Railroad Company, the Missouri Pacific Railroad Company, the Chicago and Northwestern Holdings Corporation, and the Chicago and Northwestern Transportation Company and moved its adoption.

The motion prevailed and the resolution was adopted.

Appropriations Calendar

The House resumed consideration of **Senate File 422**, a bill for an act relating to the compensation and benefits for public officials and employees and making appropriations, previously deferred.

Spenner of Henry offered the following amendment H—4339 filed by him and Peterson of Carroll from the floor and moved its adoption:

H—4339

- 1 Amend Senate File 422, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 1, by inserting after line 20 the
- 4 following:

5 "Sec. 100. APPOINTED STATE OFFICERS. The governor
 6 shall establish a salary for appointed nonelected
 7 persons in the executive branch of state government
 8 holding a position enumerated in section 101 of this
 9 Act within the range provided by considering, among
 10 other items, the experience of the individual in the
 11 position, changes in the duties of the position, the
 12 incumbent's performance of assigned duties, and
 13 subordinates' salaries. However, the attorney general
 14 shall establish the salary for the consumer advocate,
 15 the chief justice of the state supreme court shall
 16 establish the salary for the state court
 17 administrator, and the state fair board shall
 18 establish the salary of the secretary of the state
 19 fair board each within the salary range provided in
 20 section 101 of this Act.

21 The governor, in establishing salaries as provided
 22 in section 101 of this Act, shall take into
 23 consideration other employee benefits which may be
 24 provided for an individual including, but not limited
 25 to, housing.

26 A person whose salary is established pursuant to
 27 section 101 of this Act and who is a full-time
 28 permanent employee of the state shall not receive any
 29 other remuneration from the state or from any other
 30 source for the performance of that person's duties
 31 unless the additional remuneration is first approved
 32 by the governor or authorized by law. However, this
 33 provision does not exclude the reimbursement for
 34 necessary travel and expenses incurred in the
 35 performance of duties or fringe benefits normally
 36 provided to employees of the state.

37 Sec. 101. STATE OFFICERS - SALARY RATES AND

38 RANGES. The following annual salary ranges are
 39 effective for the positions specified in this section
 40 for the fiscal year beginning July 1, 1993, and for
 41 subsequent fiscal years until otherwise provided by
 42 the general assembly. The governor or other person
 43 designated in section 100 of this Act shall determine
 44 the salary to be paid to the person indicated at a
 45 rate within the salary ranges indicated from funds
 46 appropriated by the general assembly for that purpose.

47 1. The following salary ranges are effective
 48 beginning with the fiscal year beginning July 1, 1993,
 49 and as otherwise provided in this section:

50 SALARY RANGES Minimum Maximum

Page 2

1	a. Range 1	\$	7,900	\$23,800
2	b. Range 2	\$	28,700	\$47,700
3	c. Range 3	\$	39,400	\$55,700

4	d. Range 4	\$ 47,400	\$63,700
5	e. Range 5	\$ 55,700	\$71,700

6 2. The following are range 1 positions: There are
7 no range 1 positions as of the fiscal year beginning
8 July 1, 1993.

9 3. The following are range 2 positions:
10 administrator of criminal and juvenile justice
11 planning of the department of human rights,
12 administrator of the arts division of the department
13 of cultural affairs, administrators of the division of
14 persons with disabilities, the division on the status
15 of women, the division on the status of African-
16 Americans, the division for deaf services, and the
17 division of Latino affairs of the department of human
18 rights, administrator of the division of professional
19 licensing and regulation of the department of
20 commerce, executive director of the commission of
21 veteran affairs, and administrator of the division of
22 emergency management of the department of public
23 defense.

24 4. The following are range 3 positions:
25 administrator of the division of community action
26 agencies of the department of human rights, and
27 chairperson and members of the employment appeal board
28 of the department of inspections and appeals.

29 5. The following are range 4 positions:
30 superintendent of banking, superintendent of credit
31 unions, drug abuse prevention coordinator,
32 administrator of the alcoholic beverages division of
33 the department of commerce, state public defender, and
34 chairperson and members of the board of parole.

35 6. The following are range 5 positions:
36 chairperson and members of the utilities board,
37 consumer advocate, job service commissioner, labor
38 commissioner, industrial commissioner, commissioner of
39 insurance, administrator of the historical division of
40 the department of cultural affairs, administrator of
41 the public broadcasting division of the department of
42 education, the administrator of the state racing and
43 gaming commission of the department of inspections and
44 appeals, commandant of the veterans home, and
45 secretary of the state fair board.

46 7. The following salary ranges are effective
47 beginning with the fiscal year beginning July 1, 1993,
48 and as otherwise provided in this section:

49	SALARY RANGES	<u>Minimum</u>	<u>Maximum</u>
50	a. Range 6	\$ 43,100	\$ 57,800

Page 3

1	b. Range 7	\$ 58,900	\$ 72,300
2	c. Range 8	\$ 63,100	\$ 84,000

3 d. Range 9 \$ 70,500 \$ 99,900

4 8. The following are range 6 positions: director

5 of the department of human rights, director of the

6 Iowa state civil rights commission, executive director

7 of the college student aid commission, director of the

8 department for the blind, and executive secretary of

9 the campaign finance disclosure commission.

10 9. The following are range 7 positions: director

11 of the department of cultural affairs, director of the

12 department of personnel, director of public health,

13 executive director of the department of elder affairs,

14 commissioner of public safety, director of the

15 department of general services, director of the

16 department of commerce, director of law enforcement

17 academy, and director of the department of inspections

18 and appeals.

19 10. The following are range 8 positions:

20 executive director of the Iowa finance authority,

21 director of revenue and finance, director of the

22 department of natural resources, director of the

23 department of corrections, and director of the

24 department of employment services.

25 11. The following are range 9 positions: director

26 of the department of education, director of human

27 services, director of the department of economic

28 development, executive director of the state board of

29 regents, director of the state department of

30 transportation, lottery commissioner, the state court

31 administrator, and the director of the department of

32 management.

33 Sec. 102. PUBLIC EMPLOYMENT RELATIONS BOARD.

34 1. The salary rates specified in this section are

35 effective for the fiscal year beginning July 1, 1993,

36 and for subsequent fiscal years until otherwise

37 provided by the general assembly. The salaries

38 provided for in this section shall be paid from funds

39 appropriated to the department or agency specified in

40 this section.

41 2. The following annual salary rates shall be paid

42 to the persons holding the positions indicated:

43 a. Chairperson of the public employment relations

44 board:

45 \$ 55,700

46 b. Two members of the public employment relations

47 board:

48 \$ 51,700

49 Sec. 6. PAY RATES AND RANGES - EFFECTIVE DATES.

50 The annual salary rates or ranges provided in sections

1 101 and 102 of this Act become effective for the

- 2 fiscal year beginning July 1, 1993, with the pay
 3 period beginning June 18, 1993. In addition to the
 4 salaries as fixed by the appropriate appointing
 5 authority, state officers covered in sections 101 and
 6 102 may receive a cash payment, if authorized by the
 7 appropriate appointing authority, of \$650 which shall
 8 not be added to the base salary, paid in 26 equal
 9 installments during the fiscal year beginning July 1,
 10 1993. Cash payments, if authorized, shall take effect
 11 with the pay period beginning June 18, 1993."

Amendment H—4339 was adopted.

Metcalf 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. 422)

The ayes were, 58:

Arnould	Beatty	Bell	Bernau
Black	Brammer	Brand	Carpenter
Cataldo	Cohoon	Connors	Corbett
Dickinson	Doderer	Dvorsky	Eddie
Garman	Gill	Gipp	Grundberg
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Hester	Holveck	Jochum	Koenigs
Larkin	Lundby	May	McCoy
McKinney	Metcalf	Millage	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Renaud	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Weigel
Wise	Witt		

The nays were, 42:

Baker	Beaman	Blodgett	Boddicker
Branstad	Brauns	Brunkhorst	Burke
Churchill	Daggett	Dinkla	Drake
Ertl	Fallon	Fogarty	Greig
Greiner	Gries	Grubbs	Hahn
Henderson	Houser	Hurley	Iverson
Kistler	Klemme	Kreiman	Larson
Martin	McNeal	Mertz	Meyer
Miller	Moreland	Mundie	Rants
Renken	Royer	Vande Hoef	Weidman
Welter	Mr. Speaker		
	Van Maanen		

Absent or not voting, none.

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

MOTION TO RECONSIDER
(Senate File 422)

I move to reconsider the vote by which Senate File 422 passed the House on April 29, 1993.

CORBETT of Linn

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Tuesday, April 27, 1993. Had I been present, I would have voted "aye" on House File 83 and Senate Files 163 and 296.

OLLIE of Clinton

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 29th day of April, 1993: House Files 169, 301, 302, 354, 495, 579, 584 and 633.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

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

Thirty-three fifth grade students from Whittier Elementary School, Oskaloosa, accompanied by Donna De Groot. By Van Maanen of Mahaska.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 309

Appropriations: Metcalf, Chair; Hammond, McNeal, Miller and Peterson.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 309), relating to the compensation and benefits for public officials and employees and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 29, 1993.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 650), relating to a sales and services tax exemption for nature societies.

Fiscal Note is not required.

Recommended **Do Pass** April 29, 1993.

RESOLUTION FILED

HCR 34, by Jochum, Hurley, Brammer, Peterson, Connors, Running, Corbett, Larson, Martin, Welter, Gries, Brunkhorst and Mertz, a concurrent resolution requesting the establishment of an interim committee to study the issue of adoption reform.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-4307	H.F.	672	Rants of Woodbury
H-4308	H.F.	672	Rants of Woodbury
H-4309	H.F.	674	Dvorsky of Johnson
H-4310	H.F.	674	Ollie of Clinton Wise of Lee
H-4311	H.F.	674	Ollie of Clinton
H-4312	H.F.	674	Kreiman of Davis Neuhauser of Johnson
H-4313	H.F.	674	Kreiman of Davis
H-4314	H.F.	674	Kreiman of Davis Neuhauser of Johnson
H-4315	H.F.	674	Kreiman of Davis Neuhauser of Johnson
H-4316	H.F.	674	Kreiman of Davis Neuhauser of Johnson
H-4317	H.F.	674	Kreiman of Davis

H-4318	H.F.	674	Kreiman of Davis Neuhauser of Johnson
H-4319	H.F.	674	Kreiman of Davis
H-4320	H.F.	660	Senate Amendment
H-4321	H.F.	669	Senate Amendment
H-4322	H.F.	655	Neuhauser of Johnson
H-4324	H.F.	319	Grundberg of Polk
H-4325	H.F.	674	Brand of Benton
H-4334	H.F.	644	Fallon of Polk
H-4335	H.F.	644	Fallon of Polk

· On motion by Siegrist of Pottawattamie, the House adjourned at 10:32 p.m., until 8:45 a.m., Friday, April 30, 1993.

JOURNAL OF THE HOUSE

One Hundred Tenth Calendar Day — Seventy-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 30, 1993

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

Prayer was offered by Reverend Ruth Ann Russell, pastor of the United Methodist Church, Hudson.

The Journal of Thursday, April 29, 1993 was approved.

PETITION FILED

The following petition was received and placed on file:

By Ollie of Clinton, from five constituents opposing the death penalty.

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 29, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 622, a bill for an act creating an Iowa advisory study committee on critical infrastructure needs.

Also: That the Senate has on April 29, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 656, a bill for an act relating to exempting methane gas conversion property from taxation.

Also: That the Senate has on April 29, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 663, a bill for an act relating to an increase in property tax dollars certified for purposes of the property tax limitation for the fiscal year beginning July 1, 1994.

Also: That the Senate has on April 29, 1993, appointed a second conference committee on Senate File 266, a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates, and the members of the Senate are: The Senator

from Henry, Senator Vilsack, Chair; the Senator from Polk, Senator Bisignano; the Senator from Dubuque, Senator Welsh; the Senator from Cedar, Senator Rife; the Senator from Black Hawk, Senator Slife.

Also: That the Senate has on April 29, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 413, a bill for an act relating to the collection and disposition of civil and criminal fees and fines, distribution of court revenue.

JOHN F. DWYER, Secretary

SECOND CONFERENCE COMMITTEE APPOINTED (Senate File 266)

The Speaker announced the appointment of the second conference committee to consider the differences between the House and Senate concerning Senate File 266: Hanson of Black Hawk, Chair; Boddicker of Cedar, McNeal of Hardin, Dickinson of Jackson and McCoy of Polk.

The House stood at ease at 8:52 a.m., until the fall of the gavel.

The House resumed session at 9:23 a.m., Speaker Van Maanen in the chair.

ADOPTION OF HOUSE RESOLUTION 9

Eddie of Buena Vista called up for consideration **House Resolution 9**, a resolution to request that the President of the United States and the Congress of the United States remove current obstacles which prevent the transfer of agricultural land between family members participating in Iowa's Beginning Farmer Loan Program supported by small issue private activity bonds exempt from federal income taxation, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE CONCURRENT RESOLUTION 34

Eddie of Buena Vista asked and received unanimous consent for the immediate consideration of **Senate Concurrent Resolution 34**, a concurrent resolution relating to the research and development of soybean-based industrial and consumer products and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate Concurrent Resolution 34** be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Grundberg of Polk called up for consideration **House File 319**, a bill for an act relating to the development and delivery of a summary of the procedures and rights involved in a civil commitment proceeding to a person who applies for the involuntary commitment of another, amended by the following Senate amendment H—4279:

H—4279

1 Amend House File 319, as passed by the House, as
2 follows:

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

5 "Section 1. Section 125.91, subsection 5, Code
6 1993, is amended by striking the subsection.

7 Sec. _____. NEW SECTION. 125.91A COSTS FOR
8 COMMITMENT — COUNTY OF LEGAL SETTLEMENT.

9 Notwithstanding any other provision of law, the
10 costs, other than the costs specified in sections
11 125.43 and 125.44, for commitment to a facility under
12 the procedures prescribed in this chapter shall be
13 paid by the county of legal settlement of the chronic
14 substance abuser as determined under section 252.16,
15 or, if the person's county of legal settlement cannot
16 be determined, by the county in which the person is
17 found. If a dispute arises between two or more
18 counties as to which county is the county of legal
19 settlement, the dispute may be resolved in the manner
20 provided in sections 252.22 and 252.23. The county of
21 legal settlement shall retain all rights of recovery
22 of moneys expended pursuant to this section, as is
23 provided in chapter 252."

24 2. Page 1, by inserting before line 1 the
25 following:

26 "Section 1. Section 229.16, Code 1993, is amended
27 by adding the following new unnumbered paragraph:
28 NEW UNNUMBERED PARAGRAPH. Each public and private
29 hospital, as defined under section 229.1, shall assure
30 that discharge planning, as defined in 42 C.F.R. §
31 481.21, is performed in cooperation with the county of
32 legal settlement and local health and social service
33 providers for the medical and social needs of every
34 patient admitted."

35 3. Page 1, by striking line 1 and inserting the
36 following:

37 "Sec. _____. Section 229.19, unnumbered paragraph 1,
38 Code 1993, is amended to read as follows:

39 The district court in each county shall appoint an
40 individual who has demonstrated by prior activities an
41 informed concern for the welfare and rehabilitation of

42 the mentally ill, and who is not an officer or
43 employee of the department of human services nor of
44 any agency or facility providing care or treatment to
45 the mentally ill, to act as advocate representing the
46 interests of patients involuntarily hospitalized by
47 the court, in any matter relating to the patients'
48 hospitalization or treatment under section 229.14 or
49 229.15. The court shall assign the advocate appointed
50 from the patient's county of legal settlement to the

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1 patient, or if the patient has no county of legal
2 settlement, the court shall assign the advocate
3 appointed from the county where the hospital or
4 facility is located. The advocate's responsibility
5 with respect to any patient shall begin at whatever
6 time the attorney employed or appointed to represent
7 that patient as respondent in hospitalization
8 proceedings, conducted under sections 229.6 to 229.13,
9 reports to the court that the attorney's services are
10 no longer required and requests the court's approval
11 to withdraw as counsel for that patient the time the
12 district court sets the time and place for the
13 hearing. The advocate shall be informed of the
14 appointment within twenty-four hours of the issuance
15 of the order for hearing. Upon appointment, the
16 advocate shall have the right to contact the patient
17 for purposes of providing the patient with information
18 about the involuntary hospitalization process. The
19 advocate shall not duplicate the role of the attorney
20 representing the patient and shall not undertake the
21 practice of law in the performance of advocate duties.
22 However, if If the patient is found to be seriously
23 mentally impaired at the hospitalization hearing, the
24 attorney representing the patient shall automatically
25 be relieved of responsibility in the case and an
26 advocate shall be assigned to the patient at the
27 conclusion of the hearing unless the attorney
28 indicates an intent to continue the attorney's
29 services and the court so directs. If the court
30 directs the attorney to remain on the case the
31 attorney shall assume all the duties of an advocate.
32 The clerk shall furnish the advocate with a copy of
33 the court's order approving the withdrawal and shall
34 inform the patient of the name of the patient's
35 advocate. With regard to each patient whose interests
36 the advocate is required to represent pursuant to this
37 section, the advocate's duties shall include all of
38 the following:
39 Sec. _____. NEW SECTION. 229.45 PROVISION OF
40 SUMMARY OF".

- 41 4. Page 1, line 11, by inserting after the word
 42 "request" the following: ", and who shall attach a
 43 copy of the summary to the notice of hearing which is
 44 served upon the respondent under section 229.7".
 45 5. Title page, line 1, by striking the words "the
 46 development and delivery of a summary of".
 47 6. Title page, line 3, by striking the words "to
 48 a person who applies".
 49 7. Title page, line 4, by inserting after the
 50 word "another" the following: ", and providing for

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- 1 payment of certain costs".
 2 8. By renumbering, relettering, or redesignating
 3 and correcting internal references as necessary.

Grundberg of Polk offered the following amendment H—4324, to the Senate amendment H—4279, filed by her and moved its adoption:

H—4324

- 1 Amend the Senate amendment, H—4279, to House File
 2 319, as passed by the House, as follows:
 3 1. Page 1, by striking lines 5 and 6.
 4 2. Page 1, line 11, by inserting after the figure
 5 "125.44" the following: "and the costs associated
 6 with detention and evaluation under sections 125.83
 7 and 125.84".
 8 3. Page 1, line 37, by inserting after the figure
 9 "1," the following: "and subsections 3 and 4".
 10 4. Page 1, line 38, by striking the word "is" and
 11 inserting the following: "are".
 12 5. Page 2, by striking lines 4 and 5 and
 13 inserting the following: "facility is located. The
 14 advocate's responsibility with respect to any patient
 15 shall begin at whatever".
 16 6. Page 2, lines 11 through 13, by striking the
 17 words "the time the district court sets the time and
 18 place for the hearing."
 19 7. Page 2, by striking lines 27 through 29 and
 20 inserting the following: "conclusion of the hearing
 21 unless the attorney indicates an intent to continue
 22 the attorney's services and the court so directs
 23 further proceedings regarding the hospitalization of
 24 the patient are scheduled. If the court".
 25 8. Page 2, by inserting after line 38, the
 26 following:
 27 "3. To make the advocate readily accessible to
 28 communications from the patient and to originate
 29 communications with the patient within no later than
 30 five days of after the patient's commitment.

- 31 4. To visit the patient within no later than
 32 fifteen days of after the patient's commitment and
 33 periodically thereafter."
 34 9. By renumbering as necessary.

Amendment H—4324 was adopted.

On motion by Grundberg of Polk, the House concurred in the Senate amendment H—4279, as amended.

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

On the question "Shall the bill pass?" (H.F. 319)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Schrader	Shoultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Wise	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Witt

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 319** be immediately messaged to the Senate.

RULES SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend the rules for the immediate consideration of House Concurrent Resolution 34.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 34

Jochum of Dubuque called up for consideration **House Concurrent Resolution 34**, a concurrent resolution requesting the establishment of an interim committee to study the issue of adoption reform, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House Concurrent Resolution 34** be immediately messaged to the Senate.

HOUSE REFUSED TO CONCUR

Rants of Woodbury called up for consideration **House File 632**, a bill for an act placing a moratorium on construction and operation of certain commercial waste incinerators and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H—4254:

H—4254

- 1 Amend House File 632 as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting after line 31, the
- 4 following:
- 5 "Sec. 100. Section 455B.331, Code 1993, is amended
- 6 to read as follows:
- 7 455B.331 DEFINITIONS.
- 8 As used in this part 2 of division IV, unless the
- 9 context otherwise requires:
- 10 1. "Nuclear waste disposal site" means all
- 11 facilities and appurtenances including all real and
- 12 personal property connected with such facilities,
- 13 which are acquired, leased, purchased, constructed,
- 14 reconstructed, equipped, improved, extended,
- 15 maintained, or operated off the site of a nuclear
- 16 power plant to facilitate the temporary or permanent

17 storage or the final disposition of high level
18 radioactive waste without creating a significant
19 hazard to the public health or safety, and which are
20 approved by the general assembly.

21 1 2. "Radiation" means any ionizing radiation
22 including, but not limited to, high-speed electrons,
23 neutrons, protons and other nuclear particles, but not
24 sound waves.

25 2 3. "Radioactive material" means any solid,
26 liquid, or gaseous material which emits radiation
27 spontaneously.

28 3. "Nuclear waste disposal site" means all
29 facilities and appurtenances including all real and
30 personal property connected with such facilities,
31 which are acquired, leased, purchased, constructed,
32 reconstructed, equipped, improved, extended,
33 maintained, or operated to facilitate the final
34 disposition of radioactive waste without creating a
35 significant hazard to the public health or safety, and
36 which are approved by the director.

37 4. "High level radioactive waste" means any of the
38 following:

39 a. Irradiated reactor fuel.

40 b. Liquid wastes resulting from reprocessing
41 irradiated reactor fuel.

42 c. Solids into which the liquid wastes have been
43 converted.

44 d. Radioactive waste containing alpha emitting
45 transuranic elements that is not acceptable for near-
46 surface disposal as defined in 10 C.F.R. § 61.55.

47 e. Any other highly radioactive materials
48 determined by the federal nuclear regulatory
49 commission or the federal department of energy to
50 require permanent isolation.

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1 f. Any byproduct material as defined in the
2 federal Atomic Energy Act of 1954, 42 U.S.C. §
3 2014(11e)(2).

4 Sec. 101. Section 455B.334, Code 1993, is amended
5 by striking the section and inserting in lieu thereof
6 the following:

7 455B.334 NUCLEAR WASTE DISPOSAL SITE.

8 A person shall not establish or operate a nuclear
9 waste disposal site and shall not perform any testing
10 of a specific area or site related to establishment of
11 a nuclear waste disposal site in this state unless the
12 general assembly expressly authorizes the granting of
13 a permit for the site.

14 The commission shall develop criteria for the
15 evaluation of a proposal for the siting of a nuclear

16 waste disposal site including the need for a site in
 17 the state, the existing physical conditions,
 18 topography, soils and geology, climate,
 19 transportation, and land use at a proposed site, the
 20 rules, standards, and procedures for the safe
 21 operation and maintenance of a proposed site, and the
 22 ability of a proposed permittee to provide sufficient
 23 surety bonds or financial commitment to ensure
 24 perpetual maintenance and monitoring of the site.

25 If a person applies to the commission for the
 26 granting of a permit under this section, the
 27 commission shall evaluate the proposed nuclear waste
 28 disposal site based upon the criteria established by
 29 the commission and shall present the commission's
 30 findings and recommendations to the general assembly
 31 for review and appraisal.

32 Sec. 102. APPLICABILITY. Sections 100 and 101 of
 33 this Act apply to nuclear waste disposal sites for
 34 which application for a permit is made on or after the
 35 effective date of this Act."

36 2. Title page, line 1, by inserting after the
 37 word "Act" the following: "relating to the disposal
 38 of waste including nuclear waste disposal and
 39 including".

40 3. By renumbering as necessary.

The motion lost and the House refused to concur in the Senate amendment H—4254.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 632** be immediately messaged to the Senate.

HOUSE REFUSED TO CONCUR

Gipp of Winneshiek called up for consideration **House File 669**, a bill for an act requiring that certain moneys shall be credited to and deposited in the general fund of the state and shall be used for the purposes for which the moneys were collected and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H—4321:

H—4321

1 Amend House File 669, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 3, by striking lines 33 and 34 and
 4 inserting the following: "deposited into the
 5 fertilizer fund, for the fiscal period beginning on
 6 July 1, 1991, and ending June 30, 1993 1994, all
 7 such".

- 8 2. Page 4, by striking lines 8 and 9 and
9 inserting the following: "pesticide fund, for the
10 fiscal period beginning on July 1, 1991, and ending
11 June 30, 1993 1994, fifty dollars of each fee".
- 12 3. Page 7, by striking lines 28 and 29 and
13 inserting the following: "under this section. For
14 the fiscal period beginning on July 1, 1991, and
15 ending June 30, 1993 1994, there is".
- 16 4. Page 9, by striking lines 10 and 11 and
17 inserting the following: "the utilities trust fund,
18 for the fiscal period beginning on July 1, 1991, and
19 ending June 30, 1993 1994, all such fees and".
- 20 5. Page 9, by striking lines 22 and 23 and
21 inserting the following: "the banking revolving fund,
22 for the fiscal period beginning on July 1, 1991, and
23 ending June 30, 1993 1994, all fees and moneys".
- 24 6. Page 9, by striking lines 33 and 34 and
25 inserting the following: "from the credit union
26 revolving fund, for the fiscal period beginning on
27 July 1, 1991, and ending June 30, 1993 1994, all
28 fees".
- 29 7. Page 10, by striking lines 12 and 13 and
30 inserting the following: "revolving fund, for the
31 fiscal period beginning on July 1, 1991, and ending
32 June 30, 1993 1994, all fees collected under those".
- 33 8. Page 10, line 20, by striking the figure
34 "546.9," and inserting the following: "546.9".
- 35 9. Page 10, lines 21 and 22, by striking the
36 words "alcoholic beverages division," and inserting
37 the following: "alcoholic beverages division,".
- 38 10. Page 10, by striking lines 27 and 28 and
39 inserting the following: "administrative services
40 trust fund, for the fiscal period beginning on July 1,
41 1991, and ending June 30, 1993 1994, all".
- 42 11. Page 10, by inserting after line 31 the
43 following:
44 "Notwithstanding this section and section 546.9,
45 directing the alcoholic beverages division to transfer
46 from appropriated trust funds to the administrative
47 services trust fund the division's share of
48 administrative services provided by the department to
49 the division and directing that costs for
50 administrative services be paid from the

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- 1 administrative services trust fund, all expenses for
2 the administrative services shall be paid from
3 appropriations made for this purpose from the general
4 fund of the state."
- 5 12. By striking page 11, line 18 through page 12,
6 line 21 and inserting the following:

7 "Sec. _____. 1991 Iowa Acts, chapter 264, section
8 905, is amended to read as follows:

9 SEC. 905.

10 1. Notwithstanding the restrictions relating to
11 the transfer and use of moneys in the utilities trust
12 fund in section 476.10, the insurance revolving fund
13 in section 605.7, the banking revolving fund in
14 section 524.207, the credit union revolving fund in
15 section 533.67, and the professional licensing
16 revolving fund in section 546.10, the cash balances in
17 those five four funds resulting from covered charges
18 to regulated industries for purposes of cash flow and
19 the build-up of surplus balances remaining on June 30,
20 1991, shall be transferred to the general fund of the
21 state. However, state general fund cash balances
22 shall be available from the general fund of the state
23 to the utilities division, insurance division, banking
24 division, credit union division, and the professional
25 licensing and regulation division for cash flow
26 purposes to enable the timely payment of expenses
27 without regard to seasonal cash flow for the fiscal
28 years ending June 30, 1992, and June 30, 1993. Upon
29 completion of the fiscal year ending June 30, 1993
30 1995, any amount the following amounts transferred to
31 the general fund of the state from each of those five
32 four funds shall be returned to the fund from which
33 the amount was transferred:

34 a. <u>To the utilities trust fund created in section</u>	
35 <u>476.10:</u>	
36	\$ 2,341,202
37 b. <u>To the banking revolving fund created in</u>	
38 <u>section 524.207:</u>	
39	\$ 618,181
40 c. <u>To the credit union revolving fund created in</u>	
41 <u>section 533.67:</u>	
42	\$ 211,506
43 d. <u>To the professional licensing revolving fund</u>	
44 <u>created in section 546.10:</u>	
45	\$ 619,381

46 2. Notwithstanding the restrictions relating to
47 the use of the moneys in the fertilizer fund in
48 section 200.9, and the pesticide fund in section
49 206.12, subsection 3, cash balances remaining on June
50 30, 1991, that are not needed to pay expenses of the

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1 fiscal year ending June 30, 1991, are transferred to
2 the general fund of the state. However, state general
3 fund cash balances shall be available from the general
4 fund of the state to the department of agriculture and
5 land stewardship for cash flow purposes to enable the

6 timely payment of expenses incurred for purposes for
 7 which moneys in the fertilizer and pesticide funds are
 8 to be used for the fiscal years ending June 30, 1992,
 9 and June 30, 1993. Upon completion of the fiscal year
 10 ending June 30, 1993 1995, any amount the following
 11 amounts transferred to the general fund of the state
 12 from each of those two funds shall be returned to the
 13 fund from which the amount was transferred.:

- 14 a. To the fertilizer fund created in section
 15 200.9:
 16 \$ 135,739
- 17 b. To the pesticide fund created in section
 18 206.12.
 19 \$ 580,581

20 Sec. _____. The following provisions shall apply to
 21 each of the following funds in the fourth quarter of
 22 the fiscal year beginning July 1, 1993, and ending
 23 June 30, 1994, after which by law moneys shall again
 24 be credited to or deposited in the indicated fund:

25 1. The utilities board may collect in advance from
 26 the utilities regulated by the board, a sufficient
 27 amount which, notwithstanding section 476.10,
 28 unnumbered paragraph 8, shall not be deposited into
 29 the general fund of the state but shall be deposited
 30 into the utilities trust fund created in section
 31 476.10 to continue and maintain the functions under
 32 the authority of the board which are payable from the
 33 fund beginning July 1, 1994.

34 2. The superintendent of banking may collect in
 35 advance from banks regulated by the superintendent, a
 36 sufficient amount which, notwithstanding section
 37 524.207, unnumbered paragraph 6, shall not be
 38 deposited into the general fund of the state but shall
 39 be deposited into the banking revolving fund created
 40 in section 524.207 to continue and maintain the
 41 functions under the authority of the superintendent
 42 which are payable from the fund beginning July 1,
 43 1994.

44 3. The superintendent of credit unions may collect
 45 in advance from credit unions regulated by the
 46 superintendent, a sufficient amount which,
 47 notwithstanding section 533.67, unnumbered paragraph
 48 6, shall not be deposited into the general fund of the
 49 state but shall be deposited into the credit union
 50 revolving fund created in section 533.67 to continue

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1 and maintain the functions under the authority of the
 2 superintendent which are payable from the fund
 3 beginning July 1, 1994.

4 4. The administrative entity charged with
 5 administration of the professional licensing revolving
 6 fund created in section 546.10 may collect in advance
 7 fees collected under chapters 542B, 542C, 543D, 544A,
 8 and 544B from professions regulated under those
 9 chapters, a sufficient amount, which, notwithstanding
 10 section 546.10, subsection 6, unnumbered paragraph 2,
 11 shall not be deposited into the general fund of the
 12 state but shall be deposited into the professional
 13 licensing revolving fund to continue and maintain the
 14 regulation functions which are payable from the fund
 15 beginning July 1, 1994."
 16 13. By renumbering as necessary.

Roll call was requested by Wise of Lee and Koenigs of Mitchell.

Rule 75 was invoked.

On the question "Shall the House concur in the Senate amendment
 H-4321?" (H.F. 669)

The ayes were, 47:

Arnould	Beatty	Bell	Bernau
Black	Brammer	Brand	Burke
Cataldo	Cohoon	Connors	Dickinson
Dvorsky	Fallon	Fogarty	Garman
Gill	Halvorson, R. N.	Hammond	Hansen, S. D.
Harper	Haverland	Henderson	Holveck
Jochum	Koenigs	Larkin	May
McCoy	McKinney	Mertz	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Renaud	Running	Schrader	Shoultz
Weigel	Wise	Witt	

The nays were, 53:

Baker	Beaman	Blodgett	Boddicker
Branstad	Brauns	Brunkhorst	Carpenter
Churchill	Corbett	Daggett	Dinkla
Doderer	Drake	Eddie	Ertl
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hanson, D. E.	Hanson, D. R.	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Kreiman	Larson	Lundby	Martin
McNeal	Metcalf	Meyer	Millage
Miller	Plasier	Rafferty	Rants
Renken	Royer	Siegrist	Spenner
Tyrrrell	Vande Hoef	Weidman	Welter
Mr. Speaker			
Van Maanen			

Absent or not voting, none.

The motion lost and the House refused to concur in the Senate amendment H—4321.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 669** be immediately messaged to the Senate.

Ways and Means Calendar

House File 666, a bill for an act relating to the requirement for filing a state individual income tax return and providing a retroactive applicability date provision, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 666)

The ayes were, 99:

Arnould	Beaman	Beatty	Bell
Bernau	Black	Blodgett	Boddicker
Brammer	Brand	Branstad	Brauns
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cphoon	Connors	Corbett
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Baker

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

HOUSE FILE 363 WITHDRAWN

Carpenter of Polk asked and received unanimous consent to withdraw House File 363 from further consideration by the House.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 666** be immediately messaged to the Senate.

Unfinished Business Calendar

The House resumed consideration of **Senate File 205**, a bill for an act relating to open enrollment procedures and reports, previously deferred and placed on the unfinished business calendar.

Grubbs of Scott offered the following amendment H—3808 filed by the committee on education and moved its adoption:

H—3808

- 1 Amend Senate File 205, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking lines 1 through 7.
- 4 2. By renumbering as necessary.

The committee amendment H—3808 was adopted.

Shoultz of Black Hawk offered the following amendment H—4088 filed by him:

H—4088

- 1 Amend Senate File 205, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. NEW SECTION. 257.4A OPEN ENROLLMENT
- 6 SUPPLEMENTAL LEVY.
- 7 The board of directors of a receiving district
- 8 under the open enrollment provisions of section 282.18
- 9 which determines that the funding received from the
- 10 district of residence for a pupil attending school in
- 11 the receiving district is insufficient to provide the
- 12 educational program may certify by April 15 of the
- 13 base year the imposition of a supplemental open

14 enrollment levy on all taxable property in the school
 15 district. The maximum amount that may be received
 16 from the levy shall be the sum of the difference, for
 17 pupils participating in open enrollment in the
 18 receiving district, between the receiving district
 19 cost per pupil and the amount transferred per pupil
 20 from the resident district. The school district shall
 21 certify the amount to be raised and the department of
 22 management shall establish the amount of the property
 23 tax to be levied for the budget year. Moneys received
 24 by a school district from the supplemental open
 25 enrollment levy are miscellaneous income."

26 2. Page 1, by inserting after line 9 the
 27 following:

28 "Sec. _____, Section 282.18, subsection 8, Code
 29 1993, is amended to read as follows:

30 8. A pupil participating in open enrollment shall
 31 be counted, for state school foundation aid purposes,
 32 in the pupil's district of residence. A pupil's
 33 residence, for purposes of this section, means a
 34 residence under section 282.1. After the actual
 35 enrollment count is completed pursuant to section
 36 257.6, the receiving district shall notify the
 37 department of education of the number of pupils
 38 participating in open enrollment. The department of
 39 education shall notify the department of management
 40 which shall make the appropriate adjustments to be
 41 reflected in payments from the department of education
 42 to the receiving districts, notwithstanding any other
 43 provisions of this section. The board of directors of
 44 the district of residence shall pay to the receiving
 45 district shall receive the state aid portion of the
 46 lower district cost per pupil of the two districts for
 47 the sending district, plus any moneys received for the
 48 pupil as a result of non-English speaking weighting
 49 under section 280.4, subsection 4, for each school
 50 year. The district of residence shall also transmit

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1 the phase III moneys allocated to the district for the
 2 full-time equivalent attendance of the pupil, who is
 3 the subject of the request, shall be transferred by
 4 the department of education to the receiving district
 5 specified in the request for transfer."

6 3. Title page, line 1, by inserting after the
 7 word "procedures" the following: ", funding,".

8 4. By renumbering as necessary.

Grubbs of Scott rose on a point of order that amendment H — 4088 was not germane.

The Speaker ruled the point well taken and amendment H — 4088 not germane.

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

On the question "Shall the bill pass?" (S.F. 205)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Lundby	Martin	May
McCoy	McKinney	McNeal	Mertz
Metcalf	Meyer	Millage	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Renken	Royer	Running
Schrader	Shultz	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Weigel
Welter	Witt	Mr. Speaker	
		Van Maanen	

The nays were, none.

Absent or not voting, 1:

Wise

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 205** be immediately messaged to the Senate.

The House resumed consideration of **Senate File 389**, a bill for an act relating to the transformation of Iowa's public education system by the year 2000, access by students to computers, and creation of a legislative education transformation review committee, and providing for related matters, previously deferred and placed on the unfinished business calendar.

Brunkhorst of Bremer offered the following amendment H—3821 filed by the committee on education and moved its adoption:

H—3821

- 1 Amend Senate File 389, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 1, line 1 through page 2,
- 4 line 28.
- 5 2. Page 4, line 34, by inserting after the word
- 6 "durability," the following: "telecommunication
- 7 capabilities,".
- 8 3. Page 5, by inserting after line 30 the
- 9 following:
- 10 "4. The current computer hardware inventories of
- 11 the school districts and of the parents or guardians
- 12 of pupils enrolled in public school districts.
- 13 5. Multimedia presentation hardware and software
- 14 currently used or available for use by a school
- 15 district."
- 16 4. Page 6, by striking lines 28 through 30.
- 17 5. Title page, by striking lines 1 through 4 and
- 18 inserting the following: "An Act relating to access
- 19 by students to computers and establishing an
- 20 educational technology consortium."
- 21 6. By renumbering as necessary.

The committee amendment H—3821 was adopted.

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

Rule 75 was invoked.

On the question "Shall the bill pass?" (S.F. 389)

The ayes were, 58:

Baker	Blodgett	Brauns	Brunkhorst
Burke	Carpenter	Churchill	Cohoon
Corbett	Daggett	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fogarty	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Hanson, D. E.	Hanson, D. R.	Harper
Haverland	Hester	Houser	Hurley
Kistler	Koenigs	Larkin	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Neuhauser
O'Brien	Osterberg	Plasier	Rafferty
Rants	Renaud	Royer	Siegrist
Tyrrell	Weidman	Weigel	Welter
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 42:

Arnould	Beaman	Beatty	Bell
Bernau	Black	Boddicker	Brammer
Brand	Branstad	Cataldo	Connors
Dickinson	Fallon	Garman	Gill
Halvorson, R. N.	Hammond	Hansen, S. D.	Henderson
Holveck	Iverson	Jochum	Klemme
Kreiman	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Ollie	Peterson	Renken
Running	Schrader	Shoultz	Spenner
Vande Hoef	Wise		

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.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 389** be immediately messaged to the Senate.

SENATE MESSAGE CONSIDERED

Senate File 413, by committee on ways and means, a bill for an act relating to the collection and disposition of civil and criminal fees and fines, distribution of court revenue.

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

On motion by Siegrist of Pottawattamie, the House was recessed at 11:15 a.m., until 1:45 p.m.

AFTERNOON SESSION

The House reconvened, Speaker Van Maanen in the chair.

INTRODUCTION OF BILL

House File 677, by committee on ways and means, a bill for an act relating to a sales and services tax exemption for nature societies.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 30, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 205, a bill for an act relating to open enrollment procedures and reports.

Also: That the Senate has on April 30, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 389, a bill for an act relating to the transformation of Iowa's public education system by the year 2000, access by students to computers, and creation of a legislative education transformation review committee, and providing for related matters.

Also: That the Senate has on April 30, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 410, a bill for an act relating to the sales, services, and use tax exemption for sales of educational, religious, or charitable activities.

Also: That the Senate has on April 30, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 418, a bill for an act relating to the annexation of land to cities.

JOHN F. DWYER, Secretary

RULE 57 SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on appropriations at 7:00 p.m.

The House stood at ease at 5:03 p.m., until the fall of the gavel.

The House resumed session at 5:42 p.m., Hanson of Delaware in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 30, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 425, a bill for an act relating to and making appropriations to finance state government, its regulatory functions, and its obligations, and providing effective and applicability date provisions.

JOHN F. DWYER, Secretary

SENATE MESSAGE CONSIDERED

Senate File 425, by committee on appropriations, a bill for an act relating to and making appropriations to finance state government, its regulatory functions, and its obligations, and providing effective and applicability date provisions.

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

The House stood at ease at 5:43 p.m., until the fall of the gavel.

The House resumed session at 8:25 p.m., Speaker Van Maanen in the chair.

MOTION TO RECONSIDER WITHDRAWN

Corbett of Linn asked and received unanimous consent to withdraw the motion to reconsider **Senate File 422**, a bill for an act relating to the compensation and benefits for public officials and employees and making appropriations, filed by him on April 29, 1993.

IMMEDIATE MESSAGE

Royer of Page asked and received unanimous consent that **Senate File 422** be immediately messaged to the Senate.

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.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 27

Running of Linn called up for consideration House Concurrent Resolution 27, a concurrent resolution recognizing the Iowa Quality Coalition and declaring support for the establishment of an Iowa Quality Award to eligible organizations engaged in business, industry, labor, education, government, and service delivery, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House Concurrent Resolution 27** be immediately messaged to the Senate.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 4

Vande Hoef of Osceola called up for consideration House Concurrent Resolution 4, a concurrent resolution paying tribute to the memory of Paul W. Grossheim and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House Concurrent Resolution 4** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 30, 1993, receded from the Senate amendment to, and passed the following bill in which the concurrence of the Senate was asked:

House File 632, a bill for an act placing a moratorium on construction and operation of certain commercial waste incinerators and providing an effective date.

Also: That the Senate has on April 30, 1993, receded from the Senate amendment to, and passed the following bill in which the concurrence of the Senate was asked:

House File 669, a bill for an act requiring that certain moneys shall be credited to and deposited in the general fund of the state and shall be used for the purposes for which the moneys were collected and providing an effective date.

Also: That the Senate has on April 30, 1993, concurred in the House amendment, and passed the following bill in which the concurrence of the Senate was asked:

Senate File 387, a bill for an act relating to the family resource center demonstration program.

Also: That the Senate has on April 30, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 423, a bill for an act relating to annual fairs held by the Iowa state fair authority and local societies by exempting certain gross receipts from the sales and services tax.

Also: That the Senate has on April 30, 1993, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 8, a concurrent resolution to designate Anamosa, Iowa, the Pumpkin Capital of Iowa.

JOHN F. DWYER, Secretary

The House stood at ease at 8:35 p.m., until the fall of the gavel.

The House resumed session at 9:45 p.m., Speaker Van Maanen in the chair.

**BILL ENROLLED, SIGNED AND SENT TO
SECRETARY OF STATE**

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following resolution has been examined and found correctly enrolled, signed by the Speaker

of the House and the President of the Senate, and presented to the Secretary of State for her approval on this 30th day of April, 1993: House Joint Resolution 17.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills and resolutions 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 30th day of April, 1993: House Concurrent Resolution 24, House Joint Resolution 20, House Files 151, 342, 451, 623 and 625.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

DEPARTMENT OF PUBLIC HEALTH
Iowa Advisory Council on Head Injury

The annual report and state plan, pursuant to Chapter 135.22A(6)(f), Code of Iowa.

PRESENTATION OF VISITORS

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

Twenty-one fifth and sixth grade students from Zion Lutheran Church School, Denison, accompanied by Martha Block. By Gries of Crawford.

Ninety fifth grade students from Edison Elementary School, Waterloo, accompanied by Pam Terrell. By Hanson, Shoultz and Harper, all of Black Hawk.

Forty-five fifth grade students from Martensdale-St. Marys Elementary School, Martensdale, accompanied by Mark Petersen. By Schrader of Marion.

SUBCOMMITTEE ASSIGNMENTS

Senate File 196

Ways and Means: Iverson, Chair; Ertl, Larson, Schrader and Weigel.

Senate File 405

Ways and Means: Halvorson of Clayton, Chair; Carpenter, Gill, Larson and Osterberg.

Senate File 413

Ways and Means: Dinkla, Chair; Blodgett and Neuhauser.

Senate File 418

Ways and Means: Iverson, Chair; Burke and Renken.

Senate File 425

Appropriations: Corbett, Chair; Beaman, Beatty, Miller and Peterson.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 425, a bill for an act relating to and making appropriations to finance state government, its regulatory functions, and its obligations, and providing effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** April 30, 1993.

COMMITTEE ON WAYS AND MEANS

Senate File 413, a bill for an act relating to the collection and disposition of civil and criminal fees and fines, distribution of court revenue.

Fiscal Note is not required.

Recommended **Do Pass** April 30, 1993.

AMENDMENTS FILED

H-4340	H.F.	647	Lundby of Linn
			Neuhauser of Johnson
			Renaud of Polk
			Hansen of Woodbury
H-4341	H.F.	672	Carpenter of Polk
			Neuhauser of Johnson
H-4342	H.F.	660	Hanson of Delaware
			Dickinson of Jackson
			Jochum of Dubuque
H-4343	H.F.	672	Hanson of Delaware
H-4344	S.F.	425	Fallon of Polk
H-4345	S.F.	425	Fallon of Polk
H-4346	S.F.	425	Fallon of Polk

H-4347	S.F.	425	Fallon of Polk
H-4348	S.F.	425	McKinney of Dallas
			Hansen of Woodbury
			Neuhauser of Johnson
H-4349	S.F.	425	Halvorson of Webster
H-4350	S.F.	425	Halvorson of Webster
H-4351	S.F.	425	Halvorson of Webster
H-4352	S.F.	425	McNeal of Hardin
			Running of Linn
			Moreland of Wapello
H-4353	S.F.	425	Halvorson of Webster
			Fallon of Polk
H-4354	S.F.	425	Hammond of Story
			Dvorsky of Johnson
			Cohoon of Des Moines
			Murphy of Dubuque
			Cataldo of Polk
			Holveck of Polk
			Mundie of Webster
			Burke of Marshall
			Gill of Woodbury
			Halvorson of Webster
			Kreiman of Davis
			Moreland of Wapello
			Doderer of Johnson
			McKinney of Dallas
			Hansen of Woodbury
			Harper of Black Hawk
			Jochum of Dubuque
			Ollie of Clinton
			Henderson of Scott
			Fallon of Polk
			Beatty of Warren
			Witt of Black Hawk
			Nelson of Pottawattamie
			Neuhauser of Johnson
			Haverland of Polk
			Brand of Benton
			Shoultz of Black Hawk
			Renaud of Polk

On motion by Garman of Story, the House adjourned at 9:50 p.m., until 8:30 a.m., Saturday, May 1, 1993.

JOURNAL OF THE HOUSE

One Hundred Eleventh Calendar Day — Seventy-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Saturday, May 1, 1993

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

Prayer was offered by Speaker Van Maanen.

The Journal of Friday, April 30, 1993 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Branstad of Winnebago on request of Siegrist of Pottawattamie; McCoy of Polk on request of Cohoon of Des Moines, both until their arrival.

PETITIONS FILED

The following petitions were received and placed on file:

By Bernau of Story, from fifty-two constituents opposing capital punishment in Iowa.

By Holveck of Polk, from six residents of Linn County opposing reinstatement of the death penalty in Iowa.

SENATE MESSAGE CONSIDERED

Senate File 423, by committee on ways and means, a bill for an act relating to annual fairs held by the Iowa state fair authority and local societies by exempting certain gross receipts from the sales and services tax.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 30, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 331, a bill for an act authorizing compliance with federal air quality regulations and creating penalties.

Also: That the Senate has on April 30, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 419, a bill for an act relating to the recovery by the department of public safety of costs associated with the cleanup of a clandestine laboratory site.

Also: That the Senate has on April 30, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 576, a bill for an act relating to the procedures of and requirements enforced by the campaign finance disclosure commission; changing filing and other procedural requirements placed on candidates and political committees; changing the procedures for the hearing of complaints before the commission; and providing for administrative penalties and judicial review.

Also: That the Senate has on April 30, 1993, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 35, a concurrent resolution to honor the memory of Cesar Chavez.

JOHN F. DWYER, Secretary

ADOPTION OF SENATE CONCURRENT RESOLUTION 8

Welter of Jones asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 8, a concurrent resolution to designate Anamosa, Iowa, the Pumpkin Capital of Iowa.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate Concurrent Resolution 8** be immediately messaged to the Senate.

CONSIDERATION OF BILLS Unfinished Business Calendar

The House resumed consideration of **Senate File 165**, a bill for an act relating to the duties of the county recorder and auditor, previously deferred and placed on the unfinished business calendar.

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

On the question "Shall the bill pass?" (S.F. 165)

The ayes were, 78:

Arnould	Beatty	Bell	Bernau
Black	Blodgett	Brammer	Brauns
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cohon	Corbett	Dickinson

Dinkla	Doderer	Drake	Eddie
Ertl	Fogarty	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Henderson	Hester	Holveck
Houser	Hurley	Iverson	Jochum
Klemme	Koenigs	Larkin	Larson
Lundby	Martin	May	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Mundie	Murphy	Nelson
Ollie	Peterson	Plasier	Rafferty
Rants	Renaud	Royer	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 14:

Beaman	Boddicker	Daggett	Dvorsky
Fallon	Garman	Kistler	Kreiman
Miller	Moreland	O'Brien	Osterberg
Renken	Weigel		

Absent or not voting, 8:

Baker	Brand	Branstad	Connors
Haverland	McCoy	Neuhauser	Running

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 165** be immediately messaged to the Senate.

ADOPTION OF SENATE CONCURRENT RESOLUTION 33

Millage of Scott asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 33, a concurrent resolution supporting an upper Mississippi River and Illinois waterway feasibility study, and moved its adoption.

The motion prevailed and the resolution was adopted.

Appropriations Calendar

Senate File 425, a bill for an act relating to and making appropriations to finance state government, its regulatory functions, and its obligations, and providing effective and applicability date provisions,

with report of committee recommending passage, was taken up for consideration.

Fallon of Polk offered the following amendment H—4344 filed by him and moved its adoption:

H—4344

- 1 Amend Senate File 425, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 12, line 31, by striking the figure
- 4 "58,750" and inserting the following: "25,000".

Amendment H—4344 was adopted.

Halvorson of Webster offered the following amendment H—4349 filed by him and moved its adoption:

H—4349

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 12, by striking lines 32 through 35.
- 4 2. By renumbering and correcting internal
- 5 references as necessary.

Roll call was requested by Murphy of Dubuque and Ollie of Clinton.

Rule 75 was invoked.

On the question "Shall amendment H—4349 be adopted?"
(S.F. 425)

The ayes were, 46:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Dickinson
Doderer	Dvorsky	Fallon	Fogarty
Gill	Halvorson, R. N..	Hammond	Hansen, S. D.
Harper	Haverland	Henderson	Holveck
Jochum	Koenigs	Kreiman	Larkin
May	McKinney	Mertz	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Renaud	Schrader	Shoultz	Weigel
Wise	Witt		

The nays were, 50:

Beaman	Blodgett	Boddicker	Brauns
Brunkhorst	Carpenter	Churchill	Corbett
Daggett	Dinkla	Drake	Eddie
Ertl	Garman	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg

Hahn	Halvorson, R. A.	Hanson, D. E.	Hanson, D. R.
Hester	Houser	Hurley	Iverson
Kistler	Klemme	Larson	Lundby
Martin	McNeal	Metcalf	Meyer
Millage	Miller	Plasier	Rafferty
Rants	Renken	Royer	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Welter	Mr. Speaker Van Maanen		

Absent or not voting, 4:

Branstad Connors McCoy Running

Amendment H—4349 lost.

Halvorson of Webster offered the following amendment H—4350 filed by him and moved its adoption:

H—4350

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 15, by striking line 23 and inserting the
- 4 following: "reverse numerical order of priority, as
- 5 follows:".

Amendment H—4350 lost.

Fallon of Polk offered the following amendment H—4345 filed by him:

H—4345

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 16, by striking lines 4 through 11.

The House stood at ease at 9:30 a.m., until the fall of the gavel.

The House resumed session and consideration of amendment H—4345, to Senate File 425, at 10:05 a.m., Speaker Van Maanen in the chair.

On motion by Fallon of Polk, amendment H—4345 was adopted.

Halvorson of Webster offered the following amendment H—4351 filed by him and moved its adoption:

H—4351

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 16, line 17, by striking the figure
- 4 "814,957" and inserting the following: "920,457".

Amendment H—4351 lost.

Murphy of Dubuque offered the following amendment H—4356 filed from the floor by him:

H—4356

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 16, line 17, by striking the figure
- 4 "814,957" and inserting the following: "750,000".
- 5 2. Page 37, by inserting after line 33 the
- 6 following:
- 7 "Sec. _____. GERIATRIC PATIENTS — MENTAL ILLNESS —
- 8 PLACEMENTS.
- 9 There is appropriated from the general fund of the
- 10 state to the department of human services for the
- 11 fiscal year beginning July 1, 1993, and ending June
- 12 30, 1994, the following amount, or so much thereof as
- 13 is necessary, to be used for the purpose designated:
- 14 For the establishment of pilot projects for
- 15 placement of geriatric patients who have a mental
- 16 illness and for the funding of a coordinator to work
- 17 with hospitals and nursing homes concerning placements
- 18 of geriatric patients who have a mental illness:
- 19\$ 64,957".
- 20 3. By renumbering as necessary.

Miller of Cherokee rose on a point of order that amendment H—4356 was not germane.

The Speaker ruled the point well taken and amendment H—4356 not germane.

Murphy of Dubuque moved that the rules be suspended to consider amendment H—4356.

Roll call was requested by Murphy of Dubuque and Connors of Polk.

Rule 75 was invoked.

On the question "Shall the rules be suspended to consider amendment H—4356?" (S.F. 425)

The ayes were, 50:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Hanson, D. R.	Harper	Haverland

Henderson	Holveck	Jochum	Koenigs
Kreiman	Larkin	May	McCoy
McKinney	Mertz	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Renaud
Running	Schrader	Shoultz	Weigel
Wise	Witt		

The nays were, 49:

Beaman	Blodgett	Boddicker	Brauns
Brunkhorst	Carpenter	Churchill	Corbett
Daggett	Dinkla	Drake	Eddie
Ertl	Garman	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Hanson, D. E.	Hester
Houser	Hurley	Iverson	Kistler
Klemme	Larson	Lundby	Martin
McNeal	Metcalf	Meyer	Millage
Miller	Plasier	Rafferty	Rants
Renken	Royer	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Welter
Mr. Speaker			
Van Maanen			

Absent or not voting, 1:

Branstad

The motion to suspend the rules lost.

Fallon of Polk offered the following amendment H—4358 filed from the floor by him and moved its adoption:

H—4358

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 18, by striking lines 10 through 25.
- 4 2. By renumbering as necessary.

Amendment H—4358 was adopted, placing out of order amendment H—4367 filed from the floor by Metcalf of Polk.

Black of Jasper offered the following amendment H—4369 filed from the floor by him and moved its adoption:

H—4369

- 1 Amend Senate File 425, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 18, by striking lines 26 through 31.
- 4 2. By renumbering as necessary.

Amendment H—4369 was adopted.

Garman of Story asked and received unanimous consent to withdraw amendment H—4371, filed by her from the floor.

Metcalf of Polk offered the following amendment H—4357 filed from the floor by her and moved its adoption:

H—4357

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 19, line 16, by inserting after the word
- 4 "festivals" the following: "as established by
- 5 department rule".

Amendment H—4357 was adopted.

McNeal of Hardin offered the following amendment H—4362 filed from the floor by him and moved its adoption:

H—4362

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 27, line 9, by striking the words
- 4 "RAILROAD SANITATION AND".
- 5 2. Page 27, lines 21 and 22, by striking the
- 6 words and figure "; and section 327F.37" and inserting
- 7 the following: ", and section 327F.37".
- 8 3. Page 27, by striking lines 24 through 35.
- 9 4. Page 30, line 20, by striking the words and
- 10 figure "and in section 327F.37," and inserting the
- 11 following: "and in section 327F.37,".
- 12 5. Page 30, by striking lines 23 through 24.
- 13 6. By renumbering as necessary.

Roll call was requested by Running of Linn and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H—4362 be adopted?"
(S.F. 425)

The ayes were, 50:

Beaman	Blodgett	Boddicker	Brauns
Brunkhorst	Carpenter	Churchill	Corbett
Daggett	Dinkla	Drake	Eddie
Ertl	Garman	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Hanson, D. E.	Hanson, D. R.
Hester	Houser	Hurley	Iverson
Kistler	Klemme	Larson	Lundby
Martin	McNeal	Metcalf	Meyer

Millage	Miller	Plasier	Rafferty
Rants	Renken	Royer	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Welter	Mr. Speaker		
	Van Maanen		

The nays were, 49:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Halvorson, R. N.	Hammond
Hansen, S. D.	Harper	Haverland	Henderson
Holveck	Jochum	Koenigs	Kreiman
Larkin	May	McCoy	McKinney
Mertz	Moreland	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Running
Schrader	Shoultz	Weigel	Wise
Witt			

Absent or not voting, 1:

Branstad

Amendment H—4362 was adopted.

McNeal of Hardin offered the following amendment H—4352 filed by McNeal, et al., and moved its adoption:

H—4352

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 29, line 7, by inserting after the figure
- 4 "7," the following: "and chapter 17A,"
- 5 2. Page 29, by striking lines 11 through 14 and
- 6 inserting the following: "by section 88.17."

Amendment H—4352 was adopted.

Halvorson of Webster offered the following amendment H—4372 filed from the floor by him and moved its adoption:

H—4372

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 30, line 31, through page 31,
- 4 line 12, and inserting the following: "lottery fund
- 5 to the Iowa state university of science and technology
- 6 for the fiscal year beginning July 1, 1993, and ending
- 7 June 30, 1994, the following amount, or so much
- 8 thereof as is necessary, to be used for the purposes

- 9 designated:
- 10 For establishing and funding a new small business
- 11 development center at the most appropriate community
- 12 college which does not have a small business
- 13 development center:
- 14\$ 75,000

A non-record roll call was requested.

The ayes were 40, nays 48.

Amendment H—4372 lost.

Halvorson of Webster offered the following amendment H—4353 filed by him and Fallon of Polk and moved its adoption:

H—4353

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 30, line 27 through page 31,
- 4 line 12.
- 5 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 62, nays 22.

Amendment H—4353 was adopted.

Koenigs of Mitchell asked and received unanimous consent to defer action on amendment H—4375, filed from the floor by Koenigs, Peterson and Corbett.

Fallon of Polk offered the following amendment H—4376 filed from the floor by him and Hammond of Story:

H—4376

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 31, by inserting before line 13 the
- 4 following:
- 5 "Sec. ____ GAMBLERS ASSISTANCE FUND. If the
- 6 gaming laws of this state are expanded, including, but
- 7 not limited to, more methods of gambling, higher
- 8 stakes, or new types of gambling games,
- 9 notwithstanding the requirement in section 99E.10,
- 10 subsection 1, to transfer lottery revenue remaining
- 11 after expenses and the amount to be deposited into the
- 12 gamblers assistance fund are deducted, before the
- 13 transfer of the revenue there is appropriated from the
- 14 lottery fund to the treasurer of state for the fiscal
- 15 year beginning July 1, 1993, and ending June 30, 1994,
- 16 to the gamblers assistance fund, in addition to any

- 17 other moneys appropriated to the fund, the sum of
18 \$100,000 for purposes of that fund."

Fallon of Polk asked and received unanimous consent to defer action on amendment H—4376.

Black of Jasper asked and received unanimous consent to withdraw amendment H—4363 filed from the floor by him and Vande Hoef of Osceola.

Black of Jasper asked and received unanimous consent to defer action on amendment H—4374 filed from the floor by him and Vande Hoef of Osceola.

Speaker pro tempore Lundby in the chair at 11:28 a.m.

Black of Jasper offered the following amendment H—4368 filed from the floor by him and Vande Hoef of Osceola and moved its adoption:

H—4368

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 32, line 19, by striking the word
- 4 "northeast".

Amendment H—4368 was adopted.

Black of Jasper asked and received unanimous consent to withdraw amendment H—4374, previously deferred.

Fallon of Polk offered the following amendment H—4377 filed from the floor by him:

H—4377

- 1 Amend Senate File 425, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 32, by striking lines 11 through 26.
- 4 2. Page 37, line 34, by striking the figure
- 5 "62,".

Speaker Van Maanen in the chair at 11:35 a.m.

Fallon of Polk moved the adoption of amendment H—4377.

A non-record roll call was requested.

The ayes were 13, nays 46.

Amendment H—4377 lost.

Fallon of Polk offered the following amendment H—4346 filed by him and moved its adoption:

H—4346

1 Amend Senate File 425, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 34, by inserting before line 27 the
4 following:
5 "Sec. _____. Section 18.8, unnumbered paragraph 1,
6 Code 1993, is amended to read as follows:
7 The director shall provide necessary telephone,
8 telegraph, lighting, fuel, and water services for the
9 state buildings and grounds located at the seat of
10 government, except the buildings and grounds referred
11 to in section 601L-3 216B.3, subsection 6. However,
12 the director shall not provide outdoor lighting of the
13 capitol buildings and grounds which is purely
14 decorative unless, using generally accepted accounting
15 principles, the state budget deficit is completely
16 eliminated, as determined by the director of the
17 department of management, and funds are available for
18 the decorative lighting."

A non-record roll call was requested.

The ayes were 26, nays 47.

Amendment H—4346 lost.

Brunkhorst of Bremer offered the following amendment H—4359 filed from the floor by him and Spenner of Henry and moved its adoption:

H—4359

1 Amend Senate File 425 as follows:
2 1. Page 36, by inserting after line 9, the
3 following:
4 "Sec. _____. Section 312.2, subsection 19, paragraph
5 a, Code 1993, is amended to read as follows:
6 a. The treasurer of state, before making the
7 allotments provided for in this section, for the
8 fiscal year beginning July 1, 1990, and each
9 succeeding fiscal year, credit from the road use tax
10 fund two million dollars to the county bridge
11 construction fund, which is hereby created. Moneys
12 credited to the county bridge construction fund shall
13 be allocated to counties by the department for bridge
14 construction, and reconstruction, replacement, or
15 realignment based on needs in accordance with rules
16 adopted by the department."

Amendment H—4359 was adopted.

Corbett of Linn asked and received unanimous consent to defer action on amendment H—4378 filed from the floor by Grubbs of Scott.

Fallon of Polk asked and received unanimous consent to defer action on amendment H—4347 filed by him on April 30, 1993.

Hammond of Story offered the following amendment H—4354 filed by Hammond, et al.:

H—4354

1 Amend Senate File 425 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 37, by inserting after line 27, the
4 following:

5 "Sec. 100. Section 232.52, subsection 2A, Code
6 1993, is amended by striking the subsection.

7 Sec. 200. Section 232.102, subsection 1A, Code
8 1993, is amended by striking the subsection.

9 Sec. 300. Section 232.117, subsection 3A, Code
10 1993, is amended by striking the subsection.

11 Sec. 400. Section 232.127, subsection 8, Code
12 1993, is amended by striking the subsection.

13 Sec. 500. Section 232.182, subsection 7, Code
14 1993, is amended by striking the subsection.

15 Sec. 600. Section 234.35, subsection 1, paragraph
16 e, Code 1993, is amended to read as follows:

17 e. When a court has entered an order transferring
18 the legal custody of the child to a foster care
19 placement pursuant to section 232.52, subsection 2,
20 paragraph "d", or section 232.102, subsection 1.
21 However, payment for a group foster care placement
22 shall be limited to those placements which conform to
23 a regional group foster plan established pursuant to
24 section 232.143.

25 Sec. 700. Section 232.143, Code 1993, is repealed.

26 Sec. 800. 1993 Iowa Acts, House File 518, section
27 11, subsection 8, is amended by striking the
28 subsection and inserting in lieu thereof the
29 following:

30 8. a. Of the funds appropriated in this section,
31 up to \$21,161,299 is allocated for group foster care
32 maintenance and services. The department and the
33 courts shall work together to ensure that a region's
34 group foster care expenditures shall not exceed the
35 funds allocated to the region for group foster care in
36 the 1993-1994 fiscal year. The department may adopt
37 emergency rules in order to implement the provisions
38 of this paragraph.

39 b. The reimbursement rates paid for placement of

40 children out-of-state shall not exceed the maximum
 41 reimbursement rate established by the general assembly
 42 for group foster care placements in this state unless
 43 the director determines that appropriate care cannot
 44 be provided within the state. The department shall
 45 adopt emergency rules defining the criteria and
 46 process for making the determination of need for out-
 47 of-state care.

48 c. Effective November 1, 1993, all potential group
 49 foster care referrals shall be reviewed by a clinical
 50 assessment and consultation team prior to submission

Page 2

1 of a recommendation for group foster care placement to
 2 the court. Prior to November 1, 1993, all group
 3 foster care referrals shall be reviewed jointly by a
 4 team that includes representatives appointed by the
 5 department and the juvenile court."

6 2. Page 37, line 35, by striking the word and
 7 figure "and 76" and inserting the following: "76, and
 8 100 through 700".

9 3. By renumbering as necessary.

Hester of Pottawattamie rose on a point of order that amendment
 H-4354 was not germane.

The Speaker ruled the point well taken and amendment H-4354
 not germane.

Hammond of Story moved that the rules be suspended to consider
 amendment H-4354.

Roll call was requested by Ollie of Clinton and Doderer of Johnson.

On the question "Shall the rules be suspended to consider amend-
 ment H-4354?" (S.F. 425)

The ayes were, 47:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Burke
Cataldo	Cohoon	Connors	Dickinson
Doderer	Dvorsky	Fallon	Fogarty
Gill	Halvorson, R. N.	Hammond	Harper
Haverland	Henderson	Holveck	Jochum
Koenigs	Kreiman	Larkin	May
McCoy	McKinney	Mertz	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Renaud	Running	Schrader	Shultz
Weigel	Wise	Witt	

The nays were, 51:

Beaman	Blodgett	Boddicker	Brauns
Brunkhorst	Carpenter	Churchill	Corbett
Daggett	Dinkla	Drake	Eddie
Ertl	Garman	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Hester	Houser	Hurley
Iverson	Kistler	Klemme	Larson
Lundby	Martin	McNeal	Metcalf
Meyer	Millage	Miller	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

Absent or not voting, 2:

Brand Branstad

The motion to suspend the rules lost.

McKinney of Dallas offered the following amendment H—4348 filed by McKinney, et al., and moved its adoption:

H—4348

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 37, by inserting after line 33 the
- 4 following:
- 5 "Sec. _____. STATE AUDIT. The auditor of state
- 6 shall conduct a comprehensive audit, as described in
- 7 section 11.4, of the expenditures made from the state
- 8 communications network fund and the actions taken by
- 9 the Iowa public broadcasting board and the department
- 10 of general services in relation to the state
- 11 communications network. The auditor shall have access
- 12 and authority to examine any and all records necessary
- 13 to complete the comprehensive audit. Any moneys
- 14 necessary to conduct the audit shall be paid from the
- 15 state communications network fund. The auditor shall
- 16 complete the audit and present a copy of the findings
- 17 to the general assembly and the governor by January 1,
- 18 1994."
- 19 2. By renumbering as necessary.

Amendment H—4348 was adopted.

Murphy of Dubuque asked and received unanimous consent to withdraw amendment H—4380, filed by him from the floor.

Corbett of Linn offered the following amendment H—4370 filed from the floor by him and requested division as follows:

H—4370

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:

H—4370A

- 3 1. Page 3, by striking lines 24 and 25 and
- 4 inserting the following:
- 5 "2. "Claimant" means a person filing a claim for
- 6 credit or reimbursement".
- 7 2. Page 4, by striking lines 4 through 13.
- 8 3. Page 4, line 14, by striking the words "under
- 9 paragraph "a" or "b"".
- 10 4. By striking page 4, line 25 through page 7,
- 11 line 15.

H—4370B

- 12 5. Page 7, by inserting before line 16 the
- 13 following:
- 14 "Sec. _____, Section 423.24, Code 1993, is amended
- 15 by adding the following new subsection:
- 16 **NEW SUBSECTION. 1A.** Twenty percent of all revenue
- 17 derived from the use tax on motor vehicles, trailers,
- 18 and motor vehicle accessories and equipment as
- 19 collected pursuant to section 423.7 shall be deposited
- 20 in the GAAP deficit reduction account established in
- 21 the department of management pursuant to section 8.57,
- 22 subsection 2, and shall be used in accordance with the
- 23 provisions of that section."

H—4370A

- 24 6. Page 7, by striking lines 24 through 28 and
- 25 inserting the following: "appropriated, an amount
- 26 sufficient to implement this division."
- 27 7. By striking page 8, line 15 through page 9,
- 28 line 9.

H—4370C

- 29 8. Page 11, by inserting before line 14 the
- 30 following:
- 31 "Sec. 11A. Section 435.22, subsection 2, Code
- 32 1993, is amended to read as follows:
- 33 2. If the owner of the mobile home is an Iowa
- 34 resident, was totally disabled, as defined in section
- 35 425.17, on or before December 31 of the base year, is
- 36 a surviving spouse having attained the age of fifty-
- 37 five years on or before December 31, 1988, or has
- 38 attained the age of eighteen sixty-five years on or
- 39 before December 31 of the base year, and has an income
- 40 when included with that of a spouse which is less than
- 41 six thousand dollars per year, the annual tax shall

H-4370C

42 not be imposed on the mobile home. If the income is
 43 six thousand dollars or more but less than fourteen
 44 thousand dollars, the annual tax shall be computed as
 45 follows:

46	If the Household	Annual Tax Per
47	Income is:	Square Foot:
48	\$ 6,000 — 6,999.99	3.0 cents
49	7,000 — 7,999.99	6.0
50	8,000 — 9,999.99	10.0

Page 2

1 10,000 — 11,999.99 13.0
 2 12,000 — 13,999.99 15.0
 3 For purposes of this subsection "income" means
 4 income as defined in section 425.17, subsection 7, and
 5 "base year" means the calendar year preceding the year
 6 in which the claim for a reduced rate of tax is filed.
 7 The mobile home reduced rate of tax shall only be
 8 allowed on the mobile home in which the claimant is
 9 residing at the time in which the claim for a reduced
 10 rate of tax is filed."

H-4370D

11 9. Page 11, by inserting after line 20 the
 12 following:

13 "Sec. _____. NEW SECTION. 541A.5 INDIVIDUAL
 14 DEVELOPMENT ACCOUNTS — SAVINGS REFUND APPROPRIATION.

15 1. There is appropriated from the general fund of
 16 the state to the department of revenue and finance for
 17 the fiscal year beginning July 1, 1994, and ending
 18 June 30, 1995, two million five hundred thousand
 19 dollars, or so much thereof as is necessary, for the
 20 payment of savings refunds pursuant to section 541A.3.

21 2. There is appropriated from the general fund of
 22 the state to the department of revenue and finance for
 23 the fiscal year beginning July 1, 1995, and ending
 24 June 30, 1996, and for each succeeding fiscal year,
 25 four million dollars, or so much thereof as is
 26 necessary, for the payment of savings refunds pursuant
 27 to section 541A.3."

H-4370C

28 10. Page 11, line 34, by striking the figure
 29 "1993" and inserting the following: "1993 1994".

30 11. Page 12, line 7, by inserting after the word
 31 "sections" the following: "1,".

32 12. Page 12, line 8, by striking the figure "524"

H-4370C

33 and inserting the following: "513, 524,".

34 13. Page 12, line 10, by inserting after the word
35 "credits" the following: ", mobile home tax claims,".

36 14. Page 12, line 16, by inserting after the word
37 "credit" the following: ", mobile home tax claim,".

38 15. Page 12, line 18, by inserting before the
39 word "of" the following: "and 11A".

40 16. Page 12, line 19, by inserting after the word
41 "credit" the following: "or mobile home tax claim".

42 17. Page 13, line 6, by striking the figure "8"
43 and inserting the following: "7 and 11A".

44 18. Page 13, line 7, by inserting after the word
45 "claims" the following: "and mobile home tax claims".

46 19. Page 13, line 8, by striking the word and
47 figures ", 5, 7, and 8" and inserting the following:
48 "and 7".

H-4370E

49 20. Page 16, by inserting after line 3 the
50 following:

Page 3

1 "_____. To the treasurer of state for purposes of
2 allocating moneys to assist each of the 103 county
3 fairs which are members of the association of Iowa
4 fairs, for purposes of supporting annual county fairs
5 and improvements to the county fairgrounds:

6\$ 206,000

7 The treasurer of state shall allocate an equal
8 amount to each fair qualified to receive assistance.

9 However, moneys must be expended by a county fair on a
10 dollar-for-dollar matching basis with moneys received
11 from donations contributed to the county fair from
12 private sources or moneys contributed by a county to
13 aid the county fair pursuant to section 174.14.

14 Notwithstanding section 8.33, moneys transferred
15 pursuant to this subsection which remain unobligated
16 or unexpended on June 30, 1993, shall not revert to
17 the general fund of the state but shall remain
18 available in the succeeding fiscal year for use as
19 provided in this subsection."

20 21. Page 16, by inserting after line 26 the
21 following:

22 "As provided in section 8.33, the moneys
23 transferred pursuant to this subsection shall not
24 revert to the general fund of the state at the end of
25 any fiscal year but shall continue to be available
26 until the projects are completed."

27 22. By striking page 16, line 27, through page

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28 18, line 9.

29 23. Page 30, by inserting after line 26 the fol-
30 lowing:

31 "Sec. _____. There is appropriated from the general
32 fund of the state to the department of management for
33 the fiscal year beginning July 1, 1993, and ending
34 June 30, 1994, the following amounts, or so much
35 thereof as is necessary, to be used for the purposes
36 designated:

37 1. CASH RESERVE FUND

38 For deposit in the cash reserve fund created in
39 section 8.56:

40\$ 2,700,000

41 2. GAAP FUND

42 For deposit in the GAAP deficit reduction account
43 established in section 8.57, subsection 2, which shall
44 be spent during the fiscal year beginning July 1,
45 1993, and ending June 30, 1994, for the items on the
46 schedule submitted to the general assembly by the
47 governor in accordance with the provisions of sections
48 8.53 and 8.57:

49\$ 8,500,000

50 Sec. _____. COUNCIL ON HUMAN INVESTMENT - AD-

Page 4

1 MINISTRATIVE COSTS: There is appropriated from the
2 general fund of the state to the department of human
3 services for the fiscal year beginning July 1, 1993,
4 and ending June 30, 1994, the following amount, or so
5 much thereof as is necessary, to be used for the
6 purpose designated:

7 For administrative costs relating to the council on
8 human investment in fiscal year 1993-1994, in
9 accordance with the provisions of 1993 Iowa Acts,
10 Senate File 268:

11\$ 123,000".

12 24. By striking page 31, line 25 through page 32,
13 line 1.

14 25. Page 32, line 21, by inserting after the word
15 "project." the following: "The department shall
16 disburse only those funds which are matched by an
17 equivalent amount of funds from local communities,
18 businesses, or other nonstate funds."

19 26. Page 32, by striking lines 27 through 35.

20 27. Page 34, by striking lines 21 through 26.

21 28. Page 35, by inserting after line 33 the
22 following:

23 "Sec. _____. Section 142B.1, subsection 3, Code
24 1993, is amended to read as follows:

25 3. "Public place" means any enclosed indoor area

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26 used by the general public or serving as a place of
27 work containing two hundred fifty or more square feet
28 of floor space, including, but not limited to, all
29 restaurants with a seating capacity greater than
30 fifty, all retail stores, lobbies and malls, offices,
31 including waiting rooms, and other commercial
32 establishments; public conveyances with departures,
33 travel, and destination entirely within this state;
34 educational facilities; hospitals, clinics, nursing
35 homes, and other health care and medical facilities;
36 licensed child care centers, as defined in section
37 237A.1; and auditoriums, elevators, theaters,
38 libraries, art museums, concert halls, indoor arenas,
39 and meeting rooms. "Public place" does not include a
40 retail store at which fifty percent or more of the
41 sales result from the sale of tobacco or tobacco
42 products, the portion of a retail store where tobacco
43 or tobacco products are sold, a private, enclosed
44 office occupied exclusively by smokers even though the
45 office may be visited by nonsmokers, a room used
46 primarily as the residence of students or other
47 persons at an educational facility, a sleeping room in
48 a motel or hotel, or each resident's room in a health
49 care facility. The person in custody or control of
50 the facility shall provide a sufficient number of

Page 5

1 rooms in which smoking is not permitted to accommodate
2 all persons who desire such rooms.

3 Sec. _____. Section 142B.2, subsection 3, unnumbered
4 paragraph 1, Code 1993, is amended to read as follows:

5 Where smoking areas are designated, existing
6 physical barriers and existing ventilation systems
7 shall be used to minimize the toxic effect of smoke in
8 adjacent nonsmoking areas. In the case of public
9 places consisting of a single room, the provisions of
10 this law shall be considered met if one side of the
11 room is reserved and posted as a no-smoking area. A
12 designated smoking area shall only be designated if
13 transmission of environmental tobacco smoke to
14 adjacent areas can be completely eliminated. No
15 public place other than a bar shall be designated as a
16 smoking area in its entirety. If a bar has within its
17 premises a nonsmoking area, this designation shall be
18 posted on all entrances normally used by the public.

19 Sec. _____. Section 142B.2, Code 1993, is amended by
20 adding the following new subsection:

21 NEW SUBSECTION. 5. Notwithstanding the provisions
22 of this section, no place in the state capitol
23 building shall be designated as a smoking area.

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24 Sec. _____. Section 142B.6, unnumbered paragraph 3,
25 Code 1993, is amended to read as follows:

26 The Iowa department of public health shall adopt
27 rules to enforce this chapter. Enforcement of this
28 chapter shall be implemented in an equitable manner
29 throughout the state. For the purpose of equitable
30 and uniform implementation, application, and
31 enforcement of state and local laws and regulations,
32 the provisions of this chapter shall supersede any
33 local law or regulation which is inconsistent with or
34 conflicts with the provisions of this chapter."

35 29. By striking page 35, line 34, through page
36 36, line 9.

37 30. Page 36, by inserting after line 9 the
38 following:

39 "Sec. _____. Section 285.1, subsection 3, unnumbered
40 paragraph 2, Code 1993, is amended to read as follows:

41 However, a parent or guardian shall not receive
42 reimbursement for furnishing transportation for more
43 than three one family members member who attend
44 attends elementary school and one family member who
45 attends high school."

46 31. Page 36, by striking lines 10 through 16.

47 32. Page 37, by striking lines 28 through 33.

48 33. Page 37, by inserting before line 34 the
49 following:

50 "Sec. _____. REVERSIONS. The department of

Page 6

1 management shall implement cost savings programs and
2 efficiencies to achieve savings in appropriations made
3 from the general fund of the state to departments and
4 establishments subject to the provisions of section
5 8.31, for the fiscal year beginning July 1, 1993, to
6 attain reversions to the general fund of the state in
7 the amount of at least \$11,500,000.

8 Sec. 100. Notwithstanding section 291.13, if the
9 moneys credited to the schoolhouse fund of a school
10 district from tax revenues collected under the
11 physical plant and equipment levy during the fiscal
12 year beginning July 1, 1992, are insufficient to pay
13 the costs specified in a contract for renovating a
14 high school building located in the district for use
15 by grade school students pursuant to a school reor-
16 ganization contract, and the board has not received
17 authorization from the school budget review committee
18 under section 257.31, subsection 7, the board of the
19 school district may expend an amount not to exceed one
20 hundred thousand dollars of moneys in the district's
21 general fund for purposes of the school building

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22 renovation.

23 Sec. _____, EFFECTIVE DATE AND APPLICABILITY.

24 Section 100 of this division, being deemed of

25 immediate importance, takes effect upon enactment and

26 is applicable to the school budget year beginning July

27 1, 1992."

28 34. Page 40, by inserting after line 32 the

29 following:

30 "DIVISION _____

31 REORGANIZE SCHOOL DISTRICTS

32 Sec. _____, Section 257.3, subsection 1, Code 1993,

33 is amended to read as follows:

34 1. AMOUNT OF TAX. Except as provided in

35 subsection subsections 2 and 2A, a school district

36 shall cause to be levied each year, for the school

37 general fund, a foundation property tax equal to five

38 dollars and forty cents per thousand dollars of

39 assessed valuation on all taxable property in the

40 district. The county auditor shall spread the

41 foundation levy over all taxable property in the

42 district.

43 Sec. _____, Section 257.3, subsection 2, Code 1993,

44 is amended by adding the following new unnumbered

45 paragraph after unnumbered paragraph 2:

46 NEW UNNUMBERED PARAGRAPH. A reorganized school

47 district which meets the requirements of this section

48 for reduced property tax rates, but failed to vote on

49 reorganization or dissolution prior to November 30,

50 1990, and failed to certify such action to the

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1 department of education by September 1, 1991, shall

2 cause to be levied a foundation property tax of four

3 dollars and sixty cents per thousand dollars of

4 assessed valuation on all eligible taxable property

5 pursuant to this section. In succeeding school years,

6 the foundation property tax levy on that portion shall

7 be increased twenty cents per year until it reaches

8 the rate of five dollars and forty cents per thousand

9 dollars of assessed valuation.

10 Sec. _____, Section 257.3, Code 1993, is amended by

11 adding the following new subsection:

12 NEW SUBSECTION. 2A. If a reorganized school

13 district, whose foundation property tax is reduced

14 under subsection 2, reorganizes within five school

15 years from the time of its original reorganization to

16 which subsection 2 applies, the resulting reorganized

17 school district shall cause to be levied a foundation

18 property tax on the taxable property in that portion

19 of the new reorganized district which, in the year

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20 preceding the latest reorganization, was within the
 21 original reorganized school district to which
 22 subsection 2 applies equal to one dollar per thousand
 23 dollars of assessed value less than the rate the
 24 original reorganized district would have levied under
 25 subsection 2 for the same school year if there had
 26 been no new reorganization. In succeeding school
 27 years, the foundation property tax on that portion of
 28 the new reorganized school district shall be increased
 29 by forty cents for the first succeeding year and by
 30 twenty cents per year thereafter until it reaches the
 31 rate of five dollars and forty cents per thousand
 32 dollars of assessed valuation.

33 Sec. _____. Section 257.3, subsection 3, Code 1993,
 34 is amended to read as follows:

35 3. RAILWAY CORPORATIONS. For purposes of section
 36 257.1, the "amount per pupil of foundation property
 37 tax" does not include the tax levied under subsection
 38 1, or 2, or 2A on the property of a railway
 39 corporation, or on its trustee if the corporation has
 40 been declared bankrupt or is in bankruptcy
 41 proceedings.

42 Sec. _____. Section 257.11, subsection 2, Code 1993,
 43 is amended by adding the following new unnumbered
 44 paragraph:

45 NEW UNNUMBERED PARAGRAPH. School districts that
 46 have executed whole grade sharing agreements under
 47 section 282.10 through 282.12 beginning with the
 48 budget year beginning on July 1, 1993, and that
 49 received supplementary weighting for shared teachers
 50 or classes under this subsection for the school year

Page 8

1 ending prior to the effective date of the whole grade
 2 sharing agreement shall include in its supplementary
 3 weighting amount additional pupils added by the
 4 application of the supplementary weighting plan, equal
 5 to the pupils added by the application of the
 6 supplementary weighting plan pursuant to this
 7 subsection in the budget year beginning July 1, 1992.
 8 If at any time after July 1, 1993, a district ends a
 9 whole grade sharing agreement with the original
 10 district, the agreement was entered and does not enter
 11 into a whole grade sharing agreement with an
 12 alternative district, the school district shall reduce
 13 its supplementary weighting amount by the number of
 14 pupils added by the application of the supplementary
 15 weighting in this subsection in the budget year
 16 beginning July 1, 1992, in the budget year that the
 17 whole grade sharing agreement is terminated.

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18 Sec. _____. EFFECTIVE DATE. If the total taxable
19 valuation of real property in the state increases by
20 at least one-half of one percent over last year then,
21 this division, being deemed of immediate importance,
22 takes effect upon its enactment for the purpose of
23 computations required for payment of state aid and
24 levying of property taxes by school districts for the
25 budget year beginning July 1, 1993.

DIVISION _____

RECYCLING - PACKAGING

27 "Sec. _____. Section 455D.16, Code 1993, is amended
28 to read as follows:

29 455D.16 PACKAGING PRODUCTS - RECYCLING - PRO-
30 HIBITION OF POLYSTYRENE PRODUCTS.

31 The department, in cooperation with businesses
32 involved in the manufacturing and use of packaging
33 products or food service items, shall establish a
34 recycling program to increase the recycling of
35 packaging products or food service items by twenty-
36 five percent by July 1, 1993, and by fifty percent by
37 July 1, 1994. If the recycling goals are not reached,
38 beginning January 1, ~~1995~~ 1996, a person shall not
39 manufacture, offer for sale, sell, or use any
40 polystyrene packaging products or food service items
41 in this state."

42 35. By renumbering, relettering, or redesignating
43 and correcting internal references as necessary.

QUORUM CALL

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

The House stood at ease at 12:50 p.m., until the fall of the gavel.

The House resumed session at 1:13 p.m., Speaker Van Maanen in the chair.

Corbett of Linn asked and received unanimous consent to withdraw the following amendments H-4370A, H-4370C and H-4370D.

On motion by Corbett of Linn, amendment H-4370B was adopted.

Corbett of Linn offered the following amendment H-4364 filed from the floor by him and moved its adoption:

H-4364

1 Amend Senate File 425, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 12, by inserting after line 21 the
4 following:
5 "Sec. _____. LOTTERY TRANSFER. Notwithstanding the
6 requirement in section 99E.10, subsection 1, to
7 transfer lottery revenue remaining after expenses are
8 deducted, notwithstanding the requirement under
9 section 99E.20, subsection 2, for the commissioner to
10 certify and transfer a portion of the lottery fund to
11 the CLEAN fund, and notwithstanding the appropriations
12 and allocations in section 99E.34, all lottery
13 revenues received during the fiscal year beginning
14 July 1, 1993, and ending June 30, 1994, after
15 deductions for expenses as provided in section 99E.10,
16 subsection 1, and as appropriated under any Act of the
17 75th General Assembly, 1993 Session, shall not be
18 transferred to and deposited into the CLEAN fund but
19 shall be transferred and credited to the general fund
20 of the state."

Amendment H-4364 was adopted.

Hahn of Muscatine offered the following amendment H-4366
filed from the floor by him and Black of Jasper:

H-4366

1 Amend Senate File 425, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking page 14, line 33 through page 15,
4 line 11.

Gipp of Winneshiek in the chair at 1:58 p.m.

Hahn of Muscatine moved the adoption of amendment H-4366.

A non-record roll call was requested.

The ayes were 58, nays 16.

Amendment H-4366 was adopted.

Koenigs of Mitchell offered the following amendment H-4384
filed from the floor by him and moved its adoption:

H-4384

1 Amend Senate File 425, as amended, passed, and re-
2 printed by the Senate, as follows:
3 1. Page 15, by inserting after line 11 the
4 following:
5 "_____. Of the moneys appropriated in this section

6 \$50,000 shall be used for purposes of repairing the
 7 gates of the dam located in or near the city of
 8 Mitchell. Each four dollars provided pursuant to this
 9 subsection shall be matched by one dollar contributed
 10 by a source other than the state."
 11 2. By renumbering as necessary.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 46, nays 43.

Amendment H—4384 was adopted.

Corbett of Linn called up for consideration amendment H—4370E.
 Further division was requested as follows:

H—4370E — Page 2, lines 49 and 50; all of page 3, page 4, lines
 1 through 20; page 5, lines 46 and lines 48 through 50; all of pages
 6, 7 and 8.

H—4370F — Page 5, lines 35 and 36.

H—4370G — Page 5, lines 37 through 45.

H—4370H — Page 5, line 47.

H—4370I — Page 4, lines 21 through 50 and page 5, lines 1
 through 34.

Corbett of Linn asked and received unanimous consent to defer
 action on amendment H—4370E.

Koenigs of Mitchell asked and received unanimous consent to
 withdraw amendment H—4375, previously deferred.

Fallon of Polk asked and received unanimous consent to withdraw
 amendment H—4376, previously deferred.

Iverson of Wright asked and received unanimous consent to defer
 action on amendment H—4382, filed from the floor by Hanson of
 Delaware.

Dvorsky of Johnson offered the following amendment H—4386
 filed from the floor by him and moved its adoption:

H—4386

1 Amend Senate File 425, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 35, line 7, by inserting after the word
 4 "claim" the following: "and the costs of
 5 investigating a claim".
 6 2. Page 35, line 8, by inserting after the word
 7 "fee" the following: "and a fee to reimburse the
 8 office of the attorney general for the costs of the
 9 claim investigation".

Amendment H—4386 was adopted.

Hanson of Delaware offered the following amendment H—4382, previously deferred, and moved its adoption:

H—4382

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 31, line 21, by striking the words
- 4 "special olympics, incorporated" and inserting the
- 5 following: "Special Olympics, Incorporated,".

Amendment H—4382 was adopted.

The House resumed consideration of amendment H—4370F.

On motion by Corbett of Linn, amendment H—4370F was adopted.

The House resumed consideration of amendment H—4370G.

Speaker Van Maanen in the chair at 2:37 p.m.

Corbett of Linn moved the adoption of amendment H—4370G.

Roll call was requested by Running of Linn and Grubbs of Scott.

On the question "Shall amendment H—4370G be adopted?"
(S.F. 425)

The ayes were, 57:

Baker	Beaman	Beatty	Bell
Bernau	Black	Brammer	Brand
Branstad	Brauns	Burke	Carpenter
Connors	Corbett	Dinkla	Doderer
Drake	Dvorsky	Eddie	Fallon
Gipp	Greig	Greiner	Gries
Grundberg	Hahn	Hammond	Harper
Haverland	Henderson	Hester	Holveck
Houser	Iverson	Kistler	Kreiman
Lundby	Martin	May	McKinney
McNeal	Metcalf	Meyer	Millage
Miller	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Rants	Royer
Schrader	Shoultz	Siegrist	Weidman
Wise			

The nays were, 43:

Arnould	Blodgett	Boddicker	Brunkhorst
Cataldo	Churchill	Cohoon	Daggett
Dickinson	Ertl	Fogarty	Garman
Gill	Grubbs	Halvorson, R. A.	Halvorson, R. N.

Hansen, S. D.	Hanson, D. E.	Hanson, D. R.	Hurley
Jochum	Klemme	Koenigs	Larkin
Larson	McCoy	Mertz	Moreland
Mundie	Murphy	Peterson	Plasier
Rafferty	Renaud	Renken	Running
Spenner	Tyrrell	Vande Hoef	Weigel
Welter	Witt	Mr. Speaker	
		Van Maanen	

Absent or not voting, none.

Amendment H—4370G was adopted.

Grubbs of Scott offered the following amendment H—4378, previously deferred, filed from the floor by him:

H—4378

1 Amend Senate File 425, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 36, by inserting after line 9 the
 4 following:
 5 "Sec. _____. Section 272C.2, subsection 5, Code
 6 1993, is amended to read as follows:
 7 5. A person licensed to sell real estate in this
 8 state shall be deemed to have complied with the
 9 continuing education requirements of this state during
 10 periods that the person serves honorably on active
 11 duty in the military services, or for periods that the
 12 person is a resident of another state or district
 13 having a continuing education requirement for the
 14 occupation or profession and meets all requirements of
 15 that state or district for practice therein, if the
 16 state or district accords the same privilege to Iowa
 17 residents, or for periods that the person is a
 18 government employee working in the person's licensed
 19 specialty and assigned to duty outside of the United
 20 States, or for other periods of active practice and
 21 absence from the state approved by the appropriate
 22 board of examiners or if the person has been licensed
 23 to sell real estate in this state for fifteen years or
 24 more."

Running of Linn rose on a point of order that amendment H—4378 was not germane.

The Speaker ruled the point well taken and amendment H—4378 not germane.

The House resumed consideration of amendment H—4370H.

Grundberg of Polk offered the following amendment H—4383, to amendment H—4370H, filed from the floor by her and moved its adoption:

H—4383

- 1 Amend the amendment, H—4370, to Senate File 425, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 5, by striking line 47 and inserting the
- 5 following:
- 6 “_____ Page 37, line 33, by inserting after the
- 7 word “enrollment.” the following: “Fifty percent of
- 8 the costs of the contract shall be provided by a
- 9 source other than the legislative council.””
- 10 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 55, nays 34.

Amendment H—4383 was adopted.

Corbett of Linn moved the adoption of amendment H—4370H, as amended.

A non-record roll call was requested.

The ayes were 50, nays 23.

Amendment H—4370H, as amended, was adopted.

The House resumed consideration of amendment H—4370I.

Brammer of Linn offered the following amendment H—4387, to amendment H—4370I, filed from the floor by him:

H—4387

- 1 Amend the amendment, H—4370, to Senate File 425, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 5, line 29, by inserting after the word
- 5 “state.” the following: “However, enforcement of this
- 6 chapter shall not supersede, limit, or otherwise
- 7 affect any provision of a collective bargaining
- 8 agreement.”

Tyrrell of Iowa rose on a point of order that amendment H—4387 was not germane, to amendment H—4370I.

The Speaker ruled the point not well taken and amendment H—4387 germane, to amendment H—4370I.

On motion by Brammer of Linn, amendment H—4387, to amendment H—4370I, lost.

Halvorson of Webster asked and received unanimous consent to withdraw amendment H—4388, to amendment H—4370I, filed from the floor by him.

Corbett of Linn moved the adoption of amendment H—4370I.

Iverson of Wright rose on a point of order that amendment H—4370I was not germane.

The Speaker ruled the point well taken and amendment H—4370I not germane.

Corbett of Linn asked for unanimous consent to suspend the rules to consider amendment H—4370I.

Objection was raised.

Corbett of Linn moved to suspend the rules to consider amendment H—4370I.

Roll call was requested by Brammer of Linn and Halvorson of Webster.

On the question "Shall the rules be suspended to consider amendment H—4370I?" (S.F. 425)

The ayes were, 50:

Arnould	Baker	Bell	Bernau
Black	Blodgett	Brammer	Brand
Burke	Carpenter	Cataldo	Cohoon
Corbett	Dickinson	Doderer	Dvorsky
Fallon	Grundberg	Halvorson, R. N.	Hammond
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Jochum	Kistler	Koenigs
Kreiman	Larkin	May	McKinney
Metcalf	Miller	Moreland	Mundie
Murphy	Neuhauser	O'Brien	Ollie
Osterberg	Plasier	Shoultz	Weigel
Wise	Witt		

The nays were, 49:

Beaman	Beatty	Boddicker	Branstad
Brauns	Brunkhorst	Churchill	Connors
Daggett	Drake	Eddie	Ertl
Fogarty	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Hahn	Halvorson, R. A.	Hansen, S. D.	Iverson

Klemme	Larson	Lundby	Martin
McCoy	McNeal	Mertz	Meyer
Millage	Nelson	Peterson	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Welter
Mr. Speaker			
Van Maanen			

Absent or not voting, 1:

Dinkla

The motion to suspend the rules lost.

McCoy of Polk asked and received unanimous consent to defer action on amendment H—4391, filed from the floor by him and Millage of Scott.

Spenner of Henry offered the following amendment H—4390 filed from the floor by him:

H—4390

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 38, by inserting after line 2 the
- 4 following:
- 5 "Sec. _____. The legislative council shall authorize
- 6 a study committee on privatization of state functions.
- 7 The committee would consider the recommendations of
- 8 the Fisher commission, the senate appropriations
- 9 subcommittee on privatization, receive information and
- 10 testimony from other sources, and make
- 11 recommendations.
- 12 The committee membership would be as follows:
- 13 1. Three senators, two appointed by the majority
- 14 leader, one appointed by the minority leader.
- 15 2. Three representatives, two appointed by the
- 16 speaker of the house of representatives, one appointed
- 17 by the minority leader.
- 18 The legislative council shall designate temporary
- 19 co-chairpersons from among the legislative members.
- 20 3. One ex officio, nonvoting member who shall be
- 21 the director of the department of management or the
- 22 director's designee.
- 23 4. One member each representing private business
- 24 and a state employee labor organization appointed by
- 25 the legislative council. Members appointed under this
- 26 subsection will be entitled to receive their actual
- 27 expenses for attending meetings of the committee.
- 28 The committee shall present its recommendations by
- 29 November 15, 1993.

30 Sec. _____. PRIVATIZATION — STATE EMPLOYEE
 31 CONSULTATION. A state agency or department shall
 32 consult with and consider alternatives proposed by
 33 employees of the department or organizations
 34 representing state employees prior to privatizing
 35 functions provided by the agency or department.”

Rafferty of Scott rose on a point of order that amendment H—4390 was not germane.

The Speaker ruled the point well taken and amendment H—4390 not germane.

Spenner of Henry asked for unanimous consent to suspend the rules to consider amendment H—4390.

Objection was raised.

Spenner of Henry moved to suspend the rules to consider amendment H—4390.

A non-record roll call was requested.

The ayes were 55, nays 32.

The motion prevailed and the rules were suspended.

Spenner of Henry moved the adoption of amendment H—4390.

A non-record roll call was requested.

The ayes were 54, nays 22.

Amendment H—4390 was adopted.

The House resumed consideration of amendment H—4370E.

Corbett of Linn asked and received unanimous consent to withdraw amendment H—4385, to amendment H—4370E, filed from the floor by him and Peterson of Carroll.

Corbett of Linn offered the following amendment H—4394, to amendment H—4370E, filed from the floor by him and moved its adoption:

H—4394

- 1 Amend the amendment, H—4370, to Senate File 425, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. By striking page 5, line 50 through page 6,
- 5 line 7.

Amendment H—4394 was adopted.

Fallon of Polk offered the following amendment H—4393, to amendment H—4370E, filed from the floor by Fallon, Witt, Hammond and Osterberg and moved its adoption:

H—4393

- 1 Amend the amendment, H—4370, to Senate File 425, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 8, by striking lines 26 through 42.
- 5 2. By renumbering as necessary.

Amendment H—4393 lost.

On motion by Corbett of Linn amendment H—4370E, as amended, was adopted, placing amendment H—4347, previously deferred, out of order.

O'Brien of Boone asked and received unanimous consent to defer action on amendment H—4396, filed by him from the floor.

McCoy of Polk asked and received unanimous consent to withdraw amendment H—4391, previously deferred, placing out of order amendment H—4395, filed from the floor by Halvorson of Clayton.

The House resumed consideration of the following amendment H—4396, previously deferred, filed by O'Brien of Boone:

H—4396

- 1 Amend Senate File 425, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 35, by inserting before line 34 the
- 4 following:
- 5 "Sec. _____. Section 99D.11, subsection 6, paragraph
- 6 b, Code 1993, is amended to read as follows:
- 7 b. The commission may authorize the licensee to
- 8 simultaneously telecast within the racetrack
- 9 enclosure, for the purpose of pari-mutuel wagering, a
- 10 horse or dog race licensed by the racing authority of
- 11 another state. It is the responsibility of each
- 12 licensee to obtain the consent of appropriate racing
- 13 officials in other states as required by the federal
- 14 Interstate Horseracing Act of 1978, 15 U.S.C. § 3001-
- 15 3007, to televise races for the purpose of conducting
- 16 pari-mutuel wagering. A licensee may also obtain the
- 17 permission of a person licensed by the commission to
- 18 conduct horse or dog races in this state to televise
- 19 races conducted by that person for the purpose of
- 20 conducting pari-mutuel racing. However, arrangements
- 21 made by a licensee to televise any race for the
- 22 purpose of conducting pari-mutuel wagering are subject

23 to the approval of the commission, and the commission
 24 shall select the races to be televised. The races
 25 selected by the commission shall be the same for all
 26 licensees approved by the commission to televise races
 27 for the purpose of conducting pari-mutuel wagering.
 28 The commission shall not authorize the simultaneous
 29 telecast or televising of and a licensee shall not
 30 simultaneously telecast or televise any horse or dog
 31 race for the purpose of conducting pari-mutuel
 32 wagering unless the simultaneous telecast or
 33 televising is done at the racetrack of a licensee that
 34 schedules no less than ninety sixty performances of
 35 nine live races each day of the season. For purposes
 36 of the taxes imposed under this chapter, races
 37 televised by a licensee for purposes of pari-mutuel
 38 wagering shall be treated as if the races were held at
 39 the racetrack of the licensee."

Garman of Story rose on a point of order that amendment H—4396 was not germane.

The Speaker ruled the point well taken and amendment H—4396 not germane.

MOTION TO RECONSIDER PREVAILED

Cataldo of Polk called up for immediate consideration the motion to reconsider amendment H—4358, to Senate File 425 filed by him from the floor and moved to reconsider the vote by which amendment H—4358 to **Senate File 425**, a bill for an act relating to and making appropriations to finance state government, its regulatory functions, and its obligations, and providing effective and applicability date provisions, was adopted by the House on May 1, 1993.

Roll call was requested by Cataldo of Polk and Haverland of Polk.

On the question "Shall the motion to reconsider prevail?" (S.F. 425)

The ayes were, 75:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Brammer	Branstad	Brauns	Burke
Carpenter	Cataldo	Cphoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Drake	Dvorsky	Eddie	Ertl
Fogarty	Gill	Gipp	Greiner
Grubbs	Hahn	Halvorson, R. A.	Hammond
Hansen, S. D.	Harper	Haverland	Hester
Holveck	Houser	Iverson	Jochum
Larkin	Larson	Lundby	Martin
May	McCoy	McKinney	McNeal

Mertz	Meyer	Millage	Moreland
Mundie	Murphy	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Rafferty
Renaud	Renken	Royer	Running
Schrader	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, 24:

Boddicker	Brunkhorst	Churchill	Doderer
Fallon	Garman	Greig	Gries
Grundberg	Halvorson, R. N.	Hanson, D. E.	Hanson, D. R.
Henderson	Hurley	Kistler	Klemme
Koenigs	Kreiman	Metcalf	Miller
Nelson	Plasier	Rants	Shultz

Absent or not voting, 1:

Brand

The motion to reconsider prevailed and the House reconsidered amendment H—4358.

Fallon of Polk moved the adoption of amendment H—4358.

Roll call was requested by Cataldo of Polk and Ertl of Dubuque.

On the question "Shall amendment H—4358 be adopted?"
(S.F. 425)

The ayes were, 55:

Beatty	Bell	Black	Blodgett
Boddicker	Brammer	Brunkhorst	Carpenter
Churchill	Dickinson	Dinkla	Doderer
Dvorsky	Fallon	Fogarty	Garman
Gill	Greig	Gries	Grundberg
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Harper	Henderson	Holveck	Hurley
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Lundby	Martin
May	Metcalf	Meyer	Millage
Miller	Moreland	Mundie	Nelson
Neuhauser	O'Brien	Ollie	Plasier
Rafferty	Rants	Schrader	Vande Hoef
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, 44:

Arnould	Baker	Beaman	Bernau
Branstad	Brauns	Burke	Cataldo
Cohoon	Connors	Corbett	Daggett
Drake	Eddie	Ertl	Gipp

Greiner	Grubbs	Hahn	Halvorson, R. A.
Hanson, D. R.	Haverland	Hester	Houser
Iverson	Larson	McCoy	McKinney
McNeal	Mertz	Murphy	Osterberg
Peterson	Renaud	Renken	Royer
Running	Shoultz	Siegrist	Spencer
Tyrrell	Weidman	Weigel	Welter

Absent or not voting, 1:

Brand

Amendment H—4358 was adopted.

Plasier of Sioux offered the following amendment H—4399 filed from the floor by him and moved its adoption:

H—4399

1 Amend Senate File 425, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 23, by inserting before line 29 the
 4 following:
 5 "DIVISION _____
 6 TOOLS OF THE TRADE
 7 Sec. _____. AID TO DEPENDENT CHILDREN — TOOLS OF
 8 THE TRADE DISREGARD. There is appropriated from the
 9 general fund of the state to the department of human
 10 services for the fiscal year beginning July 1, 1993,
 11 and ending June 30, 1994, the following amount, or so
 12 much thereof as is necessary, to be used for the
 13 purpose designated:
 14 For costs associated with disregard of a self-
 15 employed individual's tools of the trade or capital
 16 assets under the aid to dependent children program in
 17 accordance with the provisions of 1993 Iowa Acts,
 18 Senate File 268, as approved for implementation by the
 19 federal government:
 20\$ 427,000".
 21 2. By renumbering as necessary.

Amendment H—4399 was adopted.

McCoy of Polk offered the following amendment H—4397 filed from the floor by him and Millage of Scott:

H—4397

1 Amend Senate File 425, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 35, by inserting before line 34 the
 4 following:
 5 "Sec. 100. Section 99B.6, subsection 1, paragraph
 6 k, Code 1993, is amended to read as follows:

7 k. ~~No A~~ person under the age of eighteen twenty-
8 one years may shall not participate in the gambling
9 except pursuant to sections 99B.3, 99B.4, 99B.5, and
10 99B.7. Any licensee knowingly allowing a person under
11 the age of eighteen twenty-one to participate in the
12 gambling prohibited by this paragraph or any person
13 knowingly participating in such gambling with a person
14 under the age of eighteen twenty-one, shall be is
15 guilty of a simple misdemeanor.

16 Sec. 101. Section 99D.11, subsection 6, paragraph
17 b, Code 1993, is amended to read as follows:

18 b. The commission may authorize the licensee to
19 simultaneously telecast within the racetrack
20 enclosure, for the purpose of pari-mutuel wagering, a
21 horse or dog race licensed by the racing authority of
22 another state. It is the responsibility of each
23 licensee to obtain the consent of appropriate racing
24 officials in other states as required by the federal
25 Interstate Horseracing Act of 1978, 15 U.S.C. § 3001-
26 3007, to televise races for the purpose of conducting
27 pari-mutuel wagering. A licensee may also obtain the
28 permission of a person licensed by the commission to
29 conduct horse or dog races in this state to televise
30 races conducted by that person for the purpose of
31 conducting pari-mutuel racing. However, arrangements
32 made by a licensee to televise any race for the
33 purpose of conducting pari-mutuel wagering are subject
34 to the approval of the commission, and the commission
35 shall select the races to be televised. The races
36 selected by the commission shall be the same for all
37 licensees approved by the commission to televise races
38 for the purpose of conducting pari-mutuel wagering.
39 The commission shall not authorize the simultaneous
40 telecast or televising of and a licensee shall not
41 simultaneously telecast or televise any horse or dog
42 race for the purpose of conducting pari-mutuel
43 wagering unless the simultaneous telecast or
44 televising is done at the racetrack of a licensee that
45 schedules no less than ninety sixty performances of
46 nine live races each day of the season. For purposes
47 of the taxes imposed under this chapter, races
48 televised by a licensee for purposes of pari-mutuel
49 wagering shall be treated as if the races were held at
50 the racetrack of the licensee.

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1 Sec. 102. Section 99D.11, subsection 6, Code 1993,
2 is amended by adding the following new paragraph:
3 NEW PARAGRAPH. c. The commission shall provide,
4 by rule, for the conduct of casino style gambling
5 including but not limited to slot machines, blackjack,

6 dice, keno, roulette, and other gambling games
 7 associated with casino gambling, at pari-mutuel
 8 racetracks licensed under this chapter subject to
 9 approval in each affected county by a county-wide
 10 referendum. As a part of its regulatory authority,
 11 the commission may require that pari-mutuel racing
 12 purses are supplemented from on-site gambling
 13 revenues.

14 Sec. 103. Section 99D.11, subsection 7, Code 1993,
 15 is amended to read as follows:

16 7. A person under the age of eighteen twenty-one
 17 years shall not make a pari-mutuel wager.

18 Sec. 104. Section 99D.24, subsection 2, Code 1993,
 19 is amended to read as follows:

20 2. A person knowingly permitting a person under
 21 the age of eighteen twenty-one years to make a pari-
 22 mutuel wager is guilty of a simple misdemeanor.

23 Sec. 105. Section 99E.18, subsection 2, Code 1993,
 24 is amended to read as follows:

25 2. A ticket or share shall not be sold to a person
 26 who has not reached the age of eighteen twenty-one.
 27 This does not prohibit the lawful purchase of a ticket
 28 or share for the purpose of making a gift to a person
 29 who has not reached the age of eighteen twenty-one. A
 30 licensee or a licensee's employee who knowingly sells
 31 or offers to sell a lottery ticket or share to a
 32 person who has not reached the age of eighteen twenty-
 33 one is guilty of a simple misdemeanor. In addition
 34 the license of a licensee shall be suspended. A prize
 35 won by a person who has not reached the age of
 36 eighteen twenty-one but who purchases a winning ticket
 37 or share in violation of this subsection shall be
 38 forfeited.

39 Sec. 106. Section 99F.4, subsection 4, Code 1993,
 40 is amended by striking the subsection.

41 Sec. 107. Section 99F.4, subsection 17, Code 1993,
 42 is amended to read as follows:

43 17. To define the duration of an excursion which
 44 shall be at least three hours during the excursion
 45 season. For the off season, the commission shall
 46 adopt rules limiting times of admission to excursion
 47 gambling boats consistent with maximum loss per player
 48 per gambling excursion specified in subsection 4.

49 Sec. 108. Section 99F.4, Code 1993, is amended by
 50 adding the following new subsection:

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1 NEW SUBSECTION. 23. To regulate passenger
 2 admissions to the excursion boats at the time gambling
 3 is allowed while the excursion boat is docked during
 4 the excursion season and off season.

5 Sec. 109. Section 99F.7, subsection 5, paragraph
6 a, Code 1993, is amended by striking the paragraph and
7 inserting in lieu thereof the following:

8 a. The square footage allowed to be used for
9 gambling activity shall be determined by the
10 commission.

11 Sec. 110. Section 99F.9, subsection 2, Code 1993,
12 is amended by striking the subsection.

13 Sec. 111. Section 99F.9, subsection 6, Code 1993,
14 is amended to read as follows:

15 6. A person under the age of eighteen twenty-one
16 years shall not make a wager on an excursion gambling
17 boat and shall not be allowed in the area of the
18 excursion boat where gambling is being conducted.
19 However, a person eighteen years of age or older may
20 be employed to work in a gambling area.

21 Sec. 112. Section 99F.15, subsection 2, Code 1993,
22 is amended to read as follows:

23 2. A person knowingly permitting a person under
24 the age of eighteen twenty-one years to make a wager
25 is guilty of a simple misdemeanor.

26 Sec. _____. Sections 100 through 112 of this Act,
27 and this section, being deemed of immediate
28 importance, take effect upon enactment."

The House stood at ease at 4:50 p.m., until the fall of the gavel.

The House resumed session at 5:35 p.m., Speaker Van Maanen in the chair.

Amendment H—4400, to amendment H—4397, filed from the floor by Halvorson of Clayton, was withdrawn by unanimous consent for the consideration of amendment H—4402, to amendment H—4397, filed from the floor by Halvorson of Clayton as follows:

H—4402

1 Amend the amendment, H—4397, to Senate File 425, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 1, line 3, through page 3,
5 line 28 and inserting the following:

6 "_____. Page 35, by inserting before line 34 the
7 following:

8 "Sec. 100. Section 99B.6, subsection 1, paragraph
9 k, Code 1993, is amended to read as follows:

10 k. ~~No~~ A person under the age of eighteen twenty-
11 one years may shall not participate in the gambling
12 except pursuant to sections 99B.3, 99B.4, 99B.5, and
13 99B.7. Any licensee knowingly allowing a person under
14 the age of eighteen twenty-one to participate in the
15 gambling prohibited by this paragraph or any person

16 knowingly participating in such gambling with a person
17 under the age of ~~eighteen~~ twenty-one, shall be is
18 guilty of a simple misdemeanor.

19 Sec. 101. Section 99D.11, subsection 6, paragraph
20 b, Code 1993, is amended to read as follows:

21 b. The commission may authorize the licensee to
22 simultaneously telecast within the racetrack
23 enclosure, for the purpose of pari-mutuel wagering, a
24 horse or dog race licensed by the racing authority of
25 another state. It is the responsibility of each
26 licensee to obtain the consent of appropriate racing
27 officials in other states as required by the federal
28 Interstate Horseracing Act of 1978, 15 U.S.C. § 3001-
29 3007, to televise races for the purpose of conducting
30 pari-mutuel wagering. A licensee may also obtain the
31 permission of a person licensed by the commission to
32 conduct horse or dog races in this state to televise
33 races conducted by that person for the purpose of
34 conducting pari-mutuel racing. However, arrangements
35 made by a licensee to televise any race for the
36 purpose of conducting pari-mutuel wagering are subject
37 to the approval of the commission, and the commission
38 shall select the races to be televised. The races
39 selected by the commission shall be the same for all
40 licensees approved by the commission to televise races
41 for the purpose of conducting pari-mutuel wagering.
42 The commission shall not authorize the simultaneous
43 telecast or televising of and a licensee shall not
44 simultaneously telecast or televise any horse or dog
45 race for the purpose of conducting pari-mutuel
46 wagering unless the simultaneous telecast or
47 televising is done at the racetrack of a licensee that
48 schedules no less than ninety six performances of
49 nine live races each day of the season. For purposes
50 of the taxes imposed under this chapter, races

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1 televised by a licensee for purposes of pari-mutuel
2 wagering shall be treated as if the races were held at
3 the racetrack of the licensee.

4 Sec. 102. Section 99D.11, subsection 6, Code 1993,
5 is amended by adding the following new paragraph:
6 NEW PARAGRAPH. c. The commission shall provide,
7 by rule, for the use and regulation of slot machines
8 at pari-mutuel racetracks licensed under this chapter
9 subject to approval in each affected county by a
10 county-wide referendum. As a part of its regulatory
11 authority, the commission shall require that pari-
12 mutuel racing purses are enhanced from on-site
13 gambling revenues based on negotiations between the
14 horse and dog breeders and the licensees of the

15 racetracks.

16 Sec. 103. Section 99D.11, subsection 7, Code 1993,
17 is amended to read as follows:

18 7. A person under the age of eighteen twenty-one
19 years shall not make a pari-mutuel wager.

20 Sec. 104. Section 99D.24, subsection 2, Code 1993,
21 is amended to read as follows:

22 2. A person knowingly permitting a person under
23 the age of eighteen twenty-one years to make a pari-
24 mutuel wager is guilty of a simple misdemeanor.

25 Sec. 105. Section 99E.18, subsection 2, Code 1993,
26 is amended to read as follows:

27 2. A ticket or share shall not be sold to a person
28 who has not reached the age of eighteen twenty-one.
29 This does not prohibit the lawful purchase of a ticket
30 or share for the purpose of making a gift to a person
31 who has not reached the age of eighteen twenty-one. A
32 licensee or a licensee's employee who knowingly sells
33 or offers to sell a lottery ticket or share to a
34 person who has not reached the age of eighteen twenty-
35 one is guilty of a simple misdemeanor. In addition
36 the license of a licensee shall be suspended. A prize
37 won by a person who has not reached the age of
38 eighteen twenty-one but who purchases a winning ticket
39 or share in violation of this subsection shall be
40 forfeited.

41 Sec. 106. Section 99F.4, subsection 4, Code 1993,
42 is amended to read as follows:

43 4. To regulate the wagering structure for gambling
44 excursions including providing a maximum wager of five
45 dollars per hand or play and maximum loss of two
46 hundred one thousand dollars per individual player per
47 gambling excursion.

48 Sec. 107. Section 99F.4, subsection 17, Code 1993,
49 is amended to read as follows:

50 17. To define the duration of an excursion which

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1 shall be at least three hours during the excursion
2 season. For the off season, the commission shall
3 adopt rules limiting times of admission to excursion
4 gambling boats consistent with maximum loss per player
5 per gambling excursion specified in subsection 4.

6 Sec. 108. Section 99F.4, Code 1993, is amended by
7 adding the following new subsection:

8 NEW SUBSECTION. 23. To regulate passenger
9 admissions to the excursion boats at the time gambling
10 is allowed while the excursion boat is docked during
11 the excursion season and off season.

12 Sec. 109. Section 99F.7, subsection 5, paragraph
13 a, Code 1993, is amended by striking the paragraph and

14 inserting in lieu thereof the following:

15 a. The square footage allowed to be used for
16 gambling activity shall be determined by the
17 commission.

18 Sec. 110. Section 99F.9, subsection 2, Code 1993,
19 is amended to read as follows:

20 2. Licensees shall only allow a maximum wager of
21 five dollars per hand or play and a maximum loss of
22 two hundred one thousand dollars per person during
23 each gambling excursion. However, the commission may
24 adopt rules allowing additional wagers consistent with
25 generally accepted wagering options in the games of
26 twenty-one and dice.

27 Sec. 111. Section 99F.9, subsection 6, Code 1993,
28 is amended to read as follows:

29 6. A person under the age of eighteen twenty-one
30 years shall not make a wager on an excursion gambling
31 boat and shall not be allowed in the area of the
32 excursion boat where gambling is being conducted.
33 However, a person eighteen years of age or older may
34 be employed to work in a gambling area.

35 Sec. 112. Section 99F.15, subsection 2, Code 1993,
36 is amended to read as follows:

37 2. A person knowingly permitting a person under
38 the age of eighteen twenty-one years to make a wager
39 is guilty of a simple misdemeanor.

40 Sec. _____. Sections 100 through 112 of this Act,
41 and this section, being deemed of immediate
42 importance, take effect upon enactment.”

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 49, nays 50.

Amendment H—4402 lost.

Holveck of Polk asked and received unanimous consent to with-
draw amendment H—4401, to amendment H—4397, filed from the
floor by Holveck, Carpenter and Osterberg.

The House resumed consideration of amendment H—4397.

McCoy of Polk asked and received unanimous consent to withdraw
amendment H—4397.

O'Brien of Boone offered the following amendment H—4403 filed
from the floor by him:

H—4403

1 Amend Senate File 425, as amended, passed, and

2 reprinted by the Senate, as follows:

3 1. Page 35, by inserting after line 33 the
4 following:

5 "Sec. _____. REDUCTION IN LIVE HORSE RACES.

6 Notwithstanding section 99D.11, subsection 6,

7 paragraph "b", for the calendar year 1993, there shall

8 be not less than 60 performances of nine live races

9 each day for pari-mutuel horse racetracks."

Garman of Story rose on a point of order that amendment H-4403 was not germane.

The Speaker ruled the point well taken and amendment H-4403 not germane.

O'Brien of Boone moved to suspend the rules to consider amendment H-4403.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 53, nays 45.

The motion prevailed and the rules were suspended.

O'Brien of Boone moved the adoption of amendment H-4403.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 50, nays 50.

Amendment H-4403 lost.

Hanson of Delaware offered the following amendment H-4404 filed from the floor by Hanson of Delaware, Bernau, Osterberg and Corbett, and moved its adoption:

H-4404

1 Amend Senate File 425, as amended, passed, and re-
2 printed by the Senate, as follows:

3 1. Page 3, line 22, by striking the words and
4 figures "subsection 2, Code 1993, is" and inserting
5 the following: "subsections 2 and 7, Code 1993, are".

6 2. Page 4, line 5, by striking the word
7 "eighteen" and inserting the following: "twenty-
8 three".

9 3. Page 4, line 6, by inserting after the word
10 "year" the following: "or was a head of household on
11 December 31 of the base year, as defined in the
12 Internal Revenue Code."

13 4. Page 4, by inserting after line 24 the follow-
14 ing:

15 "7. "Income" means the sum of Iowa net income as
16 defined in section 422.7, plus all of the following to
17 the extent not already included in Iowa net income:
18 Capital gains, alimony, child support money, cash
19 public assistance and relief, except property tax
20 relief granted under this division, amount of in-kind
21 assistance for housing expenses, the gross amount of
22 any pension or annuity, including but not limited to
23 railroad retirement benefits, all payments received
24 under the federal social security Act, and all
25 military retirement and veterans' disability pensions,
26 interest received from the state or federal government
27 or any of its instrumentalities, workers' compensation
28 and the gross amount of disability income or "loss of
29 time" insurance. "Income" does not include gifts from
30 nongovernmental sources, or surplus foods or other
31 relief in kind supplied by a governmental agency. In
32 determining income net operating losses and net
33 capital losses shall not be considered."

Amendment H—4404 was adopted.

Halvorson of Webster asked and received unanimous consent to withdraw amendment H—4398 filed from the floor by him and Fallon of Polk.

Corbett 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. 425)

The ayes were, 52:

Beaman	Blodgett	Boddicker	Branstad
Brauns	Brunkhorst	Carpenter	Churchill
Corbett	Daggett	Dinkla	Drake
Eddie	Fogarty	Garman	Gipp
Greig	Greiner	Gries	Grundberg
Hahn	Halvorson, R. A.	Hanson, D. E.	Hanson, D. R.
Harper	Hester	Houser	Hurley
Kistler	Klemme	Koenigs	Larson
May	McNeal	Metcalf	Meyer
Millage	Miller	Mundie	Plasier
Rafferty	Rants	Renken	Royer
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Welter	Mr. Speaker
			Van Maanen

The nays were, 46:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cohoon	Connors	Dickinson
Doderer	Dvorsky	Ertl	Fallon
Gill	Grubbs	Halvorson, R. N.	Hammond
Hansen, S. D.	Haverland	Henderson	Holveck
Iverson	Jochum	Kreiman	Larkin
Lundby	Martin	McCoy	McKinney
Mertz	Moreland	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Peterson
Renaud	Running	Schrader	Weigel
Wise	Witt		

Absent or not voting, 2:

Cataldo Osterberg

Under the provision of Rule 76, conflict of interest, Cataldo of Polk refrained from voting.

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 425** be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 1, 1993, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 319, a bill for an act relating to the development and delivery of a summary of the procedures and rights involved in a civil commitment proceeding to a person who applies for the involuntary commitment of another.

Also: That the Senate has on May 1, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 652, a bill for an act relating to the office of secretary of state, the conduct of elections and voter registration in the state, and relating to corrective and technical changes to Iowa's election laws, providing an effective date, and providing penalties.

Also: That the Senate has on May 1, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 666, a bill for an act relating to the requirement for filing a state individual income tax return and providing a retroactive applicability date provision.

Also: That the Senate has on May 1, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 675, a bill for an act relating to the regulation of milk and milk products.

Also: That the Senate has on May 1, 1993, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 27, a concurrent resolution recognizing the Iowa Quality Coalition and declaring support for the establishment of an Iowa Quality Award to eligible organizations engaged in business, industry, labor, education, government, and service delivery.

Also: That the Senate has on May 1, 1993, adopted the conference committee report and passed Senate File 11, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, and providing for tax exemptions on facilities within such zones.

Also: That the Senate has on May 1, 1993, adopted the second conference committee report and passed Senate File 266, a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates.

Also: That the Senate has on May 1, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 422, a bill for an act relating to the compensation and benefits for public officials and employees and making appropriations.

JOHN F. DWYER, Secretary

**ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 11)**

Eddie of Buena Vista called up for consideration the report of the conference committee on Senate File 11 and moved the adoption of the conference committee report and the amendments contained therein as follows:

**REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 11**

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 11, a bill for an act providing for the establishment of agricultural enterprise zones, restricting nuisance suits, and providing for tax exemptions on facilities within such zones, respectfully make the following report:

1. That the House recedes from its amendment, S-3529.

2. That Senate File 11, as amended, passed, and reprinted by the Senate, is amended as follows:

1. By striking everything after the enacting clause and inserting the following:

"Section 1. Section 352.2, subsection 6, Code 1993, is amended to read as follows:

6. "Farm operation" means a condition or activity which occurs on a farm in connection with the production of farm products and includes but is not limited to the raising, harvesting, drying, or storage of crops; the care or feeding of livestock; the handling or transportation of crops or livestock; the treatment or disposal of wastes resulting from livestock; the marketing of products at roadside stands or farm markets; the creation of noise, odor, dust, or fumes; the operation of machinery and irrigation pumps; ground and aerial seeding and spraying; the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides; and the employment and use of labor.

Sec. 2. Section 352.2, Code 1993, is amended by adding the following new subsection:

NEW SUBSECTION. 7A. "Livestock" means the same as defined in section 267.1.

Sec. 3. Section 352.6, unnumbered paragraph 1, Code 1993, is amended to read as follows:

An owner of farmland may submit a proposal to the county board for the creation or expansion of an agricultural area within the county. An agricultural area, at its creation, shall include at least five three hundred acres of farmland, however, a smaller area may be created if the farmland is adjacent to farmland subject to an agricultural land preservation ordinance pursuant to section 335.27 or adjacent to land located within an existing agricultural area. The proposal shall include a description of the proposed area to be created or expanded, including its boundaries. The territory shall be as compact and as nearly adjacent as feasible. Land shall not be included in an agricultural area without the consent of the owner. Agricultural areas shall not exist within the corporate limits of the a city. The county board may consult with the department of natural resources when creating or expanding an agricultural area contiguous to a location which is under the direct supervision of the department, including a state park, state preserve, state recreation area, or sovereign lake. Agricultural areas may be created in a county which has adopted zoning ordinances. Except as provided in this section, the use of the land in agricultural areas is limited to farm operations.

Sec. 4. Section 352.7, subsection 1, Code 1993, is amended to read as follows:

1. Within thirty days of receipt of a proposal for to create or expand an agricultural area which meets the statutory requirements, the county board shall provide notice of the proposal by publishing notice in a newspaper of general circulation in the county. Within forty-five days after receipt of the proposal, the county board shall hold a public hearing on the proposal.

Sec. 5. Section 352.8, Code 1993, is amended to read as follows:

352.8 REQUIREMENT THAT DESCRIPTION OF AGRICULTURAL AREAS BE FILED WITH THE COUNTY AUDITOR AND COUNTY RECORDER.

Upon the creation or expansion of an agricultural area, its description shall be filed by the county board with the county auditor and placed on record in with the office of the recording officer in the county recorder.

Sec. 6. Section 352.9, unnumbered paragraph 2, Code 1993, is amended to read as follows:

The board shall cause the description of that agricultural area filed with the county auditor and recorded with recording officer in the county recorder to be modified to reflect any withdrawal. Withdrawal shall be effective on the date of recording. The agricultural area from which the land is withdrawn shall continue in existence even if smaller than five three hundred acres after withdrawal.

Sec. 7. Section 352.11, subsection 1, Code 1993, is amended to read as follows:

1. NUISANCE RESTRICTION.

a. A farm or farm operation located in an agricultural area shall not be found to be a nuisance regardless of the established date of operation or expansion of the agricultural activities of the farm or farm operation. The subsection This paragraph shall apply to a farm operation conducted within an agricultural area for six years following the exclusion of land within an agricultural area other than by withdrawal as provided in section 352.9.

b. Paragraph "a" does not apply to a nuisance which is the result of a farm operation determined to be in violation of a federal statute or regulation or state statute or rule. Paragraph "a" does not apply if the nuisance results from the negligent operation of the farm or farm operation. This subsection Paragraph "a" does not apply to actions or proceedings arising from injury or damage to a person or property caused by the farm or a farm operation before the creation of the agricultural area. This subsection Paragraph "a" does not affect or defeat the right of a person to recover damages for an injury or damage sustained by the person because of the pollution or change in condition of the waters of a stream, the overflowing of the person's land, or excessive soil erosion onto another person's land, unless the injury or damage is caused by an act of God.

c. A person shall not bring an action or proceeding based on a claim of nuisance arising from a farm operation unless the person proceeds with mediation as provided in chapter 654B.

d. If a defendant is a prevailing party in an action or proceeding based on a claim of nuisance and arising from a farm operation conducted on farmland within an agricultural area, the plaintiff shall pay court costs and reasonable attorney fees incurred by the defendant, if the court determines that the claim is frivolous."

2. Title page, by striking lines 1 through 3 and inserting the following: "An Act relating to agricultural areas."

ON THE PART OF THE HOUSE:

RUSSELL EDDIE, Chair
JOHN GREIG
DEO KOENIGS
RICHARD VANDE HOEF
KEITH WEIGEL

ON THE PART OF THE SENATE:

BERL E. PRIEBE, Chair
BRAD BANKS
MERLIN E. BARTZ
EMIL J. HUSAK
WILLIAM D. PALMER

The motion prevailed and the conference committee report was adopted.

Eddie 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. 11)

The ayes were, 82:

Arnould	Baker	Beaman	Bell
Bernau	Black	Blodgett	Boddicker
Brammer	Brand	Branstad	Brauns
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cohoon	Corbett	Daggett
Dickinson	Dinkla	Drake	Eddie
Ertl	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Haverland	Henderson	Hester	Holveck
Houser	Hurley	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Martin	May	McCoy	McKinney
Mertz	Metcalf	Meyer	Millage
Miller	Mundie	Nelson	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renken	Royer
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Weigel	Welter	Wise
Witt	Mr. Speaker		
	Van Maanen		

The nays were, 18:

Beatty	Connors	Doderer	Dvorsky
Fallon	Halvorson, R. N.	Harper	Iverson
Jochum	Lundby	McNeal	Moreland
Murphy	Neuhauser	Renaud	Running
Schrader	Shoultz		

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.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 11** be immediately messaged to the Senate.

SENATE FILE 413 REREFERRED

Siegrist of Pottawattamie asked and received unanimous consent that Senate File 413, referred to the committee on ways and means, be rereferred to the committee on appropriations.

ADOPTION OF THE REPORT OF THE SECOND CONFERENCE COMMITTEE (Senate File 266)

Hanson of Black Hawk called up for consideration the report of the second conference committee on Senate File 266 and moved the adoption of the conference committee report and the amendments contained therein as follows:

REPORT OF THE SECOND CONFERENCE COMMITTEE ON SENATE FILE 266

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 266, a bill for an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of licensing and regulation, department of alcoholic beverages, department of banking, department of credit unions, department of insurance, department of utilities, and the racing and gaming commission and providing effective dates, respectfully make the following report:

1. That the House recedes from its amendment, S-3486.

2. That Senate File 266, as amended, passed, and reprinted by the Senate, is amended as follows:

1. Page 1, line 28, by striking the word "For" and inserting the following: "1. For".

2. Page 1, line 33, by striking the word "section" and inserting the following: "subsection".

3. Page 1, by inserting after line 35 the following:

"2. For the costs associated with the addition of an additional member to the Iowa ethics campaign disclosure board established in House File 144, if enacted by the general assembly during the 1993 regular session:

..... \$ 2,000

3. For salary, support, maintenance, and for not more than one full-time equivalent position to be used to employ an attorney for the Iowa ethics campaign disclosure board established in House File 144, if enacted by the general assembly during the 1993 regular session:

..... \$ 42,400

4. For salary, support, maintenance, and for not more than one full-time equivalent position to be used to employ an administrative assistant II for the Iowa ethics campaign disclosure board established in House File 144, if enacted by the general assembly during the 1993 regular session:

..... \$ 38,400

5. For necessary equipment to be purchased by the Iowa ethics campaign disclosure board established in House File 144, if enacted by the general assembly during the 1993 regular session:

..... \$ 38,150".

4. Page 7, by inserting after line 11, the following:

" ____ . STATE FOSTER CARE REVIEW BOARD.

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 133,849

..... FTEs 4.00

It is the intent of the general assembly that the state citizen foster care review board, in conjunction with the department of human services and the judicial department, develop a proposal for the establishment of one statewide foster care review system which provides for citizen involvement. The proposal shall include procedural protocols and outcome measures for evaluation purposes. The proposal shall be submitted to the legislative council and the department of management on or before December 1, 1993. Pilot projects under the proposal may be implemented during the fiscal year beginning July 1, 1993, and ending June 30, 1994, if the pilot projects can be funded within budget limitations."

5. Page 8, lines 28 and 29, by striking the words "PROFESSIONAL LICENSING AND REGULATION" and inserting the following: "COMMERCE".

6. Page 8, lines 30 and 31, by striking the words "professional licensing and regulation" and inserting the following: "commerce".

7. Page 8, by inserting after line 33 the following:

"1. PROFESSIONAL LICENSING AND REGULATION DIVISION
a."

8. Page 9, line 2, by striking the figure "864,687" and inserting the following: "889,687".

9. Page 9, line 3, by striking the figure "13.00" and inserting the following: "14.00".

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

"b. There is appropriated from the title guaranty fund created in section 16.91 to the professional licensing and regulation division, an amount up to \$25,000, to be used to pay half the cost of employing an auditor for real estate broker trust accounts. In addition to the amount appropriated in this paragraph, the commission may increase the license fees provided for in section 543B.27 in an amount sufficient to pay half the cost of employing an auditor for real estate broker trust accounts."

11. Page 9, by striking lines 4 through 9 and inserting the following:

"2. ADMINISTRATIVE SERVICES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	105,080
.....	FTEs	2.00

It is the intent of the general assembly that the two positions authorized in this subsection for the division shall coordinate the administrative services to be provided to the divisions in the department. These two positions are under the direct supervision of, and shall report to, the director of the department.

3. ALCOHOLIC BEVERAGES DIVISION".

12. Page 9, by striking lines 15 through 19 and inserting the following:

"4. BANKING DIVISION".

13. Page 9, line 25, by striking the words "department of banking" and inserting the following: "banking division".

14. Page 9, line 32, by striking the word "department" and inserting the following: "division".

15. Page 10, line 3, by striking the word "department's" and inserting the following: "division's".

16. Page 10, line 4, by striking the words "department must" and inserting the following: "division must".

17. Page 10, by striking lines 8 through 12 and inserting the following:

"5. CREDIT UNION DIVISION".

18. Page 10, line 18, by striking the words "department of credit unions" and inserting the following: "credit union division".

19. Page 10, line 26, by striking the word "department" and inserting the following: "division".

20. Page 10, line 31, by striking the word "department's" and inserting the following: "division's".

21. Page 10, line 32, by striking the word "department" and inserting the following: "division".

22. Page 11, by striking lines 2 through 6 and inserting the following:

"6. INSURANCE DIVISION".

23. Page 11, line 10, by striking the figure "4,667,435" and inserting the following: "2,707,415".

24. Page 11, line 11, by striking the figure "86.00" and inserting the following: "85.00".

25. Page 11, line 12, by striking the words "department of insurance" and inserting the following: "insurance division".

26. Page 11, lines 14 and 15, by striking the words "department of insurance" and inserting the following: "insurance division".

27. Page 11, line 19, by striking the word "department" and inserting the following: "division".

28. Page 11, by striking lines 27 through 31 and inserting the following:

"7. UTILITIES DIVISION".

29. Page 11, line 35, by striking the figure "4,875,945" and inserting the following: "4,830,885".

30. Page 12, line 1, by striking the figure "78.00" and inserting the following: "77.00".

31. Page 12, line 2, by striking the words "department of utilities" and inserting the following: "utilities division".

32. Page 12, line 5, by striking the word "department" and inserting the following: "division".

33. Page 12, line 11, by striking the word "department" and inserting the following: "division".

34. Page 12, line 12, by striking the word "department" and inserting the following: "division".

35. Page 12, line 14, by striking the words "the department" and inserting the following: "the division".

36. By striking page 13, line 18 through page 17, line 32 and inserting the following:

"Sec. 101. Section 13B.4, subsection 7, Code 1993, is amended to read as follows:

7. The state public defender shall adopt rules pursuant to chapter 17A, as necessary, to administer this chapter and section 815.9.

Sec. 102. Section 13B.10, subsection 2, Code 1993, is amended to read as follows:

2. A determination of indigence shall not be made except upon the basis of information contained in a detailed financial statement submitted by the person or by the person's parent, guardian, or custodian. The financial statement shall be in the form prescribed by the department state public defender. If a person is determined to be indigent and given legal assistance, the financial statement shall be filed in the person's court file and with the department state public defender. A defendant who is employed shall execute a wage assignment for indigent defense costs to be paid as a precondition for appointment of counsel.

Sec. ____ . Section 237.23, Code 1993, is amended to read as follows:

237.23 AUTOMATIC REPEAL.

Sections 237.15 through 237.22, and this section, are repealed July 1, 1996 1994.

Sec. ____ . Section 534.102, subsection 28, Code 1993, is amended to read as follows:

28. "Superintendent" means the superintendent of savings and loan associations who is the director of the department of commerce auditor of state.

Sec. _____. Section 543B.46, subsections 6 and 7, Code 1993, are amended to read as follows:

6. The commission will verify on a test basis, a random sampling of the brokers, corporations, and partnerships for their trust account compliance as a condition of licensure renewal. Each broker, corporation, and partnership shall submit a special report or audit of their trust account to the commission when required.

The special report or audit shall be submitted with the filed renewal application or at such other time as the commission may direct. In addition, the The commission may upon reasonable cause, or as a part of or after an investigation, request or order an audit or special report. All audits and special reports addressed in this section shall be conducted at the expense of the broker by a certified public accountant.

7. The examination of a trust account shall have been be conducted within the twelve months immediately preceding expiration of the license or at such other times as directed by the commission or the commission's authorized representative. The report shall be in the approved form and shall include, but is not limited to, a list of all trust account numbers examined and their location and statement indicating if the broker's trust accounts are maintained in accordance with this chapter and the rules adopted for this chapter.

Sec. _____. Section 546.2, subsection 2, Code 1993, is amended to read as follows:

2. The chief administrative officer of the department is the director. The director shall be appointed annually by the governor, subject to the confirmation of the senate, and shall serve at the pleasure of the governor from among those individuals who serve as heads of the divisions within the department. The appointment shall rotate among the division heads such that the division head of any one division shall not be appointed to be the director for a second year until such time as each division head has served as the director. A division head appointed to be the director shall fulfill the responsibilities and duties of the director in addition to the individual's responsibilities and duties as the head of a division. The director is subject to reconfirmation after four years in office. The director shall be appointed on the basis of executive and administrative abilities but shall not have been an officer or employee of any bank, credit union, savings and loan association, or insurance company. The salary shall be fixed by the governor within a range established by the general assembly. However, the administrator of the alcoholic beverages division shall serve as director until June 30, 1995.

37. Page 18, line 21, by inserting after the word "below" the following: "one hundred fifty percent of".

38. Page 18, by striking lines 24 through 26 and inserting the following:

"b. A person is not indigent if the person has an income level greater than one hundred fifty percent of the United States poverty".

39. Page 18, by inserting after line 29 the following:

"c. A person with an income level greater than one hundred fifty percent of the most recently revised poverty income guidelines published by the United States department of health and human services may be deemed partially indigent by the court pursuant to a written finding that, given the person's circumstances, not appointing counsel at public expense would cause the person substantial hardship. However, the court

shall require a person deemed partially indigent to contribute to the cost of representation in accordance with rules adopted by the state public defender."

40. Page 19, by striking line 3 and inserting the following: "The state public defender shall adopt rules".

41. Page 19, line 4, by inserting after the word "statement" the following: "and the criteria by".

42. Page 19, line 5, by striking the word "upon".

43. Page 19, by striking lines 10 through 18.

44. Page 19, by striking lines 29 and 30 and inserting the following: "guidelines, at least one hundred dollars of the indigent defense costs to be recovered in accordance with rules adopted by the state public defender."

45. Page 19, by striking lines 33 through 35 and inserting the following: "percent of the poverty guidelines, at least two hundred dollars of the indigent defense costs shall be recovered in accordance with rules adopted by the state public defender."

46. By striking page 20, line 1 through page 21, line 10.

47. Page 22, by striking line 8.

48. Page 22, by striking line 11 and inserting the following: "upon enactment. Sections 101 and 102, and sections 31 and 32, of this Act take".

49. Title page, by striking lines 7 through 10 and inserting the following: "department of commerce, and the racing and gaming commission, and providing".

50. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

DONALD HANSON, Chair
DAN BODDICKER
CLARK McNEAL

ON THE PART OF THE SENATE:

TOM VILSACK, Chair
TONY BISIGNANO
JACK RIFE
HARRY SLIFE
JOE WELSH

The motion prevailed and the conference committee report was adopted.

Hanson 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.

Rule 75 was invoked.

On the question "Shall the bill pass?" (S.F. 266)

The ayes were, 53:

Beaman
Brauns
Corbett

Blodgett
Brunkhorst
Daggett

Boddicker
Carpenter
Dinkla

Branstad
Churchill
Drake

Eddie	Ertl	Garman	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hanson, D. E.	Hanson, D. R.	Hester	Holveck
Houser	Hurley	Iverson	Kistler
Klemme	Larson	Lundby	Martin
McNeal	Metcalf	Meyer	Millage
Miller	Osterberg	Rafferty	Rants
Renken	Royer	Siegrist	Spenner
Tyrrell	Vande Hoef	Weidman	Welter
Mr. Speaker			
Van Maanen			

The nays were, 47:

Arnould	Baker	Beatty	Bell
Bernau	Black	Brammer	Brand
Burke	Cataldo	Cohoon	Connors
Dickinson	Doderer	Dvorsky	Fallon
Fogarty	Gill	Hammond	Hansen, S. D.
Harper	Haverland	Henderson	Jochum
Koenigs	Kreiman	Larkin	May
McCoy	McKinney	Mertz	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Peterson	Plasier
Renaud	Running	Schrader	Shultz
Weigel	Wise	Witt	

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.

IMMEDIATE MESSAGE

Garman of Story asked and received unanimous consent that **Senate File 266** be immediately messaged to the Senate.

Unfinished Business Calendar

The House resumed consideration of **Senate File 342**, a bill for an act relating to domestic abuse, expanding the definition of domestic abuse, and providing penalties, previously deferred and placed on the unfinished business calendar.

Hurley of Fayette offered the following amendment H—3761 filed by the committee on judiciary and law enforcement:

H—3761

- 1 Amend Senate File 342, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 13 through 15.

4 2. Page 1, by inserting before line 16, the
5 following:
6 "Sec. _____. Section 236.2, subsection 4, Code 1993,
7 is amended to read as follows:

8 4. "Family or household members" means spouses,
9 persons cohabiting residing together, parents, or
10 other persons related by consanguinity or affinity,
11 except children under eighteen."

12 3. Page 1, by striking lines 16 through 22:

13 4. Page 1, by striking lines 23 through 27.

14 5. Page 1, by inserting before line 28, the
15 following:

16 "Sec. _____. NEW SECTION. 236.3B ASSISTANCE BY
17 COUNTY ATTORNEY.

18 A county attorney's office may provide assistance
19 to a person wishing to initiate proceedings pursuant
20 to this chapter or to a plaintiff at any stage of a
21 proceeding under this chapter, if the individual does
22 not have sufficient funds to pay for legal assistance
23 and if the assistance does not create a conflict of
24 interest for the county attorney's office. The
25 assistance provided may include, but is not limited
26 to, assistance in obtaining or completing forms,
27 filing a petition or other necessary pleading,
28 presenting evidence to the court, and enforcing the
29 orders of the court entered pursuant to this chapter.
30 Providing assistance pursuant to this section shall
31 not be considered the private practice of law for the
32 purposes of section 331.752."

33 6. Page 1, line 30, by striking the words "Within
34 ten" and inserting the following: "Within ten Not
35 less than five and not more than".

36 7. By striking page 1, line 34, through page 2,
37 line 2.

38 8. Page 2, by inserting before line 3, the
39 following:

40 "Sec. _____. Section 236.5, subsection 4, Code 1993,
41 is amended to read as follows:

42 4. A certified copy of any order or approved
43 consent agreement shall be issued to the plaintiff,
44 the defendant and the county sheriff having
45 jurisdiction to enforce the order or consent
46 agreement, and the twenty-four hour dispatcher for the
47 county sheriff. Any subsequent amendment or
48 revocation of an order or consent agreement shall be
49 forwarded by the clerk to all individuals and the
50 county sheriff previously notified. The clerk shall

Page 2

1 notify the county sheriff and the twenty-four hour
2 dispatcher for the county sheriff in writing so that

3 the county sheriff and the county sheriff's dispatcher
4 receive written notice within six hours of filing the
5 order, approved consent agreement, amendment, or
6 revocation. The clerk may fulfill this requirement by
7 sending the notice by facsimile or other electronic
8 transmission which reproduces the notice in writing
9 within six hours of filing the order. The county
10 sheriff's dispatcher shall notify all law enforcement
11 agencies having jurisdiction over the matter and the
12 twenty-four hour dispatcher for the law enforcement
13 agencies upon notification by the clerk. The clerk
14 shall send or deliver a written copy of any such
15 document to the law enforcement agencies and the
16 twenty-four hour dispatcher within twenty-four hours
17 of filing the document."

18 9. Page 2, by striking lines 3 through 16.

19 10. Page 2, by inserting before line 17, the
20 following:

21 "Sec. _____. Section 236.8, Code 1993, is amended to
22 read as follows:

23 236.8 CONTEMPT.

24 The court may hold a party in contempt for a
25 violation of an order or court-approved consent
26 agreement entered under this chapter, for violation of
27 a temporary or permanent protective order or order to
28 vacate the homestead under chapter 598, or for
29 violation of any order that establishes conditions of
30 release or is a protective order or sentencing order
31 in a criminal prosecution arising from a domestic
32 abuse assault. If held in contempt, the defendant
33 shall serve a jail sentence. Any jail sentence of
34 more than one day imposed under this section shall be
35 served on consecutive days.

36 A hearing in a contempt proceeding brought pursuant
37 to this section shall be held not less than five and
38 not more than fifteen days after the issuance of a
39 rule to show cause, as set by the court."

40 11. Page 2, line 23, by striking the word "three"
41 and inserting the following: "~~three~~ five".

42 12. Page 2, line 30, by inserting after the word
43 "proceedings." the following: "A hearing in a
44 contempt proceeding brought pursuant to this section
45 shall be held not less than five and not more than
46 fifteen days after the issuance of a rule to show
47 cause, as set by the court."

48 13. Page 3, line 1, by inserting after the word
49 "judgment" the following: "deferred sentence, or
50 suspended sentence".

Page 3

1 14. Page 3, by inserting after line 4, the

2 following:

3 "Sec. _____. Section 236.14, Code 1993, is amended
4 by adding the following new subsection:

5 NEW SUBSECTION. 3. This section shall not be
6 construed to limit a pretrial release order issued
7 pursuant to chapter 811."

8 15. Page 3, by striking lines 5 through 26.

9 16. Page 4, by inserting after line 13, the
10 following:

11 "Sec. _____. Section 811.2, subsection 1, paragraph
12 e, Code 1993, is amended to read as follows:

13 e. Impose any other condition deemed reasonably
14 necessary to assure appearance as required, or the
15 safety of another person or persons including a
16 condition requiring that the defendant return to
17 custody after specified hours, or a condition that the
18 defendant have no contact with the victim or other
19 persons specified by the court."

20 17. Page 4, by striking line 17 and inserting the
21 following: "pursuant to section 236.8 or".

22 18. Page 4, by striking lines 32 through 34, and
23 inserting the following: "addition, the court shall
24 not defer a sentence if it is imposed for contempt
25 pursuant to section 236.8 or 236.14. Upon a showing
26 that the defendant is not".

27 19. Page 5, by striking lines 16 and 17 and
28 inserting the following: "not suspend a sentence
29 imposed pursuant to section 236.8 or 236.14 for
30 contempt."

31 20. Title page, line 2, by inserting after the
32 word "abuse," the following: "adding no-contact
33 provisions to pretrial release conditions,".

34 21. By renumbering as necessary.

Doderer of Johnson offered the following amendment H—4389,
to the committee amendment H—3761, filed by her from the floor and
moved its adoption:

H—4389

1 Amend the amendment, H—3761, to Senate File 342, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking line 3 and inserting the
5 following:

6 "_____. Page 1, line 14, by striking the words "two
7 years" and inserting the following: "year"."

8 2. Page 1, by striking lines 4 through 11.

9 3. By renumbering as necessary.

Amendment H—4389 was adopted.

Lundby of Linn in the chair at 8:34 p.m.

On motion by Hurley of Fayette the committee amendment H—3761, as amended, was adopted.

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

On the question "Shall the bill pass?" (S.F. 342)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataldo	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Van Maanen, Spkr.	Weidman	Weigel	Welter
Wise	Witt	Lundby	
		Presiding	

The nays were, 1:

Millage

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.

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **Senate File 342** be immediately messaged to the Senate.

SENATE AMENDMENTS CONSIDERED

The House resumed consideration of **House File 644**, a bill for an act extending upgrade dates and insurance premiums and requiring a noncompliance surcharge for underground storage tanks, previously deferred and the Senate amendment H—4258 (found on pages 1813 and 1814 of the House Journal) pending.

Rafferty of Scott offered the following amendment H—4355, to the Senate amendment H—4258, filed by Rafferty and moved its adoption:

H—4355

1 Amend the Senate amendment, H—4258, to House File
2 644, as passed by the House, as follows:

3 1. Page 1, by inserting after line 4 the
4 following:

5 "Sec. _____. Section 455G.4, subsection 3, Code
6 1993, is amended by adding the following new
7 paragraph:

8 **NEW PARAGRAPH.** g. The board shall adopt rules
9 relating to appeal procedures which shall require the
10 administrator to deliver notice of appeal to the
11 affected parties within fifteen days of receipt of
12 notice, require that the hearing be held within one
13 hundred eighty days of the filing of the petition
14 unless good cause is shown for the delay, and require
15 that a final decision be issued no later than one
16 hundred twenty days following the close of the
17 hearing. The time restrictions in this paragraph may
18 be waived by mutual agreement of the parties.

19 Sec. _____. Section 455G.9, subsection 1, paragraph
20 a, subparagraph (3), unnumbered paragraph 1, Code
21 1993, is amended to read as follows:

22 Corrective action for an eligible release reported
23 to the department of natural resources on or after
24 January 1, 1985 1984, but prior to July 1, 1987.
25 Third-party liability is specifically excluded from
26 remedial account coverage. For a claim for a release
27 for a small business under this subparagraph, the
28 remedial program shall pay in accordance with
29 subsection 4. For all other claims under this
30 subparagraph, the remedial program shall pay the
31 lesser of fifty thousand dollars of the total costs of
32 corrective action for that release or total corrective
33 action costs for that release as determined under
34 subsection 4. For a release to be eligible for
35 coverage under this subparagraph the following
36 conditions must be satisfied:

37 Sec. _____. Section 455G.9, subsection 1, paragraph

- 38 g. Code 1993, is amended to read as follows:
 39 g. Corrective action for the costs of a release
 40 under all of the following conditions:
 41 (1) The property upon which the tank causing the
 42 release was situated was transferred by inheritance,
 43 devise, or bequest.
 44 (2) The property upon which the tank causing the
 45 release was situated has not been used to store or
 46 dispense petroleum since January 1, 1974 December 31,
 47 1975.
 48 (3) The person who received the property by
 49 inheritance, devise, or bequest was not the owner of
 50 the property during the period of time when the

Page 2

- 1 release which is the subject of the corrective action
 2 occurred.
 3 (4) The release was reported to the board by July
 4 1, 1991 October 26, 1991.
 5 Corrective action costs and copayment amounts under
 6 this paragraph shall be paid in accordance with
 7 subsection 4.
 8 A person requesting benefits under this paragraph
 9 may establish that the conditions of subparagraphs
 10 (1), (2), and (3) are met through the use of
 11 supporting documents, including a personal affidavit.”
 12 2. Page 1, line 8, by striking the word
 13 “Corrective” and inserting the following:
 14 “Notwithstanding section 455G.1, subsection 2,
 15 corrective”.
 16 3. Page 1, line 19, by inserting after the word
 17 “property” the following: “and the applicant must not
 18 be a financial institution”.
 19 4. Page 1, by inserting after line 33 the
 20 following:
 21 “_____. Page 4, by inserting after line 8 the
 22 following:
 23 “Sec. _____. Section 455G.18, subsection 1, Code
 24 1993, is amended to read as follows:
 25 1. The department of natural resources shall adopt
 26 rules pursuant to chapter 17A requiring that
 27 groundwater professionals register with the department
 28 of natural resources. The rules shall include
 29 provisions for suspension or revocation of
 30 registration for good cause.”
 31 5. Page 1, by striking lines 34 through 39 and
 32 inserting the following:
 33 “_____. Title page, by striking lines 1 through 3
 34 and inserting the following: “An Act relating to
 35 underground storage tanks and providing penalties.””
 36 6. By renumbering as necessary.

Amendment H—4355 was adopted.

Fallon of Polk asked and received unanimous consent to withdraw the following amendments filed by him on April 29, 1993: H—4334 and H—4335.

On motion by Rafferty of Scott, the House concurred in the Senate amendment H—4258, as amended.

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

On the question "Shall the bill pass?" (H.F. 644)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Branstad	Brauns
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cohoon	Connors	Corbett
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Van Maanen, Spkr.	Weidman	Weigel	Welter
Wise	Witt	Lundby	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Brand

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 644** be immediately messaged to the Senate.

Carpenter of Polk called up for consideration **House File 576**, a bill for an act relating to the procedures of and requirements enforced by the campaign finance disclosure commission; changing filing and other procedural requirements placed on candidates and political committees; changing the procedures for the hearing of complaints before the commission; and providing for administrative penalties and judicial review, amended by the Senate and moved that the House concur in the following Senate amendment H—4365:

H—4365

- 1 Amend House File 576, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by striking lines 1 through 6 and
- 4 inserting the following:
- 5 "Section 1. Section 56.2, subsection 4, Code 1993,
- 6 is amended to read as follows:
- 7 4. "Candidate's committee" means the committee
- 8 designated by the candidate for a state, county, city,
- 9 or school office to receive contributions in excess of
- 10 five hundred dollars in the aggregate, expend funds in
- 11 excess of five hundred dollars in the aggregate, or
- 12 incur indebtedness on behalf of the candidate in
- 13 excess of five hundred dollars in the aggregate as
- 14 follows:
- 15 a. For federal, state, or county office, in excess
- 16 of two hundred fifty dollars in any calendar year on
- 17 behalf of the candidate.
- 18 b. For city or school office, in excess of five
- 19 hundred dollars in any calendar year on behalf of the
- 20 candidate."
- 21 2. Page 3, line 34, by striking the words "two
- 22 hundred fifty" and inserting the following: "five
- 23 hundred".
- 24 3. Page 3, line 35, by striking the words "two
- 25 hundred fifty" and inserting the following: "five
- 26 hundred".
- 27 4. Page 4, lines 1 and 2, by striking the words
- 28 "two hundred fifty" and inserting the following: "two
- 29 hundred fifty five hundred".
- 30 5. Page 4, line 4, by striking the words "or
- 31 ballot issue" and inserting the following: "or ballot
- 32 issue".
- 33 6. Page 4, by striking line 5 and inserting the
- 34 following: "to ballot issues, a two hundred fifty

35 dollar".

36 7. Page 4, lines 6 and 7, by striking the words
37 "two hundred fifty" and inserting the following:
38 "five hundred".

39 8. Page 5, line 6, by striking the words "or
40 county" and inserting the following: "or county,
41 city, or school".

42 9. Page 5, line 9, by striking the words "two
43 hundred fifty" and inserting the following: "five
44 hundred".

45 10. Page 5, line 10, by striking the words "two
46 hundred fifty" and inserting the following: "five
47 hundred".

48 11. Page 5, by striking lines 13 through 19 and
49 inserting the following:

50 "Each candidate for city or school office shall

Page 2

1 organize one, and only one, candidate's committee for
2 a specific office sought when the candidate receives
3 contributions, makes expenditures, or incurs
4 indebtedness in excess of five hundred dollars in a
5 calendar year."

6 12. Page 7, line 2, by striking the words "or
7 corporation" and inserting the following: "or
8 organization".

9 13. By striking page 7, line 5, through page 14,
10 line 18.

11 14. Page 15, line 6, by striking the word
12 "legislative".

13 15. Page 15, line 8, by inserting after the word
14 "expenses" the following: "or personal benefit".

15 16. Title page, line 2, by striking the word
16 "commission;" and inserting the following:
17 "commission and".

18 17. Title page, by striking lines 4 through 6,
19 and inserting the following: "political committees."

20 18. By renumbering, relettering, or redesignating
21 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H—4365.

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

On the question "Shall the bill pass?" (H.F. 576)

The ayes were, 99:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett
Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Cataido	Churchill	Cohoon	Connors
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Fallon	Fogarty	Garman
Gill	Gipp	Greig	Greiner
Gries	Grubbs	Grundberg	Hahn
Halvorson, R. A.	Halvorson, R. N.	Hammond	Hansen, S. D.
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Koenigs	Kreiman	Larkin
Larson	Martin	May	McCoy
McKinney	McNeal	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Van Maanen, Spkr.	Weidman	Weigel	Welter
Wise	Witt	Lundby	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Mertz

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 576** be immediately messaged to the Senate.

Rafferty of Scott called up for consideration **House File 331**, a bill for an act authorizing compliance with federal air quality regulations and creating penalties, amended by the Senate amendment H-4360 as follows:

H-4360

- 1 Amend House File 331, as passed by the House, as
- 2 follows:
- 3 1. By striking page 3, line 18 through page 4,
- 4 line 30 and inserting the following:

5 "1. A person who knowingly violates any provision
6 of division II of this chapter, any permit, rule,
7 standard, or order issued under division II of this
8 chapter, or any condition or limitation included in
9 any permit issued under division II of this chapter,
10 is guilty of an aggravated misdemeanor. A conviction
11 for a violation is punishable by a fine of not more
12 than ten thousand dollars for each day of violation or
13 by imprisonment for not more than two years, or both.
14 If the conviction is for a second or subsequent
15 violation committed by a person under this section,
16 however, the conviction is punishable by a fine of not
17 more than twenty thousand dollars for each day of
18 violation or by imprisonment for not more than four
19 years, or by both.

20 2. a. A person who knowingly makes any false
21 statement, representation, or certification of any
22 application, record, report, plan, or other document
23 filed or required to be maintained under division II
24 of this chapter, or by any permit, rule, standard, or
25 order issued under division II of this chapter or who
26 falsifies, tampers with, or knowingly renders
27 inaccurate any monitoring device or method required to
28 be maintained under division II of this chapter, or by
29 any permit, rule, standard, or order issued under
30 division II of this chapter, or who knowingly fails to
31 notify or report as required by division II of this
32 chapter or by any permit, rule, standard, or order
33 issued under division II of this chapter, or by any
34 condition or limitation included in any permit issued
35 under division II of this chapter, is guilty of an
36 aggravated misdemeanor punishable by a fine of not
37 more than ten thousand dollars per day per violation
38 or by imprisonment for not more than one year, or by
39 both. If the conviction is for a second or subsequent
40 violation committed by a person under this paragraph,
41 however, the conviction is punishable by a fine of not
42 more than twenty thousand dollars for each day of
43 violation or by imprisonment for not more than two
44 years, or by both.

45 b. A person who knowingly fails to pay any fee
46 owed the state under any provision of division II of
47 this chapter, or any permit, rule, standard, or order
48 issued under division II of this chapter, is guilty of
49 an aggravated misdemeanor punishable by a fine of not
50 more than ten thousand dollars per day per violation

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1 or by imprisonment for not more than six months, or by
2 both. If the conviction is for a second or subsequent
3 violation under this paragraph, however, the

4 conviction is punishable by a fine of not more than
5 twenty thousand dollars for each day of violation or
6 by imprisonment for not more than one year, or by
7 both.

8 3. A person who negligently releases into the
9 ambient air any hazardous air pollutant or extremely
10 hazardous substance, and who at the time negligently
11 places another person in imminent danger of death or
12 serious bodily injury shall, upon conviction, be
13 punished by a fine of not more than twenty-five
14 thousand dollars for each day of violation or by
15 imprisonment for not more than one year, or by both.
16 If the conviction is for a second or subsequent
17 violation committed by a person under this
18 section, however, the conviction is punishable by a
19 fine of not more than fifty thousand dollars for each
20 day of violation or by imprisonment for not more than
21 two years, or by both.

22 4. a. A person who knowingly releases into the
23 ambient air any hazardous air pollutant or extremely
24 hazardous substance, and who knows at the time that
25 the conduct places another person in imminent danger
26 of death or serious bodily injury shall, upon
27 conviction, if the person committing the violation is
28 an individual or a government entity, be punished by a
29 fine of not more than fifty thousand dollars per
30 violation or by imprisonment for not more than two
31 years, or by both. However, if the person committing
32 the violation is other than an individual or a
33 government entity, upon conviction the person shall be
34 punished by a fine of not more than one million
35 dollars per violation. If the conviction is for a
36 second or subsequent violation under this paragraph,
37 the conviction is punishable by a fine or
38 imprisonment, or both, as consistent with federal law.

39 b. In determining whether a defendant who is an
40 individual knew that the violation placed another
41 person in imminent danger of death or serious bodily
42 injury the following shall apply:

43 (1) The defendant is deemed to have knowledge only
44 if the defendant possessed actual awareness or held an
45 actual belief.

46 (2) Knowledge possessed by a person other than the
47 defendant, and not by the defendant personally, is not
48 attributable to the defendant. In establishing a
49 defendant's possession of actual knowledge,
50 circumstantial evidence may be used, including

Page 3

1 evidence that the defendant took affirmative action to
2 be shielded from relevant information.

3 c. It is an affirmative defense that the conduct
4 was freely consented to by the person endangered and
5 that the danger and conduct were reasonably
6 foreseeable hazards of either of the following:

7 (1) An occupation, a business, or a profession.

8 (2) Medical treatment or medical or scientific
9 experimentation conducted by professionally approved
10 methods if the person was made aware of the risks
11 involved prior to providing consent. An affirmative
12 defense under this subparagraph shall be established
13 by a preponderance of the evidence.

14 d. All general defenses, affirmative defenses, and
15 bars to prosecution that are applicable with respect
16 to other criminal offenses apply under paragraph "a".
17 All defenses and bars to prosecution shall be
18 determined by the courts in accordance with the
19 principles of common law as interpreted, taking into
20 consideration the elements of reason and experience.
21 The concepts of justification and legal excuse, as
22 applicable, may be developed, taking into
23 consideration the elements of reason and experience.

24 e. As used in this subsection, "serious bodily
25 injury" means bodily injury which involves a
26 substantial risk of death, unconsciousness, extreme
27 physical pain, protracted and obvious disfigurement,
28 or protracted loss or impairment of the function of a
29 bodily member, organ, or mental faculty.

30 5. a. Notwithstanding this section, a source
31 required to obtain a permit for construction or
32 modification of a source prior to the date on which
33 the state received delegation of the federal operating
34 permit program which failed to timely file for the
35 permit is subject to the civil penalty for
36 noncompliance in effect at the time.

37 b. This subsection does not provide an exception
38 from application of the penalties established under
39 this section for failure of a person to file a timely
40 and complete application for a federal construction
41 permit.

42 c. This subsection does not provide an exception
43 from application of the penalties established in this
44 section for a person who does not file a timely and
45 complete application for a required permit once
46 notified, in writing, by the department of the
47 noncompliance. A person who does not comply following
48 notification of noncompliance is subject to the
49 criminal penalties established under this section."

50 2. Page 5, by inserting after line 4 the follow--

Page 4

1 ing:

2 "Sec. _____. NEW SECTION. 455B.192 LOCAL GOVERN-
3 MENT - PENALTIES.

4 Notwithstanding sections 331.302, 331.307, 364.3,
5 and 364.22, a city or county may assess a civil
6 penalty for a violation of this division which is
7 equal to the amount the department has assessed for a
8 violation under this division."

9 3. Title page, line 1, by inserting after the
10 word "Act" the following: "relating to environmental
11 protection by".

12 4. Title page, line 2, by inserting after the
13 word "regulations" the following: ", addressing civil
14 penalties for local governmental water quality
15 violations,".

16 5. By renumbering, relettering, or redesignating
17 and correcting internal references as necessary.

Osterberg of Linn asked and received unanimous consent to withdraw amendment H—4373, to the Senate amendment H—4360, filed by him from the floor.

On motion by Rafferty of Scott, the House concurred in the Senate amendment H—4360.

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

On the question "Shall the bill pass?" (H.F. 331)

The ayes were, 75:

Baker	Beaman	Blodgett	Brammer
Brand	Brauns	Brunkhorst	Burke
Carpenter	Cataldo	Churchill	Cohoon
Corbett	Daggett	Dickinson	Dinkla
Doderer	Drake	Eddie	Fogarty
Garman	Gill	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Haverland	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Mundie	Murphy
Nelson	Neuhauser	O'Brien	Peterson
Plasier	Rafferty	Rants	Renaud

Renken	Royer	Schrader	Siegrist
Tyrrell	Vande Hoef	Van Maanen, Spkr.	Weidman
Weigel	Welter	Lundby	
		Presiding	

The nays were, 24:

Arnould	Beatty	Bell	Bernau
Black	Boddicker	Branstad	Connors
Dvorsky	Ertl	Fallon	Halvorson, R. N.
Hammond	Harper	Henderson	Holveck
Jochum	Moreland	Ollie	Osterberg
Running	Shoultz	Wise	Witt

Absent or not voting, 1:

Spanner

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 331** be immediately messaged to the Senate.

Rafferty of Scott called up for consideration **House File 419**, a bill for an act relating to the recovery by the department of public safety of costs associated with the cleanup of a clandestine laboratory site, amended by the Senate, and moved that the House concur in the following Senate amendment H-4361:

H-4361

- 1 Amend House File 419, as amended, passed, and re-
- 2 printed by the House, as follows:
- 3 1. Page 1, line 32, by inserting after the word
- 4 "property" the following: "or a person holding a
- 5 security interest in the property".

The motion prevailed and the House concurred in the Senate amendment H-4361.

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

On the question "Shall the bill pass?" (H.F. 419)

The ayes were, 98:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Black	Blodgett

Boddicker	Brammer	Brand	Branstad
Brauns	Brunkhorst	Burke	Carpenter
Churchill	Cohoon	Connors	Corbett
Daggett	Dickinson	Dinkla	Doderer
Drake	Dvorsky	Eddie	Ertl
Fallon	Fogarty	Garman	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shoultz
Siegrist	Tyrrell	Vande Hoef	Van Maanen, Spkr.
Weidman	Weigel	Welter	Wise
Witt	Lundby		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Cataldo Spenner

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 419** be immediately messaged to the Senate.

Ways and Means Calendar

House File 672, a bill for an act relating to urban renewal and urban revitalization, and to the division of property tax revenue to fund urban renewal and new jobs training projects, and providing effective and applicability date provisions, was taken up for consideration.

The House stood at ease at 9:26 p.m., until the fall of the gavel.

The House resumed session at 10:22 p.m., Garman of Story in the chair.

Carpenter of Polk offered the following amendment H-4341 filed by her and Neuhauser of Johnson:

H-4341

1 Amend House File 672 as follows:

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

4 "Section 1. Section 260E.3, unnumbered paragraph
5 1, Code 1993, is amended to read as follows:

6 A community college may enter into an agreement to
7 establish a project. If an agreement is entered into,
8 the community college and the employer shall notify
9 the department of revenue and finance as soon as
10 possible. An agreement may shall provide, but is not
11 limited to:

12 Sec. _____. Section 260E.3, Code 1993, is amended by
13 adding the following new subsection:

14 NEW SUBSECTION. 4A. Specific information on the
15 training project, detailing the number of employees to
16 be trained and the projected cost of training per
17 employee position classification, and including
18 administrative costs directly attributable to the
19 project."

20 2. Page 1, by striking lines 2 through 10 and
21 inserting the following: "the following new
22 unnumbered paragraphs:

23 NEW UNNUMBERED PARAGRAPH. Prior to entering into a
24 preliminary agreement to establish a jobs training
25 project under which a community college will use
26 incremental property taxes to fund the project, the
27 community college shall notify the governing body of
28 any city, county, or school district which will be
29 affected by the division of tax revenue of the intent
30 to use incremental property taxes to fund a project
31 creating jobs. The community college shall not be
32 required to divulge the name of the business employer
33 as part of the notification. After receipt of
34 notification of a preliminary agreement, a
35 municipality shall not adopt an ordinance under
36 section 403.19 to divide tax revenue of property whose
37 taxes are to be divided under the new jobs project.

38 NEW UNNUMBERED PARAGRAPH. The community college
39 shall send a copy of the final agreement, prepared
40 pursuant to section 260E.3, to the department of
41 economic development and to the governing body of any
42 city, county, or school district which will be
43 affected by the division of revenue. For each year in
44 which incremental property".

45 3. Page 1, by inserting after line 19 the
46 following:

47 "Sec. _____. Section 260F.3, unnumbered paragraph 1,

48 Code 1993, is amended to read as follows:

49 A community college may enter into an agreement to
50 establish a project. If an agreement is entered into,

Page 2

1 the community college and the business shall notify
2 the department of revenue and finance as soon as
3 possible. An agreement may shall provide, but is not
4 limited to:

5 Sec. _____. Section 260F.3, Code 1993, is amended by
6 adding the following new subsection:

7 **NEW SUBSECTION. 5A.** Specific information on the
8 training project, detailing the number of employees to
9 be trained and the projected cost of training per
10 employee position classification, and including
11 administrative costs directly attributable to the
12 project.”

13 4. Page 1, by striking lines 21 through 29 and
14 inserting the following: “the following new
15 unnumbered paragraphs:

16 **NEW UNNUMBERED PARAGRAPH.** Prior to entering into a
17 preliminary agreement to establish a jobs training
18 project under which a community college will use
19 incremental property taxes to fund the project, the
20 community college shall notify the governing body of
21 any city, county, or school district which will be
22 affected by the division of tax revenue of the intent
23 to use incremental property taxes to fund a project
24 creating jobs. The community college shall not be
25 required to divulge the name of the business employer
26 as part of the notification. After receipt of
27 notification of a preliminary agreement, a
28 municipality shall not adopt an ordinance under
29 section 403.19 to divide tax revenue of property whose
30 taxes are to be divided under the new jobs project.

31 **NEW UNNUMBERED PARAGRAPH.** The community college
32 shall send a copy of the final agreement, prepared
33 pursuant to section 260E.3, to the department of
34 economic development and to the governing body of any
35 city, county, or school district which will be
36 affected by the division of revenue. For each year in
37 which incremental property”.

38 5. Page 2, by striking lines 4 through 29 and
39 inserting the following:

40 “Sec. _____. Section 403.5, subsection 2, Code 1993,
41 is amended to read as follows:

42 2. The municipality may itself prepare or cause to
43 be prepared an urban renewal plan; or any person or
44 agency, public or private, may submit such a plan to a
45 municipality. Prior to its approval of an urban
46 renewal project, the local governing body shall submit

47 such plan to the planning commission of the
48 municipality, if any, for review and recommendations
49 as to its conformity with the general plan for the
50 development of the municipality as a whole. The

Page 3

1 planning commission shall submit its written
2 recommendations with respect to the proposed urban
3 renewal plan to the local governing body within thirty
4 days after receipt of the plan for review. Upon
5 receipt of the recommendations of the planning
6 commission or, if no recommendations are received
7 within said thirty days, then, without such
8 recommendations, the local governing body may proceed
9 with the hearing on the proposed urban renewal project
10 prescribed by subsection 3 hereof. An urban renewal
11 plan shall state whether it is to be financed in part
12 by the issuance of bonds payable from the division of
13 revenue authorized in section 403.19 and the total
14 amount of bonds which may be outstanding at any time
15 over the life of the plan."

16 6. Page 2, line 33, by striking the word
17 "project" and inserting the following: "plan".

18 7. Page 2, line 35, by striking the word
19 "project" and inserting the following: "plan."

20 8. Page 3, by striking lines 1 through 12 and
21 inserting the following:

22 "The notification shall include notice of the
23 formation of a fiscal review committee and notice of a
24 meeting of the fiscal review committee, which meeting
25 shall be held not less than fifteen days and not more
26 than thirty days after the notification has been
27 issued. Each affected taxing entity, including the
28 municipality proposing the plan, may appoint a member
29 to the fiscal review committee.

30 b. The committee".

31 9. Page 3, line 20, by striking the word
32 "project" and inserting the following: "plan".

33 10. Page 3, line 23, by striking the word
34 "project" and inserting the following: "plan".

35 11. Page 3, line 29, by striking the word
36 "project" and inserting the following: "plan".

37 12. Page 4, line 4, by striking the word
38 "project" and inserting the following: "plan".

39 13. Page 4, line 9, by striking the word
40 "project" and inserting the following: "plan".

41 14. Page 4, line 23, by striking the word
42 "project" and inserting the following: "plan".

43 15. Page 4, by striking line 24, and inserting
44 the following:

45 "(2) Additional debt incurred payable from a

46 division of property tax revenues."

47 16. By striking page 4, line 25 through page 5,
48 line 16, and inserting the following:

49 "Sec. _____. Section 403.17, subsections 2 and 12,
50 Code 1993, are amended to read as follows:

Page 4

1 2. "Area of operation" of a city means the area
2 within the corporate limits of the municipality and,
3 with the consent of the county, the area within two
4 miles of such limits, except that it does not include
5 any area which lies within the territorial boundaries
6 of another incorporated city, unless a resolution has
7 been adopted by the governing body of the city
8 declaring a need to be included in the area. The
9 "area of operation" of a county means an area outside
10 the corporate limits of a city. However, in that area
11 outside a city's boundary but within two miles of the
12 city's boundary, a joint agreement between the city
13 and the county is required allowing the county to
14 proceed with the activities authorized under this
15 chapter. In addition, a county may proceed with
16 activities authorized under this chapter in an area
17 inside the boundaries of a city, provided a joint
18 agreement is entered into with respect to such
19 activities between a city and a county.

20 12. "Low or moderate income families" means low or
21 moderate income families as defined in section 16-1
22 those families earning no more than eighty percent of
23 the higher of the median family income of the county
24 or the statewide nonmetropolitan area as determined by
25 the latest United States department of housing and
26 urban development, section 8 income guidelines. This
27 includes single person households."

28 17. Page 5, line 18, by striking the word
29 "subsection" and inserting the following:
30 "subsections".

31 18. Page 5, by inserting after line 25, the
32 following:

33 "NEW SUBSECTION. 25. "Fiscal review committee"
34 means a fiscal review committee formed pursuant to
35 section 403.5, primarily to identify the fiscal impact
36 of a proposed urban renewal plan upon affected taxing
37 entities."

38 19. Page 6, by striking line 5 and inserting the
39 following: "calendar year in which the municipality
40 certifies to the county auditor the amount of loans,
41 advances, indebtedness, or bonds payable from the
42 division of property tax revenue, or".

43 20. Page 6, line 18, by striking the word
44 "fiscal" and inserting the following: "calendar".

- 45 21. Page 6, by striking line 19 and inserting the
 46 following: "year in which the municipality certifies
 47 to the county auditor the amount of loans, advances,
 48 indebtedness, or bonds payable from the division of
 49 property tax revenue shall be".
 50 22. Page 6, line 21, by inserting after the word

Page 5

- 1 "date." the following: "For jobs training projects
 2 established under chapter 260E or 260F, the assessed
 3 value of the taxable property shall be as shown on the
 4 assessment roll as of January 1 of the calendar year
 5 in which the community college enters into the
 6 preliminary agreement to establish the jobs training
 7 project."
 8 23. By striking page 6, line 22 through page 7,
 9 line 1.
 10 24. Page 8, by striking lines 17 through 22.
 11 25. Page 8, by inserting after line 22 the fol-
 12 lowing:
 13 "Sec. _____. The Iowa state association of counties,
 14 the league of Iowa municipalities, the Iowa
 15 association of school boards, and the Iowa association
 16 of community colleges shall, before January 1, 1994,
 17 provide to the general assembly recommendations
 18 relating to the decision-making process followed in
 19 establishing urban renewal plans and jobs training
 20 projects and the use of tax increment financing under
 21 sections 403.19, 260E.4, and 260F.4, and the use of
 22 tax abatement in urban revitalization areas
 23 established under chapter 404."
 24 26. By striking page 8, line 32, through page 9,
 25 line 5.
 26 27. By renumbering as necessary.

Rants of Woodbury offered amendment H—4381, to amend
 H—4341, filed from the floor by him and Weigel of Chickasaw and
 requested division as follows:

H—4381

- 1 Amend the amendment, H—4341, to House File 672 as
 2 follows:

H—4381A

- 3 1. Page 3, by striking lines 49 and 50 and
 4 inserting the following:
 5 "Sec. _____. Section 403.17, subsection 2, Code
 6 1993, is amended to read as follows:"
 7 2. Page 4, by striking lines 20 through 27.

H-4381B

- 8 3. Page 5, by inserting after line 9 the follow-
9 ing:
10 "_____. By striking page 7, line 2, through page 8,
11 line 16."
12 4. By renumbering as necessary.

Rants of Woodbury moved the adoption of amendment H-4381A, to amendment H-4341.

A non-record roll call was requested.

The ayes were 22, nays 53.

Amendment H-4381A lost.

Rants of Woodbury asked and received unanimous consent to withdraw amendment H-4381B, to amendment H-4341.

Hanson of Delaware offered the following amendment H-4343, to amendment H-4341, filed by him and moved its adoption:

H-4343

- 1 Amend the amendment, H-4341, to House File 672, as
2 follows:
3 1. Page 5, by inserting after line 7 the
4 following:
5 "_____. Page 6, by inserting after line 21 the
6 following: "For the purposes of dividing taxes under
7 sections 260E.4 and 260F.4, for projects established
8 after June 30, 1993, the community college shall
9 notify the appropriate assessor of the adoption of the
10 agreement. The assessor may, within fourteen days of
11 being notified, physically inspect the taxable
12 business property where new jobs are created and if
13 upon such inspection the assessor determines that
14 there has been a change in the value of the property
15 from the value determined as of January 1 of the
16 calendar year preceding the year in which the
17 resolution is adopted due to new construction,
18 additions or improvements to existing structures, or
19 remodeling of existing structures for which a building
20 permit was required, the assessor shall promptly
21 determine the value of the property as of the date
22 determined in subsection 10 in the manner provided in
23 chapter 441. The assessor shall notify the community
24 college and the owner of the business property of that
25 valuation which shall be the assessed valuation for
26 purposes of this subsection. The value determined by
27 the assessor shall reflect the change in value due
28 solely to new construction, additions or improvements
29 to existing structures, or remodeling of existing

30 structures for which a building permit was required.”
 31 2. Page 5, by inserting after line 9 the
 32 following:
 33 “_____. Page 7, by inserting before line 2 the
 34 following:
 35 “Sec. _____. Section 403.19, Code 1993, is amended
 36 by adding the following new subsection:
 37 NEW SUBSECTION. 10. For purposes of dividing
 38 taxes pursuant to sections 260E.4 and 260F.4,
 39 subsections 1 and 2 of this section shall be applied
 40 as if a community college were a municipality, and the
 41 assessor's determination of the value of the property
 42 shall be made as of the later of the date the jobs
 43 created by the employer or eligible business are
 44 considered to be new jobs for which training may be
 45 provided and for which the new jobs credit from
 46 withholding may be used, or the date the assessor is
 47 notified of the intention of the community college to
 48 fund the jobs training project with incremental
 49 property taxes.”
 50 3. Page 5, by inserting after line 25 the

Page 2

1 following:
 2 “_____. Page 9, line 9, by inserting after the
 3 figure “1993.” the following: “The portions of this
 4 Act which pertain to new jobs training projects or
 5 small business training projects apply only to new
 6 jobs training projects or small business training
 7 projects established on or after July 1, 1993.”
 8 4. By renumbering as necessary.

Amendment H—4343 was adopted.

Carpenter of Polk offered the following amendment H—4392, to amendment H—4341, filed by her and moved its adoption:

H—4392

1 Amend the amendment, H—4341, to House File 672, as
 2 follows:
 3 1. Page 5, by striking line 10 and inserting the
 4 following:
 5 “_____. By striking page 7, line 2 through page 8,
 6 line 22.”
 7 2. By renumbering as necessary.

Amendment H—4392 was adopted.

On motion by Carpenter of Polk, amendment H—4341, as amended, was adopted.

Weigel of Chickasaw asked and received unanimous consent to withdraw amendment H—4265 filed by Weigel, et al., on April 28, 1993.

Rants of Woodbury asked and received unanimous consent to withdraw amendment H—4307 filed by him on April 29, 1993.

The Speaker announced that amendment H—4308, filed by Rants of Woodbury on April 29, 1993, was out of order.

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. 672)

The ayes were, 82:

Baker	Beaman	Beatty	Bell
Bernau	Black	Boddicker	Brammer
Brand	Branstad	Brauns	Brunkhorst
Burke	Carpenter	Cataldo	Churchill
Cohoon	Connors	Corbett	Daggett
Dickinson	Dinkla	Doderer	Drake
Dvorsky	Ertl	Fallon	Fogarty
Gipp	Greig	Gries	Grubbs
Grundberg	Halvorson, R. A.	Halvorson, R. N.	Hammond
Hanson, D. E.	Hanson, D. R.	Harper	Haverland
Henderson	Hester	Holveck	Houser
Hurley	Iverson	Jochum	Kistler
Klemme	Kreiman	Larkin	Martin
McCoy	McKinney	McNeal	Metcalf
Meyer	Miller	Moreland	Mundie
Murphy	Nelson	Neuhauser	O'Brien
Ollie	Osterberg	Plasier	Renaud
Renken	Royer	Schrader	Shoultz
Siegrist	Spenner	Tyrrell	Vande Hoef
Van Maanen, Spkr.	Weidman	Welter	Wise
Witt	Garman		
	Presiding		

The nays were, 16:

Blodgett	Gill	Greiner	Hahn
Hansen, S. D.	Koenigs	Larson	Lundby
May	Mertz	Millage	Peterson
Rafferty	Rants	Running	Weigel

Absent or not voting, 2:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 672** be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Hanson of Delaware called up for consideration **House File 660**, a bill for an act relating to income tax return checkoffs for purposes of state individual income tax and establishing an income tax check-off to support the Iowa state fair foundation and providing for the Act's retroactive applicability, amended by the Senate amendment H-4320 as follows:

H-4320

- 1 Amend House File 660, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by striking lines 25 through 29.
- 4 2. Page 2, by striking lines 23 through 33.
- 5 3. By renumbering and correcting internal
- 6 references as necessary.

Hanson of Delaware offered the following amendment H-4342, to the Senate amendment H-4320, filed by Hanson of Delaware, et al., and moved its adoption:

H-4342

- 1 Amend the Senate amendment, H-4320, to House File
- 2 660, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, by striking lines 3 and 4 and
- 5 inserting the following:
- 6 "_____. Page 3, by inserting after line 1 the
- 7 following:
- 8 "Sec. _____. CONTINGENT EFFECTIVENESS. This Act is
- 9 effective only if legislation providing an annual
- 10 standing appropriation of \$15,000 or more to Iowa
- 11 Special Olympics, Incorporated, for Special Olympic
- 12 programs, is enacted by the Seventy-fifth General
- 13 Assembly during the 1993 Regular Session." "
- 14 2. Title page, line 4, by inserting after the
- 15 word "applicability" the following: "and contingent
- 16 effectiveness".
- 17 3. By renumbering as necessary.

Amendment H-4342 was adopted.

On motion by Hanson of Delaware, the House concurred in the Senate amendment H—4320, as amended.

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

On the question "Shall the bill pass?" (H.F. 660)

The ayes were, 94:

Arnould	Beaman	Beatty	Bell
Bernau	Black	Blodgett	Boddicker
Brammer	Branstad	Brauns	Brunkhorst
Burke	Carpenter	Cataldo	Churchill
Cohoon	Connors	Daggett	Dickinson
Dinkla	Doderer	Drake	Dvorsky
Ertl	Fallon	Fogarty	Gill
Gipp	Greig	Greiner	Gries
Grubbs	Grundberg	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Iverson	Jochum	Kistler	Klemme
Koenigs	Kreiman	Larkin	Larson
Lundby	Martin	May	McCoy
McKinney	McNeal	Mertz	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Peterson	Plasier
Rants	Renaud	Renken	Royer
Running	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Van Maanen, Spkr.
Weidman	Weigel	Welter	Wise
Witt	Garman		
	Presiding		

The nays were, none.

Absent or not voting, 6:

Baker	Brand	Corbett	Eddie
Osterberg	Rafferty		

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 660** be immediately messaged to the Senate.

ADOPTION OF HOUSE RESOLUTION 13

Hurley of Fayette called up for consideration House Resolution 13, a resolution relating to the entertainment industry's adverse effect on society, and moved its adoption.

The motion prevailed and the resolution was adopted.

SENATE AMENDMENT CONSIDERED

Hanson of Delaware called up for consideration **House File 652**, a bill for an act relating to the office of secretary of state, the conduct of elections and voter registration in the state, and relating to corrective and technical changes to Iowa's election laws, providing an effective date, and providing penalties, amended by the Senate, and moved that the House concur in the following Senate amendment H-4379:

H-4379

- 1 Amend House File 652, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 5 through 10 and
- 4 inserting the following: "the secretary of state not
- 5 to exceed ten cents per page by rule adopted pursuant
- 6 to chapter 17A."
- 7 2. Page 5, by striking lines 9 through 14 and
- 8 inserting the following:
- 9 "NEW UNNUMBERED PARAGRAPH. Any".
- 10 3. Page 7, by inserting after line 9, the
- 11 following:
- 12 "Sec. _____. Section 49.53, unnumbered paragraph 1,
- 13 Code 1993, is amended to read as follows:
- 14 The commissioner shall not less than four nor more
- 15 than twenty days before the day of each election,
- 16 except those for which different publication
- 17 requirements are prescribed by law, publish notice of
- 18 the election. The notice shall contain a facsimile of
- 19 the portion of the ballot containing the first
- 20 rotation as prescribed by section 49.31, subsection 2,
- 21 and shall show the names of all candidates or nominees
- 22 and the office each seeks, and all public questions,
- 23 to be voted upon at the election. The sample ballot
- 24 published as a part of the notice may at the
- 25 discretion of the commissioner be reduced in size
- 26 relative to the actual ballot but such reduction shall
- 27 not cause upper case letters appearing on the
- 28 published sample ballot to be less than five thirty-
- 29 sixths of an inch high in candidates' names or in
- 30 summaries of public measures. The notice shall also
- 31 state the date of the election, the hours the polls
- 32 will be open, the location of each polling place at
- 33 which voting is to occur in the election, the location

34 of the polling places designated as early ballot pick-
35 up sites, and the names of the precincts voting at
36 each polling place, but the statement need not set
37 forth any fact which is apparent from the portion of
38 the ballot appearing as a part of the same notice.
39 The notice shall include the full text of all public
40 measures to be voted upon at the election."

41 4. Page 11, by inserting after line 33, the
42 following:

43 "Sec. _____. NEW SECTION. 52.40 EARLY PICK-UP
44 SITES ESTABLISHED - PROCEDURE.

45 1. In counties where counting centers have been
46 established under section 52.34, the commissioner may,
47 for general elections only, designate certain polling
48 places as early ballot pick-up sites. At these sites,
49 between the hours of one p.m. and four p.m. on the day
50 of the election, early pick-up officers shall receive

Page 2

1 the sealed ballot container containing the ballots
2 which have been voted throughout the day along with a
3 signed statement of the precinct attesting to the
4 number of declarations of eligibility signed up to
5 that time, excluding those declarations signed by
6 voters who have not yet placed their ballots in the
7 ballot container. The officers shall replace the
8 ballot container containing the voted ballots with an
9 empty ballot container, to be sealed in the presence
10 of a precinct election official.

11 2. Early pick-up officers shall be appointed in
12 two-person teams, one from each of the political
13 parties referred to in section 49.13, who shall be
14 appointed by the commissioner from the election board
15 panel drawn up as provided by section 49.15. The
16 early pick-up officers shall be sworn in the manner
17 provided by section 49.75 for election board members,
18 and shall receive compensation as provided in section
19 49.20.

20 3. Each two-person team of early pick-up officers
21 shall travel together in the same vehicle and shall
22 have the container under their immediate joint control
23 until they surrender it to the commissioner or the
24 commissioner's designee. If persons designated as
25 early pick-up officers fail to appear at the time the
26 duties set forth in this section are to be performed,
27 the commissioner shall at once appoint some other
28 person or persons, giving preference to persons
29 designated by the respective county chairpersons of
30 the political parties described in section 49.13, to
31 carry out the requirements of this section.

32 4. The tabulation of ballots received from early

33 pick-up sites shall be conducted at the counting
 34 center during the hours the polls are open, in the
 35 manner provided in sections 52.36 and 52.37, except
 36 that the room in which the ballots are being counted
 37 shall not be open to the public during the hours in
 38 which the polls are open and the room shall be policed
 39 so as to prevent any person other than those whose
 40 presence is authorized by this section and sections
 41 52.36 and 52.37 from obtaining information about the
 42 progress of the count. The only persons who may be
 43 admitted to that room, as long as admission does not
 44 impede the progress of the count, are the members of
 45 the board, one challenger representing each political
 46 party, one observer representing any nonparty
 47 political organization or any candidate nominated by
 48 petition pursuant to chapter 45, and the commissioner
 49 or the commissioner's designee. No compilation of
 50 vote subtotals shall be made while the polls are open.

Page 3

- 1 Any person who makes a compilation of vote subtotals
- 2 before the polls are closed commits a simple
- 3 misdemeanor. It shall be unlawful for any person to
- 4 communicate or attempt to communicate, directly or
- 5 indirectly, information regarding the progress of the
- 6 count at any time before the polls are closed."
- 7 5. Page 12, by striking lines 5 through 21.
- 8 6. By striking page 14, line 34, through page 15,
- 9 line 4, and inserting the following:
- 10 "Any person designated by the commissioner, or by
- 11 the".
- 12 7. Page 18, line 23, by inserting after the word
- 13 "by" the following: "eligible electors equal in
- 14 number to".
- 15 8. Page 18, line 27, by inserting after the word
- 16 "by" the following: "eligible electors equal in
- 17 number to".
- 18 9. Page 18, line 28, by striking the word
- 19 "eligible" and inserting the following: "qualified".
- 20 10. Page 20, line 21, by striking the words
- 21 "ordinance shall be summarized" and inserting the
- 22 following: "proposal shall be stated".
- 23 11. Page 20, line 22, by inserting after the
- 24 words "the voters" the following: "pursuant to
- 25 section 52.25".
- 26 12. By renumbering, relettering, or redesignating
- 27 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-4379.

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

On the question "Shall the bill pass?" (H.F. 652)

The ayes were, 88:

Arnould	Baker	Beatty	Bell
Bernau	Black	Blodgett	Boddicker
Brammer	Brand	Branstad	Brauns
Brunkhorst	Carpenter	Churchill	Cohoon
Connors	Daggett	Dickinson	Dinkla
Doderer	Drake	Dvorsky	Eddie
Fallon	Fogarty	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Metcalf	Meyer	Millage
Miller	Mundie	Nelson	Neuhauser
O'Brien	Ollie	Peterson	Plasier
Rafferty	Rants	Renaud	Renken
Royer	Running	Schrader	Shultz
Siegrist	Spenner	Van Maanen, Spkr.	Weidman
Weigel	Welter	Wise	Witt

The nays were, 4:

Ertl	Tyrrell	Vande Hoef	Garman
			Presiding

Absent or not voting, 8:

Beaman	Burke	Cataldo	Corbett
Mertz	Moreland	Murphy	Osterberg

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 652** be immediately messaged to the Senate.

ADOPTION OF SENATE CONCURRENT RESOLUTION 4

Baker of Polk called up for consideration Senate Concurrent

Resolution 4, a concurrent resolution paying tribute to the memory of retired Supreme Court Justice Thurgood Marshall, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate Concurrent Resolution 4** be immediately-messaged to the Senate.

The House stood at ease at 11:35 p.m., until the fall of the gavel.

The House resumed session at 2:30 a.m., Speaker Van Maanen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 1, 1993, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 644, a bill for an act extending upgrade dates and insurance premiums and requiring a noncompliance surcharge for underground storage tanks.

Also: That the Senate has on May 1, 1993, passed the following bill in which the concurrence of the Senate was asked:

House File 671, a bill for an act relating to the definition of income for purposes of the mobile home property tax credit and the homestead tax credit and rent reimbursement and providing effective and applicability dates.

Also: That the Senate has on May 1, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 126, a bill for an act relating to the processing exemption for the sales, services, and use taxes.

Also: That the Senate has on May 1, 1993, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 342, a bill for an act relating to domestic abuse, expanding the definition of domestic abuse, and providing penalties.

Also: That the Senate has on May 2, 1993, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 425, a bill for an act relating to and making appropriations to finance state government, its regulatory functions, and its obligations, and providing effective and applicability date provisions.

Also: That the Senate has on May 2, 1993, passed the following bill in which the

concurrence of the House is asked:

Senate File 428, a bill for an act relating to telecommunications services by amending provisions related to the state communications network and establishing authority for alternative forms of regulation for rate-regulated public utilities and making an appropriation.

JOHN F. DWYER, Secretary

SENATE MESSAGES CONSIDERED

Senate File 126, by committee on ways and means, a bill for an act relating to the processing exemption for the sales, services and use taxes.

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

Senate File 428, by Horn and Rife, a bill for an act relating to telecommunications services by amending provisions related to the state communications network and establishing authority for alternative forms of regulation for rate-regulated public utilities and making an appropriation.

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

Fallon of Polk moved that the House adjourn until Monday, May 3, 1993.

A non-record roll call was requested.

The ayes were 18, nays 52.

The motion to adjourn the House lost.

SENATE AMENDMENT CONSIDERED

Corbett of Linn called up for consideration **Senate File 425**, a bill for an act relating to and making appropriations to finance state government, its regulatory functions, and its obligations, and providing effective and applicability date provisions, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment H—4405, to the House amendment:

H—4405

- 1 Amend the House amendment, S—3766, to Senate File
- 2 425, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 2, by striking lines 14 and 15.
- 5 2. Page 2, by striking lines 18 through 25.
- 6 3. Page 3, by striking lines 5 and 6.
- 7 4. Page 3, by striking line 7 and inserting the
- 8 following:

9 "_____. Page 18, line 19, by striking the figure
10 "1998" and inserting the following: "1996".

11 5. Page 3, by inserting before line 7 the
12 following:

13 "_____. Page 18, by inserting before line 10 the
14 following:

15 "To the department of natural resources for the
16 fiscal year beginning July 1, 1993, and ending June
17 30, 1994, to be used as provided in this subsection:

18\$ 200,000

19 The moneys appropriated in this section shall be
20 used to support natural lake preservation. The
21 department shall award the amount appropriated in this
22 subsection to a city as defined in section 362.2 on a
23 matching basis with the department contributing one
24 dollar for each one dollar dedicated by the city, or
25 the city acting in conjunction with a county, for
26 natural lake preservation, if the money is dedicated
27 on or after March 1, 1991. However, the city, or the
28 city and county, must have dedicated at least \$200,000
29 of local funds in order to qualify for the award. The
30 city must also be located in a county having a
31 population of less than 12,000." "

32 6. Page 3, by striking line 8.

33 7. Page 3, by striking lines 16 through 29 and
34 inserting the following:

35 "Sec. _____. AID TO DEPENDENT CHILDREN - TOOLS OF
36 THE TRADE DISREGARD. Of the funds appropriated for
37 medical assistance in 1993 Iowa Acts, House File 518,
38 section 3, \$427,000 is allocated for costs associated
39 with disregard of a self-employed individual's tools
40 of the trade or capital assets under the aid to
41 dependent children program in accordance with the
42 provisions of 1993 Iowa Acts, Senate File 268, as
43 approved for implementation by the federal
44 government." "

45 8. Page 3, by striking lines 30 through 35.

46 9. Page 3, by striking lines 40 through 43.

47 10. By striking page 3, line 46 through page 4,
48 line 14.

49 11. Page 4, by striking lines 27 and 28 and
50 inserting the following:

Page 2

1 "_____. Page 31, line 2, by striking the figure
2 "250,000" and inserting the following: "125,000".

3 12. Page 4, by striking lines 32 and 33 and
4 inserting the following:

5 "_____. Page 31, by striking lines 25 through 28
6 and inserting the following:

7 "Sec. _____. IOWA COMPUTER INITIATIVE.
8 Notwithstanding the requirement in section 99E.10,
9 subsection 1, to transfer lottery revenue remaining
10 after expenses are deducted, following the transfer of
11 revenues in the amount of \$33,000,000, the next
12 \$250,000 is appropriated from the lottery fund to the
13 department of education for the fiscal year beginning
14 July 1, 1993, and ending June 30, 1994, to be used for
15 the".

16 13. Page 4, by striking line 42.

17 14. By striking page 4, line 50 through page 5,
18 line 10 and inserting the following:

19 "_____. Page 36, line 3, by striking the word "Two"
20 and inserting the following: "One"."

21 15. Page 5, by striking line 26 and inserting the
22 following:

23 "_____. Page 36, line 16, by inserting after the
24 word "auditorium" the following: "provided, that debt
25 service funds shall not be derived from the division
26 of taxes under section 403.19"."

27 16. Page 8, line 34, by striking the words ", the
28 agreement was entered".

29 17. Page 8, by striking lines 42 through 44 and
30 inserting the following:

31 "Sec. _____. CONTINGENT EFFECTIVE DATE. If the
32 actual taxable valuation of real property located in
33 this state, based upon January 1, 1992, assessments,
34 which is used in the computation of property taxes
35 payable in the fiscal year beginning July 1, 1993,
36 increases from the estimate of such taxable valuation
37 then 1993 Iowa Acts, House File 496, if enacted, takes
38 effect July 1, 1993, and then".

39 18. By renumbering, relettering, or redesignating
40 and correcting internal references as necessary.

A non-record roll call was requested.

The ayes were 50, nays 41.

The motion prevailed and the House concurred in the Senate amendment H-4405, to the House amendment.

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

On the question "Shall the bill pass?" (S.F. 425)

The ayes weré, 54:

Baker	Beaman	Blodgett	Boddicker
Branstad	Brauns	Brunkhorst	Carpenter
Churchill	Corbett	Daggett	Dinkla
Drake	Eddie	Ertl	Fogarty
Garman	Gipp	Greig	Greiner
Gries	Grundberg	Hahn	Halvorson, R. A.
Hanson, D. E.	Hanson, D. R.	Hester	Houser
Hurley	Iverson	Kistler	Klemme
Larson	Lundby	Martin	McNeal
Metcalf	Meyer	Millage	Miller
Murphy	Plasier	Rafferty	Rants
Renken	Royer	Running	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Welter	Mr. Speaker		
	Van Maanen		

The nays were, 44:

Arnould	Beatty	Bell	Bernau
Black	Brammer	Brand	Burke
Cohoon	Connors	Doderer	Dvorsky
Fallon	Gill	Grubbs	Halvorson, R. N.
Hammond	Hansen, S. D.	Harper	Haverland
Henderson	Holveck	Jochum	Koenigs
Kreiman	Larkin	May	McCoy
McKinney	Mertz	Moreland	Mundie
Nelson	Neuhauser	O'Brien	Ollie
Osterberg	Peterson	Renaud	Schrader
Shoultz	Weigel	Wise	Witt

Absent or not voting, 2:

Cataldo	Dickinson
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Under the provision of Rule 76, conflict of interest, Cataldo of Polk refrained from voting.

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 425** be immediately messaged to the Senate.

RULE 57 SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for an immediate meeting of the committee on ways and means to consider Senate File 405.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 2, 1993, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 660, a bill for an act relating to income tax return checkoffs for purposes of state individual income tax and establishing an income tax checkoff to support the Iowa state fair foundation and providing for the Act's retroactive applicability.

Also: That the Senate has on May 2, 1993, adopted the conference committee report and passed Senate File 233, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for education and cultural programs of this state and providing an effective date.

Also: That the Senate has on May 2, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 424, a bill for an act establishing employment parameters for drug testing and a study of the privatization of state functions and a study of employment drug testing.

JOHN F. DWYER, Secretary

The House stood at ease at 2:59 a.m., until the fall of the gavel.

The House resumed session at 3:15 a.m., Speaker Van Maanen in the chair.

SENATE MESSAGE CONSIDERED

Senate File 424, by committee on ways and means, a bill for an act establishing employment parameters for drug testing and a study of the privatization of state functions and a study of employment drug testing.

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

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 233)

Corbett of Linn called up for consideration the report of the conference committee on Senate File 233 and moved the adoption of the conference committee report and the amendments contained therein as follows:

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 233

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 233, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for education and cultural programs of this state and providing an effective date, respectfully make the following report:

1. That the House recedes from its amendment, S-3515.

2. That Senate File 233, as amended, passed, and reprinted by the Senate, is amended as follows:

1. Page 1, line 16, by inserting before the word "For" the following: "a."

2. Page 1, line 19, by striking the figure "5,329,911" and inserting the following: "4,729,911".

3. Page 1, by inserting after line 26 the following:

"It is the intent of the general assembly that school reform be planned, developed, and implemented through cooperative efforts of educators and parents at the local level. It is further the intent of the general assembly that the department of education provide support, resources, and organizational assistance to enable local districts and area education agencies to design and implement locally-based, unique plans for educational excellence that meet unique local needs as well as contribute to the state of Iowa's policy of being "First In the Nation in Education" through locally-controlled innovation.

b. For the purposes of preparing and making available to schools and the public suggestions for parental involvement activities:

.....\$ 5,000

The activities developed by the department of education under this lettered paragraph shall include, but are not limited to, the following:

- (1) Social involvement for parents and families.
- (2) Two-way communication between home and school.
- (3) Volunteer opportunities in the schools.
- (4) School and community advisory committees.
- (5) Joint school and home learning activities.
- (6) Classroom visits before problems arise.
- (7) Parent surveys.
- (8) Parent education and workshops.
- (9) Preschool preparation."

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

"It is the intent of the general assembly that the division of vocational rehabilitation services of the department of education shall seek, in addition to state appropriations, funds other than federal funds, which may include but are not limited to local funds, for purposes of matching federal vocational rehabilitation funds."

5. Page 2, line 17, by striking the figure "120,386" and inserting the following: "170,386".

6. Page 2, by inserting after line 18 the following:

"The moneys appropriated by this subsection shall be reduced by \$50,000 if an increase in the fees charged by the board of educational examiners does not result in an increase of at least \$50,000 in revenues to the board during the fiscal year beginning July 1, 1993."

7. Page 2, line 26, by striking the figure "13.00" and inserting the following: "16.00".

8. Page 3, line 18, by striking the figure "5,864,384" and inserting the following: "5,834,384".

9. Page 3, by inserting after line 19 the following:

_____ CENTER FOR ASSESSMENT

For the purpose of developing academic standards in the areas of math, history, science, English, language arts, and geography:

..... \$ 300,000

_____ TECHNOLOGY

For support for the department of education technology commission:

..... \$ 40,000

_____ ASSESSMENT

For participation by the department of education in a state and national project to determine the academic achievement of Iowa students in math, reading, science, United States history, or geography:

..... \$ 50,000".

10. Page 3, line 29, by striking the figure "95,756,241" and inserting the following: "95,070,486".

11. By striking page 3, line 32 through page 4, line 11, and inserting the following:

a.	Merged Area I	\$	4,460,571
b.	Merged Area II	\$	5,377,221
c.	Merged Area III	\$	5,128,220
d.	Merged Area IV	\$	2,411,165
e.	Merged Area V	\$	5,173,574
f.	Merged Area VI	\$	4,828,453
g.	Merged Area VII	\$	6,588,757
h.	Merged Area IX	\$	8,374,255
i.	Merged Area X	\$	12,991,658
j.	Merged Area XI	\$	13,975,919
k.	Merged Area XII	\$	5,458,240
l.	Merged Area XIII	\$	5,644,712

m.	Merged Area XIV	\$	2,493,332
n.	Merged Area XV	\$	7,788,056
o.	Merged Area XVI	\$	4,376,353".

12. Page 5, by inserting after line 7 the following:

"Sec. _____. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1993, and ending June 30, 1994, the following amount, or so much thereof as may be necessary, to be used for the purpose designated:

To supplement the appropriation in section 294A.25 for phase II:

.....\$ 535,755".

13. Page 6, by striking lines 29 through 32 and inserting the following: "sciences for an initiative in primary health care to direct primary care physicians to shortage areas in the state:".

14. Page 6, by inserting after line 33 the following:

"From the moneys appropriated in this lettered paragraph, at least \$122,500 for the fiscal year beginning July 1, 1993, shall be dedicated to reducing the student loan debt for resident Iowa students in return for a fixed period of medical service in the state of Iowa. The university of osteopathic medicine and health sciences shall report quarterly to the legislative fiscal bureau concerning the expenditure of funds appropriated in this lettered paragraph."

15. Page 7, by striking lines 31 through 34 and inserting the following:

"If the moneys provided in this lettered paragraph are augmented by reimbursements from the institutions under the control of the state board of regents for the funding of the office of the state board of regents, the office shall report quarterly such reimbursements to the chairpersons and ranking members of the joint subcommittee on education appropriations."

16. Page 8, line 8, by striking the figure "24,108,580" and inserting the following: "23,608,580".

17. Page 8, line 11, by striking the figure "34,300" and inserting the following: "67,300".

18. Page 8, by striking lines 19 through 21.

19. Page 8, line 27, by striking the figure "180,143,736" and inserting the following: "179,843,736".

20. Page 12, by striking lines 30 and 31 and inserting the following:

"It is the intent of the general assembly that the cooperative extension service in agriculture and home economics ensure that Iowa manufacturing centers have access to an outreach specialist and receive adequate service from the center for industrial research and service. The cooperative extension service and the center for industrial research and service shall make reasonable efforts to locate at least one outreach specialist in metropolitan areas or manufacturing centers in Iowa, including, but not limited to, the cities of Cedar Rapids, Council Bluffs, Davenport, Des Moines, Dubuque, Mason City, Sioux City, Spencer, Washington, and Waterloo. It is the intent of the general assembly that Iowa state university of science and technology consult with

community colleges and other providers of service to manufacturers in determining where to locate outreach specialists."

21. Page 12, line 34, by striking the figure "1,000,000" and inserting the following: "700,000".

22. Page 12, by inserting after line 34 the following:

"It is the intent of the general assembly that the institute for physical research and technology's industrial incentive program, at Iowa state university of science and technology, focus on Iowa industrial sectors and seek contributions and in-kind donations from businesses, industrial foundations, and trade associations and that moneys for the institute for physical research and technology's industrial incentive program shall only be allocated for projects which are matched by private sector moneys for directed contract research or for nondirected research. The match required of small businesses, as defined in section 15.102, subsection 4, for directed contract research or for nondirected research shall be \$1 for each \$3 of state funds. The match required for other businesses for directed contract research or for nondirected research shall be \$1 for each \$1 of state funds. The match required of industrial foundations or trade associations shall be \$1 for each \$1 of state funds.

Iowa state university shall report annually to the joint economic development subcommittee of the committees on appropriations of the senate and house of representatives, the total amounts of private contributions, the proportion of contributions from small businesses and other businesses, and the proportion for directed contract research and nondirected research of benefit to Iowa businesses and industrial sectors."

23. Page 13, line 6, by inserting after the word "disease" the following: "research".

24. Page 13, line 13, by striking the figure "64,514,506" and inserting the following: "64,364,506".

25. Page 14, line 18, by striking the words and figures "year beginning July 1, 1993," and inserting the following: "period beginning July 1, 1992,".

26. Page 15, line 16, by striking the words and figures "year beginning October 1, 1993," and inserting the following: "period beginning October 1, 1992,".

27. Page 15, line 27, by inserting after the word "fund" the following: "and allocated to the university for the college of medicine".

28. Page 15, line 28, by striking the word "appropriation" and inserting the following: "allocation for the college of medicine".

29. Page 16, line 6, by inserting after the word "Iowa" the following: "and allocated for the college of medicine".

30. Page 17, by striking lines 13 through 15.

31. Page 17, line 21, by striking the figure "61.00" and inserting the following: "60.00".

32. Page 17, line 25, by striking the word "positions." and inserting the following: "positions:".

33. Page 17, line 26, by striking the figure "345,866" and inserting the following: "225,866".

34. Page 17, line 27, by striking the figure "1.50" and inserting the following: "4.50".

35. Page 17, line 32, by striking the figure "253,543" and inserting the following: "203,543".

36. By striking page 17, line 34 through page 18, line 1.

37. Page 18, line 4, by inserting after the word "for" the following: "not".

38. Page 18, line 6, by striking the figure "651,600" and inserting the following: "701,600".

39. Page 22, by inserting after line 19 the following:

"Sec. _____. NEW SECTION. 262.33A FIRE AND ENVIRONMENTAL SAFETY
— REPORT — EXPENDITURES.

It is the intent of the general assembly that each institution of higher education under the control of the state board of regents shall, in consultation with the state fire marshal, identify and correct all critical fire and environmental safety deficiencies. The state fire marshal shall report annually to the joint subcommittee on education appropriations. The report shall include, but is not limited to, the identified deficiencies in fire and environmental safety at the institutions, and plans for correction of the deficiencies and for compliance with this section. Commencing July 1, 1993, each institution under the control of the state board of regents shall expend annually for fire safety and deferred maintenance at least the amount budgeted for these purposes for the fiscal year beginning July 1, 1992, in addition to any moneys appropriated from the general fund for these purposes in succeeding years."

40. Page 22, line 22, by striking the words "a fund".

41. Page 22, line 23, by inserting after the word "state" the words "a fund".

42. Page 23, line 34, by striking the words "one million" and inserting the following: "seven hundred fifty thousand".

43. Page 24, line 11, by inserting after the word "grant." the following: "If federal funding from the state systems initiative for improving mathematics and science education is not received, the amount of two hundred fifty thousand dollars shall be used, in addition to any other appropriations, for the operations of the new Iowa schools development corporation and for school transformation design and implementation projects administered by the corporation."

44. Page 25, line 16, by inserting after the word "Sections" the following: "10".

45. By renumbering, redesignating, and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

RON J. CORBETT, Chair
WILLIAM J. BRAND
HORACE DAGGETT
C. ARTHUR OLLIE

ON THE PART OF THE SENATE:

LARRY MURPHY, Chair
JOHN P. KIBBIE
JOE J. WELSH

The motion prevailed and the conference committee report was adopted.

Corbett 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. 233)

The ayes were, 87:

Arnould	Baker	Beaman	Beatty
Bell	Bernau	Blodgett	Brammer
Brand	Branstad	Brauns	Brunkhorst
Burke	Carpenter	Cataldo	Churchill
Cohoon	Connors	Corbett	Daggett
Dinkla	Doderer	Drake	Dvorsky
Eddie	Fogarty	Gipp	Greig
Greiner	Gries	Hahn	Halvorson, R. A.
Halvorson, R. N.	Hammond	Hansen, S. D.	Hanson, D. E.
Hanson, D. R.	Harper	Haverland	Henderson
Hester	Holveck	Houser	Hurley
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McNeal
Mertz	Metcalf	Meyer	Miller
Moreland	Mundie	Murphy	Nelson
Neuhauser	O'Brien	Ollie	Osterberg
Peterson	Plasier	Rafferty	Rants
Renaud	Royer	Running	Schrader
Shoultz	Siegrist	Spenner	Tyrrell
Vande Hoef	Weidman	Weigel	Welter
Wise	Witt	Mr. Speaker	
		Van Maanen	

The nays were, 12:

Black	Boddicker	Ertl	Fallon
Garman	Gill	Grubbs	Grundberg
Iverson	McKinney	Millage	Renken

Absent or not voting, 1:

Dickinson

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 233** be immediately messaged to the Senate.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Senate File 405, a bill for an act extending the pollution control equipment property tax exemption to property used for the recycling of waste plastic, wastepaper products, and waste paperboard.

Fiscal Note is not required.

Recommended **Do Pass** May 2, 1993.

RULES SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 405.

Ways and Means Calendar

Senate File 405, a bill for an act extending the pollution control equipment property tax exemption to property used for the recycling of waste plastic, wastepaper products, and waste paperboard, was taken up for consideration.

Siegrist of Pottawattamie asked and received unanimous consent to defer action on Senate File 405.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 2, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 418, a bill for an act relating to the testing of a person for the human immunodeficiency virus following conviction for certain offenses, making relief provisions applicable for violation of confidentiality, and providing a penalty.

JOHN F. DWYER, Secretary

SENATE AMENDMENT CONSIDERED

McNeal of Hardin called up for consideration **House File 418**, a bill for an act relating to the testing of a person for the human immunodeficiency virus following conviction for certain offenses, making relief provisions applicable for violation of confidentiality, and providing a penalty, amended by the Senate, and moved that the House concur in the following Senate amendment H-4406:

H-4406

1 Amend House File 418, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, line 18, by inserting after the word
4 "exposure" the following: "or the parent, guardian,
5 or custodian of a victim if the victim is a minor,".

6 2. Page 1, by inserting after line 34 the
7 following:

8 "_____. "Victim counselor" means a person who is
9 engaged in a crime victim center as defined in section
10 236A.1, who is certified as a counselor by the crime
11 victim center, and who has completed at least twenty
12 hours of training provided by the Iowa coalition
13 against sexual assault or a similar agency."

14 3. Page 2, by striking lines 3 and 4, and
15 inserting the following: "attorney, if requested by
16 the petitioner, shall petition the court for".

17 4. Page 2, by striking lines 11 and 12, by
18 inserting the following: "section 709B.1."

19 5. Page 2, line 20, by inserting after the word
20 "counseling" the following: "by a victim counselor or
21 a person requested by the victim who is authorized to
22 provide the counseling required pursuant to section
23 141.22,".

24 6. Page 2, line 23, by striking the word
25 "practicable" and inserting the following:
26 "practicable."

27 7. Page 2, by striking lines 24 and 25.

28 8. Page 2, by striking lines 30 through 32 and
29 inserting the following: "by legal counsel, provide
30 written notice to the convicted offender and the
31 convicted offender's legal counsel."

32 9. Page 3, line 2, by striking the word "victim"
33 and inserting the following: "petitioner".

34 10. Page 3, line 3, by striking the word "victim"
35 and inserting the following: "victim's interest".

36 11. Page 3, lines 3 and 4, by striking the words
37 "a proceeding" and inserting the following: "all
38 proceedings".

39 12. Page 3, by striking lines 15 and 16, and
40 inserting the following: "on the testimony presented
41 during the proceedings on the sexual assault charge,
42 the minutes of the testimony or other evidence
43 included in the court record, or if a plea of guilty
44 was entered, based upon the complaint or upon
45 testimony provided during the hearing."

46 13. Page 3, line 23, by striking the word
47 "victim" and inserting the following: "petitioner".

48 14. By striking page 3, line 35 through page 4,
49 line 1, and inserting the following:

50 "a. The sexual assault constituted a significant

Page 2

1 exposure."

2 15. Page 4, line 13, by striking the word "tests"
3 and inserting the following: "orders the test of".

4 16. Page 4, by striking lines 15 through 18, and
5 inserting the following: "the results of the test to
6 the convicted offender and to the victim counselor or
7 a person requested by the victim who is authorized to
8 provide the counseling required pursuant to section
9 141.22, who shall disclose the results to the
10 petitioner."

11 17. Page 4, line 27, by striking the word
12 "conducts" and inserting the following: "orders".

13 18. Page 4, line 28, by inserting after the word
14 "victim," the following: "the victim counselor or
15 person requested by the victim who is authorized to
16 provide the counseling required pursuant to section
17 141.22,".

18 19. Page 5, line 8, by inserting after the word
19 "parole" the following: "if the physician or other
20 practitioner who ordered the initial test of the
21 convicted offender certifies that, based upon
22 prevailing scientific opinion regarding the maximum
23 period during which the results of an HIV-related test
24 may be negative for a person after being HIV-infected,
25 additional testing is necessary to determine whether
26 the convicted offender was HIV-infected at the time
27 the sexual assault was perpetrated".

28 20. Page 5, line 11, by striking the word
29 "conducts" and inserting the following: "orders".

30 21. Page 5, by striking lines 12 through 18, and
31 inserting the following: "offender, the victim
32 counselor or person requested by the victim who is
33 authorized to provide the counseling required pursuant
34 to section 141.22, who shall disclose the results to
35 the petitioner, and the physician of the victim, if
36 requested by the victim."

37 22. Page 6, by striking lines 4 and 5, and
38 inserting the following:

39 "_____ HIV-related testing required under this
40 chapter shall be conducted by the state hygienic
41 laboratory."

42 23. Page 6, by inserting after line 16 the
43 following:

44 "13A. In addition to persons to whom disclosure of
45 the results of a convicted offender's HIV-related test
46 results is authorized under this chapter, the victim
47 may also disclose the results to the victim's spouse,
48 persons with whom the victim has engaged in vaginal,
49 anal, or oral intercourse subsequent to the sexual
50 assault, or members of the victim's family within the

Page 3

- 1 third degree of consanguinity."
 2 24. Page 6, line 17, by inserting before the word
 3 "A" the following: "A person to whom disclosure of a
 4 convicted offender's HIV-related test results is
 5 authorized under this chapter shall not disclose the
 6 results to any other person for whom disclosure is not
 7 authorized under this chapter."
 8 25. Page 6, by striking lines 30 through 32 and
 9 inserting the following: "for the".
 10 26. Page 7, line 3, by striking the word
 11 "conducts" and inserting the following: "orders"
 12 27. Page 7, by striking lines 6 through 10 and
 13 inserting the following: "victim, the victim
 14 counselor or person requested by the victim who is
 15 authorized to provide the counseling required pursuant
 16 to section 141.22, and the victim's spouse, persons
 17 with whom the victim has engaged in vaginal, anal, or
 18 oral intercourse subsequent to the sexual assault, or
 19 members of the victim's family within the fourth
 20 degree of consanguinity."
 21 28. Page 7, by striking lines 11 through 18.
 22 29. By renumbering and relettering as necessary.

The motion prevailed and the House concurred in the Senate amendment H—4406.

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

On the question "Shall the bill pass?" (H.F. 418)

The ayes were, 77:

Arnould	Beaman	Beatty	Bell
Bernau	Blodgett	Boddicker	Brammer
Brand	Branstad	Brauns	Burke
Carpenter	Cataldo	Churchill	Cohoon
Connors	Corbett	Daggett	Dinkla
Doderer	Drake	Dvorsky	Eddie
Ertl	Garman	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Halvorson, R. N.	Hanson, D. R.
Harper	Henderson	Hester	Houser
Hurley	Iverson	Jochum	Kistler
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
Metcalf	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser

O'Brien	Ollie	Osterberg	Peterson
Rants	Renaud	Renken	Royer
Running	Schrader	Siegrist	Spenner
Tyrrell	Weidman	Welter	Wise
Mr. Speaker			
Van Maanen			

The nays were, 20:

Baker	Black	Brunkhorst	Fallon
Fogarty	Gill	Hammond	Hansen, S. D.
Hanson, D. E.	Haverland	Holveck	Koenigs
McNeal	Mertz	Meyer	Rafferty
Shultz	Vande Hoef	Weigel	Witt

Absent or not voting, 3:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 418** be immediately messaged to the Senate.

Ways and Means Calendar

The House resumed consideration of **Senate File 405**, a bill for an act extending the pollution control equipment property tax exemption to property used for the recycling of waste plastic, wastepaper products, and waste paperboard, previously deferred.

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

On the question "Shall the bill pass?" (S.F. 405)

The ayes were, 84:

Arnould	Beaman	Beatty	Bell
Blodgett	Boddicker	Brammer	Brand
Branstad	Brauns	Brunkhorst	Burke
Carpenter	Cataldo	Churchill	Cohoon
Connors	Corbett	Daggett	Dinkla
Drake	Dvorsky	Eddie	Ertl
Fogarty	Garman	Gipp	Greig
Greiner	Gries	Grubbs	Grundberg
Hahn	Halvorson, R. A.	Hammond	Hanson, D. E.
Hanson, D. R.	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Kreiman

Larkin	Larson	Lundby	Martin
May	McCoy	McNeal	Metcalf
Meyer	Millage	Miller	Moreland
Mundie	Murphy	Nelson	Neuhauser
O'Brien	Ollie	Osterberg	Peterson
Plasier	Rafferty	Rants	Renaud
Renken	Royer	Running	Schrader
Siegrist	Spenner	Tyrrell	Vande Hoef
Weidman	Welter	Witt	Mr. Speaker
			Van Maanen

The nays were, 15:

Baker	Bernau	Black	Doderer
Fallon	Gill	Halvorson, R. N.	Hansen, S. D.
Harper	Koenigs	McKinney	Mertz
Shoultz	Weigel	Wise	

Absent or not voting, 1:

Dickinson

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 405** be immediately messaged to the Senate.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 2, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 361, a bill for an act relating to areas under the purview of the Iowa department of public health including those relating to the use of mammography machines, burial transit permits, and the membership of the council on chemically exposed infants by adding representation by the department of corrections.

JOHN F. DWYER, Secretary

SENATE AMENDMENT CONSIDERED

Plasier of Sioux called up for consideration **House File 361**, a bill for an act relating to areas under the purview of the Iowa department of public health including those relating to the use of mammography machines, burial transit permits, and the membership of the council on chemically exposed infants by adding representation by the department of corrections, amended by the Senate and moved that the House concur in the following Senate amendment H—4407:

H-4407

1 Amend the amendment, S-3456, to House File 361, as
2 passed by the House, as follows:

3 1. By striking page 1, line 3 through page 3,
4 line 9 and inserting the following:

5 "_____. By striking everything after the enacting
6 clause and inserting the following:

7 "Section 1. NEW SECTION. 125.15A LICENSURE -
8 EMERGENCIES.

9 1. The department may place an employee or agent
10 to serve as a monitor in a licensed substance abuse
11 treatment program or may petition the court for
12 appointment of a receiver for a program when any of
13 the following conditions exist:

14 a. The program is operating without a license.

15 b. The commission has suspended, revoked, or
16 refused to renew the existing license of the program.

17 c. The program is closing or has informed the
18 department that it intends to close and adequate
19 arrangements for the location of clients have not been
20 made at least thirty days before the closing.

21 d. The department determines that an emergency
22 exists, whether or not it has initiated revocation or
23 nonrenewal procedures, and because of the
24 unwillingness or inability of the licensee to remedy
25 the emergency, the department determines that a
26 monitor or receiver is necessary. As used in this
27 paragraph, "emergency" means a threat to the health,
28 safety, or welfare of a client that the program is
29 unwilling or unable to correct.

30 2. The monitor shall observe operation of the
31 program, assist the program with advice regarding
32 compliance with state regulations, and report
33 periodically to the department on the operation of the
34 program.

35 Sec. 2. Section 135.28, unnumbered paragraph 1,
36 Code 1993, is amended to read as follows:

37 A state substitute medical decision-making board is
38 established to formulate policy and guidelines for the
39 operations of local substitute medical decision-making
40 boards, and to act if a local substitute medical
41 decision-making board does not exist. The department,
42 with the approval of the state substitute medical
43 decision-making board, shall adopt rules pursuant to
44 chapter 17A for the appointment and operation of local
45 substitute medical decision-making boards.

46 Notwithstanding any other provision to the contrary
47 regarding confidentiality of medical records, the
48 state substitute medical decision-making board may
49 issue subpoenas relating to the production of medical
50 records of a patient under the board's review. A

Page 2

1 person participating in good faith in releasing
2 medical record information in response to a board
3 subpoena is immune from any liability, civil or
4 criminal, which might otherwise be incurred or
5 imposed.

6 Sec. 3. Section 135.29, subsection 2, Code 1993,
7 is amended to read as follows:

8 2. Pursuant to rules adopted by the department,
9 the local substitute medical decision-making board may
10 act as a substitute decision maker for patients
11 incapable of making their own medical care decisions
12 if no other substitute decision maker is available to
13 act. The local substitute medical decision-making
14 board may exercise decision-making authority in
15 situations where there is sufficient time to review
16 the patient's condition, and a reasonably prudent
17 person would consider a decision to be medically
18 necessary. Such medically necessary decisions shall
19 constitute good cause for subsequently filing a
20 petition in the district court for appointment of a
21 guardian pursuant to chapter 633, but the local
22 substitute medical decision-making board shall
23 continue to act in the patient's best interests until
24 a guardian is appointed. Notwithstanding any other
25 provision to the contrary regarding confidentiality of
26 medical records, the local substitute decision-making
27 board may issue subpoenas relating to the production
28 of medical records of a patient under the board's
29 review. A person participating in good faith in
30 releasing medical record information in response to a
31 board subpoena is immune from any liability, civil or
32 criminal, which might otherwise be incurred or
33 imposed.

34 Sec. 4. Section 136C.15, subsection 2, paragraph
35 d, Code 1993, is amended by striking the paragraph.

36 Sec. 5. NEW SECTION. 144.32 BURIAL TRANSIT
37 PERMIT.

38 If a person other than a funeral director assumes
39 custody of a dead body or fetus, the person shall
40 secure a burial-transit permit. To be valid, the
41 burial-transit permit must be issued by the county
42 medical examiner, a funeral director, or the county
43 registrar of the county where the certificate of death
44 or fetal death was filed. The permit shall be
45 obtained prior to the removal of the body or fetus
46 from the place of death and the permit shall accompany
47 the body or fetus to the place of final disposition.

48 To transfer a dead body or fetus outside of this
49 state, the funeral director who first assumes custody
50 of the dead body or fetus shall obtain a burial-

Page 3

1 transit permit prior to the transfer. The permit
2 shall accompany the dead body or fetus to the place of
3 final disposition.

4 A dead body or fetus brought into this state for
5 final disposition shall be accompanied by a burial-
6 transit permit under the law of the state in which the
7 death occurred.

8 A burial transit permit shall not be issued to a
9 person other than a funeral director when the cause of
10 death is or is suspected to be a communicable disease
11 as defined by rule of the department.

12 Sec. 6. Section 235C.2, Code 1993, is amended by
13 adding the following new subsection:

14 NEW SUBSECTION. 4A. The director of the
15 department of corrections or the director's designee,
16 as a nonvoting ex officio member.

17 Sec. 7. Section 321.1, subsection 8, Code 1993, is
18 amended by adding the following new unnumbered
19 paragraph:

20 NEW UNNUMBERED PARAGRAPH. A person is not a
21 chauffeur when the operation is by a home care aide in
22 the course of the home care aide's duties.

23 Sec. 8. Section 321.176A, Code 1993, is amended by
24 adding the following new subsection:

25 NEW SUBSECTION. 7. A home care aide operating a
26 motor vehicle in the course of the home care aide's
27 duties."

28 _____. Title page, by striking line 2, and
29 inserting the following: "of public health related to
30 substitute medical decision-making boards, home care
31 aide drivers' licensure, the use of".

32 _____. Title page, line 3, by inserting after the
33 word "permits," the following: "substance abuse
34 treatment programs,"."

35 2. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-4407.

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

On the question "Shall the bill pass?" (H.F. 361)

The ayes were, 97:

Arnould
Bell

Baker
Bernau

Beaman
Black

Beatty
Blodgett

Boddicker	Brammer	Brand	Branstad
Brunkhorst	Burke	Carpenter	Cataldo
Churchill	Cohoon	Connors	Corbett
Daggett	Dinkla	Doderer	Drake
Dvorsky	Eddie	Ertl	Fallon
Fogarty	Garman	Gill	Gipp
Greig	Greiner	Gries	Grubbs
Grundberg	Hahn	Halvorson, R. A.	Halvorson, R. N.
Hammond	Hansen, S. D.	Hanson, D. E.	Hanson, D. R.
Harper	Haverland	Henderson	Hester
Holveck	Houser	Hurley	Iverson
Jochum	Kistler	Klemme	Koenigs
Kreiman	Larkin	Larson	Lundby
Martin	May	McCoy	McKinney
McNeal	Mertz	Metcalf	Meyer
Millage	Miller	Moreland	Mundie
Murphy	Nelson	O'Brien	Ollie
Osterberg	Peterson	Plasier	Rafferty
Rants	Renaud	Renken	Royer
Running	Schrader	Shoultz	Siegrist
Spenner	Tyrrell	Vande Hoef	Weidman
Weigel	Welter	Wise	Witt
Mr. Speaker			
Van Maanen			

The nays were, none.

Absent or not voting, 3:

Brauns Dickinson Neuhauser

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 361** be immediately messaged to the Senate.

REMARKS BY MAJORITY LEADER SIEGRIST

Siegrist of Pottawattamie offered the following remarks:

Mr. Speaker, Friends and Colleagues:

I don't have anything prepared, but I'd like to just talk to you for a few minutes about what's been a very unique experience for me as the Majority Leader of the Iowa House this year.

I didn't even realize it until about 3:00 this afternoon, that I have the same clothes on that I wore for the opening day, although I have cleaned them. Moreland noticed, so since he likes my tie I'm going to give it to him later. I thought that was a good sign.

I just want you to know that given the amount of new people we had in the House this year, it was a very difficult venture — new leadership, 51-49 split, difficult budget

times and the spending reform bill to live with. I had my work cut out for me and you've all helped me realize what I think is going to be a good session.

When we leave here, we're going to go on the road to our homes and we're going to have our partisan differences and tell everybody all the good things we did and some of you other members might tell them all of the bad things we did. That's just the need for politics and I appreciate that, but I just want you to know that I've enjoyed it. I've tried to be as open and as forward with you as I possibly could. I tried to be as fair as I possibly could. I think we've experienced a lot of success, particularly in balancing the budget. It's been an extremely interesting, frustrating and rewarding time. I've appreciated your kindness at all moments, and I've certainly appreciated the help of everybody in here, including the Republican Caucus staff, who have been very helpful to me; the people at the door; the pages; and certainly Susan and Brian in my office, who keep me straight, particularly Susan who has been extremely helpful. I thank her for that.

Mr. Speaker, it was not always easy, but I've certainly appreciated your patience and cooperation as we've moved through here.

Mr. Arnould, I want to tell you that at times you were an extreme pain, but that's what you're supposed to do. At other times you've been very helpful. I think the thing I admire most about you, and your coming into a difficult situation, is that you never lose your sense of humor. Even when you're mad you let those things go and your sense of humor certainly is one of your best qualities as you lead your caucus and as you led the House before. Bob would occasionally take time to sit me down and say "You don't have to listen to this, but I want to tell you something as a leader, that you might want to do." His advice was always very good and I generally took advantage of that. I appreciate that, Bob:

I'd also like to thank Wayne McKinney, who took an hour and a half to two hours in December, after I got elected to this post, to sit down with me and give me several good pieces of information that I took to heart which has made my job a little bit easier.

I certainly, once again, want to thank everybody. I think we've accomplished a good deal. I look forward to coming back next year. It's going to be a political election year, but I think we've all grown in our jobs, we've all grown as legislators, and as I think we all know, there's not a better group of people to serve with. I apologize that I couldn't get you out of here a little bit earlier on this last day. Nonetheless, I'm proud of everybody, I consider you all friends and I've really enjoyed it and look forward to seeing everybody again next year, if not sooner.

Thank you.

REMARKS BY MINORITY LEADER ARNOULD

Arnould of Scott offered the following remarks:

Thank you, Mr. Speaker, Ladies and Gentlemen:

I think, first of all, that obviously the Republican Party in the House has learned that it's not so easy, perhaps as they thought it might be, to run a legislative session. There's no better example of that than looking at the clock and seeing ourselves here at 3:30 on a Sunday morning. Sunday morning is about the typical time for us to finish. That's about the length of time that it takes, somewhere around one hundred ten or one hundred eleven days with seven straight days of fifteen or sixteen hours, it seems, to wind down this body, and that's just the nature of the beast.

We're very pleased, as a minority party, that you adhered to the spending limitation bill that the Democrats wrote last year, and to the things that we worked out in our meetings and agreement with the Governor, including finding the wherewithall to reinstate the low-income property tax credit that we saw as part of that deal. I'm personally pleased that we found our way back to that agreement today.

We often, as a minority party, disagreed with some of your priorities. We, in particular, had long and difficult debates with you in the areas of education, although it appears in the closing hours of the legislative session, that we came closer together on the education funding than we thought we would.

I wanted to say that there was, on a more technical basis, a lot more amendments filed this year, lots of debate. There was more amending and debating than I think is normal for most of the sessions that I participated in, but I also think that part of that was the learning curve of some of my members who've spent ten years in the majority. Frankly, they've been sort of cooped up and we've been reining them in and putting their microphones down for ten years. They all got an opportunity as minority members, to get up and speak each and every day; in some cases on each and every bill; and, in some cases on each and every amendment.

It was a testing year, for you, as a majority party. You set standards for yourselves at the beginning of the session in terms of how you intended to run the House, things you would do and not do. To my chagrin, sometimes, you did manage to start the place every morning at 8:45 a.m., as I came rolling in at 8:46 on a regular basis.

I do think that there were things that were done well and things not done so well. Most notable was the fact that as we got toward the end of the session, I think many of us discovered what we might have discovered earlier in the session, which was a little bit more of an ability to work together in some areas to reach some agreements on things, rather than pounding together like sumo wrestlers. Perhaps better legislation, as well as better tempers, were found in trying to find agreements and to work things out mutually a little bit more often.

That lesson, I hope, will carry over into the next session of the General Assembly.

As always, I'm very proud of the way that this legislature conducted itself. I had some concerns with some of the attempts early on in the session to reduce debate by the minority party, but I think we got those worked out as we went along. Again, I think, this was part of the normal learning curve of the new majority taking over.

I appreciated, as Mr. Siegrist said, the fact that he always had an open door, he was very open with me. When he wasn't quite open enough with me, I went to his wastebasket for things I need to know. Actually, what I found in his wastebasket was more than I ever gave him, so I must be honest about that too.

As we wind down here, I want to thank all of the members. I've enjoyed working with all of you, and in spite of the lack of receptions in the evenings, I've gotten an opportunity to know most of you a little bit personally. I look forward to getting to know some of you a little better next year. Perhaps the tension level will be a little less between us as we work together a little more closely.

I want to thank the staff around here who come to work before we do and stay after we're gone, and oftentimes work weekends. Those are our caucus staffs, the doorkeepers, the pages, the people who work in the well, the people who work upstairs

and everywhere else around here. They do a pretty good job, most of the time, of making us look good, even when we're not doing so good. We owe them a deep debt of gratitude for all that they do for us.

Lastly, I want to thank all of you for giving me an opportunity to be a leader again. I've enjoyed my role, even though I appeared to be obstinate from time to time, and angry from time to time. I think we worked out our differences and I think we know there's a lot of intense feelings in this process. We put a lot of that aside near the end, and I look forward to a productive session next year. As we all get a little better at our roles, I hope that in the next session we have a little larger agenda that looks perhaps at some of the issues that we didn't have the time to address this session.

I thank all of you for the honor of working with you.

REMARKS BY SPEAKER VAN MAANEN

Speaker Van Maanen offered the following remarks:

These remarks will be a little shorter than those I made at the beginning of the session. My speech writer says he doesn't want me to be quoted as often as occurred after my comments on January 11th.

Sometime during the last General Assembly, Representative Arnould must have said to me: "If you think being Speaker is easy, you try it sometime." Well, Bob, thanks for giving me the opportunity to try. Unfortunately, you were absolutely right about the easy part.

We have made substantial progress on the issues which were the top priorities for most legislators at the beginning of the session and, hopefully, at its end — a balanced budget and elimination of the deficit. If we seem unfeeling in continually answering "no" to many funding requests, that's the price we pay for having too often said "yes" in the past. Our first year operating under the spending limitation law has moved us closer to the day when we manage the budget, not the other way around. Every tough, frustrating vote we made this session — each "no" — was a step toward the time when we can occasionally answer "yes" to reasonable requests for new funding. We must maintain this momentum in 1994.

We have guaranteed ourselves some national attention as welfare experts scrutinize the Iowa invests program and its effectiveness in giving more Iowans economic freedom and greater self worth. We undoubtedly will revisit this legislation to make midcourse corrections, but perhaps the most difficult goal — reaching a consensus on the need to change the current system — has already been achieved.

Representative Arnould — as a minority leader, you have had at least one luxury that I did not — a governor of the other party. You and your caucus have been effective this session which, to the majority, means that every so often you frustrated our agenda and timetable. That is part of the process. The possibility that the public may not equate "effective" with "responsible" is also part of the process.

Representative Siegrist — I want to say that you have grown in stature during this session, but that could be misinterpreted. However, the respect you command

from the ninety-nine other members of this body has grown considerably during the past few months. I believe our philosophies and positions complement each other well and reflect the diversity of our caucus. Your sense of humor and even temper out here and in caucus have defused many difficult situations. Thanks, Brent.

I also thank Representatives Lundby, Garman, Gipp, Millage and Royer for their work in keeping the caucus informed on leadership decisions, and making sure the rest of the leadership team understood the views of the entire caucus. You are the essential link in ensuring that a majority caucus becomes a working majority.

In addition to my office staff, Maryjo, Bruce and my wife, Luella, and Warren and the caucus staff, there are two people who have spent a lot of time with me in the well, making sure that I know what to say, how to say it and when to say it. Liz — your parliamentary-wisdom and personal friendship has meant more to me than I can convey, but I'll try . . . if you have any retirement plans, forget them!

I realized very early in the session that my next Speaker's page will have a very tough act to follow. Jennifer — I'm glad you have decided to attend Drake next year. If my next page is having difficulty with the job, I'll know where to get a real pro!

Three years ago, I said that I would put our staff, including the Service and Fiscal Bureaus, Chief Clerk's office, Journal room, the doorkeepers, and many others up against any other staff in the nation. I've had no reason to change my mind, but plenty of reason to think you're even better today. Thank you for everything, especially the things we never even realize you do.

God bless each of you.

The House stood at ease at 4:10 a.m., until the fall of the gavel.

The House resumed session at 4:55 a.m., Speaker Van Maanen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 2, 1993, amended and passed the following bill in which the concurrence of the House is asked:

House File 430, a bill for an act relating to and making appropriations to state departments, agencies, funds, and certain other entities, providing for the payment of abandoned property, allocating use tax revenue for GAAP deficit reductions, making appropriations for certain tax credits, and providing for other properly related matters and providing an effective date.

Also: That the Senate has on May 2, 1993, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 37, a concurrent resolution to provide for adjournment sine die.

JOHN F. DWYER, Secretary

SENATE AMENDMENT CONSIDERED

Beaman of Clarke called up for consideration **House File 430**, a bill for an act relating to and making appropriations to state departments, agencies, funds, and certain other entities, providing for the payment of abandoned property, allocating use tax revenue for GAAP deficit reductions, making appropriations for certain tax credits, and providing for other properly related matters and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H-4408:

H-4408

1 Amend House File 430, 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. There is appropriated from the general
6 fund of the state to the following named agencies for
7 the fiscal year beginning July 1, 1993, and ending
8 June 30, 1994, the following amounts, or so much
9 thereof as is necessary, to be used for the purposes
10 designated:

11 1. COMMISSION ON UNIFORM STATE LAWS

12 For support of the commission and expenses of the
13 members:

14\$ 18,316

15 2. NATIONAL CONFERENCE OF STATE LEGISLATURES

16 For support of the membership assessment for the
17 Senate:

18\$ 82,594

19 Sec. 2. REVIEW OF PROFESSIONAL, SCIENTIFIC, OR

20 EDUCATIONAL DUES. The executive council shall review

21 dues paid by state agencies of the executive
22 department of state government for membership in
23 professional, scientific, and educational
24 organizations with the goal of reducing membership
25 costs by one third. The executive council shall give
26 first consideration to reductions by state agencies
27 which have multiple memberships.

28 Sec. 3. There is appropriated from the general
29 fund of the state to the department of general
30 services for the fiscal year beginning July 1, 1993,
31 and ending June 30, 1994, the following amounts, or so
32 much thereof as is necessary, to be used for the
33 purposes designated:

34 1. ADMINISTRATION DIVISION

35 For salaries, support, maintenance, miscellaneous
36 purposes, and for not more than the following full-
37 time equivalent positions:

38\$ 462,386

39	.....FTEs	10.35
40	2. COMMUNICATIONS DIVISION	
41	For salaries, support, maintenance, miscellaneous	
42	purposes, and for not more than the following full-	
43	time equivalent positions:	
44	.....\$	164,942
45	.....FTEs	13.00
46	3. INFORMATION SERVICES DIVISION	
47	For salaries, support, maintenance, miscellaneous	
48	purposes, and for not more than the following full-	
49	time equivalent positions:	
50\$	5,343,907

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1FTEs	132.50
2	4. PROPERTY MANAGEMENT DIVISION	
3	For salaries, support, maintenance, miscellaneous	
4	purposes, and for not more than the following full-	
5	time equivalent positions:	
6	.....\$	3,528,274
7	.....FTEs	115.00
8	5. PRINTING AND MAIL DIVISION	
9	For salaries, support, maintenance, miscellaneous	
10	purposes, and for not more than the following full-	
11	time equivalent positions:	
12	.....\$	820,381
13	.....FTEs	28.25

14 The department of general services shall not change
 15 the appropriations for the purposes designated in
 16 subsections 1 through 5 from the amounts appropriated
 17 under those subsections unless notice of the revisions
 18 is given prior to their effective date to the
 19 legislative fiscal bureau. The notice shall include
 20 information on the department's rationale for making
 21 the changes.

22 The department of general services shall report
 23 quarterly regarding the construction and financial
 24 status of the Iowa communications network project to
 25 the chairpersons and ranking members of the joint
 26 appropriations subcommittee on administration and to
 27 the legislative fiscal bureau. The report shall also
 28 include any changes from the scheduled progress or
 29 expenditures.

30 Savings achieved in providing telecommunications
 31 services shall be used by the department of general
 32 services to increase efficiencies in the provision of
 33 those services. The department of general services
 34 shall report semiannually to the chairpersons and the
 35 ranking members of the joint appropriations
 36 subcommittee on administration and to the legislative
 37 fiscal bureau. The reports shall include a listing of

38 the projects and efficiencies undertaken, the cost of
 39 each project, and the benefits, including the
 40 projected savings on an annual basis and for the life
 41 of the efficiency improvement.

42 Sec. 4. There is appropriated from the general
 43 fund of the state to the department of general
 44 services for the fiscal year beginning July 1, 1993,
 45 and ending June 30, 1994, the following amounts, or so
 46 much thereof as is necessary, to be used for the
 47 purposes designated:

48 1. CAPITOL PLANNING COMMISSION

49 For expenses of the members in carrying out their
 50 duties under chapter 18A:

Page 3

1 \$ 1,256
 2 2. RENTAL SPACE
 3 For payment of lease or rental costs of buildings
 4 and office space at the seat of government as provided
 5 in section 18.12, subsection 9, notwithstanding
 6 section 18.16:

7 \$ 522,034

8 3. UTILITY COSTS

9 For payment of utility costs:
 10 \$ 1,900,000

11 The department of general services may use funds
 12 appropriated in this subsection for utility costs to
 13 fund energy conservation projects in the state capitol
 14 complex which will have a 100 percent payback within a
 15 24-month period. In addition, notwithstanding
 16 sections 8.33 and 18.12, subsection 11, any excess
 17 funds appropriated for utility costs in this
 18 subsection shall not revert to the general fund of the
 19 state on June 30, 1994, and these funds shall be used
 20 for implementation of energy conservation projects
 21 having a payback of 100 percent within a two-year to
 22 six-year period. The department of general services
 23 shall report semiannually on the projects having 100
 24 percent payback within a six-year period to the
 25 chairpersons and ranking members of the joint
 26 appropriations subcommittee on administration and to
 27 the legislative fiscal bureau. The reports shall
 28 include a listing of the projects undertaken, the cost
 29 of each project, and the projected savings on an
 30 annual basis and for the life of the project.

31 Sec. 5. There is appropriated from the designated
 32 revolving funds to the department of general services
 33 for the fiscal year beginning July 1, 1993, and ending
 34 June 30, 1994, the following amounts, or so much
 35 thereof as is necessary, to be used for the purposes
 36 designated:

37 1. From the centralized printing permanent
38 revolving fund established by section 18.57 for
39 salaries, support, maintenance, miscellaneous
40 purposes, and for not more than the following full-
41 time equivalent positions:

42	\$	870,062
43	FTEs	25.00

44 2. The remainder of the centralized printing
45 permanent revolving fund is appropriated for the
46 expense incurred in supplying paper stock, offset
47 printing, copy preparation, binding, distribution
48 costs, original payment of printing and binding claims
49 and contingencies arising during the fiscal year
50 beginning July 1, 1993, and ending June 30, 1994,

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1 which are legally payable from this fund.

2 3. From the centralized purchasing permanent
3 revolving fund established by section 18.9 for
4 salaries, support, maintenance, miscellaneous
5 purposes, and for not more than the following full-
6 time equivalent positions:

7	\$	609,430
8	FTEs	15.00

9 4. The remainder of the centralized purchasing
10 permanent revolving fund is appropriated for the
11 payment of expenses incurred through purchases by
12 various state departments and for contingencies
13 arising during the fiscal year beginning July 1, 1993,
14 and ending June 30, 1994, which are legally payable
15 from this fund.

16 5. From the vehicle dispatcher revolving fund
17 established by section 18.119 for salaries, support,
18 maintenance, miscellaneous purposes, and for not more
19 than the following full-time equivalent positions:

20	\$	598,696
21	FTEs	15.00

22 6. The remainder of the vehicle dispatcher
23 revolving fund is appropriated for the purchase of
24 gasoline, gasohol, oil, tires, repairs, and all other
25 maintenance expenses incurred in the operation of
26 state-owned motor vehicles and for contingencies
27 arising during the fiscal year beginning July 1, 1993,
28 and ending June 30, 1994, which are legally payable
29 from this fund.

30 The vehicle dispatcher shall report, not later than
31 February 15, 1994, to the chairpersons and the ranking
32 members of the joint appropriations subcommittee on
33 administration and to the legislative fiscal bureau
34 regarding the efficiencies of the vehicle fleet and
35 the changes in the efficiencies. The report shall

36 include the cost per mile, fuel efficiencies,
 37 maintenance costs, useful life, the costs of extending
 38 the useful life, and other measures which the vehicle
 39 dispatcher or the legislative fiscal bureau finds
 40 appropriate. The information shall be reported for
 41 each general type of vehicle. The overhead costs
 42 shall also be reported with the total costs of the
 43 vehicle dispatcher operations.

44 The department of general services shall report to
 45 the chairpersons and ranking members of the joint
 46 appropriations subcommittee on administration and the
 47 legislative fiscal bureau semiannually in January and
 48 July, the results of the project testing the potential
 49 for burning an 85 percent ethanol mixture in the
 50 state's test vehicles. The report shall include, but

Page 5

1 is not limited to, purchase costs, maintenance costs,
 2 average mileage, vehicle life, problems encountered,
 3 and likely benefits.

4 Sec. 6. GOVERNOR. There is appropriated from the
 5 general fund of the state to the offices of the
 6 governor and the lieutenant governor for the fiscal
 7 year beginning July 1, 1993, and ending June 30, 1994,
 8 the following amounts, or so much thereof as is
 9 necessary, to be used for the purposes designated:

10 1. For salaries, support, maintenance, and
 11 miscellaneous purposes for the general office of the
 12 governor and the general office of the lieutenant
 13 governor, and for not more than the following full-
 14 time equivalent positions:

15	.....	\$	1,009,477
16	.....	FTEs	17.25

17 2. For the governor's expenses and the lieutenant
 18 governor's expenses connected with office:

19	\$	2,416
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20 3. For salaries, support, maintenance, and
 21 miscellaneous purposes for the governor's quarters at
 22 Terrace Hill, and for not more than the following
 23 full-time equivalent positions:

24	.....	\$	46,206
25	.....	FTEs	2.50

26 4. For salaries, support, maintenance,
 27 miscellaneous purposes, for the operation of Terrace
 28 Hill, and for not more than the following full-time
 29 equivalent positions:

30	.....	\$	161,258
31	.....	FTEs	4.25

32 5. For the payment of expenses of ad hoc
 33 committees, councils, and task forces appointed by the
 34 governor to research and analyze a particular subject

35 area relevant to the problems and responsibilities of
 36 state and local government, including the employment
 37 of professional, technical, and administrative staff
 38 and the payment of per diem and actual expenses of
 39 committee, council, or task force members as specified
 40 pursuant to section 7E.6:

41\$ 1,610

42 The ad hoc committees, councils, and task forces
 43 appointed by the governor are subject to chapters 21
 44 and 22 and the members and the staff shall be informed
 45 of these requirements. A member shall not receive a
 46 per diem if the member is receiving a salary as a
 47 full-time public employee, but members shall be
 48 reimbursed for actual and necessary expenses.

49 6. For salaries, support, maintenance, and
 50 miscellaneous purposes for the office of

Page 6

1 administrative rules coordinator, and for not more
 2 than the following full-time equivalent positions:

3\$ 89,598

4 FTEs 2.00

5 7. For payment of Iowa's membership in the
 6 national governors' conference:

7\$ 74,435

8 Sec. 7. DRUG ENFORCEMENT AND ABUSE COORDINATOR.

9 There is appropriated from the general fund of the
 10 state to the office of the drug enforcement and abuse
 11 prevention coordinator for the fiscal year beginning
 12 July 1, 1993, and ending June 30, 1994, the following
 13 amounts, or so much thereof as is necessary, to be
 14 used for the purposes designated:

15 1. For salaries, support, maintenance,
 16 miscellaneous purposes, and for not more than the
 17 following full-time equivalent positions:

18\$ 214,427

19 FTEs 10.00

20 2. The drug enforcement and abuse prevention
 21 coordinator shall use the amount appropriated in this
 22 subsection to match and obtain available federal
 23 funds, the total amount of these funds to be used for
 24 the costs of the clearinghouse.

25 For the Iowa substance abuse clearinghouse in Cedar
 26 Rapids for staff, materials, and operating expenses:

27\$ 32,894

28 Sec. 8. DEPARTMENT OF MANAGEMENT. There is
 29 appropriated from the general fund of the state to the
 30 department of management for the fiscal year beginning
 31 July 1, 1993, and ending June 30, 1994, the following
 32 amount, or so much thereof as is necessary, to be used
 33 for the purposes designated:

34 For salaries, support, maintenance, miscellaneous
 35 purposes, and for not more than the following full-
 36 time equivalent positions:
 37 \$ 1,636,029
 38 FTEs 27.00

39 Sec. 9. There is appropriated from the road use
 40 tax fund to the department of management for the
 41 fiscal year beginning July 1, 1993, and ending June
 42 30, 1994, the following amount, or so much thereof as
 43 is necessary, to be used for the purposes designated:

44 For salaries, support, maintenance, and
 45 miscellaneous purposes:
 46 \$ 56,000

47 The department of management shall report to the
 48 chairpersons and ranking members of the senate and
 49 house committees on appropriations, the chairpersons
 50 and ranking members of the joint appropriations

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1 subcommittee on administration, and the legislative
 2 fiscal bureau, the number of furloughs and the number
 3 of layoffs that occur in each state agency, the
 4 savings associated with those furloughs and layoffs,
 5 the effect of the furloughs, and layoffs on services
 6 provided by the state agency, and other relevant
 7 information. The department shall provide a year-end
 8 report summarizing the information for fiscal year
 9 1992-1993 on or before September 1, 1993. The
 10 department shall continue this reporting for fiscal
 11 year 1993-1994. A report on the first five months of
 12 the fiscal year is due by January 2, 1994, and a year-
 13 end report is due by September 1, 1994.

14 When addressing staffing targets for state
 15 agencies, the department of management shall state the
 16 number of staff authorized for a state agency in terms
 17 of full-time equivalent positions.

18 Sec. 10. There is appropriated from the general
 19 fund of the state to the department of management for
 20 the fiscal year beginning July 1, 1993, and ending
 21 June 30, 1994, the following amount, or so much
 22 thereof as is necessary, to be used for the purpose
 23 designated:

24 COUNCIL OF STATE GOVERNMENTS
 25 For support of the membership assessment:
 26 \$ 63,971

27 Sec. 11. There is appropriated from the general
 28 fund of the state to the department of personnel for
 29 the fiscal year beginning July 1, 1993, and ending
 30 June 30, 1994, the following amounts, or so much
 31 thereof as is necessary, to be used for the purposes
 32 designated including the filing of quarterly reports

33 as required in this section:

34 1. ADMINISTRATION

35 For salaries, support, maintenance, and
36 miscellaneous purposes for the director's staff,
37 office services, data-word processing, and employment
38 law and labor relations, and for not more than the
39 following full-time equivalent positions:

40	.....	\$	1,297,439
41	.....	FTEs	23.00

42 2. FIELD SERVICES

43 For salaries for the personnel services and for not
44 more than the following full-time equivalent
45 positions:

46	.....	\$	667,516
47	.....	FTEs	23.00

48 3. PROGRAM MANAGEMENT

49 a. For salaries for employment and training, and
50 for not more than the following full-time equivalent

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1 positions:

2	\$	653,031
3	FTEs	18.00

4 b. For salaries for compensation and benefits and
5 for the administration of the workers' compensation
6 fund and for not more than the following full-time
7 equivalent positions:

8	.....	\$	811,188
9	.....	FTEs	22.00

10 Any funds received by the department for workers'
11 compensation purposes other than the funds
12 appropriated in paragraph "b" shall be used only for
13 the payment of workers' compensation claims.

14 The funds for support, maintenance, and
15 miscellaneous purposes for personnel assigned to field
16 services under subsection 2 and program management
17 under subsection 3 are payable from the appropriation
18 made in subsection 1.

19 The department of personnel shall report quarterly
20 to the chairpersons and ranking members of the joint
21 appropriations subcommittee on administration
22 concerning the number of vacancies in existing full-
23 time equivalent positions and the average time taken
24 to fill the vacancies. The reports shall include
25 quarterly and annual averages organized according to
26 state agency and general occupational category as
27 established by the federal equal employment
28 opportunity commission. All departments and agencies
29 of the state shall cooperate with the department in
30 the preparation of the reports.

31 Sec. 12. IPERS. There is appropriated from the

32 Iowa public employees' retirement system fund to the
 33 department of personnel for the fiscal year beginning
 34 July 1, 1993, and ending June 30, 1994, the following
 35 amounts, or so much thereof as is necessary, to be
 36 used for the purposes designated:

37 1. For salaries, support, maintenance, and other
 38 operational purposes to pay the costs of the Iowa
 39 public employees' retirement system:

40\$ 3,447,852

41 2. It is the intent of the general assembly that
 42 the Iowa public employees' retirement system employ
 43 sufficient staff within the appropriation provided in
 44 this section to meet the developing requirements of
 45 the investment program.

46 3. The department of personnel shall report on or
 47 before January 1, 1994, and each six months thereafter
 48 until the data information system is fully implemented
 49 to the chairpersons and ranking members of the joint
 50 appropriations subcommittee on administration and to

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1 the legislative fiscal bureau, on the progress made in
 2 implementing the data information system. The report
 3 shall include, but is not limited to, moneys spent and
 4 encumbered, progress made relative to the scheduled
 5 implementation, and benefits or anticipated benefits
 6 of the system.

7 4. The department of personnel shall submit,
 8 annually, a report to the chairpersons and ranking
 9 members of the joint appropriations subcommittee on
 10 administration and to the legislative fiscal bureau
 11 regarding the results of the state's top achievement
 12 recognition program. The reports submitted shall
 13 include, but are not limited to, identification of the
 14 recipients, a description of the meritorious
 15 achievements, and the awards conferred.

16 Sec. 13. There is appropriated from the primary
 17 road fund to the department of personnel for the
 18 fiscal year beginning July 1, 1993, and ending June
 19 30, 1994, the following amount, or so much thereof as
 20 is necessary, to be used for the purposes designated:

21 For salaries, support, maintenance, and
 22 miscellaneous purposes to provide personnel services
 23 for the state department of transportation:

24\$ 303,953

25 Sec. 14. There is appropriated from the road use
 26 tax fund to the department of personnel for the fiscal
 27 year beginning July 1, 1993, and ending June 30, 1994,
 28 the following amount, or so much thereof as is
 29 necessary, to be used for the purposes designated:

30 For salaries, support, maintenance, and

31	miscellaneous purposes to provide personnel services		
32	for the state department of transportation:		
33	.....	\$	49,481
34	Sec. 15. There is appropriated from the general		
35	fund of the state to the department of revenue and		
36	finance for the fiscal year beginning July 1, 1993,		
37	and ending June 30, 1994, the following amounts, or so		
38	much thereof as is necessary, to be used for the		
39	purposes designated, and for not more than the		
40	following full-time equivalent positions used for the		
41	purposes designated in subsections 1 through 6:		
42	.....	FTEs	587.43
43	1. ADMINISTRATION		
44	For salaries, support, maintenance, and		
45	miscellaneous purposes:		
46	.....	\$	1,095,810
47	2. AUDIT AND COMPLIANCE		
48	For salaries, support, maintenance, and		
49	miscellaneous purposes:		
50	\$	10,001,507

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1	3. FINANCIAL MANAGEMENT		
2	For salaries, support, maintenance, and		
3	miscellaneous purposes:		
4	.....	\$	7,053,882
5	4. INFORMATION AND MANAGEMENT SYSTEMS		
6	For salaries, support, maintenance, and		
7	miscellaneous purposes:		
8	.....	\$	2,349,305
9	5. LOCAL GOVERNMENT SERVICES		
10	For salaries, support, maintenance, and		
11	miscellaneous purposes:		
12	.....	\$	1,287,758
13	6. TECHNICAL SERVICES		
14	For salaries, support, maintenance, and		
15	miscellaneous purposes:		
16	.....	\$	2,581,000
17	7. RECORDING FEES		
18	For payment of recording fees pursuant to section		
19	422.26:		
20	.....	\$	45,008
21	8. a. The department of revenue and finance shall		
22	not change the appropriations for the purposes		
23	designated in subsections 1 through 6 from the amounts		
24	appropriated in those subsections unless notice of the		
25	revisions is given prior to their effective date to		
26	the legislative fiscal bureau. The notice shall		
27	include information on the department's rationale for		
28	making the changes.		
29	b. The director shall report annually to the		

30 legislative fiscal committee, the legislative fiscal
 31 bureau, and the chairpersons and ranking members of
 32 the joint appropriations subcommittee on
 33 administration concerning the effectiveness of the tax
 34 audits and investigations conducted, the moneys
 35 expended, the tax obligations established, and taxes
 36 collected as a result of the tax collection and
 37 enforcement efforts of the department.

38 c. The department of revenue and finance shall
 39 report quarterly to the legislative fiscal bureau
 40 concerning progress in the implementation of generally
 41 accepted accounting principles, including
 42 determination of reporting entities, fund
 43 classifications, modification of the Iowa financial
 44 accounting system, progress on preparing a
 45 comprehensive annual financial report, and the most
 46 current estimate of the general fund balance based on
 47 current generally accepted accounting principles.

48 Sec. 16. There is appropriated from the lottery
 49 fund to the department of revenue and finance for the
 50 fiscal year beginning July 1, 1993, and ending June

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1 30, 1994, the following amount, or so much thereof as
 2 is necessary, to be used for the purposes designated:

3 For salaries, support, maintenance, miscellaneous
 4 purposes, and for not more than the following full-
 5 time equivalent positions:

6	\$	7,264,362
7	FTEs	120.00

8 Sec. 17. There is appropriated from the motor
 9 vehicle fuel tax fund created by section 452A.77 to
 10 the department of revenue and finance for the fiscal
 11 year beginning July 1, 1993, and ending June 30, 1994,
 12 the following amount, or so much thereof as is
 13 necessary, to be used for the purposes designated:

14 For salaries, support, maintenance, and
 15 miscellaneous purposes for administration and
 16 enforcement of the provisions of chapter 452A and the
 17 motor vehicle use tax program:

18	\$	918,727
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19 Sec. 18. There is appropriated from the general
 20 fund of the state to the department of revenue and
 21 finance for the fiscal year beginning July 1, 1993,
 22 and ending June 30, 1994, the following amount, or so
 23 much thereof as is necessary, for the following
 24 purpose:

25 To reimburse, under section 427B.12, the taxing
 26 districts of Monroe county for machinery and computer
 27 equipment tax replacement pursuant to sections 427B.10
 28 through 427B.12 and 427B.14:

29	.....	\$	331,269
30	Sec. 19. There is appropriated from the general		
31	fund of the state to the office of the secretary of		
32	state for the fiscal year beginning July 1, 1993, and		
33	ending June 30, 1994, the following amounts, or so		
34	much thereof as is necessary, to be used for the		
35	purposes designated:		
36	1. ADMINISTRATION AND ELECTIONS		
37	For salaries, support, maintenance, relocation of		
38	office facilities outside of the state capitol		
39	building, miscellaneous purposes, and for not more		
40	than the following full-time equivalent positions:		
41	.....	\$	455,840
42	.....	FTEs	10.00
43	2. BUSINESS SERVICES		
44	For salaries, support, maintenance, miscellaneous		
45	purposes, and for not more than the following full-		
46	time equivalent positions:		
47	.....	\$	1,502,904
48	.....	FTEs	40.00
49	Sec. 20. STATE-FEDERAL RELATIONS. There is		
50	appropriated from the general fund of the state to the		

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1	office of state-federal relations for the fiscal year		
2	beginning July 1, 1993, and ending June 30, 1994, the		
3	following amount, or so much thereof as is necessary,		
4	to be used for the purposes designated:		
5	For salaries, support, maintenance, miscellaneous		
6	purposes, and for not more than the following full-		
7	time equivalent positions:		
8	.....	\$	204,524
9	.....	FTEs	3.00
10	Sec. 21. TREASURER. There is appropriated from		
11	the general fund of the state to the office of		
12	treasurer of state for the fiscal year beginning July		
13	1, 1993, and ending June 30, 1994, the following		
14	amount, or so much thereof as is necessary, to be used		
15	for the purposes designated:		
16	For salaries, support, maintenance, relocation of		
17	office facilities outside of the state capitol		
18	building, miscellaneous purposes, and for not more		
19	than the following full-time equivalent positions:		
20	.....	\$	787,576
21	.....	FTEs	28.80
22	The office of treasurer of state shall supply		
23	clerical and secretarial support for the executive		
24	council.		
25	Sec. 22. SECOND INJURY FUND. The administrative		
26	costs and expenses incurred by the treasurer of state,		
27	the attorney general, the second injury fund, or the		

28 department of revenue and finance, in connection with
 29 the second injury fund, may be paid from the second
 30 injury fund. However, the payment of administrative
 31 costs and expenses incurred by the treasurer of state,
 32 the attorney general, the second injury fund, and the
 33 department of revenue and finance, as authorized in
 34 this section, shall only be permitted for
 35 administrative costs and expenses incurred in the
 36 fiscal year commencing July 1, 1993, shall not exceed
 37 \$170,000, and shall be contingent upon the treasurer
 38 of state assessing the surcharge authorized in 1992
 39 Iowa Acts, chapter 1056, section 2, on or before June
 40 30, 1993.

41 Sec. 23. ELIMINATION OF VACANT UNFUNDED JOBS. The
 42 state departments, agencies, or offices receiving
 43 appropriations under this Act shall eliminate, within
 44 thirty days after the beginning of a fiscal year, all
 45 vacant unfunded positions on the table of organization
 46 of the state department, agency, or office.

47 Sec. 24. IOWA SPECIAL OLYMPICS FUND. There is
 48 appropriated from the general fund of the state to the
 49 Iowa special olympics fund for the fiscal year
 50 beginning July 1, 1993, and ending June 30, 1994, the

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1 following amount, or so much thereof as is necessary,
 2 to be used for the purpose designated:

3 For the Iowa special olympics fund established in
 4 the office of the treasurer of state:
 5 \$ 4,832

6 The moneys in the Iowa special olympics fund shall
 7 be expended at the request of the honorary chairperson
 8 of the Iowa special olympics.

9 Sec. 25. STATE WORKERS' COMPENSATION CLAIMS.

10 There is appropriated from the general fund of the
 11 state to the department of personnel for the fiscal
 12 year beginning July 1, 1993, and ending June 30, 1994,
 13 the following amount, or so much thereof as is
 14 necessary, to be used for the purpose designated:

15 For distribution, subject to approval of the
 16 department of management, to various state departments
 17 to fund the premiums for paying workers' compensation
 18 claims which are assessed to and collected from the
 19 state department by the department of personnel based
 20 upon a rating formula established by the department of
 21 personnel:
 22 \$ 5,884,740

23 The premiums collected by the department of
 24 personnel shall be segregated into a separate workers'
 25 compensation fund in the state treasury to be used for
 26 payment of state employees' workers' compensation

27 claims. Notwithstanding section 8.33, unencumbered or
28 unobligated moneys remaining in this workers'
29 compensation fund at the end of the fiscal year shall
30 not revert but shall be available for expenditure for
31 purposes of the fund for subsequent fiscal years.

32 **Sec. 26. IMPLEMENTATION OF FUNDING REDUCTIONS –**
33 **INTENT OF GENERAL ASSEMBLY.** It is the intent of the
34 general assembly that the departments, agencies, and
35 offices of the executive department of state
36 government shall implement funding reductions through
37 organizational changes which reduce supervisory
38 positions, vertically and horizontally, and increase
39 the span of control of the remaining supervisors as
40 recommended by the governor's committee on government
41 spending reform.

42 In addition, state departments, agencies, and
43 offices receiving appropriations under this Act shall
44 reduce expenditures for dues for organizational
45 memberships and travel costs associated with the
46 organizational memberships which are payable from the
47 operations budget of the state department, agency, or
48 office by a total of 10 percent during the fiscal year
49 beginning July 1, 1993. The state departments,
50 agencies, and offices shall report to the

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1 • chairpersons, vice-chairpersons, and ranking members
2 of the joint appropriations subcommittee on
3 administration and the legislative fiscal bureau
4 regarding the reductions by January 1, 1994, and shall
5 submit a final report by June 30, 1994.

6 **Sec. 27. NEW SECTION. 2.39 REPORTS TO THE**
7 **GENERAL ASSEMBLY.**

8 All reports required to be filed with the general
9 assembly by a state department or agency shall be
10 filed by delivering one printed copy and one copy in
11 electronic format as prescribed by the secretary of
12 the senate and the chief clerk of the house.

13 **Sec. 28. Section 8.6, Code 1993, is amended by**
14 **adding the following new subsections:**

15 **NEW SUBSECTION. 16. WORKFLOW PROCESS REVIEW.** To
16 review the workflow processes of all departments for
17 the following purposes:

18 a. To determine where information technology may
19 be used to improve the efficiency of a department and
20 how such technology may be used to the fullest extent
21 possible for the maximum benefit.

22 b. To discourage the duplication of information
23 collection efforts and encourage information sharing
24 among departments.

25 c. To discourage manual duplication of certain

26 acts including the rekeying of documents which may be
27 otherwise transferred or delivered in a usable
28 electronic format.

29 NEW SUBSECTION. 17. STATE AGENCY REPORTS. To
30 develop a process for the inventory, production
31 review, and process analysis of state agency reports
32 including all of the following duties:

33 a. Directing each state agency to develop a list
34 of reports published or made available by the agency
35 and to provide the list to the department. The list
36 provided shall indicate which reports are specifically
37 required by state or federal law to be published or
38 provided. Notwithstanding any provision requiring a
39 report to be provided in writing; the department shall
40 require that all reports required by state law be
41 provided in electronic format as determined by the
42 department, unless the state agency is granted a
43 waiver by the department to publish or provide the
44 report in writing. The department shall develop a
45 process for the granting of such waivers.

46 b. Making a request to all state agencies to
47 identify reports which can be provided to the federal
48 government in an electronic format in lieu of printed
49 copies. The department shall direct all state
50 agencies required by federal law to make a report to

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1 the federal government to make a request to the
2 receiving agency to permit the report to be provided
3 in electronic format.

4 c. Developing data standards for reports to be
5 provided in electronic format. Such standards shall
6 be adopted by rule pursuant to chapter 17A after the
7 department has consulted with affected local, state,
8 and federal officials.

9 d. Developing procedures for state agencies
10 regarding public access to public documents and public
11 information.

12 e. Developing a process for the identification of
13 documents to be provided electronically.

14 Sec. 29. NEW SECTION. 8.60 INFORMATION
15 TECHNOLOGY ACQUISITION FUND ESTABLISHED.

16 1. There is created in the office of the treasurer
17 of state a technology acquisition fund which is under
18 the control of the department of management. Moneys
19 deposited in the fund are not subject to reversion
20 pursuant to section 8.33.

21 2. In addition to funds appropriated to the
22 technology acquisition fund in subsection 1, fifty
23 percent of the savings identified as a result of a
24 reduction in publication and dissemination expenses

25 which are realized as a result of section 8.6,
26 subsection 17, shall be deposited in the information
27 technology acquisition fund. The remaining fifty
28 percent of such savings shall be deposited in the cash
29 reserve fund established in section 8.56. However,
30 any savings realized from the reduction in publication
31 and dissemination expenses which have been funded from
32 the road use tax fund or the primary road fund shall
33 be credited to a separate account of the information
34 technology acquisition fund and shall be used
35 exclusively for road use tax fund purposes. The
36 department of management shall adopt rules pursuant to
37 chapter 17A establishing a procedure for identifying
38 funds which are subject to this subsection.

39 3. The department shall adopt rules pursuant to
40 chapter 17A establishing standards which shall govern
41 the use of moneys in the fund. The standards shall
42 recognize the benefits which can be realized through
43 interagency collaboration and cooperation in the use
44 of such moneys. The standards shall also provide that
45 priority of the use of the moneys in the fund shall be
46 related to the highest demonstrated or reasonably
47 projected savings to be realized.

48 4. For purposes of the subsection:

49 a. "Information technology" includes, but is not
50 limited to, all forms of hardware or software used for

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1 collecting, processing, transmitting, or storing data
2 or information, other forms of data, or information
3 manipulation.

4 b. "Procurement" includes purchase, lease-
5 purchase, lease, or other forms of financing deemed by
6 the department to be appropriate.

7 **Sec. 30. NEW SECTION. 18.12A INFORMATION**
8 **TECHNOLOGY PURCHASES.**

9 The department is authorized, subject to the
10 approval of the department of management, to make
11 expenditures for the purchase of information
12 technology. The department shall use moneys deposited
13 in the technology acquisition fund created in section
14 8.60 for the purchase of such technology. The
15 department may also use funds as otherwise identified
16 and authorized to be used for such acquisitions.

17 **Sec. 31. Section 261.38, subsection 5, Code 1993,**
18 **is amended to read as follows:**

19 5. The treasurer of state shall invest any funds,
20 including those in the loan reserve account, and the
21 interest income earned shall be credited back to the
22 loan reserve account. The treasurer may invest up to
23 forty percent of the funds in the loan reserve account

24 in tax-exempt investments issued by an agency of the
25 state of Iowa. If any of the tax-exempt investments
26 are for purposes of financing the construction or
27 improvement of state facilities, the executive
28 council, established under chapter 19, shall review
29 and approve the proposed construction or improvement
30 prior to the investment of loan reserve account funds
31 in the tax-exempt investments.

32 Sec. 32. NEW SECTION. 303.95 ELECTRONIC ACCESS
33 TO DOCUMENTS.

34 The state library shall work to develop a system of
35 electronic access to documents maintained by the state
36 library with a goal of providing electronic access to
37 all such documents. The access shall be provided
38 initially through the use of compact disc technology.
39 This section shall not prohibit the state librarian
40 from considering other forms of electronic access if
41 the use of such other access is shown to exceed the
42 benefits of, and is more cost-effective than, the use
43 of compact disc technology.

44 Sec. 33. Section 556.5, subsection 1, unnumbered
45 paragraph 1, Code 1993, is amended to read as follows:

46 1. Except as provided in subsections 2 and 5,
47 stock or other intangible ownership interest in a
48 business association, the existence of which is
49 evidenced by records available to the association, is
50 presumed abandoned and, with respect to the interest,

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1 the association is the holder, if a dividend,
2 distribution, or other sum payable as a result of the
3 interest has remained unclaimed by the owner for seven
4 three years and the owner within seven three years has
5 not:

6 Sec. 34. Section 556.5, subsections 2, 3, and 5,
7 Code 1993, are amended to read as follows:

8 2. At the expiration of a seven-year three-year
9 period following the failure of the owner to claim a
10 dividend, distribution, or other sum payable to the
11 owner as a result of the interest, the interest is not
12 presumed abandoned unless there have been at least
13 seven dividends, distributions, or other sums paid
14 during the period, none of which has been claimed by
15 the owner. If seven three dividends, distributions,
16 or other sums are paid during the seven-year three-
17 year period, the period leading to a presumption of
18 abandonment commences on the date payment of the first
19 unclaimed dividend, distribution, or other sum became
20 due and payable. If seven three dividends,
21 distributions, or other sums are not paid during the
22 presumptive period, the period continues to run until

23 there have been seven three dividends, distributions,
24 or other sums that have not been claimed by the owner.

25 3. The running of the seven-year three-year period
26 of abandonment ceases immediately upon the occurrence
27 of a communication referred to in subsection 1. If
28 any future dividend, distribution, or other sum
29 payable to the owner as a result of the interest is
30 subsequently not claimed by the owner, a new period of
31 abandonment commences and relates back to the time a
32 subsequent dividend, distribution, or other sum became
33 due and payable.

34 5. This section does not apply to any stock or
35 other intangible ownership of interest enrolled in a
36 plan that provides for the automatic reinvestment of
37 dividends, distributions, or other sums payable as a
38 result of the interest unless the records available to
39 the treasurer of state show, with respect to any
40 intangible ownership interest not enrolled in the
41 reinvestment plan, that the owner has not within seven
42 three years communicated in any manner described in
43 subsection 1.

44 Sec. 35. Section 556.25, subsection 1, Code 1993,
45 is amended to read as follows:

46 1. A person who fails to pay or deliver property
47 within the time prescribed by this chapter shall pay
48 the treasurer of state interest at the annual rate of
49 eighteen ten percent on the property or value of the
50 property from the date the property should have been

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1 paid or delivered but in no event prior to July 1,
2 1984.

3 Sec. 36. Section 556.25, Code 1993, is amended by
4 adding the following new subsection:

5 **NEW SUBSECTION.** 3. The interest or penalty or any
6 part of the interest or penalty as imposed in
7 subsections 1 or 2, may be waived or remitted by the
8 treasurer of state if the person's failure to pay
9 abandoned funds or deliver property is satisfactorily
10 explained to the treasurer of state and if the failure
11 has resulted from a mistake by the person in
12 understanding or applying the law or the facts which
13 require that person to pay abandoned funds or deliver
14 property as provided in this chapter."

15 2. Title page, lines 3 through 5, by striking the
16 words "allocating use tax revenue for GAAP deficit
17 reductions, making appropriations for certain tax
18 credits,

19 3. Title page, lines 6 and 7, by striking the
20 words "and providing an effective date".

The motion prevailed and the House concurred in the Senate amendment H-4408.

Beaman of Clarke 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. 430)

The ayes were, 55:

Baker	Beaman	Blodgett	Boddicker
Branstad	Brauns	Brunkhorst	Carpenter
Cataldo	Churchill	Corbett	Daggett
Dinkla	Drake	Eddie	Ertl
Fogarty	Garman	Gipp	Greiner
Gries	Grundberg	Hahn	Halvorson, R. A.
Hanson, D. R.	Harper	Haverland	Hester
Houser	Hurley	Iverson	Kistler
Klemme	Lundby	Martin	McNeal
Metcalf	Meyer	Millage	Mundie
Nelson	O'Brien	Ollie	Peterson
Plasier	Rafferty	Rants	Renken
Royer	Siegrist	Tyrrell	Vande Hoef
Weidman	Welter	Mr. Speaker	
		Van Maanen	

The nays were, 39:

Arnould	Beatty	Bell	Bernau
Black	Brand	Burke	Cohoon
Connors	Doderer	Dvorsky	Fallon
Gill	Grubbs	Halvorson, R. N.	Hammond
Hansen, S. D.	Henderson	Holveck	Jochum
Koenigs	Kreiman	Larkin	Larson
May	McCoy	McKinney	Mertz
Moreland	Murphy	Neuhauser	Osterberg
Renaud	Running	Schrader	Shultz
Weigel	Wise	Witt	

Absent or not voting, 6:

Brammer	Dickinson	Greig	Hanson, D. E.
Miller	Spenner		

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 430** be immediately messaged to the Senate.

ADOPTION OF SENATE CONCURRENT RESOLUTION 37

Siegrist of Pottawattamie asked and received unanimous consent for the immediate consideration of Senate Concurrent Resolution 37, a concurrent resolution to provide for adjournment sine die, as follows and moved its adoption:

- 1 SENATE CONCURRENT RESOLUTION 37
- 2 By: Committee on Rules and Administration
- 3 A Senate Concurrent Resolution to provide for
- 4 adjournment sine die.
- 5 *Be It Resolved by the Senate, the House Concurring,*
- 6 That when adjournment is had by the Senate following
- 7 passage of this concurrent resolution by the Senate,
- 8 that adjournment constitutes the final adjournment of
- 9 the Senate for the 1993 Regular Session of the
- 10 Seventy-fifth General Assembly and when adjournment is
- 11 had by the House of Representatives, following passage
- 12 of this concurrent resolution by the House of
- 13 Representatives that adjournment constitutes the final
- 14 adjournment of the House of Representatives for the
- 15 1993 Regular Session of the Seventy-fifth General
- 16 Assembly. The date of final adjournment of the 1993
- 17 Regular Session of the Seventy-fifth General Assembly
- 18 is the date on which the second house adjourns.

The motion prevailed and the resolution was adopted.

SUBCOMMITTEE ASSIGNMENT

Senate File 413

Appropriations: Vande Hoef, Chair; Dvorsky, McNeal, Miller and Peterson.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 308

Ways and Means: Larson, Chair; Churchill, Iverson, Osterberg and Schrader.

CERTIFICATES OF RECOGNITION

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

ELIZABETH A. ISAACSON
Chief Clerk of the House

- | | |
|----------|---|
| 1993-213 | John Farrell, Delmar – For being named to the Des Moines Register's 1993 Academic All-State Honor Roll. |
| 1993-214 | Amy Smith, Clinton – For being named to the Des Moines Register's 1993 Academic All-State Honor Roll. |

- 1993-215 Penny Martens, Bellevue — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-216 Lisa Gerlach, Maquoketa — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-217 Crystal Noonan, Bellevue — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-218 Laura Carstensen, DeWitt — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-219 Kevin Sander, Goose Lake — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-220 Taia Pals, Clinton — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll and Academic All-State Team.
- 1993-221 Brooke Hayden, South Hamilton High School, Jewell — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-222 Timothy Landhuis, Fort Dodge High School, Fort Dodge — For being named to the Des Moines Register's 1993 Academic All-State Team.
- 1993-223 Angela Earhart, Lincoln High School, Des Moines — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-224 Thomas Stricker, Pleasant Valley — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-225 Lily Kim, Bettendorf — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-226 Heather Golliver, Davenport — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-227 Winston Yang, Davenport — For being named to the Des Moines Register's 1993 Academic All-State Team.
- 1993-228 Jessica Legg, Davenport — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-229 Lisa Holden, Eldridge — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-230 Adam Haeder, Rockwell City-Lytton High School, Rockwell City — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-231 Ryan Lennon, St. Edmond's High School, Fort Dodge — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.

- 1993-232 Timothy Hanks, Southern Cal High School, Lake City — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-233 Nathan Sheeley, Wilton — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-234 Jennifer Minick, Muscatine — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-235 Shannon Siefken, Pomeroy-Palmer High School, Pomeroy — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-236 Jennifer Peters, Webster City High School, Webster City — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-237 Deron Jimmerson, Manson-Northwest Webster High School, Manson — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-238 Adam Johnson, Keokuk — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-239 Gifford Covault, Guthrie Center — For being a "Hometown Hero" in the WHO Radio and Hardee's Restaurant Contest. Awarded for outstanding achievement in Community Service.
- 1993-240 Dwight H. Dugan, Des Moines — For service to the State of Iowa beginning as a secretary in the House of Representatives in the 1933 regular and special sessions; then on staff in the first State Comptrollers office, Department of Public Health, Liquor Commission and returning to the House of Representatives in 1986 as a doorman.
- 1993-241 Sarah Stressman, Dunlap-Dow City-Arion Community High School, Dunlap — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-242 Matthew Segebart, AR-WE-VA Community School, Westside — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-243 Heidi Thies, Charter Oak-Ute Community High School, Charter Oak — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-244 Vincent Taeger, Danville — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-245 Aaron Dick, Villisca — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-246 Brett Fulcher, St. Mary High School, Storm Lake — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.

- 1993-247 • Troy Ernst, Schleswig Community School, Schleswig — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-248 Sarah Dennis, Anita — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-249 William Chambers, Carroll — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-250 Mark Britton, Mediapolis — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-251 Sarah Barnes, West Burlington — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-252 Cari Andreasen, Denison Community School, Denison — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-253 Brad Ahrens, Osage Community High School, Osage — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-254 Adam Obrecht, Malvern — For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1993-255 Coach Duane Banks, University of Iowa — for 800 victories as a college baseball coach.
- 1993-256 James E. Fenton, Newton — For being a "Hometown Hero" in the WHO Radio and Hardee's Restaurant Contest. Awarded for outstanding Educational Contributions.
- 1993-257 Monte Mills, Sioux Central High School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-258 Nathan Miller, Storm Lake Senior High School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-259 Rita Hemann, St. Ansgar Community School, Stacyville — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-260 Cherish Hall, Riceville Community School, Riceville — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-261 Cory Nydene, Alta Community High School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-262 Steve Grote, Carroll — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.

- 1993-263 Emily O'Banion, Nora Springs, Rock Falls High School, Nora Springs — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-264 Rogene Pendleton, Camanche — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-265 Stacy Phipps, West Monona Community School, Onawa — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-266 David Van Gorkom, Pocahontas Area High School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-267 Richard Updike, Red Oak — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-268 Amy Ulrickson, Manning — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-269 Katina Roth, WACO High School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-270 Leigh Rasmussen, Newell-Fonda High School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-271 David Wenell, Albert City-Truesdale Community School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-272 Chris Robinson, Atlantic — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-273 Rebecca White, Fort Madison High School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-274 Aaron Wilt, Westwood Community School, Sloan — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-275 Carrie Young, Washington High School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-276 Doug Wilkerson, Winfield-Mt. Union High School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-277 Kristi Rude, Maple Valley Community School, Mapleton — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-278 Brian Saldeen, Fort Madison — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.

- 1993-279 April Sifford, Griswold — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-280 Brent Sinclair, Charles City High School, Charles City — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-281 Jefferson High School Girls Basketball Team "J" Hawks, Cedar Rapids — For winning the Iowa Girls 5-player State Basketball Team Championship.
- 1993-282 Chad Rhoades, Newton — For placing 4th in Class 4A, of the 1993 State Wrestling Tournament.
- 1993-283 Jason Erb, Irwin — For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1993-284 Rod Ergenbright, Newton — For placing 2nd in Class 4A, of the 1993 State Wrestling Tournament.
- 1993-285 Kyle Strong, South Page High School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-286 April Erickson, Shenandoah High School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-287 Derek Miller, Essex High School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-288 Wendy Edsall, Corning High School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-289 Deanna Coleman, Bedford High School — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-290 Susan Ridihalgh, Oelwein High School, Oelwein — For being selected as one of our Outstanding Seniors for 1993 in the University of Iowa.
- 1993-291 Kristi Kernan, Kee High School, Lansing — For being selected as one of our Outstanding Seniors for 1993 in the University of Iowa.
- 1993-292 Tim McMillin, Central Community High School — For being selected as one of our Outstanding Seniors for 1993 in the University of Iowa.
- 1993-293 Shawn O'Hara, Postville High School, Postville — For being selected as one of our Outstanding Seniors for 1993 in the University of Iowa.
- 1993-294 Scott Seidel, Starmont High School, Strawberry Point — For being selected as one of our Outstanding Seniors for 1993 in the University of Iowa.

- 1993-295 Bradley Guyer, Garnavillo High School, Garnavillo — For being selected as one of our Outstanding Seniors for 1993 in the University of Iowa.
- 1993-296 Brent T. Buresh, North Fayette High School, West Union — For being selected as one of our Outstanding Seniors for 1993 in the University of Iowa.
- 1993-297 Cindy Deutmeyer, Guttenberg Community School, Guttenberg — For being selected as one of our Outstanding Seniors for 1993 in the University of Iowa.
- 1993-298 Ben Fassbinder, Valley Community High School, Elgin — For being selected as one of our Outstanding Seniors for 1993 in the University of Iowa.
- 1993-299 Brandon M. Grady, M-F-L/Mar-Mac High School, Monona — For being selected as one of our Outstanding Seniors for 1993 in the University of Iowa.
- 1993-300 Kimberly Carey, West Central Community High School, Maynard — For being selected as one of our Outstanding Seniors for 1993 in the University of Iowa.
- 1993-301 Lillian Pearson, Guthrie County — For being a "Hometown Hero" in the WHO Radio and Hardee's Restaurant Contest. Awarded for outstanding achievement in Community Service.
- 1993-302 Regan Connell, Columbus High School, Waterloo — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-303 Hannah Friedman, West Waterloo High School, Waterloo — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-304 Anthony Thorn, Lake Park — For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1993-305 Alvin and Anna Klemme, LeMars — For their 55th Wedding Anniversary on June 23, 1993.
- 1993-306 Shelley Harbaugh, Jefferson — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll.
- 1993-307 Jessica Leix, Newton — For being named to the Des Moines Register's Class 4A Girls Second-Team All-State Basketball Team 1993.
- 1993-308 Aaron Baird, Newton — For being named to the Des Moines Register's Class 4A Second-Team All-State Football Team.
- 1993-309 Ed Machin, Newton — For being named to the Des Moines Register's Class 4A First-Team All-State Football Team.
- 1993-310 Jason Jensen, Newton — For being named to the Des Moines Register's Class 4A Second-Team All-State Football Team.

- 1993-311 Eric Rinderknecht, Newton — For being named to the Des Moines Register's Class 4A Second-Team All-State Football Team.
- 1993-312 Darin Tisdale, Newton — For being named to the Des Moines Register's Class 4A Second-Team All-State Football Team.
- 1993-313 Todd Scott, Newton — For being named to the Des Moines Register's Class 4A Third-Team All-State Football Team.

FINAL DISPOSITION OF MOTIONS TO RECONSIDER

Pursuant to House Rule 73.g, the following motions to reconsider which remained on the House Calendar upon adjournment of the 1993 Regular Session of the Seventy-fifth General Assembly will be considered to have failed:

By Churchill of Polk, to amendment H—3331, to House File 428, a bill for an act relating to limitations on legislators' per diem, and providing an effective date. (Motion to reconsider pending and House File 428 rereferred to committee on state government under Rule 45.)

By Hahn of Muscatine to House File 515, a bill for an act relating to the award of a contract by a city, filed on April 7, 1993. Bill failed.

By Rants of Woodbury to House File 597, a bill for an act relating to publishing public notice of storm water discharge, filed on March 26, 1993.

HOUSE AND SENATE FILES REREFERRED TO COMMITTEE

Under the provisions of House Rule 45, the following House Files and Senate Files are rereferred to the committees listed:

House File 9	Small Business, Economic Development and Trade
House File 183	Education
House File 231	Judiciary and Law Enforcement
House File 300	Appropriations
House File 304	Judiciary and Law Enforcement
House File 425	Local Government
House File 428	State Government
House File 525	Ways and Means
House File 587	Education
House File 600	Judiciary and Law Enforcement
House File 613	Commerce
House File 647	Commerce
House File 655	Ways and Means
House File 659	Ways and Means

House File 665	Ways and Means
House File 668	Ways and Means
House File 673	Ways and Means
House File 674	Appropriations
House File 677	Ways and Means
Senate File 24	Small Business, Economic Development and Trade
Senate File 52	State Government
Senate File 75	Judiciary and Law Enforcement
Senate File 90	Ways and Means
Senate File 103	Education
Senate File 130	Local Government
Senate File 216	Local Government
Senate File 228	Education
Senate File 294	Local Government
Senate File 303	Local Government
Senate File 308	Judiciary and Law Enforcement
Senate File 327	Ways and Means
Senate File 357	State Government
Senate File 359	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 22, 1993, passed the following bill in which the concurrence of the House is asked:

Senate File 226, a bill for an act relating to school administration, accreditation, finance, transportation, and official newspaper publication.

JOHN F. DWYER, Secretary

The House stood at ease at 5:00 a.m., until the fall of the gavel.

The House resumed session, Speaker pro tempore Lundby in the chair.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 2nd day of May, 1993: House Files 83, 111, 136, 144, 193, 210, 214,

263, 319, 328, 331, 348, 360, 361, 382, 384, 388, 389, 400, 409, 418, 419, 430, 457, 472, 496, 533, 576, 622, 632, 635, 641, 644, 652, 656, 660, 661, 663, 664, 666, 669, 671 and 675.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

**BILL ENROLLED, SIGNED AND SENT TO
SECRETARY OF STATE**

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following resolution has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Secretary of State for her approval on this 2nd day of May, 1993: House Joint Resolution 28.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

CERTIFICATES OF RECOGNITION

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

ELIZABETH A. ISAACSON
Chief Clerk of the House

- | | |
|----------|--|
| 1993-314 | Bryant Ficek, St. Albert High School, Council Bluffs — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll. |
| 1993-315 | Brian Engesser, Lewis Central High School, Council Bluffs — For being named to the Des Moines Register's 1993 Academic All-State Honor Roll. |
| 1993-316 | Peter Steffen, New Hampton Community High School — For being a first place winner in the State History Day Competition. |
| 1993-317 | Brian Heying, New Hampton Community High School — For selection to First Team All-State Boys' Basketball for both the Des Moines Register and Iowa Newspaper Association and being named 3A Player of the Year by the Iowa Basketball Coaches Association. |
| 1993-318 | Scott Hogeland, New Hampton Community High School — For being named the State 3A Boys' Basketball Coach of the Year by the Iowa Basketball Coaches Association. |
| 1993-319 | Craig Volk, New Hampton Community High School — For selection to Third Team All-State Boys' Basketball by the Des Moines Register, and Honorable Mention by the Iowa Newspaper Association. |

- 1993-320 Heather Mitchel, Hoover Elementary School, Dubuque — For achieving First Place with her Historical Paper in the Regional History Day Contest sponsored by the Keystone Area Education Agency.
- 1993-321 Pat Connolly, Kennedy Elementary School, Dubuque — For achieving Second Place in the Individual Projects Regional History Day Contest sponsored by the Keystone Area Education Agency.
- 1993-322 Abby Keppler, Hoover Elementary School, Dubuque — For achieving Second place with her Historical Paper in the Regional History Day Contest sponsored by the Keystone Area Education Agency.
- 1993-323 Trina Sandburg, Hoover Elementary School, Dubuque — For achieving First Place in the Regional History Day Contest sponsored by the Keystone Area Education Agency.
- 1993-324 Sarah Barfels, Dubuque Senior High School, Dubuque — For being recognized as "Best of the Class" sponsored by KWWL—TV and the University of Iowa.
- 1993-325 Jenny Meyer, Hempstead High School, Dubuque — For being recognized as "Best of the Class" sponsored by KWWL—TV and the University of Iowa.
- 1993-326 Nichole M. Martin, Central Alternative School, Dubuque — For being recognized as "Best of the Class" sponsored by KWWL—TV and the University of Iowa.
- 1993-327 Kevin Braun, Wahlert High School, Dubuque — For being recognized as "Best of the Class" sponsored by KWWL—TV and the University of Iowa.
- 1993-328 Kirsten Bullock, Fredericksburg High School, Fredericksburg — For being recognized as "Best of the Class" sponsored by KWWL—TV and the University of Iowa.
- 1993-329 Jennine Christoph, New Hampton High School, New Hampton — For being recognized as "Best of the Class" sponsored by KWWL—TV and the University of Iowa.
- 1993-330 Patty Kuennen, Turkey Valley High School, Jackson Junction — For being recognized as "Best of the Class" sponsored by KWWL—TV and the University of Iowa.
- 1993-331 Chris Omar, Crestwood High School — For being recognized as "Best of the Class" sponsored by KWWL—TV and the University of Iowa.
- 1993-332 Renee Hageman, South Winneshiek High School — For being recognized as "Best of the Class" sponsored by KWWL—TV and the University of Iowa.

- 1993-333 Jennifer Jones, Nashua-Plainfield High School — For being recognized as "Best of the Class" sponsored by KWWL—TV and the University of Iowa.
- 1993-334 Kathy Wenthold, Cresco — For earning an Outstanding Student Award given by Northeast Iowa Community College.
- 1993-335 Troy Harnisch, Fredericksburg — For earning an Outstanding Student Award given by Northeast Iowa Community College.
- 1993-336 Karen Sprenger, Fredericksburg — For earning the Academic Excellence Award given by Northeast Iowa Community College.

COMMITTEE TO NOTIFY THE GOVERNOR

Siegrist of Pottawattamie moved that a committee of two be appointed to notify the Governor that the House was ready to adjourn in accordance with Senate Concurrent Resolution 37, duly adopted.

The motion prevailed and the Speaker appointed as such committee Garman of Story and Connors of Polk.

COMMITTEE TO NOTIFY THE SENATE

Siegrist of Pottawattamie moved that a committee of two be appointed to notify the Senate that the House was ready to adjourn in accordance with Senate Concurrent Resolution 37, duly adopted.

The motion prevailed and the Speaker appointed as such committee Branstad of Winnebago and Tyrrell of Iowa.

COMMITTEE FROM THE SENATE

The committee from the Senate appeared and notified the House that the Senate was ready to adjourn.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

The committee appointed to notify the Senate that the House was ready to adjourn returned and reported it had performed its duty.

The report was received and the committee discharged.

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

The committee appointed to notify the Governor that the House was ready to adjourn returned and reported it had performed its duty and that the Governor had sent the following message:

COMMUNICATION FROM THE GOVERNOR

May 26, 1993

The Honorable Harold G. Van Maanen
Speaker of the House
State Capitol Building
L O C A L

Dear Mr. Speaker:

As the General Assembly marks the Sine Die, I have nearly completed actions on the bills that were passed. I commend the members on an unheralded accomplishment — this General Assembly demonstrated some restraint and passed only one hundred eighty-five new bills. That is nearly one hundred fewer than the recent average. More important, for the first time in recent years, the General Assembly passed a straightforward and balanced budget. Budget restraint must be a fundamental responsibility for lawmakers.

The General Assembly acted on my top priority, economic development by passing bills to help create more quality jobs and restoring funding for the Community Economic Betterment Account and national and tourism marketing. I will be encouraging the next session to approve the machinery and equipment bill to improve our competitive position for creating jobs. Most of the few new dollars available were put into education, though the increases were not as much as I proposed. Creating quality jobs and continuing to improve education in Iowa will be my top priorities for the second year of this General Assembly.

The General Assembly worked to develop bipartisan cooperation. That cooperation was key to passage of our landmark welfare reform that encourages self-sufficiency, child welfare reform that will work with families instead of putting kids in institutions, new tools to recover more child support and our livestock initiatives to help family farmers compete.

While cooperation worked to pass some issues, partisanship blocked others. The biggest disappointment was the failure to pass tough public safety measures, especially legislation to be sure drunk drivers get their licenses suspended, a limited death penalty, and a reasonable drug testing bill. Those issues are important to Iowans and they will not go away.

I look forward to working with you next year to improve Iowa's climate for quality jobs, enhance our quality of life and balancing our budget.

Sincerely,
Terry E. Branstad
Governor

The communication was received and the committee discharged.

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 37, duly adopted, the day of May 2, 1993 having arrived, the Speaker of the House of Representatives declared the 1993 Regular Session of the Seventy-fifth General Assembly adjourned sine die.

AMENDMENTS FILED

Amendments filed during the Seventy-fifth General Assembly,
1993 Session, not otherwise printed in the House Journal:

H-3001

- 1 Amend House File 22 as follows:
- 2 1. Page 1, line 4, by striking the words "one and
- 3 six-tenths" and inserting the following: "three".

OLLIE of Clinton
HANSEN of Woodbury
RUNNING of Linn

HALVORSON of Webster
GILL of Woodbury
SHOULTZ of Black Hawk

H-3004

- 1 Amend Senate Concurrent Resolution 2, as passed by
- 2 the Senate, as follows:
- 3 1. Page 16, by striking lines 15 and 16.
- 4 2. By renumbering as necessary.

HANSEN of Woodbury

H-3005

- 1 Amend Senate Concurrent Resolution 2, as passed by
- 2 the Senate, as follows:
- 3 1. Page 17, line 6, by inserting after the word
- 4 "grade." the following: "Credit for prior experience
- 5 shall not be lost due to a break in employment with
- 6 the general assembly."

HAMMOND of Story
DODERER of Johnson

H-3006

- 1 Amend Senate Concurrent Resolution 2 as passed by
- 2 the Senate, as follows:
- 3 1. Page 1, by inserting after line 30 the
- 4 following:
- 5 "BE IT FURTHER RESOLVED, That when a vacancy occurs
- 6 and the term of any officer or employee is not
- 7 completed, the officer or employee shall receive a
- 8 salary or compensation proportional to the length of
- 9 the officer's or employee's service computed to the
- 10 nearest whole month. A successor elected or appointed
- 11 to fill such vacancy shall receive a salary or
- 12 compensation proportional to the successor's length of
- 13 service computed to the nearest whole month commencing
- 14 with such time as the successor is officially
- 15 determined to have succeeded to such office."

DICKINSON of Jackson

H-3014

1 Amend House File 71 as follows:

- 2 1. Page 1, line 11, by inserting after the word
 3 "association" the following: "or its successor
 4 association".
 5 2. Page 1, line 15, by inserting after the word
 6 "association" the following: "or its successor
 7 association".
 8 3. Page 1, line 23, by striking the word and
 9 figures "January 1, 1994" and inserting the following:
 10 "January 1 of the year following the date the Iowa
 11 firemen's association officially changes its
 12 association name to Iowa firefighters' association".

SPEAR of Lee
 MORELAND of Wapello
 DODERER of Johnson
 BERNAU of Story
 HESTER of Pottawattamie
 KISTLER of Jefferson
 HALVORSON of Webster

JOCHUM of Dubuque
 NEUHAUSER of Johnson
 HURLEY of Fayette
 MERTZ of Kossuth
 BELL of Jasper
 NELSON of Pottawattamie
 MUNDIE of Webster

H-3015

1 Amend House File 9 as follows:

- 2 1. Page 1, by inserting after line 19 the
 3 following:
 4 "Sec. _____. Section 159A.8, subsection 3, Code
 5 1993, is amended to read as follows:
 6 3. A certified producer may participate in the
 7 program by submitting a claim to the office for
 8 approval in a manner and according to procedures
 9 established by the office. The office shall provide a
 10 certified ethanol producer with an incentive payment
 11 of twenty cents for each qualifying gallon of ethanol
 12 produced. The office shall provide the producer with
 13 an incentive payment which shall be a bonus of thirty
 14 additional cents for each qualifying gallon of ethanol
 15 produced from a commodity which is not eligible for a
 16 loan by the commodity credit corporation chartered
 17 pursuant to 15 U.S.C. section 714 et seq. The
 18 producer shall be paid according to the total number
 19 of gallons produced by a new facility or according to
 20 the number of gallons produced by an expanded facility
 21 which is attributable to the expansion. In order to
 22 qualify for the payment, all fermentation,
 23 distillation, and dehydration of the ethanol must
 24 occur at the facility. The ethanol produced at the
 25 facility must be at least ninety-nine percent pure and
 26 must be denatured and subsequently blended with
 27 gasoline.
 28 Sec. _____. Section 159A.8, subsection 5, paragraph

29 c, Code 1993, is amended to read as follows:
30 c. If sufficient moneys are not available to
31 satisfy the claims of all cooperative associations
32 from moneys available for that computation period, the
33 office shall prorate the payments to each cooperative
34 association according to the proportionate amount of
35 ethanol produced by each cooperative association for
36 that computation period. If sufficient moneys are not
37 available to satisfy the claims of all persons other
38 than cooperative associations from moneys available
39 for that computation period, the office shall prorate
40 the payments to each of the persons according to the
41 proportionate amount of ethanol produced by each
42 person for that computation period. However, a claim
43 for an incentive payment for which a bonus is provided
44 in subsection 3 shall be paid at the rate of two and
45 one-half times the amount of a claim for an incentive
46 payment based on the same amount of ethanol produced
47 from a commodity which is eligible for a loan by the
48 commodity credit corporation. Except as provided in
49 paragraph "b", a claimant who has received a prorated
50 payment does not have a claim for the part of the

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1 payment which was not received."
2 2. Title page, line 2, by inserting before the
3 word "production" the following: "and incentive
4 payments provided to".

SHOULTZ of Black Hawk

H-3017

1 Amend House File 23 as follows:
2 1. Page 1, by inserting before line 14 the
3 following:
4 "Sec. 2. Section 447.1, unnumbered paragraph 1,
5 Code 1993, is amended to read as follows:
6 A parcel sold under this chapter and chapter 446
7 may be redeemed at any time before the right of
8 redemption expires, by payment to the county
9 treasurer, to be held by the treasurer subject to the
10 order of the purchaser, of the amount for which the
11 parcel was sold and interest of two one and one-half
12 percent per month, counting each fraction of a month
13 as an entire month, from the month of sale, and the
14 total amount paid by the purchaser or the purchaser's
15 assignee for any subsequent year, with interest at the
16 same rate added on the amount of the payment for each
17 subsequent year from the month of payment, counting
18 each fraction of a month as an entire month. The
19 amount of interest must be at least one dollar and

- 20 shall be rounded to the nearest whole dollar.
- 21 Interest shall accrue on subsequent amounts from the
- 22 month of payment by the certificate holder.
- 23 Sec. 3. APPLICABILITY. For parcels redeemed on or
- 24 after the effective date of this Act, interest charged
- 25 on the amount owed from the month of enactment of this
- 26 Act shall be at the rate specified in section 2 of
- 27 this Act. Interest charged on the amount owed on a
- 28 parcel redeemed on or after the effective date of this
- 29 Act for months prior to the month of the effective
- 30 date of this Act shall be at the rate in effect prior
- 31 to the effective date of this Act."
- 32 2. Page 1, line 14, by striking the words "Sec.
- 33 2. This" and inserting the following: "Sec. 4.
- 34 EFFECTIVE DATE. Section 1 of this".
- 35 3. Title page, line 2, by inserting after the
- 36 word "purchaser" the following: "and to interest
- 37 charged when redeeming parcels".
- 38 4. Title page, line 3, by inserting after the
- 39 word "date" the following: "and an effective date".

DODERER of Johnson

H-3021

1 Amend House File 9 as follows:

- 2 1. Page 1, line 19, by inserting after the figure
- 3 "1993." the following: "The claimant must also state
- 4 the number or a reasonable estimate of the number of
- 5 qualifying gallons of ethanol capable of being
- 6 produced by the facility. The office shall verify the
- 7 information contained in the application."
- 8 2. Page 1, by inserting after line 19 the
- 9 following:
- 10 "Sec. _____. Section 159A.8, subsection 3, Code
- 11 1993, is amended to read as follows:
- 12 3. A certified producer may participate in the
- 13 program by submitting a claim to the office for
- 14 approval in a manner and according to procedures
- 15 established by the office. The office shall provide a
- 16 certified ethanol producer with an incentive payment
- 17 of twenty cents for each qualifying gallon of ethanol
- 18 produced. However, the office shall provide an
- 19 incentive payment of ten cents for each qualifying
- 20 gallon of ethanol produced from a facility which has
- 21 an estimated or actual total annual production
- 22 capacity of less than five million qualifying gallons
- 23 of ethanol. The producer shall be paid according to
- 24 the total number of gallons produced by a new facility
- 25 or according to the number of gallons produced by an
- 26 expanded facility which is attributable to the
- 27 expansion. In order to qualify for the payment, all
- 28 fermentation, distillation, and dehydration of the

29 ethanol must occur at the facility. The ethanol
30 produced at the facility must be at least ninety-nine
31 percent pure and must be denatured and subsequently
32 blended with gasoline.

33 Sec. _____. Section 159A.8, subsection 5, paragraphs
34 b and c, Code 1993, are amended to read as follows:

35 b. If moneys remain from the amount reserved to
36 satisfy all claims made by cooperative associations at
37 the end of a computation period, the office shall use
38 the remaining moneys to increase payments made to
39 persons other than cooperative associations submitting
40 claims for that computation period, to the extent that
41 the claims of those persons were not completely
42 satisfied. If moneys remain from the amount reserved
43 to satisfy all claims made by persons other than
44 cooperative associations at the end of a computation
45 period, the office shall use the remaining moneys to
46 increase payments made to cooperative associations
47 submitting claims for that computation period, to the
48 extent that the claims of those cooperative
49 associations were not completely satisfied. These
50 remaining moneys shall be paid on a prorated basis

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1 according to the proportionate amount of ethanol
2 produced during the computation period. However, a
3 claim for an incentive payment from a facility which
4 has an estimated or actual total annual production
5 capacity of less than five million qualifying gallons
6 of ethanol, shall be paid at the rate of one-half the
7 amount of a claim for an incentive payment based on
8 the same number of qualifying gallons of ethanol
9 produced from a facility which has an estimated or
10 actual total annual production capacity of five
11 million or more qualifying gallons of ethanol. If
12 moneys remain from the amount reserved to satisfy the
13 claims made by all cooperative associations and other
14 persons, the moneys shall be allocated to ensure equal
15 payments to cooperative associations and persons who
16 are not cooperative associations during the remainder
17 of the subsequent computation periods in the state
18 fiscal year.

19 c. If sufficient moneys are not available to
20 satisfy the claims of all cooperative associations
21 from moneys available for that computation period, the
22 office shall prorate the payments to each cooperative
23 association according to the proportionate amount of
24 ethanol produced by each cooperative association for
25 that computation period. If sufficient moneys are not
26 available to satisfy the claims of all persons other
27 than cooperative associations from moneys available

28 for that computation period, the office shall prorate
29 the payments to each of the persons according to the
30 proportionate amount of ethanol produced by each
31 person for that computation period. However, a claim
32 for an incentive payment from a facility which has an
33 estimated or actual total annual production capacity
34 of less than five million qualifying gallons of
35 ethanol, shall be paid at the rate of one-half the
36 amount of a claim for an incentive payment based on
37 the same number of qualifying gallons of ethanol
38 produced from a facility which has an estimated or
39 actual total annual production capacity of five
40 million or more qualifying gallons of ethanol. Except
41 as provided in paragraph "b", a claimant who has
42 received a prorated payment does not have a claim for
43 the part of the payment which was not received."

KOENIGS of Mitchell

H-3022

1 Amend House File 79 as follows:

2 1. Page 1, line 7, by striking the words "it
3 would impair the minor's ability to" and inserting the
4 following: "the judge determines that testimony by
5 the minor victim in the presence of the defendant will
6 result in the minor suffering serious emotional
7 distress such that the minor cannot reasonably".

KREIMAN of Davis

H-3029

1 Amend House File 9 as follows:

2 1. Page 1, line 19, by inserting after the figure
3 "1993." the following: "The claimant must also state
4 the number of the qualifying gallons of ethanol which
5 will be produced from a commodity which is not
6 eligible for a loan by the commodity credit
7 corporation chartered pursuant to 15 U.S.C. § 714 et
8 seq. The office shall verify the information
9 contained in the application."

10 2. Page 1, by inserting after line 19 the
11 following:

12 "Sec. _____. Section 159A.8, subsection 3, Code
13 1993, is amended to read as follows:

14 3. A certified producer may participate in the
15 program by submitting a claim to the office for
16 approval in a manner and according to procedures
17 established by the office. The office shall provide a
18 certified ethanol producer with an incentive payment
19 of twenty cents for each qualifying gallon of ethanol
20 produced. The office shall provide the producer with
21 an incentive payment which shall be a bonus of thirty

22 additional cents for each qualifying gallon of ethanol
23 produced from a commodity which is not eligible for a
24 loan by the commodity credit corporation chartered
25 pursuant to 15 U.S.C. § 714 et seq. The producer
26 shall be paid according to the total number of gallons
27 produced by a new facility or according to the number
28 of gallons produced by an expanded facility which is
29 attributable to the expansion. In order to qualify
30 for the payment, all fermentation, distillation, and
31 dehydration of the ethanol must occur at the facility.
32 The ethanol produced at the facility must be at least
33 ninety-nine percent pure and must be denatured and
34 subsequently blended with gasoline.

35 Sec. _____. Section 159A.8, subsection 5, paragraphs
36 b and c, Code 1993, are amended to read as follows:

37 b. If moneys remain from the amount reserved to
38 satisfy all claims made by cooperative associations at
39 the end of a computation period, the office shall use
40 the remaining moneys to increase payments made to
41 persons other than cooperative associations submitting
42 claims for that computation period, to the extent that
43 the claims of those persons were not completely
44 satisfied. If moneys remain from the amount reserved
45 to satisfy all claims made by persons other than
46 cooperative associations at the end of a computation
47 period, the office shall use the remaining moneys to
48 increase payments made to cooperative associations
49 submitting claims for that computation period, to the
50 extent that the claims of those cooperative

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1 associations were not completely satisfied. These
2 remaining moneys shall be paid on a prorated basis
3 according to the proportionate amount of ethanol
4 produced during the computation period. However, a
5 claim for an incentive payment for which a bonus is
6 provided in subsection 3 shall be paid at the rate of
7 two and one-half times the amount of a claim for an
8 incentive payment based on the same amount of ethanol
9 produced from a commodity which is eligible for a loan
10 by the commodity credit corporation. If moneys remain
11 from the amount reserved to satisfy the claims made by
12 all cooperative associations and other persons, the
13 moneys shall be allocated to ensure equal payments to
14 cooperative associations and persons who are not
15 cooperative associations during the remainder of the
16 subsequent computation periods in the state fiscal
17 year.

18 c. If sufficient moneys are not available to
19 satisfy the claims of all cooperative associations
20 from moneys available for that computation period, the

21 office shall prorate the payments to each cooperative
 22 association according to the proportionate amount of
 23 ethanol produced by each cooperative association for
 24 that computation period. If sufficient moneys are not
 25 available to satisfy the claims of all persons other
 26 than cooperative associations from moneys available
 27 for that computation period, the office shall prorate
 28 the payments to each of the persons according to the
 29 proportionate amount of ethanol produced by each
 30 person for that computation period. However, a claim
 31 for an incentive payment for which a bonus is provided
 32 in subsection 3 shall be paid at the rate of two and
 33 one-half times the amount of a claim for an incentive
 34 payment based on the same amount of ethanol produced
 35 from a commodity which is eligible for a loan by the
 36 commodity credit corporation. Except as provided in
 37 paragraph "b", a claimant who has received a prorated
 38 payment does not have a claim for the part of the
 39 payment which was not received."

SHOULTZ of Black Hawk

H-3034

1 Amend House File 9 as follows:
 2 1. Page 1, by inserting after line 19 the
 3 following:
 4 "Sec. _____. Section 159A.7, subsection 5, Code
 5 Supplement 1991, as amended by 1992 Iowa Acts, chapter
 6 1099, section 4, to be subsection 6, is amended to
 7 read as follows:
 8 6. Section 8.33 does not apply to moneys in the
 9 renewable fuel activities account. Income received by
 10 investment of moneys in the account shall remain in
 11 that account. Moneys appropriated for a state fiscal
 12 year to the ethanol production incentive account which
 13 remain unobligated and unencumbered on July 31 of the
 14 following state fiscal year shall be credited to the
 15 road use tax passenger rail service revolving fund as
 16 provided established in section 423.24 327J.2.
 17 Sec. _____. Section 327J.2, subsection 2, Code 1993,
 18 is amended by adding the following new paragraph:
 19 NEW PARAGRAPH. c. Moneys appropriated from the
 20 ethanol production incentive account created in
 21 section 159A.8.
 22 Sec. _____. Section 433.24, subsection 1, paragraph
 23 b, as enacted by 1992 Iowa Acts, chapter 1099, section
 24 6, is amended to read as follows:
 25 b. Beginning on July 1, 1993, three and one-half
 26 percent of the remaining revenue, not to exceed one
 27 million dollars per quarter, derived from the use tax
 28 on motor vehicles, trailers, and motor vehicle
 29 accessories and equipment as collected pursuant to

30 section 423.7, shall be deposited in the ethanol
 31 production incentive account of the renewable fuel
 32 fund created in section 159A.7. Moneys deposited
 33 according to this paragraph are a continuing
 34 appropriation for expenditure under section 159A.8.
 35 Moneys deposited during a state fiscal year to the
 36 ethanol production incentive account which remain
 37 unobligated and unencumbered on July 31 of the
 38 following state fiscal year shall be credited to the
 39 road use tax passenger rail service revolving fund as
 40 provided established in this section 327J.2."

41 2. Title page, line 2, by inserting after the
 42 word "facilities" the following: "and the
 43 appropriation of moneys".

44 3. By renumbering as necessary.

HENDERSON of Scott

H-3038

- 1 Amend amendment H-3034, to House File 9 as
 2 follows:
 3 1. Page 1, line 21, by striking the numerals and
 4 letter "159A.8" and inserting the following: "159A.7".
 5 2. Page 1, line 22, by striking the numerals
 6 "433.24" and inserting the following: "423.24".

HENDERSON of Scott

H-3043

- 1 Amend House File 60 as follows:
 2 1. Page 1, line 7, by inserting after the word
 3 "Iowa." the following: "However, a nonresident
 4 arbitrator may be appointed a member if the
 5 nonresident arbitrator resides in a state which
 6 permits an arbitrator who resides in Iowa to resolve
 7 collective bargaining disputes in that state."

RUNNING of Linn
 CONNORS of Polk
 McKINNEY of Dallas

H-3046

- 1 Amend House File 34 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 256.11A, subsection 2, Code
 5 1993, is amended by striking the subsection.
 6 Sec. 2. Section 280.14, Code 1993, is amended to
 7 read as follows:
 8 280.14 SCHOOL REQUIREMENTS.
 9 The board or governing authority of each school or
 10 school district subject to the provisions of this

11 chapter shall establish and maintain adequate
 12 administration, school staffing, personnel assignment
 13 policies, teacher qualifications, certification
 14 requirements, facilities, equipment, grounds,
 15 graduation requirements, instructional requirements,
 16 instructional materials, maintenance procedures and
 17 policies on extracurricular activities. In addition
 18 the board or governing authority of each school or
 19 school district shall provide such principals as it
 20 finds necessary to provide effective supervision and
 21 administration for each school and its faculty and
 22 student body. An individual who is employed or
 23 contracted as a superintendent by a school or school
 24 district may also serve as an elementary principal in
 25 a school with not more than one class section per
 26 grade level."

27 2. Title page, line 3, by inserting after the
 28 word "district" the words "in a school with not more
 29 than one class section per grade level".

IVERSON of Wright

H-3053

1 Amend House Resolution 3 as follows:

2 1. Page 9, by inserting after line 20 the
 3 following:

4 "A person who has violated section 56.15A of the
 5 Code shall not be allowed to register as a lobbyist.
 6 If a registered lobbyist violates section 56.15A of
 7 the Code, the lobbyist's registration shall be
 8 cancelled."

CARPENTER of Polk

H-3054

1 Amend House File 135 as follows:

2 1. Page 1, line 17, by inserting after the word
 3 "principal" the following: "if so certified".

4 2. Page 1, line 19, by inserting after the word
 5 "district." the following: "However, a shared
 6 superintendent shall not also hold a position as
 7 elementary school principal."

8 3. Title page, line 1, by inserting after the
 9 word "superintendents" the following: "who are not
 10 shared superintendents".

11 4. Title page, line 2, by inserting after the
 12 word "principal" the following: "if so certified".

OLLIE of Clinton

H-3055

- 1 Amend House File 25, as follows:
 2 1. Page 25, line 19, by inserting after the words
 3 "means a" the following: "motorized".
 4 2. Page 25, line 20, by inserting after the word
 5 "device" the following: "which is propelled by a
 6 motor".

HENDERSON of Scott

H-3058

- 1 Amend amendment, H-3049, to House File 135 as
 2 follows:
 3 1. Page 1, line 24, by inserting after the word
 4 "principal" the following: ", if so certified,".
 5 2. Page 1, line 26, by inserting after the word
 6 "level." the following: "However, a shared
 7 superintendent shall not also hold a position as
 8 elementary school principal."

OLLIE of Clinton

H-3059

- 1 Amend House File 60 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 "Section 1. Section 20.10, subsection 2, Code
 5 1993, is amended by adding the following new
 6 paragraph:
 7 NEW PARAGRAPH. i. Employ as a paid bargaining
 8 representative for the public employer a person who is
 9 a nonresident of the political subdivision or state,
 10 respectively, subject to appropriating the moneys
 11 necessary to comply with the collective bargaining
 12 agreement at issue."
 13 2. Title page, line 1, by striking the words "for
 14 arbitrators".
 15 3. By renumbering as necessary.

RUNNING of Linn
 CONNORS of Polk
 RENAUD of Polk

NELSON of Pottawattamie
 SCHRADER of Marion
 BURKE of Marshall

H-3060

- 1 Amend House File 144 as follows:
 2 1. Page 1, line 16, by striking the word
 3 "officer" and inserting the following: "office".

FALLON of Polk

H-3061

1 Amend House File 37 as follows:

- 2 1. Page 1, line 1, by inserting after the word
 3 "PURCHASES - " the following: "GLASSINE".
 4 2. Page 1, by striking line 4 and inserting the
 5 following: "not use glassine windowed envelopes. The
 6 department may purchase and the state agencies may use
 7 paneless windowed envelopes."
 8 3. Page 1, by striking line 8, and inserting the
 9 following: "not use glassine windowed envelopes. The
 10 commission may purchase and the department may use
 11 paneless windowed envelopes."
 12 4. Page 1, by striking line 12, and inserting the
 13 following: "governed by the board shall not use
 14 glassine windowed envelopes. The board may purchase
 15 and the institutions governed by the board may use
 16 paneless windowed envelopes."
 17 5. Page 1, by striking line 16, and inserting the
 18 following: "not use glassine windowed envelopes. The
 19 department's administrator of administrative services
 20 may purchase and the department may use paneless
 21 windowed envelopes."
 22 6. Title page, line 1, by inserting after the
 23 words "use of" the following: "glassine".

FALLON of Polk

H-3062

1 Amend House File 9 as follows:

- 2 1. Page 1, by inserting after line 19 the
 3 following:
 4 "Sec. _____. Section 452A.17, unnumbered paragraph
 5 1, Code 1993, is amended to read as follows:
 6 A person other than a distributor, dealer or user
 7 licensed under this chapter who uses motor fuel or
 8 special fuel for the purpose of operating or
 9 propelling farm tractors, corn shellers, roller mills,
 10 truck-mounted feed grinders, stationary gas engines,
 11 for producing denatured alcohol within the state, for
 12 cleaning or dyeing or for any purpose other than in
 13 watercraft or aircraft or for propelling motor
 14 vehicles operated or intended to be operated upon the
 15 public highways, and who has paid the motor fuel or
 16 special fuel tax on the fuel either directly to the
 17 department or by having the tax added to the price of
 18 the fuel, and who has a refund permit, upon
 19 presentation to and approval by the department of a
 20 claim for refund, shall be reimbursed and repaid the
 21 amount of the tax which the claimant has paid on the
 22 gallage so used, except that the amount of a refund
 23 payable under this division may be applied by the

24 department against any tax liability outstanding on
 25 the books of the department against the claimant. A
 26 claim for a refund shall not be paid on motor fuel or
 27 special fuel purchased more than one quarter prior to
 28 the date that the claim was filed with the department.
 29 Claims timely filed for the previous quarter shall be
 30 paid in full, except that the total amount of moneys
 31 claimed in refunds shall be reduced by the amount of
 32 moneys credited in that quarter to the ethanol
 33 production incentive account of the renewable fuel
 34 fund as provided in section 423.24. If there are
 35 moneys available following the reduction, the refunds
 36 shall be paid on a prorated basis. Every claim is
 37 subject to the following conditions:

38 Sec. _____. Section 452A.17, subsections 7 and 14,
 39 Code 1993, are amended by striking the subsections.

40 Sec. _____. Section 452A.17, unnumbered paragraph 1,
 41 as amended by this Act, is repealed on July 1, 1998.

42 The Code editor shall recodify the language in section
 43 452A.17, unnumbered paragraph 1 contained in the 1993
 44 Code."

45 2. Title page, line 2, by inserting after the
 46 word "facilities" the following: "and moneys to
 47 support the program".

HANSEN of Woodbury

H-3063

1 Amend House File 183 as follows:

2 1. Page 1, line 13, by inserting after the word
 3 "However," the following: "a teacher or".

4 2. Page 1, by striking lines 15 and 16 and
 5 inserting the following: "outside the district of
 6 employment or office during the term of employment or
 7 office."

8 3. Title page, line 1, by striking the words
 9 "school directors as agents" and inserting the
 10 following: "teachers and school directors as agents
 11 and dealers".

SHOULTZ of Black Hawk

H-3064

1 Amend House File 9 as follows:

2 1. Page 1, by striking lines 1 through 19, and
 3 inserting the following:

4 "Sec. _____. 1992 Iowa Acts, chapter 1099, section
 5 11, subsection 6, is amended to read as follows:

6 6. This section takes effect July 1, 1998 1996."

7 2. Title page, by striking line 2, and inserting
 8 the following: "providing for the elimination of the
 9 program and the repeal of certain provisions."

LUNDBY of Linn

H-3065

1 Amend House File 9 as follows:

2 1. Page 1, by inserting after line 19 the
3 following:

4 "Sec. _____. Section 159A.7, subsection 3, as
5 enacted in 1992 Iowa Acts, chapter 1099, section 4, is
6 amended by striking the subsection and inserting in
7 lieu thereof the following:

8 3. There is appropriated from the general fund of
9 the state to the ethanol production incentive account
10 for each fiscal year beginning on or after July 1,
11 1993, four million dollars for purposes of supporting
12 the increased production of ethanol derived from an
13 organic compound, including a photosynthate, as
14 provided in section 159A.8.

15 Sec. _____. Section 159A.7, subsection 5, Code
16 Supplement 1991, as amended by 1992 Iowa Acts, chapter
17 1099, section 4, amended to be subsection 6, is
18 amended by striking the subsection and inserting in
19 lieu thereof the following:

20 6. Section 8.33 does not apply to moneys in the
21 renewable fuel activities account. Income received by
22 the investment of moneys in the account shall remain
23 in the account.

24 Sec. _____. 1992 Iowa Acts, chapter 1099, section
25 10, is amended to read as follows:

26 Sec. 10. DATE OF APPLICABILITY. Section 159A.7 as
27 amended by this Act, section 159A.8, and sections
28 section 159A.5, subsection 5, paragraph "e" and
29 423.24, subsection 1, paragraph "b", as created in
30 this Act, shall be applicable on and after July 1,
31 1993. However, the office of renewable fuel and the
32 department of revenue and finance shall adopt rules
33 necessary to implement those sections prior to July 1,
34 1993. The office shall accept applications and test
35 claims relating to computation periods beginning on
36 July 1, 1993, for purposes of certifying production
37 facilities pursuant to section 159A.8 before January
38 1, 1994.

39 Sec. _____. 1992 Iowa Acts, chapter 1099, section
40 11, subsection 4, is amended by striking the
41 subsection.

42 Sec. _____. 1992 Iowa Acts, chapter 1099, section
43 11, subsection 5, is amended to read as follows:

44 5. Moneys deposited in the ethanol production
45 incentive account of the renewable fuel fund during
46 the state fiscal year beginning July 1, 1997, and
47 ending June 30, 1998, shall be used to satisfy last
48 computation period claims after June 30, 1998, as
49 provided in this Act. Moneys which remain unobligated
50 and unencumbered on July 31, 1998, shall be credited

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- 1 to the road use tax revert to the general fund of the
 2 state as provided in this Act section 8.33.
 3 Sec. _____. Section 423.24, subsection 1, paragraph
 4 b, as enacted in 1992 Iowa Acts, chapter 1099, section
 5 6, is amended by striking the paragraph."
 6 2. Title page, line 2, by inserting after the
 7 word "facilities" the following: "and an
 8 appropriation".

LUNDBY of Linn

H-3068

- 1 Amend House File 144 as follows:
 2 1. Page 29, by inserting after line 20 the fol-
 3 lowing:
 4 "Sec. _____. NEW SECTION. 2.22A PENALTY FOR
 5 FAILING TO MEET DEADLINES.
 6 If the general assembly establishes a statutory
 7 deadline for action by the general assembly on a
 8 particular bill, resolution, statute, or other measure
 9 and fails to act as required in the statute, each
 10 member of the general assembly shall pay a fine of
 11 twenty-five dollars for each day on which the general
 12 assembly is in session beyond the deadline until the
 13 general assembly acts as required. Moneys paid under
 14 this section shall be deposited in the general fund of
 15 the state."
 16 2. By renumbering as necessary.

FALLON of Polk

H-3072

- 1 Amend House File 18 as follows:
 2 1. Page 2, by striking lines 5 through 8 and
 3 inserting the following:
 4 "a. For a simple misdemeanor, either imprisonment
 5 not to exceed thirty days, or a fine of at least fifty
 6 dollars but not to exceed one hundred dollars."

Committee on Judiciary and Law Enforcement

H-3074

- 1 Amend House File 144 as follows:
 2 1. By striking page 26, line 29, through page 27,
 3 line 24, and inserting the following:
 4 "Sec. _____. Section 68B.37, Code 1993, is amended
 5 by striking the section and inserting in lieu thereof
 6 the following:
 7 68B.37 LOBBYIST REPORTING.
 8 1. A lobbyist before the general assembly shall

9 file with the campaign finance disclosure commission,
 10 on forms jointly prescribed by the commission and the
 11 legislative council, a report disclosing all of the
 12 following:

13 a. The lobbyist's clients.

14 b. Campaign contributions made by the lobbyist
 15 during calendar months during the reporting period
 16 when the general assembly is not in session.

17 c. The recipient of the campaign contributions.

18 d. Expenditures made by the lobbyist for the
 19 purposes of providing the services enumerated under
 20 section 68B.2, subsection 12, paragraph "a".

21 For purposes of this subsection, "expenditures" do
 22 not include expenditures made by any organization for
 23 publishing a newsletter or other informational release
 24 for its members.

25 2. A lobbyist before a state agency or the office
 26 of the governor shall file with the campaign finance
 27 disclosure commission, on forms prescribed by the
 28 commission, a report disclosing the same items
 29 described in subsection 1.

30 3. The reports required in this section shall be
 31 filed on or before April 30, July 31, October 31, and
 32 January 31, for the preceding calendar quarter or
 33 parts thereof during which the person was engaged in
 34 lobbying. If a person cancels the person's lobbyist
 35 registration at any time during the calendar year, the
 36 reports required by this section are due on the dates
 37 required by this section or fifteen days after
 38 cancellation, whichever is earlier. The report due
 39 January 31, or after the time of cancellation of a
 40 lobbyist's registration, shall include all reportable
 41 items for the preceding calendar year in addition to
 42 containing the quarterly reportable items."

CARPENTER of Polk

H-3078

1 Amend House File 210 as follows:

2 1. Page 1, line 12, by inserting after the figure
 3 "123.47A." the following: "The court shall forward a
 4 copy of the order of adjudication or conviction to the
 5 department."

SPENNER of Henry

H-3080

1 Amend the amendment, H-3077, to House File 144, as
 2 follows:

3 1. Page 13, by inserting after line 38, the
 4 following:

5 "_____. Page 30, line 24, by inserting after the

6 word "Act." the following: "However, if no financial
7 disclosure statement was filed in 1993, the initial
8 financial disclosure statements which are filed in
9 1994, shall include information regarding sources of
10 income and significant financial interests held in
11 1992 by the person filing the statement."

12 _____. Page 31, by inserting after line 19, the
13 following:

14 "_____. Notwithstanding section 68B.37, the initial
15 lobbyist report filed pursuant to that section shall
16 contain the information required by that section and
17 the same information for the previous calendar year.

18 _____. Notwithstanding section 68B.38, the client
19 report filed on January 31, 1994, shall contain the
20 information required under that section for the
21 previous twelve months."

22 2. By numbering and renumbering as necessary.

HALVORSON of Webster

H-3090

1 Amend House File 144, as follows:

2 1. Page 4, lines 33 and 34, by striking the words

3 "by acting directly".

4 2. Page 4, line 35, by inserting after the word
5 "to" the following: "directly or indirectly".

6 3. Page 5, line 6, by inserting after the word
7 "Acts" the following: "directly".

8 4. Page 5, line 17, by inserting after the word

9 "of" the following: "directly".

HALVORSON of Webster

H-3092

1 Amend the amendment, H-3074, to House File 144, as
2 follows:

3 1. Page 1, line 9, by striking the words

4 "campaign finance disclosure commission" and inserting
5 the following: "board".

6 2. Page 1, lines 10 and 11, by striking the words

7 "commission and the legislative council" and inserting
8 the following: "board".

9 3. Page 1, lines 26 and 27, by striking the words

10 "campaign finance disclosure commission" and inserting
11 the following: "board".

12 4. Page 1, line 28, by striking the word

13 "commission" and inserting the following: "board".

CARPENTER of Polk

H-3095

1 Amend the amendment, H-3077, to House File 144 as

2 follows:

3 1. By striking page 11, line 38 through page 12,
4 line 5, and inserting the following:

5 "_____. By striking page 26, line 29, through page
6 27, line 24, and inserting the following:

7 "Sec. _____. Section 68B.37, Code 1993, is amended
8 by striking the section and inserting in lieu thereof
9 the following:

10 68B.37 LOBBYIST REPORTING.

11 1. A lobbyist before the general assembly shall
12 file with the board, on forms jointly prescribed by
13 the board, a report disclosing all of the following:

14 a. The lobbyist's clients.

15 b. Campaign contributions made by the lobbyist
16 during calendar months during the reporting period
17 when the general assembly is not in session.

18 c. The recipient of the campaign contributions.

19 d. Expenditures made by the lobbyist for the
20 purposes of providing the services enumerated under
21 section 68B.2, subsection 12, paragraph "a".

22 For purposes of this subsection, "expenditures" do
23 not include expenditures made by any organization for
24 publishing a newsletter or other informational release
25 for its members.

26 2. A lobbyist before a state agency or the office
27 of the governor shall file with the board, on forms
28 prescribed by the board, a report disclosing the same
29 items described in subsection 1.

30 3. The reports required in this section shall be
31 filed on or before April 30, July 31, October 31, and
32 January 31, for the preceding calendar quarter or
33 parts thereof during which the person was engaged in
34 lobbying. If a person cancels the person's lobbyist
35 registration at any time during the calendar year, the
36 reports required by this section are due on the dates
37 required by this section or fifteen days after
38 cancellation, whichever is earlier. The report due
39 January 31, or after the time of cancellation of a
40 lobbyist's registration, shall include all reportable
41 items for the preceding calendar year in addition to
42 containing the quarterly reportable items." "

43 2. Renumber as necessary.

CARPENTER of Polk

H-3096

1 Amend the amendment, H-3077, to House File 144 as
2 follows:

3 1. Page 1, by inserting after line 24 the
4 following:

5 "_____. Page 15, line 15, by striking the words

- 6 "relate directly" and inserting the following:
- 7 "reasonably relate".
- 8 2. By renumbering as necessary.

OSTERBERG of Linn

H-3102

- 1 Amend the amendment, H-3077, to House File 144 as
- 2 follows:
- 3 1. Page 1, by inserting after line 8 the
- 4 following:
- 5 "_____. Page 5, line 4, by striking the words
- 6 "statewide elected" and inserting the following:
- 7 "statewide elected state".
- 8 2. Page 1, by inserting after line 10 the follow-
- 9 ing:
- 10 "_____. Page 5, line 12, by striking the words
- 11 "statewide elected" and inserting the following:
- 12 "statewide elected state".
- 13 _____. Page 5, line 22, by striking the words
- 14 "statewide elected" and inserting the following:
- 15 "state".
- 16 3. By renumbering as necessary.

KREIMAN of Davis

H-3103

- 1 Amend the amendment, H-3077, to House File 144 as
- 2 follows:
- 3 1. Page 1, by inserting after line 10 the
- 4 following:
- 5 "_____. Page 6, line 7, by striking the words "All
- 6 federal, state, and local" and inserting the
- 7 following: "Any".
- 8 _____. Page 6, line 8, by inserting after the word
- 9 "officials" the following: "and members of the staff
- 10 of any elected officials,".
- 11 2. By renumbering as necessary.

KREIMAN of Davis

H-3108

- 1 Amend House File 200 as follows:
- 2 1. Page 1, line 19, by inserting after the word
- 3 "program." the following: "A health care facility, a
- 4 health care referral program, or a health care
- 5 provider participating in the program shall not bill
- 6 or charge a patient for any service provided under the
- 7 volunteer physician program."

BRAMMER of Linn

H-3109

1 Amend the amendment, H-3077, to House File 144, as
2 follows:

3 1. Page 11, by inserting after line 7, the
4 following:

5 "_____. Page 24, by striking lines 10 through 15,
6 and inserting the following: "which the official,
7 member, or candidate person is engaged and the nature
8 of the business of each company in which the official,
9 member, or candidate person has an income-producing
10 interest."

11 _____ Page 24, by striking lines 19 through 25,
12 and inserting the following: "offered for sale
13 through recognized financial brokers if greater than
14 five percent of the total outstanding issue of any
15 stocks, bonds, bills, notes, mortgages, or other
16 securities of the offering entity as of December 31 of
17 the year."

18 2. By numbering and renumbering as necessary.

BLODGETT of Cerro Gordo

H-3110

1 Amend the amendment, H-3077, to House File 144, as
2 follows:

3 1. Page 1, by inserting after line 24, the
4 following:

5 "_____. Page 15, by striking lines 12 through 17."

6 2. By numbering and renumbering as necessary.

KREIMAN of Davis

H-3111

1 Amend the amendment, H-3077, to House File 144, as
2 follows:

3 1. Page 1, by inserting after line 50, the
4 following:

5 "_____. Page 18, by striking line 1 and inserting
6 the following: "A public official".

7 _____ Page 18, by striking lines 4 through 25."

8 2. By numbering and renumbering as necessary.

KREIMAN of Davis

H-3112

1 Amend the amendment, H-3078, to House File 210, as
2 follows:

3 1. Page 1, by striking lines 2 and 3, and
4 inserting the following:

5 "_____. Page 1, line 12, by striking the figure
6 "123.47A." and inserting the following: "123.47A, or

- 7 to commit any other public offense. The court shall
 8 forward a”.”
 9 2. Page 1, by inserting after line 5, the
 10 following:
 11 “_____. Title page, line 3, by striking the words
 12 “purchase alcohol” and inserting the following:
 13 “commit a public offense”.”
 14 3. By numbering and renumbering as necessary.

RAFFERTY of Scott

H-3115

- 1 Amend House File 144 as follows:
 2 1. Page 16, by inserting after line 25 the
 3 following:
 4 “A person receiving approval for the payment of
 5 expenses under this paragraph shall, upon return from
 6 the conference, seminar, business or educational
 7 meeting, or similar activity, file a report with the
 8 board detailing the nature and duration of the
 9 activity attended, the location of the activity, and
 10 what duties the person performed while attending the
 11 activity.”

OSTERBERG of Linn

H-3120

- 1 Amend the amendment, H-3077, to House File 144 as
 2 follows:
 3 1. Page 1, by inserting after line 24 the follow-
 4 ing:
 5 “_____. Page 14, line 8, by inserting after the
 6 words “of gifts” the following: “from a restricted
 7 donor”.”
 8 2. Page 5, line 23, by inserting after the word
 9 “complaint” the following: “filed with the board”.
 10 3. Page 11, by inserting after line 7 the
 11 following:
 12 “_____. Page 25, line 4, by inserting after the
 13 word “association” the following: “which is involved
 14 in supporting or opposing any measures brought before
 15 the body in which the person holds office or is
 16 employed”.”
 17 4. By renumbering as necessary.

CARPENTER of Polk

H-3127

- 1 Amend House File 216 as follows:
 2 1. Page 1, lines 8 and 9, by striking the words
 3 “under the age of twelve fifteen” and inserting the
 4 following: “under the age of twelve a child”.

DODERER of Johnson

H-3130

- 1 Amend House File 210 as follows:
 2 1. Page 1, by striking lines 1 through 3 and
 3 inserting the following:
 4 "Section 1. Section 321.216, Code 1993, is amended
 5 by adding the following new unnumbered paragraph:
 6 NEW UNNUMBERED PARAGRAPH. Upon the entering of an
 7 order at the conclusion of an".

SPENNER of Henry

H-3131

- 1 Amend House File 9 as follows:
 2 1. Page 1, by striking lines 1 through 19 and
 3 inserting the following:
 4 "Sec. _____. 1992 Iowa Acts, chapter 1099, section
 5 11, subsection 5, is amended by striking the
 6 subsection.
 7 Sec. _____. 1992 Iowa Acts, chapter 1099, section
 8 11, subsection 6, is amended to read as follows:
 9 6. This section takes effect July 1, 1998 1993."
 10 2. Title page, by striking line 2 and inserting
 11 the following: "providing for the elimination of the
 12 program and the repeal of certain provisions."

LUNDBY of Linn

H-3132

- 1 Amend House File 83, as follows:
 2 1. Page 1, line 6, by striking the words "either
 3 kills or".

PETERSON of Carroll

H-3133

- 1 Amend House File 83, as follows:
 2 1. Page 1, by inserting after line 11, the
 3 following:
 4 "Sec. _____. This Act shall take effect at such time
 5 as the general assembly appropriates sufficient moneys
 6 to fully fund the cost of implementation of this Act."
 7 2. Title page, by striking line 3, and inserting
 8 the following: "providing a penalty, and providing an
 9 effective date."
 10 3. By numbering and renumbering as necessary.

BRAMMER of Linn

H-3134

- 1 Amend House File 1 as follows:
 2 1. Page 2, by inserting after line 6, the
 3 following:

- 4 "Sec. _____. This Act shall take effect at such time
 5 as the general assembly appropriates sufficient moneys
 6 to fully fund the cost of implementation of this Act."
 7 2. Title page, line 1, by inserting after the
 8 word "penalties" the following: "and providing an
 9 effective date".
 10 3. By numbering and renumbering as necessary.

BRAMMER of Linn

H-3135

- 1 Amend the amendment, H-3035, to House File 1 as
 2 follows:
 3 1. Page 1, by inserting after line 50 the fol-
 4 lowing:
 5 "Sec. _____. This Act shall take effect at such time
 6 as the general assembly appropriates sufficient moneys
 7 to fully fund the cost of implementation of this Act."
 8 "_____. Title page, line 1, by inserting after the
 9 word "penalties" the following: "and providing an
 10 effective date".
 11 2. By numbering and renumbering as necessary.

BRAMMER of Linn

H-3137

- 1 Amend House File 178 as follows:
 2 1. Page 1, line 13, by inserting after the word
 3 "board" the following: ", due to a requirement in
 4 state law that an employee of a political subdivision
 5 or a representative of an association which primarily
 6 includes employees of political subdivisions serve on
 7 the board".
 8 2. Page 1, by inserting after line 20 the fol-
 9 lowing:
 10 "Sec. _____. EFFECTIVE DATE. This Act, being deemed
 11 of immediate importance, takes effect upon enactment."
 12 3. Title page, line 2, by inserting after the
 13 word "meetings" the following: "and providing an
 14 effective date".

Committee on Local Government

H-3139

- 1 Amend House File 183 as follows:
 2 1. Page 1, by striking lines 15 and 16 and
 3 inserting the following: "outside the district in
 4 which the school director holds office."

KISTLER of Jefferson

H-3140

- 1 Amend House File 209 as follows:
 2 1. Page 1, by inserting after line 17 the
 3 following:
 4 "If an overpayment is established pursuant to this
 5 subsection, the employee and employer may enter into a
 6 written settlement agreement providing for the
 7 repayment by the employee of the overpayment. The
 8 agreement is subject to the approval of the industrial
 9 commissioner. The employer shall not take any adverse
 10 action against the employee for failing to agree to a
 11 written settlement agreement."
 12 2. Title page, line 1, by inserting after the
 13 words "credit for" the following: ", or an agreement
 14 by the employee to repay, an".

KISTLER of Jefferson

H-3142

- 1 Amend Senate File 24 as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, line 5, by inserting after the figure
 4 "260E.2," the following: "and".
 5 2. Page 2, line 5, by striking the words "the
 6 same as" and inserting the following: "a business
 7 as".
 8 3. Page 2, line 6 by inserting after the letter
 9 "b," the following: "which provides health care
 10 coverage for its employees and whose average wage
 11 scale is at least the county-average calculated in
 12 accordance with 261 I.A.C. § 22.7(2) 'b'."
 13 4. Page 2, line 6, by striking the words "and
 14 "base" and inserting the following: "and "base
 15 "Base".
 16 5. Page 3, line 9, by inserting after the figure
 17 "260E.2," the following: "and".
 18 6. Page 3, line 9, by striking the words "the
 19 same as" and inserting the following: "a business
 20 as".
 21 7. Page 3, line 10, by inserting after the letter
 22 "b," the following: "which provides health care
 23 coverage for its employees and whose average wage
 24 scale is at least the county-average calculated in
 25 accordance with 261 I.A.C. § 22.7(2) 'b'."
 26 8. Page 3, lines 10 and 11, by striking the words
 27 "and "base" and inserting the following: "and "base
 28 "Base".

DVORSKY of Johnson
 WISE of Lee
 MORELAND of Wapello

H-3146

- 1 Amend House File 304, as follows:
2 1. By striking page 1, line 29 through page 2,
3 line 17.
4 2. Title page, by striking lines 3 and 4 and
5 inserting the following: "juveniles, and waiver of
6 juveniles to the district court."
7 3. By renumbering as necessary.

BRAMMER of Linn

H-3147

- 1 Amend House File 304 as follows:
2 1. Page 3, by inserting after line 4, the
3 following:
4 "Sec. _____. This Act shall take effect at such time
5 as the general assembly appropriates sufficient moneys
6 to fully fund the cost of implementation of this Act."
7 2. Title page, line 4, by inserting after the
8 word "school" the following: "and providing an
9 effective date".
10 3. By renumbering as necessary.

BRAMMER of Linn

H-3149

- 1 Amend Senate File 94, as passed by the Senate, as
2 follows:
3 1. Page 1, line 26, by inserting after the figure
4 "3." the following: "a."
5 2. Page 1, by inserting after line 27, the
6 following:
7 "b. This section does not apply to local
8 legislation to the extent that the legislation
9 regulates one of the following:
10 (1) Land which is unique and of scientifically
11 recognized ecological value.
12 (2) A location where a significant number of
13 individuals regularly congregate.
14 (3) A location that may have an impact upon water
15 withdrawal facilities or drinking water supplies.
16 (4) A location that may have an impact upon the
17 ability of a local governmental entity to comply with
18 state or federal environmental laws, including
19 statutes or rules adopted by agencies."
20 3. Page 2, line 18, by inserting after the figure
21 "3." the following: "a."
22 4. Page 2, by inserting after line 19, the
23 following:
24 "b. This section does not apply to local
25 legislation to the extent that the legislation

- 26 regulates one of the following:
- 27 (1) Land which is unique and of scientifically
28 recognized ecological value.
- 29 (2) A location where a significant number of
30 individuals regularly congregate.
- 31 (3) A location that may have an impact upon water
32 withdrawal facilities or drinking water supplies.
- 33 (4) A location that may have an impact upon the
34 ability of a local governmental entity to comply with
35 state or federal environmental laws, including
36 statutes or rules adopted by agencies.”
- 37 5. By renumbering and relettering as necessary.

OSTERBERG of Linn

H—3153

- 1 Amend House File 283 as follows:
- 2 1. By striking everything after the enacting
3 clause and inserting the following:
- 4 “Section 1. Section 321.117, Code 1993, is amended
5 to read as follows:
- 6 321.117 MOTORCYCLE, AMBULANCE, AND HEARSE FEES.
- 7 1. For all motorcycles the annual fee shall be
8 twenty dollars. For all motorized bicycles the annual
9 fee shall be seven dollars. When the motorcycle is
10 more than five model years old, the annual
11 registration fee shall be ten dollars. The annual
12 registration fee for ambulances and hearses shall be
13 fifty dollars. Passenger car plates shall be issued
14 for ambulances and hearses.
- 15 2. In addition to the fee provided in subsection
16 1, all motorcycles and motorized bicycles subject to
17 an annual registration fee shall pay an additional
18 annual registration fee of fifteen dollars if the
19 month of registration occurs from October 1993 through
20 September 1994. For each succeeding twelve-month
21 period commencing on October 1, 1994, the department
22 shall determine an additional annual registration fee
23 based on the month of registration sufficient to raise
24 funds equal to but not more than the reduction in
25 federal highway construction funds for not enacting a
26 mandatory helmet law pursuant to the federal
27 Intermodal Surface Transportation Efficiency Act of
28 1991. The department shall determine the additional
29 annual registration fee by July 1 of each year prior
30 to imposition of the additional fee commencing on
31 October 1 of each year. The treasurer of state,
32 before making the allotments provided in section
33 312.2, shall credit the revenues collected under this
34 subsection as follows:
- 35 a. To the primary road fund, eighty percent.
36 b. To the secondary road fund of the counties,

37 fifteen percent.

38 c. To the street construction fund of the cities,

39 five percent.

40 Sec. 2. Section 321.189, subsections 7 and 9, Code

41 1993, are amended to read as follows:

42 7. CLASS M LICENSE EDUCATION REQUIREMENTS. A

43 person under the age of eighteen applying for a

44 driver's license valid for the operation of a

45 motorcycle shall be required to successfully complete

46 a motorcycle education course either approved ~~and~~ or

47 established by the department of education or from a

48 private or commercial driver education school licensed

49 by the department. A public school district shall

50 charge a student a fee which shall not exceed the

Page 2

1 actual cost of instruction minus moneys received by

2 the school district under subsection 9.

3 9. MOTORCYCLE RIDER EDUCATION FUND. The

4 motorcycle rider education fund is established in the

5 office of the treasurer of state. The moneys credited

6 to the fund are appropriated to the department of

7 education to be used to establish new motorcycle rider

8 education courses and reimburse sponsors of motorcycle

9 rider education courses for the costs of providing

10 motorcycle rider education courses approved ~~and~~ or

11 established by the department of education. The

12 department of education shall adopt rules under

13 chapter 17A providing for the distribution of moneys

14 to sponsors of motorcycle rider education courses

15 based upon the costs of providing the education

16 courses. The rules shall allow sponsors to offer

17 courses on an annual basis and shall require that the

18 distribution of moneys to sponsors be based upon the

19 number of persons who complete the sponsor's course

20 and successfully obtain a class M license.

21 Sec. 3. If the federal government repeals that

22 portion of the federal Intermodal Surface

23 Transportation Efficiency Act of 1991 which provides

24 sanctions for states which do not have a state law

25 requiring motorcycle helmets, section 321.117,

26 subsection 2, as enacted in this Act, shall be

27 repealed on the July 1 following the federal

28 government's repeal."

BLODGETT of Cerro Gordo

IVERSON of Wright

WEIGEL of Chickasaw

LARSON of Linn

BLACK of Jasper

MAY of Worth

H-3158

- 1 Amend House File 300 as follows:
 2 1. By striking page 10, line 3, through page 11,
 3 line 6.

WISE of Lee
 DVORSKY of Johnson
 HANSEN of Woodbury
 BELL of Jasper
 RENAUD of Polk
 BEATTY of Warren
 JOCHUM of Dubuque

CONNORS of Polk
 BERNAU of Story
 WEIGEL of Chickasaw
 DICKINSON OF Jackson
 HENDERSON of Scott
 HOLVECK of Polk
 BRAND of Benton

H-3159

- 1 Amend House File 300 as follows:
 2 1. By striking page 1, line 1, through page 10,
 3 line 2.

BLACK of Jasper
 WEIGEL of Chickasaw
 BELL of Jasper
 RENAUD of Polk
 BEATTY of Warren
 GILL of Woodbury
 HOLVECK of Polk
 HARPER of Black Hawk

CONNORS of Polk
 DVORSKY of Johnson
 DICKINSON of Jackson
 HENDERSON of Scott
 HANSEN of Woodbury
 MCKINNEY of Dallas
 NEUHAUSER of Johnson
 FALLON of Polk
 WITT of Black Hawk

H-3164

- 1 Amend House File 331 as follows:
 2 1. Page 5 by inserting after line 4, the
 3 following:
 4 "Sec. 101. NEW SECTION. 455B.506. MORATORIUM —
 5 HAZARDOUS, TOXIC, AND INFECTIOUS WASTE INCINERATORS.
 6 The department of natural resources shall not grant
 7 a permit for the construction of a commercial
 8 hazardous, toxic, or infectious waste incinerator
 9 until such time as the department adopts rules for
 10 safe emission standards for air toxics. For the
 11 purposes of this section, "incinerator" means and
 12 includes any enclosed device using combustion
 13 including a boiler, an industrial furnace, a waste-to-
 14 energy facility, a kiln, and a cogeneration unit, and
 15 "waste" means infectious waste as defined in section
 16 455B.501, and toxic or hazardous waste as identified
 17 and included in the consolidated chemical list
 18 pursuant to Title III of the federal Superfund
 19 Amendments and Reauthorization Act of 1986.
 20 Sec. _____. Section 101 of this Act is retroactively
 21 applicable to January 1, 1993."

- 22 2. Title page, by striking line 2 and inserting
 23 the following: "regulations, creating penalties, and
 24 providing for retroactive applicability".

HENDERSON of Scott

H-3165

- 1 Amend House File 300 as follows:
 2 1. Page 11, by striking lines 7 through 10.

SCHRADER of Marion
 WEIGEL of Chickasaw
 DICKINSON of Jackson
 HANSEN of Woodbury
 HOLVECK of Polk
 JOCHUM of Dubuque
 MAY of Worth

CONNORS of Polk
 BELL of Jasper
 HENDERSON of Scott
 RENAUD of Polk
 NEUHAUSER of Johnson
 RUNNING of Linn
 HALVORSON of Webster
 DVORSKY of Johnson

H-3168

- 1 Amend House File 176 as follows:
 2 1. Page 1, by inserting after line 23 the
 3 following:
 4 "_____. This section does not apply to nursing
 5 facilities or residential care facilities which solely
 6 provide rehabilitation services to persons with brain
 7 injury."
 8 2. By renumbering as necessary.

RUNNING of Linn

H-3169

- 1 Amend House File 58, as follows:
 2 1. Page 5, line 14, by striking the words "lethal
 3 injection" and inserting the following: "potentially
 4 lethal substance".
 5 2. Page 5, line 15, by striking the words "lethal
 6 injection" and inserting the following: "potentially
 7 lethal substance".
 8 3. Page 5, by striking lines 16 through 18, and
 9 inserting the following: "substance or substances
 10 which when administered has or have the effect of
 11 placing a human being in a state of suspended
 12 animation which simulates the appearance of death and
 13 may eventually either result in death or be reversed.
 14 The effects of the administration of the substance or
 15 substances shall be pronounced by a".
 16 4. Page 6, line 32, by striking the word "death".
 17 5. Page 7, lines 5 and 6, by striking the words
 18 "of death".
 19 6. Page 7, line 12, by striking the word
 20 "execution" and inserting the following: "the

- 21 administration of the potentially lethal substance,".
- 22 7. Page 7, line 16, by inserting after the word
- 23 "court." the following: "In the event that the
- 24 judgment and sentence of death is overturned or found
- 25 to be in error, the court shall forward an order to
- 26 the department of corrections requiring that the
- 27 defendant be revived."
- 28 8. Page 7, by striking line 20, and inserting the
- 29 following: "been administered a potentially lethal
- 30 substance."
- 31 9. Page 9, line 26, by striking the words "of
- 32 death".
- 33 10. Page 9, line 35, by striking the words "of
- 34 death".

OLLIE of Clinton

H-3171

- 1 Amend House File 283 as follows:
- 2 1. Page 2, by inserting after line 8, the
- 3 following:
- 4 "3. A violation of this section is not a simple
- 5 misdemeanor under section 321.482."
- 6 2. Page 2, by striking lines 9 through 17.
- 7 3. By renumbering as necessary.

BRUNKHORST of Bremer

H-3172

- 1 Amend House File 283 as follows:
- 2 1. Page 2, by inserting after line 8 the follow-
- 3 ing:
- 4 "3. This section shall not apply to a person
- 5 operating a motorcycle or motorized bicycle in an
- 6 authorized parade."

BRUNKHORST of Bremer

H-3173

- 1 Amend House File 283 as follows:
- 2 1. Page 1, line 31, by striking the words "unless
- 3 the person" and inserting the following: "by a person
- 4 under the age of twenty-one unless the person under
- 5 the age of twenty-one".

BRUNKHORST of Bremer

H-3174

- 1 Amend House File 283 as follows:
- 2 1. Page 1, line 31, by striking the words "unless
- 3 the person" and inserting the following: "by a person

- 4 under the age of eighteen unless the person under the
5 age of eighteen".

BRUNKHORST of Bremer

H-3177

- 1 Amend House Resolution 4 as follows:
2 1. Page 1, line 28, by striking the figure
3 "4,630,000" and inserting the following: "4,615,000".
4 2. Page 2, line 1, by striking the figure
5 "345,000" and inserting the following: "305,500".
6 3. Page 2, line 4, by striking the figure
7 "1,951,250" and inserting the following: "1,923,287".

MILLER of Cherokee

H-3178

- 1 Amend House File 300 as follows:
2 1. By striking page 5, line 27, through page 6,
3 line 3.

HANSEN of Woodbury

H-3179

- 1 Amend House Resolution 4 as follows:
2 1. Page 2, line 4, by inserting after the figure
3 "\$1,951,250" the following: "a portion of which
4 shall be expended to make the floor of the house and
5 the house committee rooms accessible to the physically
6 handicapped".

HENDERSON of Scott

H-3180

- 1 Amend Senate File 90 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by inserting after line 7, the
4 following:
5 "Sec. _____. Section 425.26, subsection 8, Code
6 1993, is amended by striking the subsection."
7 2. Page 4, line 13, by striking the words "a
8 class D felony" and inserting the following: "an
9 aggravated misdemeanor".
10 3. By renumbering as necessary.

Committee on Ways and Means

H-3182

- 1 Amend House Resolution 6 as follows:
2 1. Page 4, by striking lines 14 through 17 and
3 inserting the following:
4 "Any change in or addition to the information re-

5 quired by this rule shall be registered with the chief
6 clerk of the house within ten days from the time the
7 change or addition is known to the lobbyist."

CARPENTER of Polk
BEATTY of Warren
PETERSON of Carroll

NEUHAUSER of Johnson
HURLEY of Fayette
ROYER of Page

H-3186

1 Amend House File 331 as follows:
2 1. Page 1, line 5, by inserting after the word
3 "source" the following: "if the source is a retail
4 dealer of motor vehicle fuel, as defined in section
5 214A.1, a dry cleaning facility, a rock quarry, or a
6 grain elevator".
7 2. Page 1, line 11, by inserting after the word
8 "sources" the following: "if the source is a retail
9 dealer of motor vehicle fuel, as defined in section
10 214A.1, a dry cleaning facility, a rock quarry, or a
11 grain elevator".

HOLVECK of Polk

H-3189

1 Amend House File 304 as follows:
2 1. Page 1, lines 4 and 5, by striking the words
3 "an aggravated misdemeanor or" and inserting the
4 following: "a forcible".
5 2. Page 1, lines 15 and 16, by striking the words
6 "a forcible an aggravated misdemeanor or" and
7 inserting the following: "a forcible".
8 3. Page 1, lines 17 and 18, by striking the words
9 "an aggravated misdemeanor or" and inserting the
10 following: "a forcible".

DODERER of Johnson
HANSEN of Woodbury

H-3192

1 Amend House File 328 as follows:
2 1. Page 1, by inserting before line 1, the
3 following:
4 "Section 1. TRUCK REGISTRATION FEES - 1994. The
5 annual registration fee for truck tractors, road
6 tractors, and motor trucks, except motor trucks
7 registered as special trucks, with a combined gross
8 weight exceeding thirteen tons shall include a ten
9 dollar fee in addition to the fee established under
10 section 321.122 for annual registration required
11 during calendar year 1994."
12 2. Title page, by striking lines 1 through 2 and
13 inserting the following: "An Act concerning motor

- 14 carriers by requiring a single state insurance
- 15 registration system and providing an increase in
- 16 certain annual registration fees.”
- 17 3. By renumbering as necessary.

HALVORSON of Webster

H-3194

- 1 Amend House File 391 as follows:
- 2 1. Page 1, by inserting after line 17 the
- 3 following:
- 4 “Sec. _____. Section 124.406, subsection 1,
- 5 paragraph a, Code 1993, is amended to read as follows:
- 6 a. Unlawfully distributes a substance listed in
- 7 schedule I or II, which is a narcotic or cocaine, to a
- 8 person under eighteen years of age commits a class “B”
- 9 felony and shall serve a minimum term of confinement
- 10 of five years. However, if the substance was
- 11 distributed in or on, or within one thousand feet of,
- 12 the real property comprising a public or private
- 13 elementary or secondary school, public library, or in
- 14 or on the real property comprising a public park, the
- 15 person shall serve a minimum term of confinement of
- 16 ten years.
- 17 Sec. _____. Section 124.406, subsection 2, paragraph
- 18 a, Code 1993, is amended to read as follows:
- 19 a. Unlawfully distributes a counterfeit substance
- 20 listed in schedule I or II which is a narcotic or
- 21 cocaine, or a simulated controlled substance
- 22 represented to be a narcotic or cocaine classified in
- 23 schedule I or II, to a person under eighteen years of
- 24 age commits a class “B” felony. However, if the
- 25 substance was distributed in or on, or within one
- 26 thousand feet of, the real property comprising a
- 27 public or private elementary or secondary school,
- 28 public library, or in or on the real property
- 29 comprising a public park, the person shall serve a
- 30 minimum term of confinement of ten years.”
- 31 2. By renumbering as necessary.

LARSON of Linn

H-3196

- 1 Amend House File 384 as follows:
- 2 1. Page 1, by inserting before line 1, the
- 3 following:
- 4 “Section 1. Section 261C.3, subsection 2, Code
- 5 1993, is amended to read as follows:
- 6 2. “Eligible pupil” means a pupil classified by
- 7 the board of directors of a school district, by the
- 8 state board of regents for pupils of the school for
- 9 the deaf and the Iowa braille and sight saving school,

10 or by the authorities in charge of an accredited
11 nonpublic school as a ninth or tenth grade pupil who
12 is identified according to the school district's
13 gifted and talented criteria and procedures, pursuant
14 to section 257.43, as a gifted and talented child, or
15 an eleventh or twelfth grade pupil, during the period
16 the pupil is participating in the enrollment option
17 provided under this chapter. A pupil attending an
18 accredited nonpublic school shall be counted as a
19 shared-time student in the school district in which
20 the nonpublic school of attendance is located for
21 state foundation aid purposes.

22 Sec. 2. Section 261C.4, Code 1993, is amended to
23 read as follows:

24 261C.4 AUTHORIZATION.

25 An eligible pupil may make application to an
26 eligible institution to allow the eligible pupil to
27 enroll for academic or vocational-technical credit in
28 a nonsectarian course offered at that eligible
29 institution. A comparable course, as defined in rules
30 made by the board of directors of the public school
31 district, must not be offered by the school district
32 or accredited nonpublic school which the pupil
33 attends. If an eligible institution accepts an
34 eligible pupil for enrollment under this section, the
35 institution shall send written notice to the pupil,
36 the pupil's school district or accredited nonpublic
37 school or the school for the deaf or the Iowa braille
38 and sight saving school, and the department of
39 education. The notice shall list the course, the
40 clock hours the pupil will be attending the course,
41 and the number of hours of postsecondary academic or
42 vocational-technical credit that the eligible pupil
43 will receive from the eligible institution upon
44 successful completion of the course.

45 Sec. 3. Section 261C.5, Code 1993, is amended to
46 read as follows:

47 261C.5 HIGH SCHOOL CREDITS.

48 A school district, the school for the deaf, the
49 Iowa braille and sight saving school, or accredited
50 nonpublic school shall grant high school academic or

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1 vocational-technical credit to an eligible pupil
2 enrolled in a course under this chapter if the
3 eligible pupil successfully completes the course as
4 determined by the eligible institution. Eligible
5 pupils, who have completed the eleventh grade but who
6 have not yet completed the requirements for
7 graduation, may take up to seven semester hours of
8 credit during the summer months when school is not in

9 session and receive credit for that attendance, if the
 10 pupil pays the cost of attendance of those summer
 11 credit hours. The board of directors of the school
 12 district, the state board of regents for the school
 13 for the deaf and the Iowa braille and sight saving
 14 school, or authorities in charge of an accredited
 15 nonpublic school shall determine the number of high
 16 school credits that shall be granted to an eligible
 17 pupil who successfully completes a course.

18 The high school credits granted to an eligible
 19 pupil under this section shall count toward the
 20 graduation requirements and subject area requirements
 21 of the school district of residence, the school for
 22 the deaf, the Iowa braille and sight saving school, or
 23 accredited nonpublic school of the eligible pupil.
 24 Evidence of successful completion of each course and
 25 high school credits and postsecondary academic or
 26 vocational-technical credits received shall be
 27 included in the pupil's high school transcript."

28 2. Page 1, line 6, by inserting after the word
 29 "chapter." the following: "For pupils enrolled at the
 30 school for the deaf and the Iowa braille and sight
 31 saving school, the state board of regents shall pay a
 32 tuition reimbursement amount by June 30 of each year."

33 3. Title page, line 2, by inserting after the
 34 word "districts" the following: "and the board of
 35 regents for pupils of the school for the deaf and the
 36 Iowa braille and sight saving school".

37 4. By renumbering as necessary.

NEUHAUSER of Johnson

H-3197

1 Amend House File 354 as follows:

2 1. By striking page 2, line 15 through page 3,
 3 line 5.

4 2. Title page, by striking lines 4 and 5 and
 5 inserting the following: "property and providing for
 6 retroactive application, by providing".

7 3. By renumbering as necessary.

DICKINSON of Jackson
 OLLIE of Clinton

H-3201

1 Amend Senate File 90, as amended, passed, and
 2 reprinted by the Senate as follows:

3 1. Page 1, by inserting after line 29, the
 4 following:

5 "Sec. _____. Section 422.7, Code 1993, is amended by
 6 adding the following new subsection:

7 NEW SUBSECTION. 28. For a person who is disabled,

8 or is fifty-five years of age or older, or is the
 9 surviving spouse of an individual or a survivor having
 10 an insurable interest in an individual who would have
 11 qualified for the exemption under this subsection for
 12 the tax year, subtract, to the extent included, the
 13 total amount of a governmental or other pension,
 14 retirement pay, annuity, or other similar periodic
 15 payment made under a plan maintained or contributed to
 16 by an employer, or maintained and contributed to by a
 17 self-employed person as an employer, up to a maximum
 18 of two thousand five hundred dollars for a person who
 19 files a separate state income tax return, and up to a
 20 maximum of five thousand dollars for a husband and
 21 wife who file a joint state income tax return.
 22 However, a surviving spouse who is not disabled or
 23 fifty-five years of age or older can only exclude the
 24 amount of annuities or other similar periodic payments
 25 received as a result of the death of the other
 26 spouse.”
 27 2. By renumbering as necessary.

SCHRADER of Marion

H—3202

1 Amend Senate File 90, as amended, passed, and re-
 2 printed by the Senate, as follows:
 3 1. Page 1, by inserting after line 29 the
 4 following:
 5 “Sec. 100. Section 422.7, Code 1993, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. 28. For a person who is disabled,
 8 or is fifty-five years of age or older, or is the
 9 surviving spouse of an individual or a survivor having
 10 an insurable interest in an individual who would have
 11 qualified for the exemption under this subsection for
 12 the tax year, subtract, to the extent included, the
 13 total amount of a governmental or other pension,
 14 retirement pay, annuity, or other similar periodic
 15 payment made under a plan maintained or contributed to
 16 by an employer, or maintained or contributed to by a
 17 self-employed person as an employer. However, a
 18 surviving spouse who is not disabled or fifty-five
 19 years of age or older can only exclude the amount of
 20 annuities or other similar periodic payments received
 21 as a result of the death of the other spouse.”
 22 2. Page 6, by inserting after line 4, the
 23 following:
 24 “Sec. _____. APPLICABILITY. Section 100 of this Act
 25 applies to tax years beginning on or after January 1,
 26 1994.”

SCHRADER of Marion

H-3203

1 Amend Senate File 75, as passed by the Senate, as
2 follows:

3 1. Page 3, by inserting after line 11, the
4 following:

5 "Sec. _____. Section 80.25, Code 1993, is amended to
6 read as follows:

7 80.25 DIVISION OF BEER AND LIQUOR ENFORCEMENT.

8 The commissioner of public safety shall establish a
9 division of beer and liquor law enforcement and
10 appoint a chief enforcement officer to head the
11 division. The commissioner of public safety shall
12 appoint other agents needed in the division as are
13 necessary to enforce the provisions of ~~chapters~~
14 chapter 123 and 125. All enforcement officers,
15 assistants, and agents of the division, excluding
16 clerical workers, shall be subject to the provisions
17 of section 80.15."

18 2. Page 5, by inserting after line 21, the
19 following:

20 "Sec. _____. Section 123.37, unnumbered paragraph 1,
21 Code 1993, is amended to read as follows:

22 The power to establish licenses and permits and
23 levy taxes as imposed in ~~chapters~~ chapter 123 and 125
24 is vested exclusively with the state. Unless
25 specifically provided, a local authority shall not
26 require the obtaining of a special license or permit
27 for the sale of alcoholic beverages, wine, or beer at
28 any establishment, or require the obtaining of a
29 license by any person as a condition precedent to the
30 person's employment in the sale, serving, or handling
31 of alcoholic beverages, wine, or beer, within an
32 establishment operating under a license or permit.

33 Sec. _____. Section 135.1, unnumbered paragraph 1,
34 Code 1993, is amended to read as follows:

35 For the purposes of ~~chapters~~ chapters 152B, and 155, 435,
36 and title IV, subtitle 2, excluding ~~chapters~~ chapters 142B,
37 145B, and 146, unless otherwise defined:

38 Sec. _____. Section 135.11, subsection 13, Code
39 1993, is amended to read as follows:

40 13. Establish, publish, and enforce rules not
41 inconsistent with law for the enforcement of the
42 provisions of ~~chapters~~ chapters 125, 152B, and 155, and 435 and
43 title IV, subtitle 2, excluding ~~chapters~~ chapters 142B, 145B,
44 and 146 and for the enforcement of the various laws,
45 the administration and supervision of which are
46 imposed upon the department."

47 3. Page 6, by inserting after line 14, the
48 following:

49 "Sec. _____. Section 159.1, Code 1993, is amended to
50 read as follows:

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1 159.1 DEFINITIONS.

2 For the purposes of chapters 9H, 16A, 352, and 427C
3 and subtitles 1 through 3 of this title, excluding
4 chapters 161A through 161C, unless otherwise provided:

5 1. "Department" means the department of
6 agriculture and land stewardship and if the department
7 is required or authorized to do an act, unless
8 otherwise provided, the act may be performed by an
9 officer, regular assistant, or duly authorized agent
10 of the department.

11 2. "Person" shall include includes an individual,
12 a corporation, company, firm, society, or association;
13 and the act, omission, or conduct of any officer,
14 agent, or other person acting in a representative
15 capacity shall be imputed to the organization or
16 person represented, and the person acting in such
17 capacity shall also be liable for violation of
18 chapters 9H, 16A, 352, and 427C, and subtitles 1
19 through 3 of this title, excluding chapters 161A
20 through 161C.

21 3. "Secretary" means the secretary of agriculture.

22 Sec. _____. Section 159.5, subsection 11, Code 1993,
23 is amended to read as follows:

24 11. Establish, publish, and enforce rules not
25 inconsistent with law for the enforcement of the
26 provisions of chapters 9H, 16A, 352, and 427C and
27 subtitles 1 through 3 of this title, excluding
28 chapters 161A through 161C, and for the enforcement of
29 the various laws, the administration and supervision
30 of which are imposed upon the department."

31 4. Page 7, by inserting after line 11, the
32 following:

33 "Sec. _____. Section 189.1, unnumbered paragraph 1
34 and subsections 1 and 6, Code 1993, are amended to
35 read as follows:

36 For the purpose of chapters 124, 124A, 124B, 126,
37 and 353 and this subtitle, excluding chapters 203,
38 203A, 203C, 203D, 207, and 208, unless the context
39 otherwise requires:

40 1. "Article" includes food, commercial feed,
41 agricultural seed, commercial fertilizer, drug,
42 insecticide, fungicide, paint, linseed oil,
43 turpentine, and illuminating oil, in the sense in
44 which they are defined in the various provisions of
45 chapters 124, 124A, 124B, 126, and 353 and this
46 subtitle, excluding chapters 203, 203A, 203C, 203D,
47 207, and 208.

48 6. "Person" includes a corporation, company, firm,
49 society, or association; and the act, omission, or
50 conduct of any officer, agent, or other person acting

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1 in a representative capacity shall be imputed to the
2 organization or person represented, and the person
3 acting in that capacity shall also be liable for
4 violations of chapters 124, 124A, 124B, 126, and 353
5 and this subtitle, excluding chapters 203, 203A, 203C,
6 203D, 207, and 208.

7 Sec. _____. Section 189.2, Code 1993, is amended to
8 read as follows:

9 189.2 DUTIES.

10 The department shall:

11 1. Execute and enforce chapter 353 and this
12 subtitle, except chapter 205.

13 2. Make and publish all necessary rules, not
14 inconsistent with law, for enforcing the provisions of
15 chapters 124, 124A, 124B, 126, and 353 and this
16 subtitle, excluding chapters 203, 203A, 203C, 203D,
17 207, and 208.

18 3. Provide such educational measures and exhibits,
19 and conduct such educational campaigns as are deemed
20 advisable in fostering and promoting the production
21 and sale of the articles dealt with in chapters 124,
22 124A, 124B, 126, and 353 and this subtitle, excluding
23 chapters 203, 203A, 203C, 203D, 207, and 208, in
24 accordance with the regulations herein prescribed
25 rules adopted pursuant to this subtitle.

26 4. Issue from time to time, bulletins showing the
27 results of inspections, analyses, and prosecutions
28 under chapters 124, 124A, 124B, 126, and 353 and this
29 subtitle, excluding chapters 203, 203A, 203C, 203D,
30 207, and 208. These bulletins shall be printed in
31 such numbers as may be approved by the superintendent
32 of printing and shall be distributed to the newspapers
33 of the state and to all interested persons.

34 Sec. _____. Section 189.3, Code 1993, is amended to
35 read as follows:

36 189.3 PROCURING SAMPLES.

37 The department shall, for the purpose of
38 examination or analysis, procure from time to time, or
39 whenever said the department has occasion to believe
40 any of the provisions of chapters 124, 124A, 124B,
41 126, and 353 and this subtitle, excluding chapters
42 203, 203A, 203C, 203D, 207, and 208, are being
43 violated, samples of the articles dealt with in these
44 provisions which have been shipped into this state,
45 offered or exposed for sale, or sold in the state.

46 Sec. _____. Section 189.4, Code 1993, is amended to
47 read as follows:

48 189.4 ACCESS TO FACTORIES AND BUILDINGS.

49 The department shall have full access to all
50 places, factories, buildings, stands, or premises, and

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1 to all wagons, auto trucks, vehicles, or cars used in
2 the preparation, production, distribution,
3 transportation, offering or exposing for sale, or sale
4 of any article dealt with in chapters 124, 124A, 124B,
5 126, and 353 and this subtitle, excluding chapters
6 203, 203A, 203C, 203D, 207, and 208.

7 Sec. _____. Section 189.5, Code 1993, is amended to
8 read as follows:

9 189.5 DEALER TO FURNISH SAMPLES.

10 Upon request and tender of the selling price by the
11 department any person who prepares, manufactures,
12 offers or exposès for sale, or delivers to a purchaser
13 any article dealt with in chapters 124, 124A, 124B,
14 126, and 353 and this subtitle, excluding chapters
15 203, 203A, 203C, 203D, 207, and 208, shall furnish,
16 within business hours, a sample of the same,
17 sufficient in quantity for a proper analysis or
18 examination as shall be provided by the rules of the
19 department.

20 Sec. _____. Section 189.6, Code 1993, is amended to
21 read as follows:

22 189.6 TAKING OF SAMPLES.

23 The department may, without the consent of the
24 owner, examine or open any package containing, or
25 believed to contain, any article or product which it
26 suspects may be prepared, manufactured, offered, or
27 exposed for sale, sold, or held in possession in
28 violation of the provisions of chapters 124, 124A,
29 124B, 126, and 353 and this subtitle, excluding
30 chapters 203, 203A, 203C, 203D, 207, and 208, in order
31 to secure a sample for analysis or examination, and
32 said the sample and damage to container shall be paid
33 for at the current market price out of the contingent
34 fund of the department.

35 Sec. _____. Section 189.8, Code 1993, is amended to
36 read as follows:

37 189.8 WITNESSES.

38 In the enforcement of the provisions of chapters
39 124, 124A, 124B, 126, and 353 and this subtitle,
40 excluding chapters 203, 203A, 203C, 203D, 207, and
41 208, the department shall have power to issue
42 subpoenas for witnesses, enforce their attendance, and
43 examine them under oath. ~~Sueh~~ The witnesses shall be
44 allowed the same fees as witnesses in district court.
45 ~~Said~~ The fees shall be paid out of the contingent fund
46 of the department.

47 Sec. _____. Section 189.9, unnumbered paragraph 1,
48 Code 1993, is amended to read as follows:

49 All articles in package or wrapped form which are
50 required by chapters 124, 124A, 124B, 126, and 353 and

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1 this subtitle, excluding chapters 203, 203A, 203C,
2 203D, 207, and 208, to be labeled, unless otherwise
3 provided, shall be conspicuously marked in the English
4 language in legible letters of not less than eight-
5 point heavy gothic caps on the principal label with
6 the following items:

7 Sec. _____. Section 189.13, Code 1993, is amended to
8 read as follows:

9 189.13 FALSE LABELS — DEFACEMENT.

10 No A person shall not use any label required by
11 chapters 124, 124A, 124B, 126, and 353 and this
12 subtitle, excluding chapters 203, 203A, 203C, 203D,
13 207, and 208, which bears any representations of any
14 kind which are deceptive as to the true character of
15 the article or the place of its production, or which
16 has been carelessly printed or marked, nor shall any
17 person erase or deface any label required by chapters
18 124, 124A, 124B, 126, and 353 and this subtitle,
19 excluding chapters 203, 203A, 203C, 203D, 207, and
20 208.

21 Sec. _____. Section 189.14, subsection 1, Code 1993,
22 is amended to read as follows:

23 1. No A person shall not knowingly introduce into
24 this state, solicit orders for, deliver, transport, or
25 have in possession with intent to sell, any article
26 which is labeled in any other manner than that
27 prescribed by chapters 124, 124A, 124B, 126, and 353
28 and this subtitle, excluding chapters 203, 203A, 203C,
29 203D, 207, and 208, for the label of said the article
30 when offered or exposed for sale, or sold in package
31 or wrapped form in this state.

32 Sec. _____. Section 189.15, Code 1993, is amended to
33 read as follows:

34 189.15 ADULTERATED ARTICLES.

35 No A person shall not knowingly manufacture,
36 introduce into the state, solicit orders for, sell,
37 deliver, transport, have in possession with the intent
38 to sell, or offer or expose for sale, any article
39 which is adulterated according to the provisions of
40 chapters 124, 124A, 124B, 126, and 353 and this
41 subtitle, excluding chapters 203, 203A, 203C, 203D,
42 207, and 208.

43 Sec. _____. Section 189.16, Code 1993, is amended to
44 read as follows:

45 189.16 POSSESSION.

46 Any person having in possession or under control
47 any article which is adulterated or which is
48 improperly labeled according to the provisions of
49 chapters 124, 124A, 124B, 126, and 353 and this
50 subtitle, excluding chapters 203, 203A, 203C, 203D,

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1 207, and 208, shall be presumed to know its true
2 character and name, and such possession shall be
3 prima-facie prima facie evidence of having the same in
4 possession with intent to violate the provisions of
5 chapters 124, 124A, 124B, 126, and 353 and this
6 subtitle, excluding chapters 203, 203A, 203C, 203D,
7 207, and 208.

8 Sec. _____. Section 189.19, Code 1993, is amended to
9 read as follows:

10 189.19 LICENSES.

11 The following regulations shall provisions apply to
12 all licenses issued or authorized under chapters 124,
13 124A, 124B, 126, and 353 and this subtitle, excluding
14 chapters 203, 203A, 203C, 203D, 207, and 208:

15 1. APPLICATIONS. Applications for licenses shall
16 be made upon blanks furnished by the department and
17 shall conform to the prescribed rules of the
18 department.

19 2. REFUSAL AND REVOCATION. For good and
20 sufficient grounds the department may refuse to grant
21 a license to any applicant; and it may revoke a
22 license for a violation of any provision of chapters
23 124, 124A, 124B, 126, and 353 and this subtitle,
24 excluding chapters 203, 203A, 203C, 203D, 207, and
25 208, or for the refusal or failure of any licensee to
26 obey the lawful directions of the department.

27 3. EXPIRATION. Unless otherwise provided all
28 licenses shall expire one year from the date of issue.

29 Sec. _____. Section 189.20, Code 1993, is amended to
30 read as follows:

31 189.20 INJUNCTION.

32 Any person engaging in any business for which a
33 license is required by chapters 124, 124A, 124B, 126,
34 and 353 and this subtitle, excluding chapters 203,
35 203A, 203C, 203D, 207, and 208, without obtaining such
36 license, may be restrained by injunction, and shall
37 pay all costs made necessary by such procedure.

38 Sec. _____. Section 189.21, Code 1993, is amended to
39 read as follows:

40 189.21 PENALTY.

41 Unless otherwise provided, any person violating any
42 provision of chapters 124, 124A, 124B, 126, and 353
43 and this subtitle, excluding chapters 203, 203A, 203C,
44 203D, 207, and 208, or any rule made adopted by the
45 department and promulgated under the authority of said
46 department pursuant to such a provision, shall be is
47 guilty of a simple misdemeanor.

48 Sec. _____. Section 189.22, Code 1993, is amended to
49 read as follows:

50 189.22 MAY CHARGE MORE THAN ONE OFFENSE.

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1 In any criminal proceeding brought for violation of
2 chapters ~~124, 124A, 124B, 126, and 353~~ and this
3 subtitle, an information or indictment may charge as
4 many offenses as it appears have been committed and
5 the defendant may be convicted of any or all of said
6 the offenses.

7 Sec. _____. Section 189.23, Code 1993, is amended to
8 read as follows:

9 189.23 COMMON CARRIER.

10 None of the ~~The~~ penalties provided in chapters ~~124,~~
11 ~~124A, 124B, 126, and 353~~ and this subtitle, excluding
12 chapters 203, 203A, 203C, 203D, 207, and 208, shall
13 not be imposed upon any common carrier for introducing
14 into the state, or having in its possession, any
15 article which is adulterated or improperly labeled
16 according to the provisions of chapters ~~124, 124A,~~
17 ~~124B, 126, and 353~~ and this subtitle, excluding
18 chapters 203, 203A, 203C, 203D, 207, and 208, when the
19 same was received by said the carrier for
20 transportation in the ordinary course of its business
21 and without actual knowledge of its true character.

22 Sec. _____. Section 189.24, Code 1993, is amended to
23 read as follows:

24 189.24 REPORT OF VIOLATIONS.

25 When it ~~shall appear~~ appears that any of the
26 provisions of chapters ~~124, 124A, 124B, 126, and 353~~
27 and this subtitle, excluding chapters 203, 203A, 203C,
28 203D, 207, and 208, have been violated, the department
29 shall at once certify the facts to the proper county
30 attorney, with a copy of the results of any analysis,
31 examination, or inspection ~~said the~~ department may
32 have made, duly authenticated by the proper person
33 under oath, and with any additional evidence which may
34 be in possession of ~~said the~~ department.

35 Sec. _____. Section 189.25, Code 1993, is amended to
36 read as follows:

37 189.25 COUNTY ATTORNEY.

38 The county attorney may at once institute the
39 proper proceedings for the enforcement of the
40 penalties provided in chapters ~~124, 124A, 124B, 126,~~
41 ~~and 353~~ and this subtitle for ~~sueh~~ the violations.

42 Sec. _____. Section 189.27, Code 1993, is amended to
43 read as follows:

44 189.27 INSTITUTION OF PROCEEDINGS.

45 In any case when it appears that any of the
46 provisions of chapters ~~124, 124A, 124B, 126, and 353,~~
47 and this subtitle have been violated, the inspector
48 having the investigation in charge shall, when
49 instructed by the department, file an information
50 against the suspected party.

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1 Sec. _____. Section 189.28, Code 1993, is amended to
2 read as follows:

3 189.28 GOODS FOR SALE IN OTHER STATES.

4 Any person may keep articles specifically set apart
5 in the person's stock for sale in other states which
6 do not comply with the provisions of chapters 124,
7 124A, 124B, 126, and 353 and this subtitle, excluding
8 chapters 203, 203A, 203C, 203D, 207, and 208, as to
9 standards, purity, or labeling.

10 Sec. _____. Section 189.29, Code 1993, is amended to
11 read as follows:

12 189.29 REPORTS BY DEALERS.

13 Every person who deals in or manufactures any of
14 the articles dealt with in chapters 124, 124A, 124B,
15 126, and 353 and this subtitle, excluding chapters
16 203, 203A, 203C, 203D, 207, and 208, shall make upon
17 blanks furnished by the department such reports and
18 furnish such statistics as may be required by said the
19 department and certify to the correctness of the same.

20 Sec. _____. Section 189.30, Code 1993, is amended to
21 read as follows:

22 189.30 CONTRACTS INVALID.

23 No action shall be maintained in any of the courts
24 of the state upon any contract or sale made in
25 violation of or with the intent to violate any
26 provision of chapters 124, 124A, 124B, 126, and 353
27 and this subtitle by one who was knowingly a party
28 thereto.

29 Sec. _____. Section 189.31, Code 1993, is amended to
30 read as follows:

31 189.31 FEES PAID INTO STATE TREASURY.

32 All fees collected under the provisions of chapters
33 124, 124A, 124B, 126, and 353 and this subtitle, shall
34 be paid into the state treasury.

35 Sec. _____. Section 190.1, unnumbered paragraph 1,
36 Code 1993, is amended to read as follows:

37 For the purpose of chapters 124, 124A, 124B, 126,
38 and 353 and this subtitle, except chapters 192, 203,
39 203A, 203C, 203D, 207, and 208, the following
40 definitions and standards of food are established:

41 Sec. _____. Section 229.44, subsection 2, unnumbered
42 paragraph 1, Code 1993, is amended to read as follows:

43 After an order is entered pursuant to section
44 229.13, 229.15, or 229.34, the court may transfer
45 proceedings to the court of any county having venue at
46 any further stage in the proceeding as follows:"

47 5. Page 11, by inserting after line 7, the
48 following:

49 "Sec. _____. Section 421.7, subsection 1, Code 1993,
50 is amended to read as follows:

Page 9

1 1. Except where a different rate of interest is
2 stated in a provision of chapters 12B, 12C, and 257C
3 and this title, the rate of interest on interest-
4 bearing obligations arising under chapters 12B, 12C,
5 and 257C and this title shall be the rate of interest
6 in effect under this section."

7 6. Page 11, by inserting after line 21, the
8 following:

9 "Sec. _____. Section 423.25, Code 1993, is amended
10 to read as follows:

11 423.25 TAXATION IN ANOTHER STATE.

12 If any person who causes tangible personal property
13 to be brought into this state has already paid a tax
14 in another state in respect to the sale or use of such
15 the property, or an occupation tax in respect thereto
16 to the property, in an amount less than the tax
17 imposed by chapters 12B, 12C, and 257C and this title,
18 the provisions of chapters 12B, 12C, and 257C and this
19 title shall apply, but at a rate measured by the
20 difference only between the rate herein fixed in this
21 title and the rate by which the previous tax on the
22 sale or use, or the occupation tax, was computed. If
23 such the tax imposed and paid in such the other state
24 is equal to or more than the tax imposed by chapters
25 12B, 12C, and 257C and this title, then no tax shall
26 be is due in this state on such the personal property.

27 Sec. _____. Section 428.20, Code 1993, is amended to
28 read as follows:

29 428.20 DEFINITION OF MANUFACTURER.

30 A person who purchases, receives, or holds personal
31 property of any description for the purpose of adding
32 to its value by a process of manufacturing, refining,
33 purifying, combining of different materials, or by the
34 packing of meats, with a view to selling the property
35 for gain or profit, is a "manufacturer" for the
36 purposes of chapters 12B, 12C, and 257C and this
37 title.

38 Sec. _____. Section 443.19, Code 1993, is amended to
39 read as follows:

40 443.19 IRREGULARITIES, ERRORS AND OMISSIONS -
41 EFFECT.

42 No failure of the owner to have such property
43 assessed or to have the errors in the assessment
44 corrected, and no irregularity, error or omission in
45 the assessment of such property, shall affect in any
46 manner the legality of the taxes levied thereon, or
47 affect any right or title to such real estate which
48 would have accrued to any party claiming or holding
49 under and by virtue of a deed executed by the
50 treasurer as provided by chapters 12B, 12C, and 257C

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1 and this title, had the assessment of such property
2 been in all respects regular and valid."

3 7. Page 20, by inserting after line 32, the
4 following:

5 "Sec. _____. Section 714.8, subsection 12, Code
6 1993, is amended to read as follows:

7 12. Knowingly transfers or assigns a legal or
8 equitable interest in property, as defined in section
9 702.14, for less than fair consideration, with the
10 intent to obtain public assistance under chapters 16,
11 35B, 35D, and 347B, ~~709A, 904, 913, and 914~~, or title
12 VI, subtitles 2 through 6, or accepts a transfer of or
13 an assignment of a legal or equitable interest in
14 property, as defined in section 702.14, for less than
15 fair consideration, with the intent of enabling the
16 party transferring the property to obtain public
17 assistance under chapters 16, 35B, 35D, and 347B,
18 ~~709A, 904, 913, and 914~~, or title VI, subtitles 2
19 through 6. A transfer or assignment of property for
20 less than fair consideration within one year prior to
21 an application for public assistance benefits shall be
22 evidence of intent to transfer or assign the property
23 in order to obtain public assistance for which a
24 person is not eligible by reason of the amount of the
25 person's assets. If a person is found guilty of a
26 fraudulent practice in the transfer or assignment of
27 property under this subsection the maximum sentence
28 shall be the penalty established for a serious
29 misdemeanor and sections 714.9, 714.10 and 714.11
30 shall not apply."

31 8. By renumbering as necessary.

Committee on Judiciary and Law Enforcement

H-3204

1 Amend House File 304 as follows:

2 1. Page 1, by inserting after line 28 the
3 following:

4 "Sec. _____. Section 232.52, subsection 2, paragraph
5 a, subparagraph (3), Code 1993, is amended to read as
6 follows:

7 (3) If the child is fourteen years of age or
8 older, a fine of up to one-half the amount which could
9 be imposed against an adult if the delinquent act is a
10 public offense and restitution consisting of monetary
11 payment or a work assignment of value to the county or
12 to the public for fees of attorneys appointed to
13 represent the child at public expense pursuant to
14 section 232.11.

15 Sec. _____. Section 232.52, subsection 2, paragraph

16 a, Code 1993, is amended by adding the following new
17 subparagraph:

18 **NEW SUBPARAGRAPH.** (4) The suspension of the motor
19 vehicle license or operating privilege of the child
20 for a period not to exceed one year. The order shall
21 state whether a work permit may or shall not be issued
22 to the child."

23 2. Page 2, by inserting after line 17 the
24 following:

25 "Sec. _____. Section 232.148, subsections 2 and 3,
26 Code 1993, are amended to read as follows:

27 2. Fingerprints and photographs of a child who has
28 been taken into custody and who is fourteen years of
29 age or older may be taken and filed by a criminal
30 justice agency investigating the commission of a
31 public offense constituting a felony or aggravated or
32 serious misdemeanor. However, fingerprint and
33 photograph files of a child who enters into an
34 informal adjustment or consent decree shall be
35 retained only if the child is notified at the time of
36 entering into the informal adjustment or consent
37 decree that the files will be permanently retained by
38 the criminal justice agency.

39 3. If a peace officer has reasonable grounds to
40 believe that latent fingerprints found during the
41 investigation of the commission of a public offense
42 are those of a particular child, fingerprints of the
43 child may be taken for immediate comparison with the
44 latent fingerprints regardless of the nature of the
45 offense. If the comparison is negative the
46 fingerprint card and other copies of the fingerprints
47 taken shall be immediately destroyed. If the
48 comparison is positive and the child is referred to
49 the court, the fingerprint card and other copies of
50 the fingerprints taken shall be delivered to the court

Page 2

1 for disposition. If the child is not referred to the
2 court, the fingerprint card and copies of the
3 fingerprints shall be immediately destroyed."

4 3. Page 2, by inserting before line 18 the
5 following:

6 "Sec. _____. **NEW SECTION. 321.213A LICENSE**
7 **SUSPENSION FOR JUVENILES ADJUDICATED DELINQUENT FOR A**
8 **SECOND TIME.**

9 Upon the entering of an order at the conclusion of
10 a dispositional hearing under section 232.50, where
11 the child has been adjudicated to have committed a
12 second delinquent act within one year, which would be
13 a public offense punishable by a penalty greater than
14 a simple misdemeanor if committed by an adult, the

15 / clerk of the juvenile court in the dispositional
 16 hearing shall forward a copy of the adjudication and
 17 dispositional order to the department. The department
 18 shall suspend the license or operating privilege of
 19 the child in accordance with the dispositional order."

CONNORS of Polk

H-3207

1 Amend House File 430 as follows:
 2 1. Page 1, by striking lines 9 and 10 and
 3 inserting the following:
 4 "2. DEPARTMENT OF PUBLIC HEALTH
 5 For additional support of the home care aide
 6 program:".

MILLER of Cherokee

H-3210

1 Amend House File 430 as follows:
 2 1. Page 17, by inserting after line 25, the
 3 following:
 4 "Sec. _____. STATE EMPLOYEE SALARY FREEZE -
 5 EXCEPTION.
 6 Notwithstanding any contrary provision of the Code,
 7 the annual salary of a state officer or employee for
 8 the fiscal year beginning July 1, 1993, and ending
 9 June 30, 1994, shall be the same annual salary which
 10 is in effect for that state officer or employee for
 11 the pay period ending June 17, 1993. This section
 12 applies to officers and employees of all departments,
 13 boards, commissions, and offices of the state,
 14 institutions under the jurisdiction of the state board
 15 of regents, area community colleges created pursuant
 16 to chapter 260C, and area education agencies created
 17 pursuant to chapter 273. However, this section does
 18 not apply to state employees who are subject to a
 19 collective bargaining agreement negotiated pursuant to
 20 chapter 20."

HANSEN of Woodbury

H-3211

1 Amend House File 430 as follows:
 2 1. Page 1, line 6, by striking the figure "1."
 3 2. Page 1, by striking lines 9 through 11.
 4 3. Page 7, by striking lines 24 through 26.
 5 4. Page 9, by striking lines 14 through 21.

HANSEN of Woodbury

H-3215

1 Amend House File 429 as follows:

2 1. Page 20, by inserting after line 1 the
3 following:

4 "Sec. _____. REDUCTION OF UPPER LEVEL MANAGEMENT.

5 In order to right size upper level management in state
6 government, the department of management, in
7 consultation with the department of personnel, shall,
8 after discussion and collaboration with executive
9 branch agencies, including the state board of regents,
10 reduce upper level management and employees earning
11 over \$60,000 per year from those existing on July 1,
12 1993, to achieve a net state general fund savings of
13 at least \$2,000,000 by June 30, 1994."

PETERSON of Carroll

H-3217

1 Amend Senate File 94, as passed by the Senate, as
2 follows:

3 1. Page 1, line 12, by inserting after the word
4 "entity." the following: "However, "local
5 legislation" does not mean orders given to an
6 individual who is an employee of a local governmental
7 entity concerning the use, storage, transportation, or
8 disposal by the individual of a fertilizer or soil
9 conditioner in the individual's capacity as an
10 employee of such entity."

11 2. Page 1, line 26, by inserting after the figure
12 "3." the following: "a."

13 3. Page 1, by inserting after line 27 the
14 following:

15 "b. This section does not apply to local
16 legislation which is mandated pursuant to state or
17 federal law."

18 4. Page 2, line 4, by inserting after the word
19 "entity." the following: "However, "local
20 legislation" does not mean orders given to an
21 individual who is an employee of a local governmental
22 entity concerning the use, storage, transportation, or
23 disposal by the individual of a fertilizer or soil
24 conditioner in the individual's capacity as an
25 employee of such entity."

26 5. Page 2, line 18, by inserting after the figure
27 "3." the following: "a."

28 6. Page 2, by inserting after line 19 the
29 following:

30 "b. This section does not apply to local
31 legislation which is mandated pursuant to state or
32 federal law."

HAHN of Muscatine

H-3220

1 Amend Senate File 94, as passed by the Senate, as
2 follows:

3 1. Page 2, by inserting after line 19, the
4 following:

5 "_____. This section does not apply to local
6 legislation, to the extent that the local governmental
7 entity determines that a pesticide has not been
8 completely tested for safety and efficacy. This
9 section shall also not apply to the extent that the
10 local governmental entity determines that sufficient
11 data does not exist regarding the toxicological
12 effects of the pesticide. Notwithstanding subsection
13 2, a local governmental entity may regulate or ban the
14 use of a pesticide which the local governmental entity
15 determines poses an unacceptable risk of causing
16 cancer, birth defects, genetic mutations, chromosome
17 damage, reproductive effects, adverse effects on
18 deoxyribonucleic acid (DNA) synthesis or repair,
19 neurotoxicity, immunotoxicity, or which produces other
20 chronic or severe damage to human health."
21 2. By renumbering as necessary.

HENDERSON of Scott

H-3221

1 Amend House File 457 as follows:

2 1: Page 9, by inserting after line 32 the
3 following:

4 "Sec. _____. COUNTY-WIDE SCHOOL DISTRICT STUDY. The
5 department of education shall conduct a study of the
6 feasibility of establishing a pilot project which
7 would create a county-wide school district in a county
8 which contains within its boundaries all of the
9 following:

10 1. At least one school district with more than
11 11,000, but fewer than 13,000 pupils.

12 2. A regents institution of higher learning.

13 3. A community college.

14 4. A laboratory school.

15 This proposed county-wide school district would
16 incorporate all school districts located wholly or
17 partially in the county. This study shall include,
18 but not be limited to, proposals relating to
19 administrative structure, curricula for programs for
20 specialized needs, the relationship with the area
21 education agency, transportation needs, condition of
22 school facilities and equipment, funding, needs for
23 instructional materials, and extracurricular

24. activities. A report on this study shall be presented
25 to the general assembly by January 15, 1994."

SHOULTZ of Black Hawk
HARPER of Black Hawk

H-3222

- 1 Amend amendment H-3215, to House File 429 as
2 follows:
3 1. Page 1, line 2, by striking the word and
4 number "line 1" and inserting the following "line 31".

PETERSON of Carroll

H-3225

- 1 Amend amendment, H-3194, to House File 391, as
2 follows:
3 1. Page 1, line 6, by inserting after the word
4 "distributes" the following: "or possesses with
5 intent to distribute".
6 2. Page 1, by striking line 7 and inserting the
7 following: "schedule I, or II, which is a narcotic or
8 cocaine or III, to a".
9 3. Page 1, line 19, by inserting after the word
10 "distributes" the following: "or possesses with
11 intent to distribute".
12 4. Page 1, by striking lines 20 through 23 and
13 inserting the following: "listed in schedule I, or
14 II, which is a narcotic or cocaine or III, or a
15 simulated controlled substance represented to be a
16 narcotic or cocaine controlled substance classified in
17 schedule I, or II, or III, to a person under eighteen
18 years of".

LARSON of Linn

H-3228

- 1 Amend House File 258 as follows:
2 1. Page 3, by striking lines 6 through 27.
3 2. Title page, by striking lines 2 and 3 and
4 inserting the following: "by requiring an
5 appropriation prior to".
6 3. By renumbering as necessary.

Committee on Labor and Industrial Relations

H-3233

- 1 Amend Senate File 94, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting after line 27, the
4 following:
5' "_____. This section does not apply to local

6 legislation to the extent that the legislation relates
 7 to the use of fertilizers and soil conditioners on
 8 real property and its improvements, if a public or
 9 nonpublic school accredited pursuant to section 256.11
 10 is located on the real property.”

11 2. Page 2, by inserting after line 19, the
 12 following:

13 “_____. This section does not apply to local
 14 legislation to the extent that the legislation relates
 15 to the use of pesticides on real property and its
 16 improvements, if a public or nonpublic school
 17 accredited pursuant to section 256.11 is located on
 18 the real property.”

19 3. By renumbering as necessary.

OLLIE of Clinton

H-3234

1 Amend Senate File 94, as passed by the Senate, as
 2 follows:

- 3 1. Page 1, line 16, by striking the word “use,”.
- 4 2. Page 1, line 20, by striking the word “use,”.
- 5 3. Page 2, line 8, by striking the word “use,”.
- 6 4. Page 2, line 11, by striking the word “use,”.

FALLON of Polk
OSTERBERG of Linn
BERNAU of Story

H-3235

1 Amend House File 429 as follows:

2 1. Page 4, by striking line 11 and inserting the
 3 following:

4 “_____. PRACTICE PARAMETERS.

5 For the support of the development of practice
 6 parameters for the state of Iowa:

7\$ 25,000

8 The department shall contract with an organization
 9 within the state which represents 70 percent of
 10 licensed physicians practicing within Iowa to provide
 11 appropriate technical assistance to the department
 12 during development of these parameters. The
 13 department shall retain \$5,000 of this appropriation
 14 for administrative expenses associated with this
 15 activity.

16 The department shall review how medical practice”.

17 2. By relettering as necessary.

PLASIER of Sioux

H-3244

1 Amend Senate File 94, as passed by the Senate, as
 2 follows:

3 1. Page 1, line 26, by inserting after the figure
4 "3." the following: "a."

5 2. Page 1, by inserting after line 27, the
6 following:

7 "b. This section does not apply to local
8 legislation to the extent that the legislation relates
9 to real property and its improvements, including the
10 care or maintenance of real property, in which the
11 local governmental entity holds a legal or equitable
12 interest. However, this section does apply to such
13 property, if the property borders a street, the
14 property is cared for or maintained by a person who
15 holds a legal or equitable interest in adjacent real
16 property, and that person is not a governmental
17 entity."

18 3. Page 2, line 18, by inserting after the figure
19 "3." the following: "a."

20 4. Page 2, by inserting after line 19 the
21 following:

22 "b. This section does not apply to local
23 legislation to the extent that the legislation relates
24 to real property and its improvements, including the
25 care or maintenance of real property, in which the
26 local governmental entity holds a legal or equitable
27 interest. However, this section does apply to such
28 property, if the property borders a street, the
29 property is cared for or maintained by a person who
30 holds a legal or equitable interest in adjacent real
31 property, and that person is not a governmental
32 entity."

BERNAU of Story
CORBETT of Linn
HANSON of Delaware
OSTERBERG of Linn
DVORSKY of Johnson

H-3245

1 Amend House File 430 as follows:

2 1. Page 6, line 31, by striking the figure
3 "46,206" and inserting the following: "21,725".

4 2. Page 6, line 32, by striking the figure "1.50"
5 and inserting the following: "0.50".

HALVORSON of Webster

H-3246

1 Amend House File 430 as follows:

2 1. Page 6, line 31, by striking the figure
3 "46,206" and inserting the following: "36,358".

4 2. Page 6, line 32, by striking the figure "1.50"
5 and inserting the following: "1.0".

HALVORSON of Webster

H-3248

1 Amend Senate File 94, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting after line 27, the
4 following:

5 "_____. This section does not apply to local
6 legislation to the extent that the legislation relates
7 to the use of fertilizers and soil conditioners on
8 real property and its improvements, and other property
9 adjacent to the real property as determined by the
10 local governmental entity, if a child day care
11 facility licensed pursuant to chapter 237A is located
12 on the real property."

13 2. Page 2, by inserting after line 19, the
14 following:

15 "_____. This section does not apply to local
16 legislation to the extent that the legislation relates
17 to the use of pesticides on real property and its
18 improvements, and other property adjacent to the real
19 property as determined by the local governmental
20 entity, if a child day care facility licensed pursuant
21 to chapter 237A is located on the real property."

22 3. By renumbering as necessary.

BERNAU of Story
HAMMOND of Story
JOCHUM of Dubuque

H-3249

1 Amend House File 430 as follows:

2 1. Page 7, by inserting after line 2 the follow-
3 ing:

4 "The executive council may either sell or give away
5 Terrace Hill."

HALVORSON of Webster

H-3253

1 Amend House File 430 as follows:

2 1. Page 17, by inserting after line 25, the
3 following:

4 "Sec. _____. STATE EMPLOYEE SALARY FREEZE —
5 EXCEPTION.

6 Notwithstanding any contrary provision of the Code,
7 the annual salary of a state officer or employee for
8 the fiscal year beginning July 1, 1993, and ending
9 June 30, 1994, shall be the same annual salary which
10 is in effect for that state officer or employee for
11 the pay period ending June 17, 1993. This section
12 applies to officers and employees of all departments,
13 boards, commissions, and offices of the state, which

14 are funded by appropriations made pursuant to this
15 Act. However, this section does not apply to state
16 employees who are subject to a collective bargaining
17 agreement negotiated pursuant to chapter 20."

HANSEN of Woodbury

H-3255

1 Amend Senate File 90, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 29, the
4 following:

5 "Sec. _____. Section 422.43, subsection 13,
6 paragraph a, unnumbered paragraph 2, Code 1993, is
7 amended to read as follows:

8 For purposes of this subsection, "solid waste"
9 means garbage, refuse, sludge from a water supply
10 treatment plant or air contaminant treatment facility,
11 and other discarded waste materials and sludges, in
12 solid, semisolid, liquid, or contained gaseous form,
13 resulting from nonresidential commercial operations,
14 but does not include auto hulks; street sweepings;
15 ash; construction debris; mining waste; trees; tires;
16 lead acid batteries; used oil; hazardous waste; animal
17 waste used as fertilizer; earthen fill, boulders,
18 rock; foundry sand used for daily cover at a sanitary
19 landfill; sewage sludge; solid or dissolved material
20 in domestic sewage or other common pollutants in water
21 resources, such as silt, dissolved or suspended solids
22 in industrial waste water effluents or discharges
23 which are point sources subject to permits under
24 section 402 of the federal Water Pollution Control
25 Act, dissolved materials in irrigation return flows;
26 or source, special nuclear, or by-product material
27 defined by the federal Atomic Energy Act of 1954."

28 2. By renumbering as necessary.

ERTL of Dubuque

H-3258

1 Amend House File 430 as follows:

2 1. Page 17, by inserting after line 25 the
3 following:

4 "Sec. _____. REDUCTION OF UPPER LEVEL MANAGEMENT.

5 In order to right size upper level management in state
6 government, the department of management, in
7 consultation with the department of personnel, shall,
8 after discussion and collaboration with the department
9 of general services and the department of revenue and
10 finance, make reductions of upper level management and
11 employees with salaries over \$60,000 per year from
12 those existing on July 1, 1993, to achieve a net state

13 general fund savings of at least \$2,000,000 by June
14 30, 1994."

PETERSON of Carroll

H-3260

1 Amend the amendment, H-3258, to House File 430 as
2 follows:
3 1. Page 1, line 9, by striking the words
4 "services and" and inserting the following:
5 "services."
6 2. Page 1, line 10, by inserting after the word
7 "finance," the following: "the offices of the
8 governor and the lieutenant governor, the office of
9 treasurer of state, the office of secretary of state,
10 the office of drug enforcement and abuse coordinator,
11 the office of state-federal relations, the department
12 of personnel, and the department of management".

PETERSON of Carroll

H-3262

1 Amend House File 430 as follows:
2 1. Page 17, by inserting after line 25 the
3 following:
4 "Sec. _____. STATE SALARY CEILINGS. Effective July
5 1, 1993, the annual salary of a state officer or
6 employee of the department of general services, the
7 department of management, the department of personnel,
8 the offices of governor and lieutenant governor, the
9 office of drug enforcement and abuse coordinator, the
10 office of treasurer of state, the office of secretary
11 of state, and the department of revenue and finance
12 shall not exceed fifty thousand dollars. However, on
13 July 1, 1993, if the annual salary of a state officer
14 or employee exceeds fifty thousand dollars, the amount
15 of the annual salary in excess of fifty thousand
16 dollars shall be divided by four and the total annual
17 salary of the officer or employee shall be reduced by
18 one-fourth of the excess annual salary each year for
19 the next four fiscal years beginning July 1, 1993.
20 Thereafter, the maximum annual salary of the state
21 officer or employee shall remain at fifty thousand
22 dollars. For the purpose of this paragraph, employer-
23 paid benefits to a state officer or employee shall not
24 be included as part of an annual salary."

FALLON of Polk

H-3264

1 Amend Senate File 227, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 12, by inserting after line 15 the
4 following:

5 "Sec. _____. Section 15.109, Code 1993, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 1A. Establish a network of
8 organizations and groups in the state that will serve
9 as entry points throughout the state to provide
10 businesses, communities, or individuals with
11 information about economic and community development
12 programs or work force development programs and
13 referral, where applicable, to the appropriate program
14 or service. All state agencies and programs that
15 receive funding from the state for economic or
16 community development or work force development
17 purposes shall be members of the network, including
18 but not limited to the department of economic
19 development, the department of employment services,
20 councils of governments, community colleges, small
21 business development centers, the center for
22 industrial research and service, the Iowa quality
23 coalition, the institute for decision making, the
24 Wallace technology transfer foundation, and the
25 international network on trade. Other public or
26 private sector or public-private organizations that
27 desire to be members of the network may join according
28 to administrative rules adopted by the department.
29 The department shall:

30 a. Adopt rules for implementation of the network.

31 b. Adopt a symbol or logo identifying the network
32 and authorize members of the network to affix the
33 symbol or logo to their place of business and to
34 imprint it on stationary, business cards, brochures,
35 or other materials distributed by the members.

36 c. Conduct marketing campaigns on a regular basis
37 to promote the network to businesses, communities, and
38 individuals.

39 d. Provide information on state economic and
40 community development and work force development
41 programs to members of the network on an ongoing basis
42 to assist them in providing information to the public.

43 e. Encourage members of the network to share
44 information about their programs and services with
45 other members of the network.

46 f. If feasible, the department may provide members
47 of the network with access to information via
48 electronic means."

49 2. By renumbering as necessary.

H-3266

1 Amend Senate File 90, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, by inserting after line 12, the
4 following:

5 "Sec. _____. Section 422.45, subsection 3, Code
6 1993, is amended to read as follows:

7 3. The gross receipts from sales of educational,
8 religious, or charitable activities, where the entire
9 proceeds therefrom from the sales are expended for
10 educational, religious, or charitable purposes, except
11 the gross receipts from games of skill, games of
12 chance, raffles and bingo games as defined in chapter
13 99B. This exemption is disallowed on the amount of
14 the gross receipts only to the extent the gross
15 receipts are not expended for educational, religious,
16 or charitable purposes."

17 2. Title page, line 5, by inserting after the
18 word "disposal," the following: "the sales and use
19 tax exemption for sales of educational, religious, or
20 charitable activities,".

21 3. By renumbering as necessary.

HANSON of Delaware

H-3267

1 Amend Senate File 94, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting after line 27, the
4 following:

5 "_____. This section does not apply to local
6 legislation to the extent that the legislation relates
7 to the use of fertilizers and soil conditioners on
8 real property and its improvements, and other property
9 adjacent to the real property as determined by the
10 local government entity, if a park, preserve, or
11 recreation area is located on the real property."

12 2. Page 2, by inserting after line 19, the
13 following:

14 "_____. This section does not apply to local
15 legislation to the extent that the legislation relates
16 to the use of pesticides on real property and its
17 improvements, and other property adjacent to the real
18 property as determined by the local governmental
19 entity, if a park, preserve, or recreation area is
20 located on the real property."

21 3. By renumbering as necessary.

DVORSKY of Johnson
BERNAU of Story
OSTERBERG of Linn

H-3268

1 Amend Senate File 94, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting after line 27, the
4 following:

5 "_____. This section does not apply to local
6 legislation to the extent that the legislation relates
7 to the use of fertilizers and soil conditioners on
8 real property and its improvements, if the real
9 property or an improvement, is unique and of
10 scientifically recognized ecological value."

11 2. Page 2, by inserting after line 19, the
12 following:

13 "_____. This section does not apply to local
14 legislation to the extent that the legislation relates
15 to the use of pesticides on real property and its
16 improvements, if the real property or an improvement,
17 is unique and of scientifically recognized ecological
18 value."

WITT of Black Hawk
HARPER of Black Hawk
OSTERBERG of Linn
HAMMOND of Story

HENDERSON of Scott
BERNAU of Story
JOCHUM of Dubuque
MORELAND of Wapello

H-3269

1 Amend Senate File 94, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting after line 27 the
4 following:

5 "_____. This section does not apply to local
6 legislation to the extent that the legislation relates
7 to the use of fertilizers and soil conditioners on
8 real estate and its improvements, if a place that has
9 an impact upon water withdrawal facilities or drinking
10 water supplies is located on the real property."

11 2. Page 2, by inserting after line 19 the
12 following:

13 "_____. This section does not apply to local
14 legislation to the extent that the legislation relates
15 to the use of pesticides on real estate and its
16 improvements, if a place that has an impact upon water
17 withdrawal facilities or drinking water supplies is
18 located on the real property."

HENDERSON of Scott
WITT of Black Hawk

H-3270

1 Amend Senate File 94, as passed by the Senate, as
2 follows:

- 3 1. By striking page 1, line 28 through page 2,
 4 line 19.
 5 2. Title page, lines 1 and 2, by striking the
 6 words "and pesticides".

HENDERSON of Scott
 WITT of Black Hawk

H—3271

1 Amend the amendment, H—3193, to Senate File 142, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 1, by striking line 3 and inserting the
 5 following:

6 "_____. Page 1, by inserting before line 1 the
 7 following:

8 "Section 100. NEW SECTION. 80.26A MOTORCYCLE
 9 SAFETY FUNDING.

10 A portion of the moneys diverted to state highway
 11 safety education projects by the federal government
 12 pursuant to the federal Intermodal Surface
 13 Transportation Efficiency Act of 1991, if a mandatory
 14 helmet law required by that Act is not enacted by this
 15 state, shall be used for motorcycle safety education
 16 and programming to include a motorcycle awareness
 17 educational program for motorists.

18 Sec. 150. Section 321.34, Code 1993, as amended by
 19 1993 Iowa Acts, Senate File 18, section 1, is amended
 20 by adding the following new subsection:

21 NEW SUBSECTION. 17. MOTORCYCLE HELMET PLATES.

22 The owner of a motorcycle or motorized bicycle subject
 23 to registration under this chapter who does not agree
 24 to comply with the requirements of section 321.444A,
 25 subsection 1, may, upon written application to the
 26 department, order a special plate under this
 27 subsection. The plate shall be designed by the
 28 department so as to be readily distinguishable from a
 29 motorcycle plate not issued pursuant to this
 30 subsection. The application is subject to approval by
 31 the department and the special registration plate
 32 shall be issued in exchange for the registration plate
 33 previously issued to the person. The fee for the
 34 special plate shall be the same as the fee for a
 35 motorcycle plate not issued pursuant to this
 36 subsection. The department shall validate the special
 37 plate in the same manner as a regular registration
 38 plate is validated under this section."

39 _____ Page 1, line 12, by inserting after the word
 40 "bicycles" the following: "with a motorcycle helmet
 41 plate issued pursuant to section 321.34, subsection
 42 17, and".

43 _____ Page 1, line 14, by striking the word

44 "fifteen" and inserting the following: "twenty-
 45 eight".
 46 _____. Page 1, line 18, by inserting after the word
 47 "fee" the following: "on all motorcycles and
 48 motorized bicycles with a motorcycle helmet plate:"
 49 2. Page 1, by inserting after line 22 the
 50 following:

Page 2

1 "3. This section shall not apply to an operator or
 2 rider on a motorcycle or motorized bicycle with a
 3 motorcycle helmet plate issued pursuant to section
 4 321.34, subsection 17."
 5 3. Page 1, by striking lines 34 through 36 and
 6 inserting the following:
 7 "_____. Page 2, line 31, by striking the words and
 8 figure "section 1 of" and inserting the following:
 9 "section 150 of this Act, the amendment to section
 10 321.117 adopted in section 1 of this Act, section
 11 321.444A as enacted in this Act, and the amendment to
 12 section 805.8, subsection 2, paragraph "e", adopted
 13 in".
 14 _____. Title page, line 3, by inserting after the
 15 word "headgear" the following: ", providing for
 16 motorcycle helmet plates, and additional registration
 17 fees, motorcycle awareness programming,"."

BLODGETT of Cerro Gordo
 BLACK of Jasper
 LARSON of Linn
 WITT of Black Hawk

H-3272

1 Amend Senate File 142, 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 100. NEW SECTION. 80.26A MOTORCYCLE
 6 SAFETY FUNDING.
 7 A portion of the moneys diverted to state highway
 8 safety education projects by the federal government
 9 pursuant to the federal Intermodal Surface
 10 Transportation Efficiency Act of 1991, if a mandatory
 11 helmet law required by that Act is not enacted by this
 12 state, shall be used for motorcycle safety education
 13 and programming to include a motorcycle awareness
 14 educational program for motorists.
 15 Sec. 150. Section 321.34, Code 1993, as amended by
 16 1993 Iowa Acts, Senate File 18, section 1, is amended
 17 by adding the following new subsection:
 18 NEW SUBSECTION. 17. MOTORCYCLE HELMET PLATES.

19 The owner of a motorcycle or motorized bicycle subject
20 to registration under this chapter who does not agree
21 to comply with the requirements of section 321.444A,
22 subsection 1, may, upon written application to the
23 department, order a special plate under this
24 subsection. The plate shall be designed by the
25 department so as to be readily distinguishable from a
26 motorcycle plate not issued pursuant to this
27 subsection. The application is subject to approval by
28 the department and the special registration plate
29 shall be issued in exchange for the registration plate
30 previously issued to the person. The fee for the
31 special plate shall be the same as the fee for a
32 motorcycle plate not issued pursuant to this
33 subsection. The department shall validate the special
34 plate in the same manner as a regular registration
35 plate is validated under this section."

36 2. Page 1, line 12, by inserting after the word
37 "bicycles" the following: "with a motorcycle helmet
38 plate issued pursuant to section 321.34, subsection
39 17, and".

40 3. Page 1, line 14, by striking the word
41 "fifteen" and inserting the following: "twenty-
42 eight".

43 4. Page 1, line 18, by inserting after the word
44 "fee" the following: "on all motorcycles and
45 motorized bicycles with a motorcycle helmet plate".

46 5. Page 2, by inserting after line 27 the
47 following:

48 "Sec. 200. NEW SECTION. 321.444A HELMETS.

49 1. A motorcycle or motorized bicycle shall not be
50 operated upon a highway unless the person who is

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1 operating or riding the vehicle is wearing protective
2 headgear which complies with standards and
3 specifications established under 49 C.F.R. § 571.218.
4 For purposes of this section, "wearing protective
5 headgear" means having a safety helmet on the person's
6 head that is fastened with the helmet straps and that
7 is of a size that fits the person's head securely
8 without excessive lateral or vertical movement.

9 2. A person shall not possess for the purpose of
10 sale, offer for sale, or sell protective headgear for
11 use by a person operating or riding upon a motorcycle
12 or motorized bicycle, unless the equipment meets the
13 standards and specifications required under this
14 section.

15 3. This section shall not apply to an operator or
16 rider on a motorcycle or motorized bicycle with a
17 motorcycle helmet plate issued pursuant to section

- 18 321.34, subsection 17.
 19 Sec. 300. Section 805.8, subsection 2, paragraph
 20 e, Code 1993, is amended to read as follows:
 21 e. For improperly used or nonused or defective or
 22 improper equipment under sections 321.383, 321.384,
 23 321.385, 321.386, 321.398, 321.402, 321.403, 321.404,
 24 321.409, 321.419, 321.420, 321.423, 321.430, and
 25 321.433, the scheduled fine is twenty dollars. For
 26 failing to wear protective headgear as required under
 27 section 321.444A, the scheduled fine is fifty dollars
 28 for an operator and twenty-five dollars for a
 29 passenger.”
 30 6. Page 2, line 31, by striking the words and
 31 figure “section 1” and inserting the following:
 32 “section 150 of this Act, the amendment to section
 33 321.117 adopted in section 1 of this Act, section 200
 34 of this Act, and the amendment to section 805.8,
 35 subsection 2, paragraph “e”, adopted in section 300”.
 36 7. Title page, line 3, by inserting after the
 37 word “headgear” the following: “, providing for
 38 motorcycle helmet plates and additional registration
 39 fees, motorcycle awareness programming.”.
 40 8. By renumbering as necessary.

BLODGETT of Cerro Gordo
 BLACK of Jasper
 LARSON of Linn
 WITT of Black Hawk

H—3274

- 1 Amend Senate File 142, 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 100. NEW SECTION. 80.26 MOTORCYCLE AND
 6 MOTORIZED BICYCLE HEAD INJURY STATISTICS.
 7 The department of public safety, in conjunction
 8 with the department of human services and the
 9 department of public health shall publish statistics
 10 annually which identify the following:
 11 1. The cumulative numbers of persons who suffer
 12 head injuries in the state and of that number the
 13 percentage of persons who suffer head injuries as a
 14 result of an accident on a motorcycle or motorized
 15 bicycle in which the person was not wearing a safety
 16 helmet.
 17 2. The costs incurred by the state and the
 18 counties to care for persons who have suffered head
 19 injuries as a result of an accident on a motorcycle or
 20 motorized bicycle in which the person was not wearing
 21 a safety helmet.
 22 Sec. 200. Section 321.34, Code 1993, as amended by

23 1993 Iowa Acts, Senate File 18, section 1, is amended
24 by adding the following new subsection:

25 NEW SUBSECTION. 17. MOTORCYCLE HELMET PLATES.

26 The owner of a motorcycle or motorized bicycle subject
27 to registration under this chapter who does not agree
28 to comply with the requirements of section 321.444A,
29 subsection 1, may, upon written application to the
30 department, order a special plate under this
31 subsection. The plate shall be designed by the
32 department so as to be readily distinguishable from a
33 motorcycle plate not issued pursuant to this
34 subsection. The application is subject to approval by
35 the department and the special registration plate
36 shall be issued in exchange for the registration plate
37 previously issued to the person. The fee for the
38 special plate shall be the same as the fee for a
39 motorcycle plate not issued pursuant to this
40 subsection. The department shall validate the special
41 plate in the same manner as a regular registration
42 plate is validated under this section."

43 2. Page 1, line 12, by inserting after the word
44 "bicycles" the following: "with a motorcycle helmet
45 plate issued pursuant to section 321.34, subsection
46 17, and".

47 3. Page 1, line 14, by striking the word
48 "fifteen" and inserting the following: "thirty".

49 4. Page 1, line 18, by inserting after the word
50 "fee" the following: "on all motorcycles and

Page 2

1 motorized bicycles with a motorcycle helmet plate".

2 5. Page 1, by inserting after line 32 the
3 following:

4 "3. In addition to the fees required under
5 subsections 1 and 2, all motorcycles and motorized
6 bicycles, with a motorcycle helmet plate issued
7 pursuant to section 321.34, subsection 17, shall pay
8 an additional annual registration fee of one hundred
9 dollars. The moneys collected under this subsection
10 shall be deposited in the motorcycle rider medical
11 assistance fund which is established in the office of
12 the treasurer of state. The moneys credited to the
13 motorcycle rider medical assistance fund shall be
14 appropriated to the department of human services to
15 defray the cost of medical assistance to motorcycle
16 and motorized bicycle riders who have suffered head
17 injuries while riding a motorcycle or motorized
18 bicycle and who are eligible for medical assistance
19 under chapter 249A."

20 6. Page 2, by inserting after line 27 the
21 following:

22 "Sec. 300. NEW SECTION. 321.444A HELMETS.

23 1. A motorcycle or motorized bicycle shall not be
24 operated upon a highway unless the person who is
25 operating or riding the vehicle is wearing protective
26 headgear which complies with standards and
27 specifications established under 49 C.F.R. § 571.218.
28 For purposes of this section, "wearing protective
29 headgear" means having a safety helmet on the person's
30 head that is fastened with the helmet straps and that
31 is of a size that fits the person's head securely
32 without excessive lateral or vertical movement.

33 2. A person shall not possess for the purpose of
34 sale, offer for sale, or sell protective headgear for
35 use by a person operating or riding upon a motorcycle
36 or motorized bicycle, unless the equipment meets the
37 standards and specifications required under this
38 section.

39 3. This section shall not apply to an operator or
40 rider of a motorcycle or motorized bicycle if the
41 operator or rider is eighteen years old or older and
42 the motorcycle or motorized bicycle has a motorcycle
43 helmet plate issued pursuant to section 321.34,
44 subsection 17.

45 Sec. 400. Section 805.8, subsection 2, paragraph
46 e, Code 1993, is amended to read as follows:

47 e. For improperly used or nonused or defective or
48 improper equipment under sections 321.383, 321.384,
49 321.385, 321.386, 321.398, 321.402, 321.403, 321.404,
50 321.409, 321.419, 321.420, 321.423, 321.430, and

Page 3

1 321.433, the scheduled fine is twenty dollars. For
2 failing to wear protective headgear as required under
3 section 321.444A, the scheduled fine is fifty dollars
4 for an operator and twenty-five dollars for a
5 passenger.

6 Sec. 500. Notwithstanding any other provision of
7 this Act, section 200 of this Act, the amendment to
8 section 321.117 adopted in section 1 of this Act, and
9 subsection 3 of section 300 of this Act are repealed
10 July 1, 1995."

11 7. Page 2, by striking lines 28 through 33.

12 8. Title page, line 3, by inserting after the
13 word "headgear" the following: ", creating the
14 motorcycle rider medical assistance fund, requiring
15 the publication of statistics, providing for
16 motorcycle helmet plates and additional registration
17 fees,".

18 9. By renumbering as necessary.

H-3276

1 Amend House File 388 as follows:

2 1. Page 5, by inserting after line 29 the
3 following:

4 "(2) If moneys remain in the fund after fully
5 paying obligations under subparagraph (1), the
6 division may use moneys from the E911 service fund to
7 pay the salary costs directly associated with E911
8 system management."

9 2. Page 5, line 30, by striking the figure "(2)"
10 and inserting the following: "(3)".

11 3. By striking page 5, line 35, through page 6,
12 line 14, and inserting the following:

13 "(4) If moneys remain in the fund after fully
14 paying obligations under subparagraphs (1), (2), and
15 (3), the division shall disburse the remainder to the
16 counties. Each county shall receive a percentage of
17 the remaining funds equal to the percentage of that
18 county's population to the state's population. A
19 county shall use any moneys disbursed pursuant to this
20 subparagraph to repay any property tax investment to
21 county may have made, and to pay for signs, address
22 markers, and public safety answering point equipment."

HALVORSON of Clayton

H-3277

1 Amend House File 519 as follows:

2 1. Page 1, line 3, by inserting after the word
3 "structures" the following: "or mobile homes".

4 2. Page 1, lines 7 and 8, by striking the words
5 "factory-built structure" and inserting the following:
6 "mobile home".

7 3. Page 1, lines 10 and 11, by striking the words
8 "factory-built structure" and inserting the following:
9 "mobile home".

10 4. Page 1, lines 13 and 14, by striking the words
11 "factory-built structure" and inserting the following:
12 "mobile home".

13 5. Page 1, line 15, by striking the words
14 "factory-built structure" and inserting the following:
15 "mobile home".

16 6. Page 7, line 32, by striking the word "rental"
17 and inserting the following: "rental a security".

18 7. Page 7, by inserting after line 34, the
19 following:

20 "Sec. _____. Section 562B.13, subsection 1, Code
21 1993, is amended to read as follows:

22 1. A landlord shall not demand or receive as
23 rental a security deposit an amount or value in excess
24 of two months' rent."

- 25 8. Page 11, line 10, by striking the word "know"
26 and inserting the following: "known".
27 9. By renumbering as necessary.

IVERSON of Wright

H-3279

- 1 Amend House File 304 as follows:
2 1. Page 1; line 11, by inserting after the word
3 "probation" the following: "other than a condition
4 the violation of which is a public offense or
5 delinquent act solely because the act constituting the
6 public offense or delinquent act is committed by a
7 child".

KREIMAN of Davis

H-3280

- 1 Amend House File 321 as follows:
2 1. Page 1, by striking lines 5 through 18 and
3 inserting the following: "through 282.12 beginning
4 with the budget year beginning on July 1, 1993, and
5 that received supplementary weighting for shared
6 teachers or classes under this subsection for the
7 school year ending prior to the effective date of the
8 whole grade sharing agreement shall include in its
9 supplementary weighting amount additional pupils added
10 by the application of the supplementary weighting
11 plan, equal to the pupils added by the application of
12 the supplementary weighting plan pursuant to this
13 subsection in the budget year beginning July 1, 1992.
14 If at any time after July 1, 1993, a district ends a
15 whole grade sharing agreement with the original
16 district, the agreement was entered and does not enter
17 into a whole grade sharing agreement with an
18 alternative district, the school district shall reduce
19 its supplementary weighting amount by the number of
20 pupils added by the application of the supplementary
21 weighting in this subsection in the budget year
22 beginning July 1, 1992, in the budget year that the
23 whole grade sharing agreement is terminated."

MERTZ of Kossuth

H-3282

- 1 Amend House File 304 as follows:
2 1. Page 1, line 5, by inserting after the word
3 "felony" the following: "in district court".
4 2. Page 1, line 10, by inserting after the word
5 "is" the following: "an adjudicated delinquent and
6 is".
7 3. Page 2, line 29, by inserting after the figure

8 "123.47" the following: "if the chief judge of the
 9 judicial district has entered an order authorizing
 10 magistrates in the district to preside over violations
 11 of section 123.47".

KREIMAN of Davis
 McNEAL of Hardin

H-3284

1 Amend the amendment, H-3193, to Senate File 142, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 7, by striking the words
 5 "motorcycle or motorized bicycle" and inserting the
 6 following: "motorcycle, motorized bicycle, or
 7 bicycle".
 8 2. Page 1, lines 19 and 20, by striking the words
 9 "motorcycle or motorized bicycle" and inserting the
 10 following: "motorcycle, motorized bicycle, or
 11 bicycle".
 12 3. Page 1, by inserting after line 34 the
 13 following:
 14 "_____. Title page, lines 2 and 3, by striking the
 15 words "motorcycles and motorized bicycles" and
 16 inserting the following: "motorcycles, motorized
 17 bicycles, and bicycles"."

BERNAU of Story

H-3287

1 Amend House File 304 as follows:
 2 1. By striking page 1, line 1, through page 2,
 3 line 17, and inserting the following:
 4 "Sec. _____. Section 232.8, subsection 3, Code 1993,
 5 is amended by adding the following new unnumbered
 6 paragraph:
 7 NEW UNNUMBERED PARAGRAPH. Once a child has entered
 8 into a plea agreement for, or been convicted of, an
 9 aggravated misdemeanor or felony, jurisdiction of the
 10 juvenile court over the child shall be deemed waived
 11 for all future offenses except for those acts which
 12 are public offenses or delinquent acts solely because
 13 they are committed by a person seventeen years of age
 14 or younger, and subsequent proceedings shall begin in
 15 the district court.
 16 Sec. 2. Section 232.22, subsection 1, Code 1993,
 17 is amended by adding the following new paragraph:
 18 NEW PARAGRAPH. f. The child is a habitual,
 19 substantial violator of conditions of probation.
 20 Sec. 3. Section 232.22, subsection 6, Code 1993,
 21 is amended to read as follows:
 22 6. If the court has waived its jurisdiction over

23 the child for the alleged commission of a forcible an
 24 aggravated misdemeanor or felony offense pursuant to
 25 section 232.45 or 232.45A or the child has previously
 26 been convicted of an aggravated misdemeanor or felony
 27 and has been arrested for the alleged commission of a
 28 public offense except for those acts which are public
 29 offenses or delinquent acts solely because they are
 30 committed by a person seventeen years of age or
 31 younger, and there is a serious risk that the child
 32 may commit an act which would inflict serious bodily
 33 harm on another person, the child may be held in the
 34 county jail, notwithstanding section 356.3. However,
 35 wherever possible the child shall be held in sight and
 36 sound separation from adult offenders. A child held
 37 in the county jail under this subsection shall have
 38 all the rights of adult postarrest or pretrial
 39 detainees.

40 Sec. 4. Section 232.45A, subsections 2 and 3, Code
 41 1993, are amended by striking the subsections.

42 Sec. 5. Section 232.52, subsection 2, paragraph e,
 43 Code 1993, is amended to read as follows:

44 e. An order transferring the guardianship of the
 45 child, subject to the continuing jurisdiction and
 46 custody of the court for the purposes of section
 47 232.54, to the director of the department of human
 48 services for purposes of placement in the state
 49 training school or other facility, provided that the
 50 child is at least twelve years of age and the court

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1 finds the placement to be in the best interests of the
 2 child or necessary for the protection of the public,
 3 and that the child has been found to have committed an
 4 act which is a forcible felony, as defined in section
 5 702.11, or a felony violation of section 124.401 or
 6 chapter 707, or the court finds any three two of the
 7 following conditions exist:

8 (1) The child is at least fifteen fourteen years
 9 of age and the court finds the placement to be in the
 10 best interests of the child or necessary to the
 11 protection of the public.

12 (2) The child has committed an act which is a
 13 crime against a person and which would be an
 14 aggravated misdemeanor or a felony if the act were
 15 committed by an adult.

16 (3) The child has previously been found to have
 17 committed a delinquent act except an act which is
 18 considered a delinquent act solely because it was
 19 committed by a person age seventeen or under.

20 (4) The child has previously been placed in a
 21 treatment facility outside the child's home.

- 22 Sec. _____. Section 232.52, subsection 2A, Code
 23 1993, is amended by striking the subsection.
- 24 Sec. _____. Section 232.102, subsection 1A, Code
 25 1993, is amended by striking the subsection.
- 26 Sec. _____. Section 232.117, subsection 3A, Code
 27 1993, is amended by striking the subsection.
- 28 Sec. _____. Section 232.127, subsection 8, Code
 29 1993, is amended by striking the subsection.
- 30 Sec. _____. Section 232.182, subsection 7, Code
 31 1993, is amended by striking the subsection.
- 32 Sec. _____. Section 234.35, subsection 1, paragraph
 33 e, Code 1993, is amended to read as follows:
 34 e. When a court has entered an order transferring
 35 the legal custody of the child to a foster care
 36 placement pursuant to section 232.52, subsection 2,
 37 paragraph "d", or section 232.102, subsection 1.
 38 However, payment for a group foster care placement
 39 shall be limited to those placements which conform to
 40 a regional group foster plan established pursuant to
 41 section 232.143."
- 42 2. Page 3, by inserting after line 4 the
 43 following:
 44 "Sec. _____. Section 232.143, Code 1993, is
 45 repealed."
- 46 3. By renumbering as necessary.

NEUHAUSER of Johnson

H-3288

- 1 Amend the amendment, H-3217, to Senate File 94, as
 2 passed by the Senate, as follows:
 3 1. Page 1, lines 23 and 24, by striking the words
 4 "fertilizer or soil conditioner" and inserting the
 5 following: "pesticide".

Hahn of Muscatine

H-3289

- 1 Amend Senate File 75, as passed by the Senate, as
 2 follows:
 3 1. Page 5, by inserting after line 21, the
 4 following:
 5 "Sec. _____. Section 99F.10, subsection 4, Code
 6 1993, is amended to read as follows:
 7 4. In determining the license fees and state
 8 admission fees to be charged as provided under section
 9 99F.4 and this section, the commission shall use the
 10 amount appropriated to the commission ~~plus the cost of~~
 11 ~~auditing excursion gambling boat activities as the~~
 12 ~~basis for determining the amount of revenue to be~~
 13 ~~raised from the license fees and admission fees.~~
 14 Salary and associated costs incurred by other agencies

- 15 of the state for personnel assigned to enforcement of
 16 excursion boat gambling rules and regulations adopted
 17 by the commission shall also be included in
 18 determining the fees.”
 19 2. By renumbering as necessary.

HALVORSON of Webster

H—3290

- 1 Amend the amendment, H—3203, to Senate File 75, as
 2 passed by the Senate, as follows:
 3 1. Page 1, by inserting after line 17, the
 4 following:
 5 “_____. Page 5, by inserting after line 21, the
 6 following:
 7 “Sec. _____. Section 99F.10, subsection 4, Code
 8 1993, is amended to read as follows:
 9 4. In determining the license fees and state
 10 admission fees to be charged as provided under section
 11 99F.4 and this section, the commission shall use the
 12 amount appropriated to the commission ~~plus the cost of~~
 13 ~~auditing excursion gambling boat activities as the~~
 14 ~~basis for determining the amount of revenue to be~~
 15 ~~raised from the license fees and admission fees.~~
 16 Salary and associated costs incurred by other agencies
 17 of the state for personnel assigned to enforcement of
 18 excursion boat gambling rules and regulations adopted
 19 by the commission shall also be included in
 20 determining the fees.”
 21 2. By renumbering as necessary.

HALVORSON of Webster

H—3298

- 1 Amend House File 166 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 “Section 1. Section 249A.4, Code 1993, is amended
 5 by adding the following new subsection:
 6 **NEW SUBSECTION. 15.** The director shall adopt
 7 rules which do not require prior approval for payment
 8 of the costs of clozapine through the medical
 9 assistance program when the person for whom clozapine
 10 is prescribed is eligible for medical assistance and
 11 the licensed practitioner prescribing clozapine
 12 determines that such therapy is appropriate for the
 13 person.”

HARPER of Black Hawk

H—3299

- 1 Amend the amendment, H—3274, to Senate File 142, as

- 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, line 44, by inserting after the word
 5 and figure "subsection 17" the following: ", or to a
 6 person operating a motorcycle or motorized bicycle in
 7 a parade".

BRUNKHORST of Bremer

H-3300

- 1 Amend the amendment, H-3272, to Senate File 142, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, line 18, by inserting after the word
 5 and figure "subsection 17" the following: ", or to a
 6 person operating a motorcycle or motorized bicycle in
 7 a parade".

BRUNKHORST of Bremer

H-3301

- 1 Amend the amendment, H-3274, to Senate File 142, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, line 27, by inserting after the figure
 5 "571.218" the following: "or standard Z90.4 adopted
 6 by the American national standards institute".

WITT of Black Hawk
 BLACK of Jasper
 BLODGETT of Cerro Gordo

H-3302

- 1 Amend the amendment, H-3272, to Senate File 142, as
 2 amended, passed, and reprinted by the Senate as
 3 follows:
 4 1. Page 2, by inserting after line 18, the
 5 following:
 6 "4. A person who violates this section shall be
 7 required to order motorcycle helmet plates issued
 8 under section 321.34, subsection 17, for each
 9 motorcycle or motorized bicycle the person owns and to
 10 register each motorcycle or motorized bicycle in
 11 accordance with section 321.117."

HALVORSON of Webster

H-3303

- 1 Amend the amendment, H-3274, to Senate File 142, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, by inserting after line 44 the

5 following:

6 "4. A person who violates this section shall be
7 required to order motorcycle helmet plates issued
8 under section 321.34, subsection 17, for each
9 motorcycle or motorized bicycle the person owns, and
10 to register each motorcycle or motorized bicycle in
11 accordance with section 321.117."

HALVORSON of Webster

H-3304

1 Amend the amendment, H-3272, to Senate File 142, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2; line 3, by inserting after the figure
5 "571.218" the following: "or standard Z90.4 adopted
6 by the American national standards institute".

WITT of Black Hawk
BLACK of Jasper
BLODGETT of Cerro Gordo

H-3305

1 Amend the amendment, H-3274, to Senate File 142, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, line 44, by inserting after the word
5 and figure "subsection 17" the following: ", or to an
6 operator or rider of a motorcycle or a motorized
7 bicycle if the operator or rider is nineteen years old
8 or older and the motorcycle or motorized bicycle has a
9 motorcycle helmet plate issued in accordance with
10 section 321.117".

OSTERBERG of Linn
BELL of Jasper

H-3306

1 Amend the amendment, H-3272, to Senate File 142, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, line 18, by inserting after the word
5 and figure "subsection 17" the following: ", or to an
6 operator or rider of a motorcycle or a motorized
7 bicycle if the operator or rider is nineteen years old
8 or older and the motorcycle or motorized bicycle has a
9 motorcycle helmet plate issued in accordance with
10 section 321.117".

OSTERBERG of Linn
BELL of Jasper

H-3307

- 1 Amend the amendment, H-3193, to Senate File 142, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 11, by inserting after the figure
5 "571.218" the following: ", or meets or exceeds a
6 rating of Snell 90 established by the Snell foundation
7 rating system, whichever is more stringent".

SCHRADER of Marion

H-3309

- 1 Amend the amendment, H-3287, to House File 304 as
2 follows:
3 1. Page 1, by inserting after line 41 the
4 following:
5 "Sec. _____. Section 232.52, subsection 2, paragraph
6 a, subparagraph (3), Code 1993, is amended to read as
7 follows:
8 (3) If the child is fourteen years of age or
9 older, a fine of up to one-half the amount which could
10 be imposed against an adult if the delinquent act is a
11 public offense and restitution consisting of monetary
12 payment or a work assignment of value to the county or
13 to the public for fees of attorneys appointed to
14 represent the child at public expense pursuant to
15 section 232.11.
16 Sec. _____. Section 232.52, subsection 2, paragraph
17 a, Code 1993, is amended by adding the following new
18 subparagraph:
19 NEW SUBPARAGRAPH. (4) The suspension of the motor
20 vehicle license or operating privilege of the child
21 for a period not to exceed one year. The order shall
22 state whether a work permit may or shall not be issued
23 to the child."
24 2. Page 2, by inserting after line 29 the
25 following:
26 "Sec. _____. Section 232.148, subsections 2 and 3,
27 Code 1993, are amended to read as follows:
28 2. Fingerprints and photographs of a child who has
29 been taken into custody and who is fourteen years of
30 age or older may be taken and filed by a criminal
31 justice agency investigating the commission of a
32 public offense constituting a felony or aggravated or
33 serious misdemeanor. However, fingerprint and
34 photograph files of a child who enters into an
35 informal adjustment or consent decree shall be
36 retained only if the child is notified at the time of
37 entering into the informal adjustment or consent
38 decree that the files will be permanently retained by
39 the criminal justice agency.

40 3. If a peace officer has reasonable grounds to
 41 believe that latent fingerprints found during the
 42 investigation of the commission of a public offense
 43 are those of a particular child, fingerprints of the
 44 child may be taken for immediate comparison with the
 45 latent fingerprints regardless of the nature of the
 46 offense. If the comparison is negative the
 47 fingerprint card and other copies of the fingerprints
 48 taken shall be immediately destroyed. If the
 49 comparison is positive and the child is referred to
 50 the court, the fingerprint card and other copies of

Page 2

1 the fingerprints taken shall be delivered to the court
 2 for disposition. If the child is not referred to the
 3 court, the fingerprint card and copies of the
 4 fingerprints shall be immediately destroyed."

5 3. Page 2, by inserting before line 42 the
 6 following:

7 "Sec. _____. NEW SECTION. 321.213A LICENSE
 8 SUSPENSION FOR JUVENILES ADJUDICATED DELINQUENT FOR A
 9 SECOND TIME.

10 Upon the entering of an order at the conclusion of
 11 a dispositional hearing under section 232.50, where
 12 the child has been adjudicated to have committed a
 13 second delinquent act within one year, which would be
 14 a public offense punishable by a penalty greater than
 15 a simple misdemeanor if committed by an adult, the
 16 clerk of the juvenile court in the dispositional
 17 hearing shall forward a copy of the adjudication and
 18 dispositional order to the department. The department
 19 shall suspend the license or operating privilege of
 20 the child in accordance with the dispositional
 21 order." "

22 4. By renumbering as necessary.

CONNORS of Polk

H-3311

1 Amend House File 419 as follows:
 2 1. Page 2, by striking lines 21 through 23 and
 3 inserting the following: "costs incurred in cleanup."

DINKLA of Guthrie
 GRUNDBERG of Polk

H-3314

1 Amend Senate File 227, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 12, line 6, by striking the figure
 4 "\$50,000" and inserting the following: "\$125,000".
 5 2. Page 12, line 8, by inserting after the words

- 6 "forward and" and inserting the following: "\$50,000
7 shall be".
- 8 3. Page 12, line 11, by inserting after the
9 figure "1994" the following: ", and \$75,000 shall be
10 used for funding a small business development center
11 in Fort Dodge".
- 12 4. Page 13, by inserting after line 33 the fol-
13 lowing:
14 "Sec. _____. Section 8 of this Act, being deemed of
15 immediate importance, takes effect upon enactment."
- 16 5. Title page, line 5, by striking the word
17 "and".
- 18 6. Title page, line 6, by inserting after the
19 word "INTERNET" the following: ", and providing an
20 effective date".
- 21 7. By renumbering as necessary.

IVERSON of Wright

H-3328

- 1 Amend the amendment, H-3312, to Senate File 227, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
- 4 1. Page 1, by inserting after line 11 the
5 following:
6 "_____. By striking page 10, line 34, through page
7 11, line 3, and inserting the following: "development
8 fund into the department, and \$96,000 shall be".
9 _____. Page 11, line 10, by striking the figure
10 "682,000" and inserting the following: "586,000".
11 _____. Page 12, by inserting after line 4 the
12 following:
13 "Sec. _____. There is appropriated from the general
14 fund of the state to the commission of veterans
15 affairs for the fiscal year beginning July 1, 1993,
16 and ending June 30, 1994, the following amount, or so
17 much thereof as is necessary, to be used for the
18 purpose designated:
19 For the purpose of expanding the number of beds
20 available at the Iowa veterans home:
21\$ 96,000".
22 2. By renumbering as necessary.

BURKE of Marshall

H-3330

- 1 Amend the amendment, H-3312, to Senate File 227, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
- 4 1. Page 1, by inserting after line 11 the
5 following:
6 "_____. Page 11, by inserting after line 14 the

- 7 following:
8 "Provision of state moneys to the Iowa peace
9 institute is contingent upon the institute requiring
10 that no employee of the institute shall receive an
11 annual salary and benefit package with a value in
12 excess of \$50,000." "
13 2. By renumbering as necessary.

FALLON of Polk

H-3334

- 1 Amend Senate File 94, as passed by the Senate, as
2 follows:
3 1. Page 1, lines 7 and 8, by striking the words
4 "a city as defined in section 362.2,".
5 2. Page 1, line 9, by inserting after the word
6 "district." the following: "However, a "local
7 governmental entity" does not include a city as
8 defined in section 362.2."
9 3. Page 1, lines 34 and 35, by striking the words
10 "a city as defined in section 362.2,".
11 4. Page 2, line 1, by inserting after the word
12 "district." the following: "However, a "local
13 governmental entity" does not include a city as
14 defined in section 362.2."

BERNAU of Story
HANSON of Delaware

H-3337

- 1 Amend House Concurrent Resolution 23 as follows:
2 1. Page 1, by inserting after line 11, the
3 following:
4 "However, the temporary joint rules of the Senate
5 and House of Representatives for the Seventy-fifth
6 General Assembly, adopted pursuant to this resolution,
7 relating to smoking shall be as follows:
8 Smoking shall not be permitted in any area of the
9 capitol building controlled jointly by the Senate and
10 House of Representatives."

HALVORSON of Webster

H-3338

- 1 Amend House Concurrent Resolution 23 as follows:
2 1. Page 1, by inserting after line 11, the
3 following:
4 "However, notwithstanding the provisions of the
5 permanent joint rules of the Senate and House of
6 Representatives for the Seventy-fourth General
7 Assembly, the temporary joint rules of the Senate and
8 House of Representatives for the Seventy-fifth General

9 Assembly adopted pursuant to this resolution shall be
 10 deemed not to include any provisions which are
 11 contrary to rules adopted, prior to the adoption of
 12 this resolution, by the Senate or the House of
 13 Representatives during the 1993 Session of the
 14 Seventy-fifth General Assembly."

HALVORSON of Webster

H-3339

1 Amend House Concurrent Resolution 23 as follows:

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

4 "However, notwithstanding the provisions of the
 5 permanent joint rules of the Senate and the House of
 6 Representatives for the Seventy-fourth General
 7 Assembly, the temporary joint rules of the Senate and
 8 the House of Representatives for the Seventy-fifth
 9 General Assembly, adopted pursuant to this resolution,
 10 relating to conference committees shall be as follows:

11 A conference committee report shall not be acted
 12 upon by the Senate or the House of Representatives
 13 unless the report contains only issues related to
 14 provisions of the bill and amendments to the bill
 15 which were adopted by either the Senate or the House
 16 of Representatives and on which the Senate and the
 17 House of Representatives differed. If a conference
 18 committee report is not acted upon because such action
 19 would violate this prohibition, the inaction on the
 20 report shall constitute refusal of the Senate or the
 21 House of Representatives to adopt the conference
 22 committee report and shall have the same effect as if
 23 the conference committee had disagreed."

HALVORSON of Webster

H-3340

1 Amend House File 457 as follows:

2 1. Page 3, by inserting after line 28 the follow-
 3 ing:

4 "Sec. _____, Section 257.11, Code 1993, is amended
 5 by adding the following new subsection:

6 **NEW SUBSECTION. 8. SHARED CURRICULUM SPECIALISTS.**

7 If a district was receiving additional weighting for
 8 sharing a curriculum specialist under section 442.39,
 9 subsection 4, Code 1991, and requested the assignment
 10 of supplementary weighting for a period of five years
 11 for the shared curriculum specialist prior to the
 12 September 1989 certified enrollment, the district may
 13 continue to request the assignment of supplementary
 14 weighting for an additional period of five years. The
 15 final date for requesting the assignment of

- 16 supplementary weighting shall be September 1997 for
17 those assignments beginning in 1988 and September 1998
18 for those assignments beginning in 1989."
19 2. By renumbering as necessary.

DICKINSON of Jackson

H-3345

1 Amend the amendment, H-3217, to Senate File 94, as
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 5 through 10, and
4 inserting the following: "legislation" does not mean
5 a verbal or written order or instruction presented by
6 an official or employee of the local governmental
7 entity to an individual who serves the local
8 governmental entity as its employee or pursuant to a
9 contract between the individual and the local
10 governmental entity, if the order or instruction
11 relates to the use, storage, transportation, or
12 disposal of a fertilizer or soil conditioner, during
13 the individual's working hours and is within the scope
14 of the individual's normal employment or contractual
15 duties." "

16 2. Page 1, by striking lines 20 through 25, and
17 inserting the following: "legislation" does not mean
18 a verbal or written order or instruction presented by
19 an official or employee of the local governmental
20 entity to an individual who serves the local
21 governmental entity as its employee or pursuant to a
22 contract between the individual and the local
23 governmental entity, if the order or instruction
24 relates to the use, storage, transportation, or
25 disposal of a pesticide during the individual's
26 working hours and is within the scope of the
27 individual's normal employment or contractual
28 duties." "

BERNAU of Story

H-3346

1 Amend House File 457 as follows:

2 1. Page 5, line 13, by inserting after the word
3 "proceedings" the following: "or summary of the
4 proceedings".

5 2. Page 5, line 29, by inserting after the word
6 "proceedings" the following: "or summary of the
7 proceedings".

GRUNDBERG of Polk

H-3349

1 Amend House File 304 as follows:

2 1. Page 3, by inserting after line 4, the
3 following:

4 "Sec. _____. EFFECTIVE DATE. This Act takes effect
5 upon the effective date of an appropriation made by
6 the general assembly in an amount which is equal to
7 the projected cost of implementation of this Act as
8 determined by the legislative fiscal bureau."

9 2. Title page, line 4, by inserting after the
10 word "school" the following: ", and providing a
11 conditional effective date".

12 3. By numbering and renumbering as necessary.

BRAMMER of Linn

H-3350

1 Amend House File 391 as follows:

2 1. Page 4, by inserting after line 24 the
3 following:

4 "Sec. _____. EFFECTIVE DATE. This Act takes effect
5 upon the effective date of an appropriation made by
6 the general assembly in an amount which is equal to
7 the projected cost of implementation of this Act as
8 determined by the legislative fiscal bureau."

9 2. Title page, line 7, by inserting after the
10 word "offenses" the following: "and a conditional
11 effective date".

12 3. By numbering and renumbering as necessary.

BRAMMER of Linn

H-3351

1 Amend House File 419 as follows:

2 1. Page 4, by inserting after line 31 the
3 following:

4 "Sec. _____. EFFECTIVE DATE. This Act takes effect
5 upon the effective date of an appropriation made by
6 the general assembly in an amount which is equal to
7 the projected cost of implementation of this Act as
8 determined by the legislative fiscal bureau."

9 2. Title page, line 3, by inserting after the
10 word "site" the following: "and providing a
11 conditional effective date".

12 3. By numbering and renumbering as necessary.

BRAMMER of Linn

H-3352

1 Amend House File 502 as follows:

2 1. Page 5, by striking lines 8 through 11 and

- 3 inserting the following: "the public employment
4 relations board. The hearing shall be conducted".
5 2. Page 5, by striking lines 18 through 22.
6 3. Page 6, by striking lines 2 through 5 and
7 inserting the following: "the public employment
8 relations board. The employee has the right to a".
9 4. Page 6, by striking lines 13 and 14 and
10 inserting the following: "authority was for
11 political, religious, racial, national origin, sex,
12 age, disability, or other reasons not constituting
13 just".
14 5. Page 6, by striking lines 20 through 24.

BEATTY of Warren
RUNNING of Linn

H-3353

- 1 Amend House File 502 as follows:
2 1. Page 1, by striking lines 3 through 30.
3 2. By striking page 1, line 33 through page 2,
4 line 8.
5 3. By striking page 2, line 11 through page 4,
6 line 3.
7 4. By striking page 6, line 31, through page 7,
8 line 15.
9 5. By renumbering as necessary.

HALVORSON of Webster

H-3354

- 1 Amend Senate File 94, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting after line 27 the
4 following:
5 "_____. This section does not apply to local
6 legislation to the extent that the legislation relates
7 to the use of fertilizers and soil conditioners on
8 real property and its improvements, and other property
9 adjacent to the real property as determined by the
10 local governmental entity, if a playground is located
11 on the real property."
12 2. Page 2, by inserting after line 19 the
13 following:
14 "_____. This section does not apply to local
15 legislation to the extent that the legislation relates
16 to the use of pesticides on real property and its
17 improvements, and other property adjacent to the real
18 property as determined by the local governmental

19 entity, if a playground is located on the real
 20 property.”
 21 3. By renumbering as necessary.

DVORSKY of Johnson
 HENDERSON of Scott
 BERNAU of Story

H-3355

1 Amend Senate File 94, as passed by the Senate, as
 2 follows:
 3 1. Page 2, by inserting after line 19 the
 4 following:
 5 “Sec. _____. REPEAL. Chapter 331, Code 1993, is
 6 repealed.
 7 Sec. _____. CODE EDITOR. The Code editor shall
 8 correct all references in the Code necessary to
 9 reflect the repeal of chapter 331.”
 10 2. Title page, line 3, by inserting after the
 11 word “entities” the following: “, and providing for
 12 the repeal of provisions relating to county home
 13 rule”.

BERNAU of Story
 OSTERBERG of Linn

H-3356

1 Amend Senate File 94, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting after line 27 the
 4 following:
 5 “_____. This section does not apply to local
 6 legislation to the extent that the legislation relates
 7 to the use of fertilizers and soil conditioners on
 8 real property and its improvements, and other property
 9 adjacent to the real property as determined by the
 10 local governmental entity, if a health care facility
 11 licensed pursuant to chapter 135C is located on the
 12 real property.”
 13 2. Page 2, by inserting after line 19 the
 14 following:
 15 “_____. This section does not apply to local
 16 legislation to the extent that the legislation relates
 17 to the use of pesticides on real property and its
 18 improvements, and other property adjacent to the real
 19 property as determined by the local governmental
 20 entity, if a health care facility licensed pursuant to
 21 chapter 135C is located on the real property.”
 22 3. By renumbering as necessary.

BERNAU of Story
 JOCHUM of Dubuque

H-3357

- 1 Amend Senate File 94, as passed by the Senate, as
2 follows:
3 1. Page 1, line 17, by striking the word
4 "disposal."
5 2. Page 1, line 21, by striking the word
6 "disposal."
7 3. Page 2, line 9, by striking the word
8 "disposal."
9 4. Page 2, line 12, by striking the word
10 "disposal."

OSTERBERG of Linn
DVORSKY of Johnson

H-3358

- 1 Amend Senate File 94 as follows:
2 1. Page 2, by inserting after line 19, the
3 following:
4 " _____. This section shall not apply to local
5 legislation which complies with rules adopted by the
6 department of agriculture and land stewardship. The
7 department shall adopt rules relating to the use of
8 pesticides on real property and its improvements. The
9 rules shall be uniform throughout the state. The
10 rules shall only regulate pesticides which have an
11 oral lethal dose toxicity for fifty percent of a test
12 population of less than five thousand milligrams per
13 kilogram. The rules shall apply to the real property,
14 if one of the following applies:
15 a. The real property is unique and of
16 scientifically recognized ecological value.
17 b. A significant number of individuals regularly
18 congregate on the property.
19 c. The use of pesticides may have an impact upon
20 water withdrawal facilities or drinking water
21 supplies.
22 d. The use of pesticides may have an impact upon
23 the ability of a local governmental entity to comply
24 with state or federal environmental laws, including
25 statutes or rules adopted by agencies.
26 e. A playground is located on the property.
27 f. A child foster care facility licensed pursuant
28 to chapter 237 is located on the property.
29 g. A child day care facility licensed pursuant to
30 chapter 237A is located on the property.
31 h. A hospital licensed pursuant to chapter 135B is
32 located on the property.
33 i. A health care facility licensed pursuant to
34 chapter 135C is located on the property.
35 j. A birth center licensed pursuant to chapter

- 36 135G is located on the property.
 37 k. A psychiatric medical institution for children
 38 licensed pursuant to chapter 135H is located on the
 39 property.
 40 l. A facility for hospice programs licensed
 41 pursuant to chapter 135J is located on the property.
 42 m. A public or nonpublic school accredited
 43 pursuant to section 256.11 is located on the property.
 44 n. A capacity dedicated to educating the blind or
 45 deaf, including an institution administered under
 46 chapter 269 or 270, is located on the property.
 47 o. A park, preserve, or recreation area is located
 48 on the property."

OSTERBERG of Linn
 JOCHUM of Dubuque

H-3359

- 1 Amend House File 558 as follows:
 2 1. Page 3, line 35, by striking the word ", as"
 3 and inserting the following: "is repealed."
 4 2. Page 4, by striking lines 1 through 4, and in-
 5 serting the following:
 6 "Sec. _____. Section 260C.33, Code 1993, is repealed
 7 effective June 30, 1995."

IVERSON of Wright

H-3360

- 1 Amend House File 265 as follows:
 2 1. Page 1, line 14, by striking the words "the
 3 district".

Committee on Natural Resources and Outdoor Recreation

H-3361

- 1 Amend Senate File 94, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting after line 27 the
 4 following:
 5 "_____. This section does not apply to local
 6 legislation to the extent that the legislation relates
 7 to the use of fertilizers and soil conditioners on
 8 real property and its improvements, and other property
 9 adjacent to the real property as determined by the
 10 local governmental entity, if a hospital licensed
 11 pursuant to chapter 135B is located on the real
 12 property."
 13 2. Page 2, by inserting after line 19 the
 14 following:
 15 "_____. This section does not apply to local
 16 legislation to the extent that the legislation relates

- 17 to the use of pesticides on real property and its
 18 improvements, and other property adjacent to the real
 19 property as determined by the local governmental
 20 entity, if a hospital licensed pursuant to chapter
 21 135B is located on the real property."
 22 3. By renumbering as necessary.

WITT of Black Hawk
 HENDERSON of Scott
 BERNAU of Story

H-3362

- 1 Amend House File 392 as follows:
 2 1. Page 1, by striking lines 7 and 8, and
 3 inserting the following: "delivered by the tenant.
 4 If a landlord signs and delivers a written rental
 5 agreement to a tenant for the purpose of renewing a
 6 rental agreement and the agreement provides a
 7 different term of tenancy than did the current or
 8 previous agreement, the landlord shall provide a
 9 separate".
 10 2. Page 1, line 10, by inserting after the word
 11 "acceptance" the following: "or continuance".

Committee on Local Government

H-3364

- 1 Amend House File 572, as follows:
 2 1. Page 1, line 1, by striking the figure "2,".
 3 2. Page 1, by striking lines 11 through 13.
 4 3. Page 1, line 14, by striking the words
 5 "juices, and vegetable juices."
 6 4. Page 1, line 14, by striking the words
 7 "Beginning July 1, 1998, and".
 8 5. Page 1, by striking lines 15 through 23.
 9 6. Page 1, by striking lines 24 through 29.

RANTS of Woodbury

H-3366

- 1 Amend House File 572 as follows:
 2 1. Page 1, line 1, by striking the word and
 3 figure "and 9," and inserting the following: "9, and
 4 13".
 5 2. Page 1, by inserting after line 33 the fol-
 6 lowing:
 7 "13. "Redemption center" means a facility at which
 8 consumers may return empty beverage containers and
 9 receive payment for the refund value of the empty
 10 beverage containers. Beginning July 1, 1996, and
 11 thereafter, "redemption center" does not include
 12 retail grocers for the purpose of redemption of

- 13 beverage containers which contain beverages as
14 additionally defined beginning July 1, 1996, and
15 thereafter."
16 3. By renumbering as necessary.

RANTS of Woodbury

H-3368

- 1 Amend Senate File 94 as follows:
2 1. Page 1, line 1, by striking the word "LOCAL"
3 and inserting the following: "COUNTY".
4 2. Page 1, by striking lines 3 through 10 and
5 inserting the following:
6 " _____. As used in this section, "county
7 legislation" means any ordinance, motion,".
8 3. Page 1, lines 11 and 12, by striking the words
9 "local governmental entity" and inserting the
10 following: "county".
11 4. Page 1, line 14, by striking the word "local"
12 and inserting the following: "county".
13 5. Page 1, line 15, by striking the words "local
14 governmental entity" and inserting the following:
15 "county".
16 6. Page 1, lines 18 and 19, by striking the words
17 "local governmental entity" and inserting the
18 following: "county".
19 7. Page 1, line 19, by striking the word "local"
20 and inserting the following: "county".
21 8. Page 1, line 24, by striking the word "local"
22 and inserting the following: "county".
23 9. Page 1, line 24, by striking the word "Local"
24 and inserting the following: "County".
25 10. Page 1, line 26, by striking the word "local"
26 and inserting the following: "county".
27 11. Page 1, line 28, by striking the word "LOCAL"
28 and inserting the following: "COUNTY".
29 12. By striking page 1, line 30 through page 2,
30 line 2, and inserting the following:
31 " _____. As used in this section, "county
32 legislation" means any ordinance, motion,".
33 13. Page 2, lines 3 and 4, by striking the words
34 "local governmental entity" and inserting the
35 following: "county".
36 14. Page 2, line 6, by striking the word "local"
37 and inserting the following: "county".
38 15. Page 2, line 7, by striking the words "local
39 governmental entity" and inserting the following:
40 "county".
41 16. Page 2, line 10, by striking the words "local
42 governmental entity" and inserting the following:
43 "county".
44 17. Page 2, line 11, by striking the word "local"

- 45 and inserting the following: "county".
 46 18. Page 2, line 15, by striking the word "local"
 47 and inserting the following: "county".
 48 19. Page 2, line 16, by striking the word "Local"
 49 and inserting the following: "County".
 50 20. Page 2, line 18, by striking the word "local"

Page 2

- 1 and inserting the following: "county".
 2 21. Title page, lines 2 and 3, by striking the
 3 words "local governmental entities" and inserting the
 4 following: "counties".

OSTERBERG of Linn

H-3369

- 1 Amend House File 455 as follows:
 2 1. Page 2, by striking lines 2 through 27, and
 3 inserting the following: "regarding the yard sign.
 4 Sec. _____. Section 56.15, Code 1993, is amended by
 5 adding the following new subsection:
 6 NEW SUBSECTION. 2A. Notwithstanding the
 7 provisions of subsection 1 or 2, the posting of a yard
 8 sign supporting or opposing a candidate for public
 9 office on property owned, rented, leased, or otherwise
 10 under the control of a corporation or other entity
 11 regulated under subsection 1 shall not be construed to
 12 be an unlawful contribution to a committee. However,
 13 the corporation or other entity shall make the same
 14 property equally available for the posting of yard
 15 signs to other candidates for the same office."
 16 2. Title page, by striking lines 2 through 4, and
 17 inserting the following: "land owned, rented, or
 18 leased by a corporation or other similar entity."
 19 3. By renumbering as necessary.

RUNNING of Linn

H-3370

- 1 Amend House File 582 as follows:
 2 1. Page 2, by striking lines 1 through 14 and
 3 inserting the following:
 4 "_____. A frail elder or a frail elder's family may
 5 request a preadmission assessment, on a form developed
 6 and provided by the department prior to the frail
 7 elder's pending admission to a nursing facility.
 8 _____. If a frail elder or the frail elder's family
 9 requests a preadmission assessment, the assessor
 10 shall, in consultation with the frail elder or the
 11 frail elder's family, schedule a date, time, and
 12 location for the performance of the assessment. The
 13 assessor shall also inform the frail elder or the

- 14 frail elder's family of the right to have a physician
 15 present during the performance of the assessment."
 16 2. By striking page 2, line 28, through page 3,
 17 line 7 and inserting the following: "prior to
 18 completion of a preadmission assessment."
 19 3. By renumbering as necessary.

MEYER of Sac

H-3371

- 1 Amend the amendment, H-3193, to Senate File 142, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 31, by striking the word "fifty"
 5 and inserting the following: "ten".
 6 2. Page 1, line 32, by striking the word "twenty-
 7 five" and inserting the following: "ten".

SPENNER of Henry

H-3373

- 1 Amend House File 583 as follows:
 2 1. Page 1, by striking lines 3 through 8.
 3 2. By renumbering and by revising internal
 4 references as necessary.

BODDICKER of Cedar
 GARMAN of Story
 ERTL of Dubuque
 DAGGETT of Union

H-3374

- 1 Amend House File 357 as follows:
 2 1. Page 1, line 13, by striking the word "under"
 3 and inserting the following: "who is acting within
 4 the scope of the processor's employment and who
 5 complies with the requirements of".
 6 2. By striking page 1, line 21 through page 2,
 7 line 6.

Committee on Judiciary and Law Enforcement

H-3375

- 1 Amend House File 403 as follows:
 2 1. Page 1, line 1, by striking the figure
 3 "556.37" and inserting the following: "556F.1".
 4 2. Page 1, line 6, by striking the word
 5 "ordinary" and inserting the following: "certified".

Committee on Commerce

H-3376

1 Amend House File 428 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 2.10, subsection 1, Code 1993,
5 is amended to read as follows:

6 1. Every member of the general assembly except the
7 presiding officer of the senate, the speaker of the
8 house, the majority and minority floor leader of each
9 house, and the president pro tempore of the senate and
10 speaker pro tempore of the house, shall receive an
11 annual salary of eighteen thousand one hundred dollars
12 for the year 1991 and subsequent years while serving
13 as a member of the general assembly. In addition,
14 each such member shall receive the sum of fifty
15 dollars per day for expenses of office, except travel,
16 for each day the member's house of the general
17 assembly is actually in regular session commencing
18 with the first day of a legislative session and ending
19 with the day of final adjournment of each legislative
20 session as indicated by the journals of the house and
21 senate, except that if the length of the first regular
22 session of the general assembly exceeds one hundred
23 ten calendar days and the second regular session
24 exceeds one hundred calendar days, the payments shall
25 be made only for one hundred ten calendar days for the
26 first session and one hundred calendar days for the
27 second session. However, members from Polk county
28 shall not receive thirty-five dollars per day expenses
29 of office. Each member shall receive a seventy-five
30 dollar per month allowance for legislative district
31 constituency postage, travel, telephone costs, and
32 other expenses. Travel expenses shall be paid at the
33 rate established by section 18.117 for actual travel
34 in going to and returning from the seat of government
35 by the nearest traveled route for not more than one
36 time per week during a legislative session. However,
37 any increase from time to time in the mileage rate
38 established by section 18.117 shall not become
39 effective for members of the general assembly until
40 the convening of the next general assembly following
41 the session in which the increase is adopted; and this
42 provision shall prevail over any inconsistent
43 provision of any present or future statute.

44 Sec. 2. Section 97B.41, subsection 20, paragraph
45 a, unnumbered paragraph 2, Code 1993, is amended to
46 read as follows:

47 Wages for a member of the general assembly means
48 the total compensation received by a member of the
49 general assembly, whether paid in the form of per diem
50 or annual salary, exclusive of expense and travel

Page 2

1 allowances paid to a member of the general assembly
 2 except as otherwise provided in this paragraph. Wages
 3 includes per diem payments paid to members of the
 4 general assembly during interim periods between
 5 sessions of the general assembly. Wages also includes
 6 daily allowances to members of the general assembly
 7 for nontravel expenses of office during a session of
 8 the general assembly, but does not include the portion
 9 of the daily allowance which exceeds the maximum
 10 established by law for members from Polk county."

11 2. Title page, by striking lines 1 and 2 and
 12 inserting the following: "An Act limiting certain
 13 expenses of office for members of the general assembly
 14 and eliminating certain pension credits for members of
 15 the general assembly."

BRUNKHORST of Bremer

H-3378

- 1 Amend House File 195 as follows:
- 2 1. Page 1, line 20, by striking the figure "911"
 3 and inserting the following: "E911".
 4 2. Page 1, line 30, by striking the figure "911"
 5 and inserting the following: "E911".

Committee on Local Government

H-3390

- 1 Amend House File 457 as follows:
- 2 1. Page 5, line 14, by striking the words "
 3 including the schedule of bills allowed," and
 4 inserting the following: "; including the schedule of
 5 bills allowed;".
- 6 2. Page 5, by striking lines 16 through 25 and
 7 inserting the following: "manner provided in this
 8 section and section 279.36, and the publication of the
 9 schedule of the bills allowed shall include a list of
 10 claims allowed, including salary claims for services
 11 performed. The schedule of bills allowed may be
 12 published on a once monthly basis in lieu of
 13 publication with the proceedings of each meeting of
 14 the board. The list of claims allowed shall include
 15 the name of the person or firm making the claim, the
 16 purpose of the claim, and the amount of the claim.
 17 However, salaries Salaries paid to individuals
 18 regularly employed by the district shall only be
 19 published annually and".
- 20 3. Page 5, line 30, by inserting after the word
 21 "meeting," the following: "In addition a list of
 22 claims allowed at the meeting shall be available to

23 the public at each school district building,
 24 administrative offices of the board, and libraries
 25 within the district.

26 During the second week of August of each year, the
 27 board shall publish by one insertion in at least one
 28 newspaper published in the district a summarized
 29 statement verified by affidavit of the secretary of
 30 the board showing the receipts and disbursements of
 31 all funds of the school corporation for the preceding
 32 fiscal year. The statement of disbursements shall
 33 show the names of the persons, firms, or corporations,
 34 and the total amount paid to each during the fiscal
 35 year."

GRUNDBERG of Polk

H-3391

1 Amend House File 457 as follows:

2 1. Page 5, by striking lines 10 through 30 and
 3 inserting the following:

4 "Sec. _____. Section 260C.23, subsection 12, Code
 5 1993, is amended to read as follows:

6 12. During the second week of August of each year,
 7 publish by one insertion in at least one newspaper
 8 published in the merged area a summarized statement
 9 verified by affidavit of the secretary of the board
 10 showing the receipts and disbursements of all funds of
 11 the community college for the preceding fiscal year.
 12 The statement of disbursements shall show the names of
 13 the persons, firms, or corporations, and the total
 14 amount paid to each during the fiscal year. The board
 15 is not required to make the publications and notices
 16 required under sections 279.34, 279.35, and 279.36.

17 Sec. _____. Section 279.35, Code 1993, is amended by
 18 striking the section and inserting in lieu thereof the
 19 following:

20 **279.35 AVAILABILITY OF PROCEEDINGS AND CLAIMS**
 21 **ALLOWED - PUBLICATION.**

22 Within two weeks following the adjournment of a
 23 meeting of the board, the proceedings of and claims
 24 allowed at the meeting shall be available to the
 25 public at each school district building,
 26 administrative offices of the board, and libraries
 27 within the district.

28 During the second week of August of each year, the
 29 board shall publish by one insertion in at least one
 30 newspaper published in the district a summarized
 31 statement verified by affidavit of the secretary of
 32 the board showing the receipts and disbursements of
 33 all funds of the school corporation for the preceding
 34 fiscal year. The statement of disbursements shall
 35 show the names of the persons, firms, or corporations,

36 and the total amount paid to each during the fiscal
 37 year."
 38 2. Page 9, by inserting after line 32 the
 39 following:
 40 "Sec. _____. Section 279.36, Code 1993, is
 41 repealed."

GRUNDBERG of Polk

H-3392

1 Amend House File 457 as follows:
 2 1. Page 5, by inserting after line 30 the
 3 following:
 4 "Those school districts whose proceedings are
 5 televised are not required to publish the proceedings
 6 of board meetings as otherwise required by this
 7 section."

GRUNDBERG of Polk

H-3397

1 Amend House File 521 as follows:
 2 1. Page 1, by striking lines 1 through 3 and
 3 inserting the following:
 4 "Sec. _____. Section 73.16, subsection 2, unnumbered
 5 paragraph 2, Code 1993, is amended to read as follows:
 6 A community college, area education agency, or
 7 school district shall establish a procurement goal
 8 from certified targeted small businesses, identified
 9 pursuant to section 10A.104, subsection 8, of at least
 10 ten percent of the value of anticipated procurements
 11 of goods and services including construction, but not
 12 including utility services, each fiscal year."
 13 2. Page 1, by striking line 5 and inserting the
 14 following: "is amended to read as follows:
 15 A community college or area education agency shall,
 16 on a quarterly basis, and a school district shall, on
 17 an annual basis, review the community college's, area
 18 education agency's, or school district's anticipated
 19 purchasing requirements. A community college, area
 20 education agency, or school district shall notify the
 21 department of education, which shall report to the
 22 department of economic development, of their its
 23 anticipated purchases and recommended procurements
 24 with unit quantities and total costs for procurement
 25 contracts designated to satisfy the targeted small
 26 business procurement goal not later than August 15 of
 27 each fiscal year and quarterly thereafter, except that
 28 school districts shall report annually."
 29 3. Page 1, lines 11 and 12, by striking the words
 30 "the president of each community college" and
 31 inserting the following: "and the president of each

32 community college”.

33 4. Page 1, by striking lines 21 through 25 and
34 inserting the following: “listed in the directory.
35 The Iowa department of economic development may charge
36 the department, agency, area education agency,
37 community college, or school district a reasonable fee
38 to cover the cost of producing, distributing, and
39 updating the directory.”

40 5. Page 1, line 31, by striking the words “, or
41 community college” and inserting the following: “, or
42 community college”.

43 6. Page 1, line 34, by striking the words “or
44 community college” and inserting the following: “or
45 community college”.

46 7. Title page, line 1, by striking the words
47 “community colleges, area education agencies,” and
48 inserting the following: “area education agencies”.

49 8. By renumbering and redesignating as necessary.

CONNORS of Polk

H—3398

1 Amend House File 388 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 “Section 1. Section 34A.1, Code 1993, is amended
5 to read as follows:

6 34A.1 PURPOSE.

7 The legislature finds that enhanced 911 emergency
8 telephone communication systems further the public
9 interest and protect the health, safety, and welfare
10 of the people of Iowa. The purpose of this chapter is
11 to enable the orderly development, installation, and
12 operation of enhanced 911 emergency telephone and
13 communication systems statewide. These systems are to
14 be operated under governmental management and control
15 for the public benefit.

16 Sec. 2. Section 34A.2, subsection 6, paragraphs d
17 and e, Code 1993, are amended to read as follows:

18 d. Identification of the agency responsible for
19 management and supervision of the enhanced 911
20 emergency telephone and communication system.

21 e. A statement of estimated costs to be incurred
22 by the joint E911 service board, including separate
23 estimates of the following:

24 (1) Nonrecurring costs, including, but not limited
25 to, public safety answering points, network equipment,
26 software, database, addressing, initial training, and
27 other capital and start-up expenditures, including the
28 purchase or lease of subscriber names, addresses, and
29 telephone information from the local exchange service
30 provider.

31 (2) Recurring costs, including, but not limited
 32 to, network access fees and other telephone charges,
 33 software, equipment, and database management, and
 34 maintenance, including the purchase or lease of
 35 subscriber names, addresses, and telephone information
 36 from the local exchange service provider. Recurring
 37 costs shall not include personnel costs for a public
 38 safety answering point.

39 Costs are limited to nonrecurring and recurring
 40 costs directly attributable to the provision of 911
 41 emergency telephone and public safety communication
 42 service services. Costs do not may include
 43 expenditures for any other purpose, and specifically
 44 exclude costs attributable to other emergency services
 45 or expenditures for buildings, radios, or personnel
 46 for county-wide public safety communications services
 47 that are providing services for fire, law enforcement,
 48 and emergency medical services.

49 Sec. 3. Section 34A.6, subsection 1, Code 1993, is
 50 amended to read as follows:

Page 2

1 1. Before a joint E911 service board may request
 2 imposition of the surcharge by the administrator, the
 3 board shall submit the following question to voters,
 4 as provided in subsection 2, in the proposed E911
 5 service area, and the question shall receive a
 6 favorable vote from a simple majority of persons
 7 submitting valid ballots on the following question
 8 within the proposed E911 service area:

9 Shall the following public YES _____
 10 measure be adopted? NO _____

11 Enhanced 911 emergency telephone and communications
 12 service shall be funded, in whole or in part, by a
 13 monthly surcharge of (an amount determined by the
 14 local joint E911 service board of up to one dollar) on
 15 each telephone access line collected as part of each
 16 telephone subscriber's monthly phone bill if provided
 17 within (description of the proposed E911 service
 18 area).

19 Sec. 4. Section 34A.7, subsection 1, paragraph a,
 20 unnumbered paragraph 1, Code 1993, is amended to read
 21 as follows:

22 To encourage local implementation of E911 service,
 23 one source of funding for E911 emergency telephone and
 24 communication systems shall come from a surcharge per
 25 month, per access line on each access line subscriber,
 26 except as provided in subsection 5, equal to the
 27 lowest amount of the following:

28 Sec. 5. Section 34A.7, subsection 2, Code 1993, is
 29 amended to read as follows:

30 2. SURCHARGE COLLECTED BY PROVIDERS. The
31 surcharge shall be collected as part of the access
32 line service provider's periodic billing to a
33 subscriber. In compensation for the costs of billing
34 and collection, the provider may retain one percent of
35 the gross surcharges collected. If the compensation
36 is insufficient to fully recover a provider's costs
37 for billing and collection of the surcharge, the
38 deficiency shall be included in the provider's costs
39 for ratemaking purposes to the extent it is reasonable
40 and just under section 476.6. The surcharge shall be
41 remitted to the E911 service operating authority for
42 deposit into the E911 service fund quarterly by the
43 provider. A provider is not liable for an uncollected
44 surcharge for which the provider has billed a
45 subscriber but not been paid. The surcharge shall
46 appear as a single line item on a subscriber's
47 periodic billing entitled, "E911 emergency telephone
48 and communications service surcharge". The E911
49 service surcharge is not subject to sales or use tax.
50 Sec. 6. Section 34A.7, subsection 5, paragraph b,

Page 3

1 subparagraphs (2) and (3), Code 1993, are amended to
2 read as follows:

3 (2) If money remains in the fund after fully
4 paying for recurring costs incurred in the preceding
5 year, the remainder may be spent to pay for
6 nonrecurring costs, not to exceed actual nonrecurring
7 costs as approved by the administrator.

8 (3) If money remains in the fund after fully
9 paying obligations under subparagraphs (1) and (2),
10 the remainder may be accumulated in the fund as a
11 carryover operating surplus. If the surplus is
12 greater than twenty-five percent of the approved
13 annual operating budget for the next year, the
14 administrator shall reduce the surcharge by an amount
15 calculated to result in a surplus of no more than
16 twenty-five percent of the planned annual operating
17 budget. After nonrecurring costs have been paid, if
18 the surcharge is less than the maximum allowed and the
19 fund surplus is less than twenty-five percent of the
20 approved annual operating budget, the administrator
21 shall, upon application of the joint E911 service
22 board, increase the surcharge in an amount calculated
23 to result in a surplus of twenty-five percent of the
24 approved annual operating budget. The surcharge may
25 only be adjusted once in a single year, upon one
26 hundred days' prior notice to the provider.

27 Sec. 7. Section 34A.7, subsection 7, Code 1993, is
28 amended to read as follows:

29 7. REFERENDUM ON ADJUSTING MAXIMUM OF APPROVED
 30 SURCHARGE. If a local option E911 service surcharge
 31 was approved by referendum prior to April 4, 1990 July
 32 1, 1993, the maximum E911 service surcharge monetary
 33 limitation may be amended up to a total of one dollar,
 34 per month, per access line, by another referendum as
 35 provided in section 34A.6. A joint E911 service board
 36 may adjust its E911 service surcharge within the
 37 monetary limitation approved by referendum as provided
 38 under this subsection by a simple majority vote of the
 39 voting members. As a result of the adjustment, the
 40 E911 service surcharge, per month, per access line, on
 41 each access line subscriber, except as provided in
 42 subsection 5, shall not exceed the lowest amount of
 43 the following:
 44 a. One dollar.
 45 b. An amount less than one dollar, which would
 46 fully pay both recurring and nonrecurring costs of the
 47 E911 service system within five years from the date of
 48 the adjustment.
 49 c. The maximum monetary limitation approved by
 50 referendum."

Page 4

- 1 2. Title page, line 1, by striking the words
- 2 "establishing statewide implementation of" and
- 3 inserting the following: "enhanced".
- 4 3. Title page, line 3, by striking the words "and
- 5 providing an effective date".

HARPER of Black Hawk

H-3400

- 1 Amend House File 495 as follows:
- 2 1. Page 1, lines 28 and 29, by striking the words
- 3 "or to the extent of any payment to be made in the
- 4 future,".

McKINNEY of Dallas

H-3401

- 1 Amend Senate File 94, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking lines 13 through 25, and
- 4 inserting the following:
- 5 "_____. A local governmental entity shall not adopt
- 6 or continue in effect local legislation relating to
- 7 the use, sale, distribution, storage, transportation,
- 8 disposal, formulation, labeling, registration, or
- 9 manufacture of a fertilizer or soil conditioner,
- 10 unless the local legislation is first approved by the
- 11 department. Local legislation which is not approved

12 by the department shall be preempted by the provisions
13 of this chapter and rules adopted by the department.
14 Local legislation adopted or in effect which violates
15 this section is void and unenforceable, regardless of
16 whether a statute or rule adopted by the department
17 applies to preempt the local legislation.”

18 2. Page 2, by striking lines 5 through 17, and
19 inserting the following:

20 “_____. A local governmental entity shall not adopt
21 or continue in effect local legislation relating to
22 the use, sale, distribution, storage, transportation,
23 disposal, formulation, labeling, registration, or
24 manufacture of a pesticide, unless the local
25 legislation is first approved by the department.
26 Local legislation which is not approved by the
27 department shall be preempted by the provisions of
28 this chapter and rules adopted by the department.
29 Local legislation adopted or in effect which violates
30 this section is void and unenforceable, regardless of
31 whether a statute or rule adopted by the department
32 applies to preempt the local legislation.”

BERNAU of Story

H-3410

1 Amend Senate File 232 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 7, by inserting after line 11, the
4 following:

5 “_____. For paving and grading of scale lots in
6 Story county:

7\$ 210,000

8 The provisions of section 8.33 do not apply to the
9 funds appropriated by this subsection. The funds
10 shall remain available for expenditure for the
11 purposes designated until June 30, 1997. Unencumbered
12 and unobligated funds remaining on June 30, 1997, from
13 the funds appropriated in this subsection shall revert
14 to the fund from which appropriated on August 30,
15 1997.”

16 2. Page 9, by inserting after line 21, the
17 following:

18 “_____. For field facilities in Anamosa and Waukon:

19\$ 1,970,000

20 The provisions of section 8.33 do not apply to the
21 funds appropriated by this subsection. The funds
22 shall remain available for expenditure for the
23 purposes designated until June 30, 1997. Unencumbered
24 or unobligated funds remaining on June 30, 1997, from
25 funds appropriated in this subsection, shall revert to
26 the fund from which appropriated on August 30, 1997.”

27 3. By renumbering as necessary.

PETERSON of Carroll

H-3411

- 1 Amend House File 495, as follows:
 2 1. Page 1, by striking line 1, through page 3,
 3 line 19.

RUNNING of Linn

H-3412

- 1 Amend House File 495 as follows:
 2 1. Page 1, line 28, by inserting after the word
 3 "of" the following: "one-half of".

RUNNING of Linn

H-3414

- 1 Amend House File 495 as follows:
 2 1. Page 3, by inserting after line 19, the
 3 following:
 4 "8. Notwithstanding any other provision of this
 5 section, the employer for whom the compensation was
 6 paid, or the employer's insurer which paid the
 7 compensation, shall not be indemnified out of the
 8 recovery of any damages paid to the employee related
 9 to medical expenses unless such employee selected the
 10 employee's own health care provider with respect to
 11 the injuries suffered."

RUNNING of Linn

H-3415

- 1 Amend House File 559 as follows:
 2 1. Page 2, line 19, by inserting after the word
 3 "for" the following: "one-half of".
 4 2. Page 2, line 20, by inserting after the word
 5 "of" the following: "one-half of the".

RUNNING of Linn

H-3416

- 1 Amend House File 559 as follows:
 2 1. Page 3, by inserting after line 9, the
 3 following:
 4 "9. Notwithstanding any other provision of this
 5 section, the employer for whom the compensation was
 6 paid, or the employer's insurer which paid the
 7 compensation, shall not be indemnified out of the
 8 recovery of any damages paid to the employee related
 9 to medical expenses unless such employee selected the
 10 employee's own health care provider with respect to
 11 the injuries suffered."

RUNNING of Linn

H-3424

1 Amend House Joint Resolution 14 as follows:

- 2 1. Page 1, by striking lines 10 and 11 and
 3 inserting the following: "equal to its highest total
 4 revenue in any one of the last four fiscal years
 5 before this Article becomes effective. This limit
 6 is".
 7 2. Page 1, line 13, by striking the word "year"
 8 and inserting the following: "date".
 9 3. Page 1, line 17, by striking the word "year"
 10 and inserting the following: "date".
 11 4. Page 1, line 18, by striking the word "year"
 12 and inserting the following: "date".
 13 5. Page 1, by striking line 22 and inserting the
 14 following: "date" is eighteen months before this
 15 Article becomes".
 16 6. Page 3, line 5, by striking the word "year"
 17 and inserting the following: "date".

IVERSON of Wright

H-3426

1 Amend House File 403 as follows:

- 2 1. Page 1, line 4, by striking the word "three"
 3 and inserting the following: "six".

HALVORSON of Webster
HANSEN of Woodbury

H-3427

1 Amend House File 426 as follows:

- 2 1. Page 4, by inserting after line 11 the
 3 following:
 4 "d. The department shall disregard a self-employed
 5 individual's tools of the trade or capital assets in
 6 considering the individual's resources."

MURPHY of Dubuque

H-3428

1 Amend House File 495 as follows:

- 2 1. Page 1, line 1, by striking the words and
 3 figure "Code 1993, is" and inserting the following:
 4 "subsections 2 through 6, Code 1993, are".
 5 2. By striking page 1, line 3, through page 2,
 6 line 3.

HALVORSON of Clayton
TYRRELL of Iowa

H-3433

1 Amend House File 602 as follows:

2 1. Page 3, by inserting after line 7 the
3 following:

4 "Sec. _____. Section 730.5, subsection 6, Code 1993,
5 is amended to read as follows:

6 6. This section does not prevent an employer from
7 conducting medical screening in order to monitor
8 exposure to toxic or other unhealthy substances,
9 including those listed under Title III of the federal
10 Superfund Amendments and Reauthorization Act of 1986,
11 encountered in the workplace or in the performance of
12 their job responsibilities. Any such screening must
13 be limited to the specific substances required to be
14 monitored. An employer shall conduct a medical
15 screening under this subsection whenever a drug test
16 is conducted pursuant to this section, except for a
17 drug test as a part of a preemployment application
18 process."

19 2. Page 5, line 16, by inserting after the word
20 "employment." the following: "An employer shall
21 provide an employee with a copy of the results of any
22 drug test or medical screening concerning the employee
23 conducted by the employer pursuant to this section
24 upon request of the employee."

25 3. By renumbering as necessary.

HENDERSON of Scott

H-3434

1 Amend House File 602 as follows:

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

4 "Section 1. NEW SECTION. 2.40A GENERAL ASSEMBLY
5 — DRUG TESTING.

6 The members of the general assembly shall submit to
7 a drug test conducted pursuant to the requirements of
8 section 730.5, subsection 3, paragraphs "c" and "d",
9 on a date during each legislative session as
10 determined by the legislative council. The results of
11 the drug test shall be a public record.

12 Sec. _____. Section 2.42, Code 1993, is amended by
13 adding the following new subsection:

14 NEW SUBSECTION. 19. To establish policies
15 concerning drug testing of members of the general
16 assembly as required by section 2.40A."

17 2. Title page, line 1, by inserting after the
18 word "certain" the following: "public officials,"

19 3. By renumbering as necessary.

MURPHY of Dubuque

H-3435

- 1 Amend House File 258 as follows:
- 2 1. Page 3, by inserting after line 15 the follow-
- 3 ing:
- 4 "Sec. _____. Section 20.22, subsection 4, Code 1993,
- 5 is amended by adding the following new paragraph:
- 6 NEW PARAGRAPH. e. Notwithstanding any provision
- 7 of this chapter, an arbitrator shall not be appointed
- 8 unless the arbitrator has first been elected at the
- 9 general election beginning in 1994 and every two years
- 10 thereafter. Laws governing the election of state
- 11 officers shall apply to the election of arbitrators."
- 12 2. By renumbering as necessary.

RUNNING of Linn

H-3436

- 1 Amend House File 117 as follows:
- 2 1. Page 1, by striking lines 9 and 10 and
- 3 inserting the following:
- 4 "Sec. _____. Section 20.22, subsection 9, Code 1993,
- 5 is amended by adding the following new paragraph:
- 6 NEW PARAGRAPH. e. The quality of service provided
- 7 by the public employees."
- 8 2. By renumbering as necessary.

RUNNING of Linn

H-3437

- 1 Amend House File 559 as follows:
- 2 1. Page 1, line 34, by inserting after the word
- 3 "expenses" the following: ", to include the cost to
- 4 the employee for missing work to pursue the claim,".

RUNNING of Linn

H-3438

- 1 Amend House File 618 as follows:
- 2 1. Page 1, line 10, by striking the figure "4"
- 3 and inserting the following: "4 3".

McNEAL of Hardin

H-3439

- 1 Amend House File 403 as follows:
- 2 1. Page 1, line 8, by striking the words "in any
- 3 manner as determined by the establishment" and
- 4 inserting the following: "by delivering the property
- 5 to a group home shelter for the homeless, if
- 6 practicable, or otherwise to a nonprofit assistance
- 7 program".

GILL of Woodbury

H—3443

1 Amend House File 391 as follows:

2 1. Page 2, by inserting after line 5 the
3 following:

4 "Sec. _____. NEW SECTION. 126.26 NOTICE OF
5 CONVICTION.

6 If a person enters a plea of guilty, or forfeits
7 bail or collateral deposited to secure the person's
8 appearance in court, and the forfeiture is not
9 vacated, or if a person is found guilty upon an
10 indictment or information alleging a violation of this
11 chapter, a copy of the minutes attached to the
12 indictment returned by the grand jury, or to the
13 county attorney's information, a copy of the judgment
14 and sentence, and a copy of the opinion of the judge
15 if one is filed, shall be sent by the clerk of the
16 district court or the judge to the state department of
17 transportation."

18 2. Page 2, by inserting after line 18 the
19 following:

20 "The department shall suspend or revoke for one
21 hundred eighty days the motor vehicle license of a
22 resident of this state upon receiving notice of
23 conviction in another state or under federal
24 jurisdiction for an offense enumerated under section
25 321.209, subsection 8."

26 3. Page 2, line 22, by inserting after the figure
27 "124.401," the following: "124.401A,".

28 4. Page 3, lines 14 and 15, by striking the word
29 and figures "chapter 124, 126," and inserting the
30 following: "section 124.401, 124.402, 124.403, a drug
31 offense under section 126.3, or chapter".

32 5. Page 3, line 17, by striking the word and
33 figures "chapter 124, 126," and inserting the
34 following: "section 124.401, 124.402, 124.403, a drug
35 offense under section 126.3, or chapter".

36 6. Page 4, by inserting after line 24 the
37 following:

38 "Sec. _____. NEW SECTION. 453B.16 NOTICE OF
39 CONVICTION.

40 If a person enters a plea of guilty, or forfeits
41 bail or collateral deposited to secure the person's
42 appearance in court, and the forfeiture is not
43 vacated, or if a person is found guilty upon an
44 indictment or information alleging a violation of this
45 chapter, a copy of the minutes attached to the
46 indictment returned by the grand jury, or to the
47 county attorney's information, a copy of the judgment
48 and sentence, and a copy of the opinion of the judge
49 if one is filed, shall be sent by the clerk of the
50 district court or the judge to the state department of

Page 2

- 1 transportation."
2 7. By renumbering as necessary.

LARSON of Linn

H-3447

1 Amend House File 495 as follows:

2 1. Page 3, by inserting after line 19 the
3 following:

4 "Sec. _____. Section 85.27, Code 1993, is amended by
5 adding the following new unnumbered paragraphs:
6 NEW UNNUMBERED PARAGRAPH. Debt collection, as
7 defined in section 537.7102, shall not be undertaken
8 by any health service provider rendering treatment to
9 an employee against the employee or the employee's
10 dependents for the collection of charges in connection
11 with the treatment while a contested case proceeding
12 for determination of liability is pending before the
13 industrial commissioner relating to an injury alleged
14 to have given rise to the treatment, except that after
15 notification of the contested case proceeding the
16 health service provider rendering treatment to an
17 employee may send one itemized written bill to the
18 employee setting forth the amount of the charges in
19 connection with the treatment.

20 NEW UNNUMBERED PARAGRAPH. When it is necessary for
21 an employee to leave work for which the employee is
22 being paid wages to receive services pursuant to this
23 section, the employee shall be compensated at the
24 employee's regular rate for the time the employee is
25 required to leave work."

26 2. By renumbering as necessary.

McKINNEY of Dallas

H-3448

1 Amend House File 602 as follows:

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

4 "Section 1. NEW SECTION. 2.40A GENERAL ASSEMBLY
5 - DRUG TESTING.

6 The members of the general assembly shall submit to
7 a drug test conducted pursuant to the requirements of
8 section 730.5, subsection 3, paragraphs "c" and "d" on
9 a date during each month of the legislative session as
10 determined by the legislative council. The results of
11 the drug test shall be a public record.

12 Sec. _____. Section 2.42, Code 1993, is amended by
13 adding the following new subsection:

14 NEW SUBSECTION. 19. To establish policies

- 15 concerning drug testing of members of the general
 16 assembly as required by section 2.40A.
 17 Sec. _____. **NEW SECTION. 7.23 DRUG TESTING.**
 18 The governor and lieutenant governor shall submit
 19 to a drug test conducted pursuant to the requirements
 20 of section 730.5, subsection 3, paragraphs "c" and "d"
 21 on a date during each month as determined by the
 22 members of the executive council not subject to the
 23 drug test. The results of the drug test shall be a
 24 public record."
 25 2. Title page, line 1, by inserting after the
 26 word "certain" the following: "public officials."
 27 3. By renumbering as necessary.

FALLON of Polk

H-3450

- 1 Amend House File 620 as follows:
 2 1. Page 2, line 1, by striking the word "an" and
 3 inserting the following: "an a not-for-profit".
 4 2. Page 2, line 2, by striking the words
 5 "constructed or" and inserting the following:
 6 "constructed or owned and".
 7 3. Page 2, line 5, by striking the words
 8 "construct or" and inserting the following:
 9 "construct or own and".
 10 4. Page 2, by striking lines 14 through 17 and
 11 inserting the following: "as defined in section
 12 135.61, subsection 14, in this state or within the
 13 service area of the hospital or hospitals operating
 14 the facility. Owners and".

HENDERSON of Scott

H-3452

- 1 Amend House File 495 as follows:
 2 1. Page 3, by inserting after line 19, the
 3 following:
 4 "Sec. _____. Section 85.30, Code 1993, is amended by
 5 adding the following new unnumbered paragraph:
 6 **NEW UNNUMBERED PARAGRAPH.** The employer shall pay
 7 the reasonable charges of a person who provides
 8 services or supplies pursuant to section 85.27 within
 9 sixty days following a billing and any interest or
 10 service charges lawfully imposed by the provider if
 11 the charges are not paid when due. If a provider's
 12 reasonable charges have been paid by the injured
 13 employee, or a third party on the employee's behalf,
 14 the employee shall be reimbursed by the employer
 15 together with interest computed from the date the
 16 charges were paid."
 17 2. By renumbering as necessary.

McKINNEY of Dallas

H-3453

1 Amend House File 495 as follows:

2 1. Page 3, by inserting after line 19 the
3 following:

4 "Sec. _____. Section 85.33, subsections 3 and 4,
5 Code 1993, are amended to read as follows:

6 3. If an employee is temporarily, partially
7 disabled and the employer for whom the employee was
8 working at the time of injury offers to the employee
9 suitable work consistent with the employee's
10 disability the employee shall accept the suitable
11 work, and be compensated with temporary partial
12 benefits. If the employee refuses to accept the
13 suitable work with the employer the employee shall not
14 be compensated with temporary partial, temporary
15 total, or healing period benefits during the period of
16 the refusal. If suitable work is not offered by the
17 former employer, and an employee who is temporarily
18 partially disabled performs work with a different
19 employer, the employee shall be compensated with
20 temporary partial benefits.

21 4. If an employee is entitled to temporary partial
22 benefits under subsection 3 of this section, the
23 employer for whom the employee was working at the time
24 of injury shall pay to the employee weekly
25 compensation benefits, as provided in section 85.32,
26 for and during the period of temporary partial
27 disability. The temporary partial benefit shall be
28 sixty-six and two-thirds percent of the difference
29 between the employee's weekly earnings at the time of
30 injury, computed in compliance with section 85.36, and
31 the employee's actual gross weekly income from
32 employment during the period of temporary partial
33 disability. If at the time of injury an employee is
34 paid on the basis of the output of the employee, with
35 a minimum guarantee pursuant to a written employment
36 agreement, the minimum guarantee shall be used as the
37 employee's weekly earnings at the time of injury.
38 However, the weekly compensation benefits shall not
39 exceed the payments to which the employee would be
40 entitled under section 85.36 or section 85.37, or
41 under subsection 1 of this section."

42 2. Renumber as necessary.

McKINNEY of Dallas

H-3454

1 Amend House File 495 as follows:

2 1. Page 3, by striking lines 5 through 15, and
3 inserting the following:

4 "5 6. For subrogation purposes hereunder, any

5 payment made unto an injured employee, the employee's
 6 guardian, parent, next friend, or legal
 7 representative, by or on behalf of any third party, or
 8 the third party's principal or agent liable for,
 9 connected with, or involved in causing an injury to
 10 such employee shall be considered as having been so
 11 paid as damages resulting from and because said injury
 12 was caused under circumstances creating a legal
 13 liability against said third party, whether such
 14 payment be made under a covenant not to sue,
 15 compromise settlement, denial of liability or
 16 otherwise.

17 a. Only payments for lost earnings or medical
 18 expenses made to or directed by the employee, by or on
 19 behalf of the third party, in resolution of the
 20 employee's cause of action against the third party,
 21 constitute damages or settlement proceeds received by
 22 the employee for purposes of this section.

23 b. Upon receipt of a prior written notice from an
 24 employer claiming indemnification under this section,
 25 employees shall in any settlement with a third party,
 26 set forth in a written settlement document the amount,
 27 if any, of the settlement proceeds which represent
 28 damages for lost earnings or medical expenses. The
 29 employer shall be indemnified accordingly.

30 c. Upon petitions from an employer claiming
 31 indemnification under this section, the trier-of-fact
 32 in any third party proceeding shall separately set
 33 forth in any judgment the amount of the judgment and
 34 verdict which represents damage for lost earnings or
 35 medical expenses. The employer shall be indemnified
 36 accordingly."

37 2. By renumbering as necessary.

KREIMAN of Davis
 RUNNING of Linn

H-3457

1 Amend House File 518 as follows:

2 1. Page 45, by inserting after line 14, the
 3 following:

4 "Sec. _____. NEW SECTION. 239.22 PAYMENT INCREASE.

5 Effective July 1, 1993, and continuing on July 1 of
 6 each succeeding fiscal year, the schedule of basic
 7 needs used for assistance provided under this chapter
 8 shall be increased by the amount of the latest issued
 9 increase in the consumer price index during the
 10 previous fiscal year."

11 2. By renumbering and correcting internal
 12 references as necessary.

KREIMAN of Davis
 HAMMOND of Story

H-3463

1 Amend House File 584 as follows:

2 1. Page 3, by inserting after line 5 the
3 following:

4 "Sec. _____. Section 335.25, subsection 3, Code
5 1993, is amended to read as follows:

6 3. Notwithstanding the optional provision in
7 section 335.1 and any other provision of this chapter
8 to the contrary, a county, county board of
9 supervisors, or a county zoning commission shall
10 consider a family home a residential use of property
11 for the purposes of zoning and shall treat a family
12 home as a permitted use in all residential zones or
13 districts, including all single-family residential
14 zones or districts, of the county. A county, county
15 board of supervisors, or a county zoning commission
16 shall not require that a family home, its owner, or
17 operator obtain a conditional use permit, special use
18 permit, special exception, or variance. ~~However, a~~
19 ~~new family home shall not be located within one-fourth~~
20 ~~of a mile from another family home.~~ Section 135C.23,
21 subsection 2 shall apply to all residents of a family
22 home."

23 2. Page 3, by striking lines 11 through 13 and
24 inserting the following: "zoning, in accordance with
25 chapter 135L.

26 Sec. _____. Section 414.22, subsection 3, Code 1993,
27 is amended to read as follows:

28 3. Notwithstanding any provision of this chapter
29 to the contrary, a city, city council, or city zoning
30 commission shall consider a family home a residential
31 use of property for the purposes of zoning and shall
32 treat a family home as a permitted use in all
33 residential zones or districts, including all single-
34 family residential zones or districts, of the city. A
35 city, city council, or city zoning commission shall
36 not require that a family home, its owner, or operator
37 obtain a conditional use permit, special use permit,
38 special exception, or variance. ~~However, a new family~~
39 ~~home shall not be located within one-fourth of a mile~~
40 ~~from another family home.~~ Section 135C.23, subsection
41 2 shall apply to all residents of a family home."

42 3. Page 3, by striking lines 19 and 20 and
43 inserting the following: "accordance with chapter
44 135L."

45 4. By renumbering as necessary.

H-3464

1 Amend House File 518 as follows:

2 1. Page 45, by inserting after line 26, the
3 following:

4 "Sec. _____. Section 600.9, subsection 1, Code 1993,
5 is amended by adding the following new paragraph:
6 NEW PARAGRAPH. e. Fees for counseling required
7 pursuant to sections 600A.4 and 600A.5.

8 Sec. _____. NEW SECTION. 600.26 ADVERTISEMENT OF
9 ADOPTION IN PUBLIC MEDIA PROHIBITED.

10 1. A natural parent of a minor child or a
11 representative of a natural parent of a minor child
12 shall not advertise through any public media in this
13 state for the placement of the minor child for the
14 purposes of adoption.

15 2. A prospective adoptive parent or a
16 representative of a prospective adoptive parent shall
17 not advertise through any public media in this state
18 for the placement of a minor child in the prospective
19 adoptive parent's or representative's care for the
20 purpose of adoption.

21 3. For the purposes of this section, "public
22 media" means any for-profit or nonprofit communication
23 system or network receivable by the general public,
24 including but not limited to newspapers, magazines,
25 television, and radio.

26 Sec. _____. NEW SECTION. 600.27 MISREPRESENTATION
27 OF IDENTITY OF NATURAL PARENT - PENALTY.

28 A person who intentionally misrepresents facts
29 relating to the identity of the natural parent of a
30 child under this chapter is guilty of a serious
31 misdemeanor.

32 Sec. _____. Section 600A.4, subsection 2, Code 1993,
33 is amended by adding the following new paragraph:

34 NEW PARAGRAPH. i. (1) Shall be preceded by
35 counseling of the natural parents seeking the release
36 of custody of the child. The counseling shall be
37 provided by an agency which shall provide a minimum of
38 three hours of personal counseling to the natural
39 parents.

40 (2) The custodian of the child shall make every
41 reasonable effort to locate any natural parent in
42 order that the required counseling be provided.

43 (3) The release of custody shall be accompanied by
44 an affidavit signed by the natural parents in the
45 presence of the counselor indicating acceptance or
46 refusal of counseling services, a written report
47 prepared by the counselor summarizing the results of
48 the counseling, and documentation of efforts by the
49 custodian of the child to locate any absent natural
50 parent.

Page 2

1 Sec. _____. Section 600A.5, Code 1993, is amended by
2 adding the following new subsections:

3 NEW SUBSECTION. 1A. (1) The filing of a petition
4 for the termination of parental rights shall be
5 preceded by counseling of the natural parents seeking
6 termination of parental rights. The counseling shall
7 be provided by an agency which shall provide a minimum
8 of three hours of personal counseling to the natural
9 parents.

10 (2) The custodian of the child shall make every
11 reasonable effort to locate any natural parent so that
12 the required counseling may be provided.

13 (3) The petition for the termination of parental
14 rights shall be accompanied by an affidavit signed by
15 the natural parents in the presence of the counselor
16 indicating acceptance or refusal of counseling
17 services, a written report by the counselor
18 summarizing the results of the counseling, and
19 documentation of efforts by the custodian of the child
20 to locate any absent natural parent. If the natural
21 parents have received the required counseling at the
22 time of the filing of the release of custody,
23 additional counseling is not required at the time
24 prior to the filing of a petition for termination of
25 parental rights.

26 NEW SUBSECTION. 4. The petition for the
27 termination of parental rights shall be accompanied by
28 a notarized affidavit, signed by the natural mother of
29 the child, which identifies the natural father or any
30 person whom the natural mother believes to be the
31 natural father of the child.

32 Sec. _____. Section 600A.7, subsection 1, Code 1993,
33 is amended to read as follows:

34 1. The hearing on termination of parental rights
35 shall be conducted in accordance with the provisions
36 of sections 232.91 to 232.96 and otherwise in
37 accordance with the rules of civil procedure. Such
38 The hearing shall be held no earlier than one week
39 after the child is born twenty-one days after the
40 signing of a release of custody pursuant to section
41 600A.4.

42 Sec. _____. Section 600A.9, subsection 2, Code 1993,
43 is amended to read as follows:

44 2. If an order is issued under subsection 1,
45 paragraph "b" of this section, the juvenile court
46 shall retain jurisdiction to change a guardian or
47 custodian and to allow a terminated parent to request
48 vacation or appeal of the termination order if the
49 child is not on placement for adoption or a petition
50 for adoption of the child is not on file within ten

Page 3

1 days of issuance of the granting of the order. The
 2 period for request for vacation or appeal shall not be
 3 waived or extended. The juvenile court shall grant
 4 the vacation request only if it is in the best
 5 interest of the child. The supreme court shall
 6 prescribe rules to establish a period of ten days,
 7 which shall not be waived or extended, in which a
 8 terminated parent may request a vacation or appeal of
 9 a termination order.

10 Sec. _____, NEW SECTION. 600A.10 MISREPRESENTATION
 11 OF IDENTITY OF NATURAL PARENT – PENALTY.

12 A person who intentionally misrepresents facts
 13 relating to the identity of the natural parent of a
 14 child under this chapter is guilty of a serious
 15 misdemeanor.”

16 2. By renumbering as necessary.

JOCHUM of Dubuque

H-3466

1 Amend House File 518 as follows:
 2 1. Page 31, by striking lines 6 through 11 and
 3 inserting the following:
 4 “Notwithstanding section 99E.10, subsection 1,
 5 paragraph “d”, for the 1993-1994 fiscal year, after
 6 \$38,900,000 in lottery revenue is received, the
 7 commissioner of the lottery division shall transfer
 8 the next \$882,973 received to the department of human
 9 services to be used for the purposes of this section
 10 in addition to the funds appropriated in this
 11 section.”

BRAND of Benton
 DICKINSON of Jackson
 JOCHUM of Dubuque
 DVORSKY of Johnson

H-3474

1 Amend House File 117 as follows:
 2 1. Page 1, by striking lines 9 and 10.

NELSON of Pottawattamie

H-3475

1 Amend House File 117 as follows:
 2 1. Page 1, by striking lines 6 through 10 and
 3 inserting the following: “adjustments on the normal
 4 standard of services.”

HARPER of Black Hawk
 HENDERSON of Scott

H-3476

- 1 Amend House File 209 as follows:
- 2 1. Page 1, line 8, by striking the word and
- 3 figure "section 85.34,".
- 4 2. Page 1, by inserting after line 17 the
- 5 following:
- 6 "Sec. _____. Section 85.34, Code 1993, is amended by
- 7 adding the following new subsection:
- 8 NEW SUBSECTION. 6. CREDIT FOR UNDERPAYMENT. If
- 9 an employee is underpaid any weekly compensation
- 10 benefits as required by this chapter and chapters 85A,
- 11 85B, and 86, which the employee has not recovered
- 12 through any administrative or judicial proceedings,
- 13 the amount underpaid the employee shall be awarded to
- 14 the employee from the employer, plus interest and any
- 15 applicable penalties, if the same employer becomes
- 16 liable for any future weekly compensation benefits
- 17 pursuant to subsection 2, for a subsequent injury.
- 18 The amount awarded to the employee from the employer
- 19 shall be paid to the employee for each week the
- 20 employee receives compensation payments for the
- 21 subsequent injury in an amount not to exceed an amount
- 22 equal to the weekly compensation benefits due the
- 23 employee for the subsequent injury. An underpayment
- 24 can be established only when the underpayment is
- 25 recognized in a settlement agreement under section
- 26 86.13, in a final agency action in a contested case
- 27 which was commenced within three years from the date
- 28 that weekly benefits were last paid in the claim in
- 29 which the benefits were underpaid, or in final agency
- 30 action in a contested case for a prior injury. The
- 31 award shall remain available for ten years after the
- 32 date the underpayment was established."
- 33 3. Title page, line 1, by inserting after the
- 34 word "overpayment" the following: "and an employee's
- 35 award for underpayment".
- 36 4. By renumbering as necessary.

McKINNEY of Dallas

H-3477

- 1 Amend House File 258 as follows:
- 2 1. Page 4, by striking lines 13 through 16 and
- 3 inserting the following: "agreement is not final and
- 4 binding, subject to the requirements of this section.
- 5 Items of a".
- 6 2. Page 5, line 3, by striking the words "The
- 7 general assembly shall" and inserting the following:
- 8 "If the general assembly fails to".
- 9 3. Page 5, line 4, by inserting after the word
- 10 "section" the following: "forty-five days".

- 11 4. Page 5, line 5, by inserting after the word
12 "effective" the following: ", the items of the
13 collective bargaining agreement reached pursuant to
14 this chapter that are economic adjustments shall
15 become final and binding, subject to the provisions of
16 section 20.17, subsection 6".
17 5. Page 5, line 9, by inserting after the words
18 "provisions of" the following: "subsection 4 and".

HARPER of Black Hawk
HENDERSON of Scott

H-3478

- 1 Amend House File 258 as follows:
2 1. By striking page 4, line 9 through page 5,
3 line 10 and inserting the following:
4 "1. Within thirty days following an initial
5 determination of a collective bargaining agreement
6 reached pursuant to this chapter between a public
7 employer and an employee organization representing
8 state employees on all negotiated items by agreement
9 of the parties or by an arbitration decision, the
10 general assembly shall either accept or reject the
11 agreement in total. A failure to either accept or
12 reject the collective bargaining agreement within the
13 time specified in this section shall be deemed an
14 acceptance of the agreement.
15 2. If the general assembly accepts the collective
16 bargaining agreement, the provisions of the collective
17 bargaining agreement shall become final and binding,
18 subject to the provisions of section 20.17, subsection
19 6.
20 3. If the general assembly rejects the collective
21 bargaining agreement, the parties shall resume
22 collective bargaining pursuant to the provisions of
23 this chapter notwithstanding any provisions requiring
24 action before a particular date. A subsequent
25 collective bargaining agreement reached between a
26 public employer and an employee organization
27 representing state employees following the rejection
28 of the initial collective bargaining agreement shall
29 become final and binding, subject to the provisions of
30 section 20.17, subsection 6."
31 2. Title page, by striking lines 3 through 5 and
32 inserting the following: "binding arbitration and by
33 providing for general assembly action regarding a
34 collective bargaining award to state employees."

NELSON of Pottawattamie

H-3479

- 1 Amend House File 265 as follows:
- 2 1. Page 1, by inserting after line 19, the
- 3 following:
- 4 "The avoidance of a conviction for failure to carry
- 5 and exhibit a license provided for in this section
- 6 does not apply to a habitat stamp, trout stamp, or a
- 7 state or federal waterfowl stamp."

BLACK of Jasper
BELL of Jasper
SCHRADER of Marion
MAY of Worth

H-3480

- 1 Amend House File 265 as follows:
- 2 1. Page 1, by striking lines 16 and 17, and
- 3 inserting the following: "and valid for the person to
- 4 hunt, fish, or trap at least one week before the
- 5 arrest or the date when the person was cited for
- 6 failure".

BLACK of Jasper
BELL of Jasper
SCHRADER of Marion
MAY of Worth

H-3481

- 1 Amend House File 265 as follows:
- 2 1. Page 1, by inserting after line 19 the
- 3 following:
- 4 "This section does not apply to nonresidents and to
- 5 those persons who are hunting, fishing, or trapping on
- 6 privately owned lands and waters."

BLACK of Jasper
BELL of Jasper
SCHRADER of Marion
MAY of Worth

H-3482

- 1 Amend House File 265 as follows:
- 2 1. Page 1, lines 14 and 15, by striking the words
- 3 "within a reasonable time" and inserting the
- 4 following: "on or before the scheduled court date".

BLACK of Jasper
BELL of Jasper
SCHRADER of Marion
MAY of Worth

H-3484

1 Amend House File 495 as follows:

2 1. Page 4, by inserting after line 3 the
3 following:

4 "Sec. _____. Section 86.13, unnumbered paragraph 4,
5 Code 1993, is amended to read as follows:

6 If a delay in commencement or termination of weekly
7 benefits payable under this chapter or chapter 85,
8 85A, or 85B, or delay or denial of payment of
9 reasonable charges from providers of services or
10 supplies pursuant to section 85.27, occurs without
11 reasonable or probable cause or excuse, the industrial
12 commissioner shall award benefits amounts in addition
13 to those benefits amounts payable under this chapter,
14 or chapter 85, 85A, or 85B, up to fifty percent of the
15 amount of benefits or charges that were unreasonably
16 delayed, terminated, or denied. Any additional
17 amount awarded under this section is due on the date
18 of the decision of the award and if not paid when due
19 interest accrues at the rate provided in section
20 85.30."

21 2. Renumber as necessary.

McKINNEY of Dallas

H-3485

1 Amend House File 572 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 455C.1, subsection 1, Code
5 1993, is amended to read as follows:

6 1. "Beverage" means wine as defined in section
7 123.3, subsection 37, alcoholic liquor as defined in
8 section 123.3, subsection 5, beer as defined in
9 section 123.3, subsection 7, mineral water, soda
10 water, and similar carbonated soft drinks in liquid
11 form and intended for human consumption. "Beverage"
12 also includes any potable liquid in an aluminum
13 container."

BRUNKHORST of Bremer

H-3486

1 Amend House File 572 as follows:

2 1. Page 1, line 15, by striking the word
3 "drinkable" and inserting the following: "potable".

4 2. Page 1, line 19, by striking the word
5 "drinkable" and inserting the following: "potable".

HOLVECK of Polk

H-3488

- 1 Amend House File 615 as follows:
- 2 1. Page 1, line 24, by inserting after the word
- 3 "employees" the following: ", except that
- 4 unrepresented employees shall be placed on the salary
- 5 step of the applicable pay plan that is closest to the
- 6 current salary of the unrepresented employee".

HARPER of Black Hawk
RUNNING of Linn

H-3492

- 1 Amend Senate File 267, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 22, by inserting after line 22 the
- 4 following:
- 5 "Sec. _____. STATE SALARY CEILINGS. Effective July
- 6 1, 1993, the annual salary of a state officer or
- 7 employee of the department of justice, the board of
- 8 parole, the department of corrections, and the
- 9 judicial department, other than a judicial officer as
- 10 defined in section 602.1101, shall not exceed fifty
- 11 thousand dollars. However, on July 1, 1993, if the
- 12 annual salary of a state officer or employee exceeds
- 13 fifty thousand dollars, the amount of the annual
- 14 salary in excess of fifty thousand dollars shall be
- 15 divided by four and the total annual salary of the
- 16 officer or employee shall be reduced by one-fourth of
- 17 the excess annual salary each year for the next four
- 18 fiscal years beginning July 1, 1993. Thereafter, the
- 19 maximum annual salary of the state officer or employee
- 20 shall remain at fifty thousand dollars. For the
- 21 purpose of this paragraph, employer-paid benefits to a
- 22 state officer or employee shall not be included as
- 23 part of an annual salary."
- 24 2. By renumbering and correcting internal
- 25 references as necessary.

FALLON of Polk

H-3493

- 1 Amend the amendment, H-3362, to House File 392, as
- 2 follows:
- 3 1. Page 1, line 7, by striking the word
- 4 "different" and inserting the word "longer".

EDDIE of Buena Vista

H-3494

- 1 Amend House File 519 as follows:
- 2 1. Page 1, line 8, by inserting after the word

3 "structure" the following: " that was manufactured
 4 in accordance with federally mandated standards,".

5 2. Page 1, by inserting after line 15 the
 6 following:

7 "Existing factory-built structures not constructed
 8 to be in compliance with federally mandated standards
 9 may be moved from one established mobile home park to
 10 another within the state and shall not be required to
 11 be renovated to comply with the state building code or
 12 any other building code which the governmental
 13 subdivision has adopted unless the factory-built
 14 structure is being rented for occupancy or has been
 15 declared a public nuisance according to standards
 16 generally applied to housing."

17 3. Page 3, by striking lines 14 through 19, and
 18 inserting the following: "manufactured home which is
 19 incompatible with the structural design of the
 20 manufactured home structure. When units are located
 21 outside a mobile home park, requirements may be
 22 imposed which ensure visual compatibility of the
 23 foundation system with surrounding residential
 24 structures. As used in this section, "manufactured".

25 4. Page 4, by striking lines 10 through 15 and
 26 inserting the following: "manufactured home which is
 27 incompatible with the structural design of the
 28 manufactured home structure. When units are located
 29 outside a mobile home park, requirements may be
 30 imposed which ensure visual compatibility of the
 31 foundation system with surrounding residential
 32 structures. As used in this section, "manufactured".

IVERSON of Wright

H-3495

1 Amend House File 542 as follows:

2 1. Page 8, by inserting after line 33 the
 3 following:

4 "Sec. _____. Section 157.1, subsections 2, 3, 6, 8,
 5 9, 10, 12, 13, and 16, Code 1993, are amended to read
 6 as follows:

7 2. "Cosmetologist" means a person who performs the
 8 practice of licensed to practice cosmetology, or
 9 otherwise by the person's occupation claims to have
 10 knowledge or skill particular to the practice of
 11 cosmetology. Cosmetologists shall not represent
 12 themselves to the public as being primarily in the
 13 practice of haircutting unless that function is, in
 14 fact, their primary specialty. A cosmetologist shall
 15 not practice the full scope of esthetics or represent
 16 oneself to the public as an esthetician unless
 17 additional study in that practice qualifies the
 18 cosmetologist for licensure as an esthetician.

19 3. "Cosmetology" means all practices which include
20 but are not limited to any of the following practices:

21 a. Arranging, braiding, dressing, curling, waving,
22 shampooing, cutting, singeing, bleaching, coloring, or
23 similar works, upon the hair of any person; or upon a
24 wig or hairpiece when done in conjunction with
25 haircutting or hairstyling by any means.

26 b. Massaging, cleansing, stimulating, exercising,
27 beautifying, or similar techniques upon the scalp,
28 face, neck, arms, hands, feet, or upper part of the
29 body of any person with the hands or mechanical or
30 electrical apparatus or appliances or with the use of
31 cosmetic preparations, antiseptics, tonics, lotions,
32 creams, or other preparations.

33 c. Applying artificial extensions and preparations
34 to the hair or nails for beautification purposes.

35 e. d. Manicuring the nails of any person.

36 d. Electrology.

37 e. Esthetics.

38 f. Nail technology.

39 6. "Electrologist" means a person who performs the
40 practice of licensed to practice electrology.

41 8. "Esthetician" means a person who performs the
42 practice of licensed to practice esthetics.

43 9. "Esthetics" means practices which include but
44 are not limited to any of the following:

45 a. Beautifying, massaging, cleansing, or
46 stimulating the skin of a person, except the scalp, by
47 the use of cosmetic preparations, antiseptics, tonics,
48 lotions, or creams or any device, electrical or
49 otherwise, for the care of the skin.

50 b. The use of any machine or device, electrical or

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1 otherwise, for the esthetic care of the skin.

2 b. c. Applying The use of various chemical or
3 other peels, all types of makeup application including
4 corrective makeup, or applying eyelashes to a person,
5 tinting eyelashes or eyebrows, or lightening hair on
6 the body except the scalp.

7 e. d. Removing superfluous hair from the body of a
8 person by the use of depilatories, waxing, or manual
9 tweezers.

10 10. "Instructor" means a person licensed for the
11 purpose of teaching any of the cosmetology arts and
12 sciences.

13 12. "Manicurist" means a person who performs the
14 licensed to practice of manicuring.

15 13. "Nail technologist" means a person who
16 performs the licensed to practice of nail technology.

17 16. "School of cosmetology arts and sciences"

18 means an establishment licensed for the purpose of
 19 teaching all cosmetology and any of the cosmetology
 20 arts and sciences.

21 Sec. _____. Section 157.10, subsection 1, Code 1993,
 22 is amended to read as follows:

23 1. The course of study required for licensure for
 24 the practice of cosmetology shall be a minimum of two
 25 thousand one hundred hours. The hours of a course of
 26 study required for licensure for the practices of
 27 electrology, esthetics, and nail technology shall be
 28 established by the board. The board shall adopt rules
 29 to define the course and content of study for each
 30 practice of cosmetology arts and sciences.

31 Sec. _____. Section 157.12, Code 1993, is amended to
 32 read as follows:

33 157.12 SUPERVISORS.

34 A person who directly supervises the work of
 35 practitioners of cosmetology arts and sciences shall
 36 be licensed in the practice supervised, shall be a
 37 licensed cosmetologist, or shall be a barber licensed
 38 under section 158.3."

39 2. Page 9, by inserting after line 31 the
 40 following:

41 "Sec. _____. 1992 Iowa Acts, chapter 1205, section
 42 25, is amended to read as follows:

43 SEC. 25. APPLICABILITY. This Act does not apply
 44 to persons holding a valid license issued by the board
 45 of cosmetology examiners before or on July 1, 1992.

46 A person who can document that the person practiced
 47 esthetics or nail technology in this state before or
 48 on July 1, 1992, shall be issued an appropriate
 49 license without meeting any additional requirements
 50 imposed by this Act. The board shall not accept

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1 documentation under this provision after July 1,
 2 1993."

3 3. Title page, line 7, by inserting after the
 4 word "poisoning," the following: "cosmetology,".

5 4. By renumbering as necessary.

RUNNING of Linn

H-3496

1 Amend House File 546 as follows:

2 1. Page 1, line 4, by striking the words
 3 "cosmetics, or other" and inserting the following:
 4 "or cosmetics".

5 2. Page 1, by striking line 5, and inserting the
 6 following: "to persons to".

RUNNING of Linn

H-3497

1 Amend House File 546 as follows:

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

4 "Section 1. Section 157.1, subsections 2, 3, 6, 8,
5 9, 10, 12, 13, and 16, Code 1993, are amended to read
6 as follows:

7 2. "Cosmetologist" means a person who performs the
8 practice of licensed to practice cosmetology, or
9 otherwise by the person's occupation claims to have
10 knowledge or skill particular to the practice of
11 cosmetology. Cosmetologists shall not represent
12 themselves to the public as being primarily in the
13 practice of haircutting unless that function is, in
14 fact, their primary specialty. A cosmetologist shall
15 not practice the full scope of esthetics or represent
16 oneself to the public as an esthetician unless
17 additional study in that practice qualifies the
18 cosmetologist for licensure as an esthetician.

19 3. "Cosmetology" means all practices which include
20 but are not limited to any of the following practices:

21 a. Arranging, braiding, dressing, curling, waving,
22 shampooing, cutting, singeing, bleaching, coloring, or
23 similar works, upon the hair of any person; or upon a
24 wig or hairpiece when done in conjunction with
25 haircutting or hairstyling by any means.

26 b. Massaging, cleansing, stimulating, exercising,
27 beautifying, or similar techniques upon the scalp,
28 face, neck, arms, hands, feet, or upper part of the
29 body of any person with the hands or mechanical or
30 electrical apparatus or appliances or with the use of
31 cosmetic preparations, antiseptics, tonics, lotions,
32 creams, or other preparations.

33 c. Applying artificial extensions and preparations
34 to the hair or nails for beautification purposes.

35 e. d. Manicuring the nails of any person.

36 d. Electrology.

37 e. Esthetics.

38 f. Nail technology.

39 6. "Electrologist" means a person who performs the
40 practice of licensed to practice electrology.

41 8. "Esthetician" means a person who performs the
42 practice of licensed to practice esthetics.

43 9. "Esthetics" means practices which include but
44 are not limited to any of the following:

45 a. Beautifying, massaging, cleansing, or
46 stimulating the skin of a person, except the scalp, by
47 the use of cosmetic preparations, antiseptics, tonics,
48 lotions, or creams or any device, electrical or
49 otherwise, for the care of the skin.

50 b. The use of any machine or device, electrical or

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1 otherwise, for the esthetic care of the skin.

2 b. c. Applying The use of various chemical or
3 other peels, all types of makeup application including
4 corrective makeup, or applying eyelashes to a person,
5 tinting eyelashes or eyebrows, or lightening hair on
6 the body except the scalp.

7 e. d. Removing superfluous hair from the body of a
8 person by the use of depilatories, waxing, or manual
9 tweezers.

10 10. "Instructor" means a person licensed for the
11 purpose of teaching any of the cosmetology arts and
12 sciences.

13 12. "Manicurist" means a person who performs the
14 licensed to practice of manicuring.

15 13. "Nail technologist" means a person who
16 performs the licensed to practice of nail technology.

17 16. "School of cosmetology arts and sciences"
18 means an establishment licensed for the purpose of
19 teaching all cosmetology and any of the cosmetology
20 arts and sciences."

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

23 "Sec. _____. Section 157.10, subsection 1, Code
24 1993, is amended to read as follows:

25 1. The course of study required for licensure for
26 the practice of cosmetology shall be a minimum of two
27 thousand one hundred hours. The hours of a course of
28 study required for licensure for the practices of
29 electrology, esthetics, and nail technology shall be
30 established by the board. The board shall adopt rules
31 to define the course and content of study for each
32 practice of cosmetology arts and sciences.

33 Sec. _____. Section 157.12, Code 1993, is amended to
34 read as follows:

35 157.12 SUPERVISORS.

36 A person who directly supervises the work of
37 practitioners of cosmetology arts and sciences shall
38 be licensed in the practice supervised, shall be a
39 licensed cosmetologist, or shall be a barber licensed
40 under section 158.3.

41 Sec. _____. 1992 Iowa Acts, chapter 1205, section
42 25, is amended to read as follows:

43 SEC. 25. APPLICABILITY. This Act does not apply
44 to persons holding a valid license issued by the board
45 of cosmetology examiners before or on July 1, 1992.

46 A person who can document that the person practiced
47 esthetics or nail technology in this state before or
48 on July 1, 1992, shall be issued an appropriate
49 license without meeting any additional requirements
50 imposed by this Act. The board shall not accept

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- 1 documentation under this provision after July 1,
- 2 1993."
- 3 3. Title page, line 1, by inserting after the
- 4 word "to" the following: "cosmetology including by
- 5 providing".
- 6 4. By renumbering as necessary.

RUNNING of Linn

H-3498

- 1 Amend House File 602 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. NEW SECTION. 2.40A GENERAL ASSEMBLY
- 5 - DRUG TESTING.
- 6 On the first session day during every week the
- 7 general assembly is in session, the chief clerk of the
- 8 house and the secretary of the senate shall each
- 9 select, by random drawing, the names of ten members of
- 10 their respective chambers for purposes of submission
- 11 to a drug test. The members selected shall submit to
- 12 a drug test conducted pursuant to the requirements of
- 13 section 730.5, subsection 3, paragraphs "c" and "d".
- 14 The results of the drug test shall be a public
- 15 record."
- 16 2. Title page, line 1, by inserting after the
- 17 word "certain" the following: "public officials,".
- 18 3. By renumbering as necessary.

FALLON of Polk

H-3499

- 1 Amend House File 629 as follows:
- 2 1. Page 4, by striking lines 12 through 25.
- 3 2. By striking page 4, line 32, through page 5,
- 4 line 22, and inserting the following:
- 5 "Sec. _____. Section 103A.15, Code 1993, is amended
- 6 by striking the section and inserting in lieu thereof
- 7 the following:
- 8 103A.15 BOARD OF REVIEW.
- 9 1. A state building code board of review is
- 10 established consisting of three members appointed by
- 11 the governor, who shall hold office for terms of four
- 12 years commencing July 1 in the year of appointment and
- 13 expiring June 30 in the year of expiration. Vacancies
- 14 shall be filled in the same manner as the original
- 15 appointments. The members of the board shall be
- 16 persons who are qualified by experience or training to
- 17 provide a broad or specialized expertise on matters
- 18 pertaining to building construction. Members shall be

19 appointed to include a representative of each of the
20 following:

- 21 a. A journeyman member of the building trades.
- 22 b. A contractor involved in building construction.
- 23 c. A member of the general public.

24 The board shall elect from its membership a
25 chairperson.

26 2. No member of the board shall pass upon any
27 question in which the member or any corporation in
28 which the member is a stockholder is interested.

29 3. Any member of the board may be removed by the
30 governor for inefficiency, neglect of duty,
31 misconduct, or malfeasance in office, after being
32 given a written statement of the charges and an
33 opportunity for a hearing.

34 4. Each member of the board shall receive per diem
35 compensation at the rate specified in section 7E.6 for
36 each day spent in the performance of the member's
37 duties, but not to exceed two thousand five hundred
38 dollars per year. All members of the board shall
39 receive necessary expenses incurred in the performance
40 of their duties."

41 3. Page 5, line 25, by inserting after the figure
42 "100.23," the following: "and".

43 4. Page 5, line 26, by striking the figures and
44 words "103A.15, and 103A.17."

45 5. Page 5, by inserting after line 26 the
46 following:

47 "Sec. _____. STATE BUILDING CODE BOARD OF REVIEW —
48 TRANSITION — INITIAL APPOINTMENTS.

49 1. The initial appointments for the new state
50 building code board of review created by this Act

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1 shall be for the following terms:

2 a. The journeyman member appointed pursuant to
3 section 103A.15, subsection 1, paragraph "a" shall be
4 appointed for a four-year term.

5 b. The contractor member appointed pursuant to
6 section 103A.15, subsection 1, paragraph "b" shall be
7 appointed for a three-year term.

8 c. The member of the general public appointed
9 pursuant to section 103A.15, subsection 1, paragraph
10 "c" shall be appointed for a two-year term.

11 2. The current members of the state building code
12 board of review established in section 103A.15, Code
13 1993, shall serve until the effective date of this
14 Act, or until the appointments required by this
15 section are made, whichever is later. However, the
16 appointments required by this section shall be made no
17 later than July 30, 1993."

- 18 6. Title page, line 3, by striking the word
 19 "eliminating" and inserting the following: "altering
 20 the membership of".
 21 7. By renumbering and correcting internal
 22 references as necessary.

RUNNING of Linn

H-3502

- 1 Amend House File 265 as follows:
 2 1. Page 1, by inserting after line 19, the
 3 following:
 4 "Where probable cause exists that a license is used
 5 in the commission of an offense, unlawfully obtained,
 6 or unlawfully possessed, the license shall be
 7 immediately seized by any conservation officer and
 8 revoked without the remedy afforded by chapter 17A in
 9 the following cases:
 10 1. A nonresident illegally using a resident
 11 license.
 12 2. Hunting without a valid hunter safety
 13 certificate when a hunter safety certificate is
 14 required.
 15 3. Possessing an altered license.
 16 4. Using the license of another.
 17 5. Possessing a license while under suspension or
 18 revocation.
 19 6. For any of the following deer or turkey license
 20 violations:
 21 a. Carrying another person's license.
 22 b. Hunting in the wrong zone.
 23 c. Hunting in the wrong season.
 24 d. Too many landowner and tenant licenses on the
 25 same farm unit.
 26 e. Hunting off the farm unit with a landowner and
 27 tenant license."

BLACK of Jasper
 BELL of Jasper
 SCHRADER of Marion
 MAY of Worth

H-3504

- 1 Amend Senate File 75, as passed by the Senate, as
 2 follows:
 3 1. Page 3, by inserting after line 11 the
 4 following:
 5 "Sec. _____. Section 88B.3, subsection 4, Code 1993,
 6 is amended to read as follows:
 7 4. At least once a year, during an actual asbestos
 8 project, the division shall conduct an on-site
 9 inspection of each licensee's permittee's procedures

10 for removing and encapsulating asbestos."

11 2. Page 3, by inserting before line 12 the

12 following:

13 "Sec. _____. Section 88B.5, subsection 1, Code 1993,
14 is amended to read as follows:

15 1. To apply for a license, a business entity an
16 individual shall submit an application to the division
17 in the form required by the division and shall pay the
18 fee prescribed by the division."

19 3. Page 3, by inserting before line 12, the
20 following:

21 "Sec. _____. Section 88B.9, subsection 1, Code 1993,
22 is amended to read as follows:

23 1. In an emergency that results from a sudden,
24 unexpected event that is not a planned renovation or
25 demolition, the commissioner may waive the requirement
26 for a license permit."

27 4. Page 3, by inserting before line 12, the
28 following:

29 "Sec. _____. Section 88B.9, subsection 3, Code 1993,
30 is amended to read as follows:

31 3. If the business entity is not primarily engaged
32 in the removal or encapsulation of asbestos, the
33 commissioner may waive the requirement for a license
34 permit if worker protection requirements are met or an
35 alternative procedure is approved pursuant to
36 subsection 2."

37 5. Page 3, by inserting before line 12, the
38 following:

39 "Sec. _____. Section 88B.11, Code 1993, is amended
40 to read as follows:

41 88B.11 BIDS FOR GOVERNMENTAL PROJECTS.

42 A state agency or political subdivision shall not
43 accept a bid in connection with any asbestos project
44 from a business entity which does not hold a license
45 permit from the division at the time the bid is
46 submitted."

47 6. By renumbering as necessary.

McNEAL of Hardin

H-3505

1 Amend Senate File 94, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting after line 27, the
4 following:

5 "_____. This section does not apply to local
6 legislation to the extent that a local governmental
7 entity determines that the use of a fertilizer or soil
8 conditioner presents a risk to an endangered or
9 threatened species of fish, wildlife, or plant, or the
10 habitat of such species, as provided in chapter 481B,

11 or as provided by 16 U.S.C. § 1531 et seq., or 50
 12 C.F.R. ch. IV.”
 13 2. Page 2, by inserting after line 19, the
 14 following:
 15 “_____. This section does not apply to local
 16 legislation to the extent that a local governmental
 17 entity determines that the use of a pesticide presents
 18 a risk to an endangered or threatened species of fish,
 19 wildlife, or plant, or the habitat of such species, as
 20 provided in chapter 481B, or as provided by 16 U.S.C.
 21 § 1531 et seq., or 50 C.F.R. ch. IV.”

HENDERSON of Scott

H-3506

1 Amend House File 299 as follows:
 2 1. Page 1, line 13, by inserting after the word
 3 “facilities” the following: “and if the accredited
 4 pain center or pain clinic is located within a twenty-
 5 five mile radius of the work site of the employer
 6 where the employee was injured”.”

RUNNING of Linn

H-3507

1 Amend House File 299 as follows:
 2 1. Page 1, line 13, by inserting after the word
 3 “facilities” the following: “and if the industrial
 4 commissioner certifies that a sufficient number of
 5 accredited pain centers or pain clinics are located
 6 within this state”.”

RUNNING of Linn

H-3511

1 Amend House File 558 as follows:
 2 1. Page 1, by striking everything after the
 3 enacting clause and inserting the following:
 4 “Section 1. Section 256.7, subsection 18, Code
 5 1993, is amended by striking the subsection.
 6 Sec. 2. Section 260C.22B, Code 1993, is amended by
 7 adding the following new subsection:
 8 NEW SUBSECTION. 4. Adopt the following interim
 9 annual approval process, which shall be in effect for
 10 community colleges until the implementation of section
 11 260C.47.
 12 a. For purposes of this section, “approval
 13 standards” shall include standards for administration,
 14 qualifications and assignment of personnel,
 15 curriculum, facilities and sites, requirements for
 16 awarding of diplomas and other evidence of educational
 17 achievement, guidance and counseling, support services

18 for students with special needs, instruction,
19 instructional materials, maintenance, and library.

20 b. The department of education shall supervise and
21 evaluate the educational program in the several
22 community colleges of the state for the purpose of the
23 improvement and approval of such institutions.

24 c. The director of the department of education
25 shall make recommendations and suggestions in writing
26 to each community college if the department
27 determines, after due investigation, that deficiencies
28 exist.

29 d. The director of the department of education
30 shall maintain a list of approved community colleges,
31 and the director shall remove from the approved list
32 for cause, after due investigation and notice, a
33 community college which fails to comply with the
34 approval standards. A community college which is
35 removed from the approved list pursuant to this
36 section is ineligible to receive state financial aid
37 during the period of removal. The director shall
38 allow a reasonable period of time, which shall be at
39 least one year, for compliance with approval standards
40 if a community college is making a good faith effort
41 and substantial progress toward full compliance or if
42 failure to comply is due to factors beyond the control
43 of the board of directors of the merged area operating
44 the institution. In allowing time for compliance, the
45 director shall follow consistent policies, taking into
46 account the circumstances of each case. The
47 reasonable period of time for compliance may be, but
48 need not be, given prior to the one-year notice
49 requirement that is provided in this section.

50 e. The director of the department of education

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1 shall give a community college which is to be removed
2 from the approved list at least one year's notice.
3 The notice shall be given by registered or certified
4 mail addressed to the superintendent of the community
5 college and shall specify the reasons for removal.
6 The notice shall also be sent by ordinary mail to each
7 member of the board of directors of the community
8 college, and to the news media which serve the merged
9 area where the school is located; but any good faith
10 error or failure to comply with this sentence shall
11 not affect the validity of any action by the director.
12 If, during the year, the community college remedies
13 the reasons for removal and satisfies the director
14 that it will thereafter comply with the laws and
15 approval standards, the director shall continue the
16 community college on the approved list and shall

17 transmit to the community college notice of the action
18 by registered or certified mail.

19 f. At any time during the year after notice is
20 given, the board of directors of the community college
21 may request a public hearing before the director of
22 the department of education, by mailing a written
23 request to the director by registered or certified
24 mail. The director shall promptly set a time and
25 place for the public hearing, which shall be either in
26 Des Moines or in the affected merged area. At least
27 thirty days' notice of the time and place of the
28 hearing shall be given by registered or certified mail
29 addressed to the superintendent of the community
30 college. At least ten days before the hearing, notice
31 of the time and place of the hearing and the reasons
32 for removal shall also be published by the department
33 in a newspaper of general circulation in the merged
34 area where the community college is located.

35 g. At the hearing the community college may be
36 represented by counsel and may present evidence. The
37 director of the department of education may provide
38 for the hearing to be recorded or reported. If
39 requested by the community college at least ten days
40 before the hearing, the director shall provide for the
41 hearing to be recorded or reported at the expense of
42 the community college, using any reasonable method
43 specified by the community college. Within ten days
44 after the hearing, the director shall render a written
45 decision, and shall affirm, modify, or vacate the
46 action or proposed action to remove the community
47 college from the approved list. The board of
48 directors of the community college may request a
49 review of the decision of the director by the state
50 board. The state board may affirm, modify, or vacate

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1 the decision, or may direct a rehearing before the
2 director.

3 h. This subsection is void and shall be stricken
4 from the Code effective June 30, 1995, except as
5 provided in section 260C.47.

6 Sec. 3. Section 260C.23, subsection 15, Code 1993,
7 is amended to read as follows:

8 15. By July 1, 1991, develop a policy which
9 requires oral communication competence of persons who
10 provide instruction to students attending institutions
11 under the control of the board. The policy shall
12 include a student evaluation mechanism which requires
13 student evaluation of persons providing instruction at
14 the end of each academic period on at least an annual
15 basis.

16 Sec. 4. Section 260C.25, subsection 11, Code 1993,
17 is amended by striking the subsection.

18 Sec. 5. Section 260C.47, subsection 1, unnumbered
19 paragraph 1, Code 1993, is amended by striking the
20 unnumbered paragraph and inserting in lieu thereof the
21 following:

22 The state board of education shall establish an
23 accreditation process for community college programs
24 by July 1, 1994. The process shall be jointly
25 developed and agreed upon by the department of
26 education and the community colleges. The state
27 accreditation process shall be integrated with the
28 accreditation process of the north central association
29 of colleges and schools, including the evaluation
30 cycle, the self-study process, and the criteria for
31 evaluation, which shall incorporate the standards for
32 community colleges developed under section 260C.48;
33 and shall identify and make provision for the needs of
34 the state that are not met by the association's
35 accreditation process. If a joint agreement has not
36 been reached by July 1, 1994, the approval process
37 provided under section 260C.22B, subsection 4, shall
38 remain the required accreditation process for
39 community colleges. For the academic year commencing
40 July 1, 1995, and in succeeding school years, the
41 department of education shall use a two-component
42 process for the continued accreditation of community
43 college programs.

44 Sec. 6. Section 260C.47, subsection 1, paragraphs
45 a and b, Code 1993, are amended by striking the
46 paragraphs and inserting in lieu thereof the
47 following:

48 a. The first component consists of submission of
49 required data by the community colleges and annual
50 monitoring by the department of education of all

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1 community colleges for compliance with state program
2 evaluation requirements adopted by the state board.

3 b. The second component consists of the use of an
4 accreditation team appointed by the director of the
5 department of education, to conduct an evaluation,
6 including an on-site visit of each community college,
7 with a comprehensive evaluation to occur during the
8 same year as the evaluation by the north central
9 association of colleges and schools, and an interim
10 evaluation midway between comprehensive evaluations.
11 The number and composition of the accreditation team

12 shall be determined by the director, but the team
13 shall include members of the department of education
14 staff and community college staff members from
15 community colleges other than the community college
16 that conducts the programs being evaluated for
17 accreditation.

18 Sec. 7. Section 260C.48, subsection 1, Code 1993,
19 is amended to read as follows:

20 1. The state board shall develop standards and
21 rules for the accreditation of community college
22 programs. Standards developed shall be general in
23 nature so as to apply to more than one specific
24 program of instruction. However, the state board may
25 develop additional, specific criteria where appro-
26 priate to the accreditation process.

27 Sec. 8. Section 260C.48, subsection 2, Code 1993,
28 is amended by striking the subsection.

29 Sec. 9. Section 272.33, unnumbered paragraph 1,
30 Code 1993, is amended to read as follows:

31 Effective July 1, 1990, in addition to licenses
32 required under rules adopted pursuant to this chapter,
33 an individual employed as an administrator,
34 supervisor, school service person, or teacher by a
35 school district, area education agency, or community
36 college, who conducts evaluations of the performance
37 of individuals holding licenses under this chapter,
38 shall possess an evaluator license. Individuals who
39 do not directly supervise licensed teaching faculty
40 are exempt from this section.

41 Sec. 10. 1990 Iowa Acts, chapter 1253, sections
42 115 through 117 and 127, are repealed.

43 Sec. 11. 1992 Iowa Acts, chapter 1040, is
44 repealed.

45 Sec. 12. Section 260C.33, Code 1993, is repealed."

46 2. Title page, by striking lines 1 through 9 and
47 inserting the following: "An Act relating to
48 community college athletic programs, community college
49 approval and accreditation standards, repealing
50 provisions for certain studies related to community

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1 colleges, and providing for other related matters."

IVERSON of Wright

H-3512

1 Amend the amendment, H-3413, to Senate File 267, as
2 amended, passed, and reprinted by the Senate, as

3 follows:

- 4 1. Page 1, by striking line 5 and inserting the
- 5 following: " "80,121,208" "

DVORSKY of Johnson

H-3527

1 Amend House File 602 as follows:

- 2 1. Page 1, by striking lines 18 through 19 and
- 3 inserting the following:

- 4 "a. The position of any supervisor or manager of
- 5 an employer that has any employees who are in a
- 6 sensitive position."

- 7 2. Page 4, by striking lines 23 and 24 and
- 8 inserting the following: "all supervisory and
- 9 management positions of the employer. A particular".

MURPHY of Dubuque

H-3529

1 Amend Senate File 267 as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 7, by inserting after line 5 the
- 4 following:

- 5 "i. To provide for financial arrangements for and
- 6 to begin construction of a \$16,233,893 expansion in
- 7 prison capacity in the manner provided in this
- 8 paragraph:

- 9\$ 1,835,400

10 (1) Construction of an additional 76 minimum
11 security beds at the Anamosa correctional facility.

12 (2) Construction of an additional 120 minimum
13 security beds at the Rockwell City correctional
14 facility.

15 (3) Construction of an additional 50 infirmary
16 beds at the Oakdale correctional facility.

17 (4) Construction of an additional 20 minimum
18 security beds at the Fort Madison correctional
19 facility."

- 20 2. By renumbering, relettering, and correcting
- 21 internal references as necessary.

DVORSKY of Johnson
MUNDIE of Webster

H-3532

- 1 Amend the amendment, H-3525, to Senate File 267, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:

- 4 1. Page 1, line 12, by striking the figure
5 "94,815" and inserting the following: "150,000".

OSTERBERG of Linn

H-3534

- 1 Amend House File 602 as follows:
2 1. Page 1, by inserting before line 1 the follow-
3 ing:
4 "Section 1. NEW SECTION. 68B.36A LOBBYIST -
5 DRUG TESTING.
6 On the first session day during every week the
7 house of representatives is in session, the chief
8 clerk of the house of representatives shall select, by
9 random drawing, the names of ten lobbyists registered
10 to engage in lobbying activities before the house of
11 representatives for purposes of a drug test. The
12 registered lobbyists selected by the random drawing to
13 submit to a drug test shall submit to a drug test
14 conducted pursuant to the requirements of section
15 730.5, subsection 3, paragraphs "c" and "d" sometime
16 during that week. The failure of a lobbyist to submit
17 to a drug test shall result in a suspension of the
18 lobbyist's status as a registered lobbyist for a
19 period of two weeks following the week in which the
20 lobbyist was required to submit to a drug test. The
21 results of the drug test shall be a public record."
22 2. Title page, line 1, by inserting after the
23 word "certain" the following: "lobbyists,".
24 3. By renumbering as necessary.

FALLON of Polk

H-3535

- 1 Amend House File 602 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1. Section 2.42, Code 1993, is amended by
5 adding the following new subsection:
6 NEW SUBSECTION. 19. To establish policies
7 concerning drug testing of the news media and press as
8 required by section 2.43.
9 Sec. _____. Section 2.43, Code 1993, is amended by
10 adding the following new unnumbered paragraph:
11 NEW UNNUMBERED PARAGRAPH. The members of the news
12 media and press seeking continued access to the press-
13 only areas in each chamber of the general assembly
14 shall submit to a drug test conducted pursuant to the
15 requirements of section 730.5, subsection 3,
16 paragraphs "c" and "d" within one week of a date

17 during the legislative session as determined by the
 18 legislative council. Failure to submit to a drug test
 19 as required by this section shall result in the member
 20 of the news media being denied access to the press-
 21 only areas of each chamber of the general assembly.
 22 The results of the drug test shall be a public
 23 record."

24 2. Title page, line 1, by inserting after the
 25 word "certain" the following: "members of the news
 26 media,"

27 3. By renumbering as necessary.

FALLON of Polk

H-3538

1 Amend House File 649 as follows:

2 1. By striking page 1, line 12, through page 3,
 3 line 14.

4 2. By renumbering as necessary.

HAVERLAND of Polk

H-3540

1 Amend the amendment, H-3516, to Senate File 267, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 1, by inserting before line 3 the
 5 following:

6 "_____. Page 1, line 10, by striking the figure
 7 "4,613,628" and inserting the following:
 8 "4,396,198"."

9 2. Page 1, by striking line 5 and inserting the
 10 following: "79,903,778"."

11 3. Page 1, line 9, by striking the figure
 12 "434,860" and inserting the following: "217,430".

13 4. Page 1, line 11, by striking the figure
 14 "18.24" and inserting the following: "9.12".

15 5. By renumbering as necessary.

MILLAGE of Scott

H-3543

1 Amend House File 587 as follows:

2 1. Page 1, line 26, by inserting after the word
 3 "increased" the following: "by forty cents for the
 4 first succeeding year and by".

5 2. Page 1, line 27, by inserting after the word
6 "year" the following: "thereafter".

GRIES of Crawford
EDDIE of Buena Vista

H-3547

1 Amend the amendment, H-3516, to Senate File 267, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by inserting after line 14 the
5 following:

6 "_____. Page 27, by inserting after line 29 the
7 following:

8 "Sec. _____. Section 602.8102, subsection 1, Code
9 1993, is amended to read as follows:

10 1. Keep the office of the clerk at the county
11 seat, and assure that the office at the county seat is
12 open to the public at least forty hours every week.
13 However, for those weeks which include a paid holiday
14 as specified in section 1C.2, subsections 1 through 9,
15 the clerk shall assure that the office of the clerk is
16 open to the public for a period of time which is at
17 least forty hours, reduced by the number of hours in
18 the week that are paid to state employees for the
19 holidays specified in section 1C.2, subsections 1
20 through 9." "

21 2. By renumbering and correcting internal
22 references as necessary.

WEIGEL of Chickasaw
DVORSKY of Johnson
MAY of Worth
FOGARTY of Palo Alto
McKINNEY of Dallas
DICKINSON of Jackson

WISE of Lee
MERTZ of Kossuth
MUNDIE of Webster
LARKIN of Lee
HENDERSON of Scott
KOENIGS of Mitchell

H-3550

1 Amend the amendment, H-3511, to House File 558, as
2 follows:

3 1. Page 4, by striking lines 27 and 28 and
4 inserting the following:

5 "Sec. _____. Section 260C.48, subsection 2,
6 unnumbered paragraph 1, and paragraphs a and b, and
7 paragraph c, unnumbered paragraph 1, Code 1993, are
8 amended by striking the unnumbered paragraph, lettered
9 paragraphs, and unnumbered paragraph."

10 2. By renumbering as necessary.

IVERSON of Wright

H-3558

- 1 Amend House File 623 as follows:
- 2 1. Page 1, line 28, by striking the figure
- 3 "817,276" and inserting the following: "742,276".
- 4 2. Page 2, line 3, by striking the figure "52.20"
- 5 and inserting the following: "50.20".

SHOULTZ of Black Hawk

H-3563

- 1 Amend House File 609 as follows:
- 2 1. Page 1, by striking lines 5 through 12 and
- 3 inserting the following: "consumer credit sales, or
- 4 if the debts consolidated include a debt arising from
- 5 a prior or contemporaneous consumer loan, the creditor
- 6 may contract for and receive a finance charge not
- 7 exceeding eighteen percent, notwithstanding any other
- 8 statutory provision which would otherwise permit a
- 9 higher rate of finance charge."

HOLVECK of Polk

H-3564

- 1 Amend House File 609 as follows:
- 2 1. Page 1, by striking lines 5 through 12 and
- 3 inserting the following: "consumer credit sales, or
- 4 if the debts consolidated include a debt arising from
- 5 a prior or contemporaneous consumer loan, the creditor
- 6 may contract for and receive a finance charge not
- 7 exceeding twenty percent, notwithstanding any other
- 8 statutory provision which would otherwise permit a
- 9 higher rate of finance charge."

HOLVECK of Polk

H-3565

- 1 Amend House File 609 as follows:
- 2 1. Page 1, by striking lines 5 through 12 and
- 3 inserting the following: "consumer credit sales, or
- 4 if the debts consolidated include a debt arising from
- 5 a prior or contemporaneous consumer loan, the creditor
- 6 may contract for and receive a finance charge not
- 7 exceeding that permitted for consumer credit sales in
- 8 section 537.2201."

HOLVECK of Polk

H-3573

- 1 Amend House File 581 as follows:
- 2 1. Page 1, by striking lines 8 through 10 and
- 3 inserting the following: "received on or after March
- 4 15, 1993, for an intermediate care facility for the
- 5 mentally retarded. If a letter of intent was received
- 6 prior to March 15, 1993, the department shall process
- 7 and approve or disapprove the application."

PLASIER of Sioux

H-3576

- 1 Amend House File 601 as follows:
- 2 1. Page 4, by inserting after line 29 the
- 3 following:
- 4 "Sec. _____. Section 97B.41, subsection 20,
- 5 paragraph a, unnumbered paragraph 2, Code 1993, is
- 6 amended to read as follows:
- 7 Wages for a member of the general assembly means
- 8 the total compensation received by a member of the
- 9 general assembly, whether paid in the form of per diem
- 10 or annual salary, exclusive of expense and travel
- 11 allowances paid to a member of the general assembly
- 12 except as otherwise provided in this paragraph. Wages
- 13 includes per diem payments paid to members of the
- 14 general assembly during interim periods between
- 15 sessions of the general assembly. Wages also includes
- 16 daily allowances to members of the general assembly
- 17 for nontravel expenses of office during a session of
- 18 the general assembly, but does not include the portion
- 19 of the daily allowance which exceeds the maximum
- 20 established by law for members from Polk county."
- 21 2. By renumbering as necessary.

BRUNKHORST of Bremer

H-3577

- 1 Amend House File 649 as follows:
- 2 1. Page 11, line 11, by inserting after the word
- 3 "other" the following: "health insurance".

PLASIER of Sioux
HAVERLAND of Polk

H-3578

- 1 Amend the amendment, H-3545, to House File 474 as
- 2 follows:
- 3 1. Page 2, line 17, by striking the words "a
- 4 majority" and inserting the following: "at least
- 5 sixty percent".

- 6 2. Page 5, line 7, by striking the words "a
7 majority" and inserting the following: "at least
8 sixty percent".

PLASIER of Sioux

H-3582

- 1 Amend House File 645 as follows:
2 1. Page 2, line 7, by inserting after the word
3 "purposes." the following: "A person who takes
4 subsequent action with respect to the site which was
5 intended to protect the collateral and causes or
6 exacerbates a release or threatened release of a
7 hazardous substance, shall be liable for the costs to
8 respond to the release or threatened release, to the
9 extent that the release or threatened release is
10 attributable to the person's actions."
11 2. Page 5, by inserting after line 2 the
12 following:
13 "Sec. _____. EFFECTIVE DATE. This Act, being deemed
14 of immediate importance, takes effect upon enactment."
15 3. Title page, line 2, by inserting after the
16 word "property" the following: "and providing an
17 effective date".
18 4. By renumbering as necessary.

RAFFERTY of Scott

H-3587

- 1 Amend House File 258 as follows:
2 1. Page 4, line 31, by striking the words "up to
3 and including" and inserting the following: "within a
4 range from an amount ten percent less than to an
5 amount ten percent more than".
6 2. Page 4, line 33, by striking the words "less
7 than the entire" and inserting the following: "an
8 amount different than the".

RUNNING of Linn

H-3588

- 1 Amend House File 276 as follows:
2 1. Page 1, by striking line 3 and inserting the
3 following: "An employer or employee's representative
4 who makes or".

RUNNING of Linn

H-3589

- 1 Amend House File 551 as follows:
2 1. Page 2, line 3, by inserting after the word
3 "employee." the following: "It shall also be unlawful

- 4 for any employer to indicate any preference for
- 5 employees who are members or nonmembers of a labor
- 6 organization in any policy manual or employee handbook
- 7 authorized by the employer."

RUNNING of Linn

H-3590

- 1 Amend House File 391 as follows:
- 2 1. Page 2, by inserting after line 5 the
- 3 following:
- 4 "Sec. _____ NEW SECTION. 124.701 DRUG-RELATED
- 5 OBJECTS USED IN VIOLATION OF CHAPTER.
- 6 1. As used in this section, "drug-related object"
- 7 means a raw material, instrument, device, article,
- 8 contrivance, or other object commonly used to plant,
- 9 propagate, cultivate, grow, harvest, manufacture,
- 10 compound, convert, produce, process, prepare, test,
- 11 analyze, pack, repack, store, contain, conceal,
- 12 inject, ingest, inhale, or otherwise introduce into
- 13 the human body a controlled substance. "Drug-related
- 14 object" includes but is not limited to:
- 15 a. Kits commonly used in planting, propagating,
- 16 cultivating, growing, or harvesting a species of plant
- 17 which is a controlled substance or from which a
- 18 controlled substance can be derived.
- 19 b. Kits commonly used in manufacturing,
- 20 compounding, converting, producing, processing, or
- 21 preparing controlled substances.
- 22 c. Isomerization devices commonly used in
- 23 increasing the potency of a species of plant which is
- 24 a controlled substance.
- 25 d. Testing equipment commonly used in identifying,
- 26 or in analyzing the strength, effectiveness, or purity
- 27 of a controlled substance.
- 28 e. Scales and balances commonly used in weighing
- 29 or measuring a controlled substance.
- 30 f. Diluents and adulterants, such as quinine
- 31 hydrochloride, mannitol, mannite, dextrose, and
- 32 lactose, commonly used in cutting a controlled
- 33 substance.
- 34 g. Separation gins and sifters commonly used in
- 35 removing twigs and seeds from, or in otherwise
- 36 cleaning or refining, marijuana.
- 37 h. Blenders, bowls, containers, spoons, and mixing
- 38 devices commonly used in compounding a controlled
- 39 substance.
- 40 i. Capsules, balloons, envelopes, and other
- 41 containers commonly used in packaging small quantities
- 42 of a controlled substance.
- 43 j. Containers and other objects commonly used in
- 44 storing or concealing a controlled substance.

45 k. Hypodermic syringes, needles, and other objects
46 commonly used in parenterally injecting a controlled
47 substance into the human body.

48 l. Objects commonly used in ingesting, inhaling,
49 or otherwise introducing marijuana, cocaine, hashish,
50 or hashish oil into the human body, such as:

Page 2

1 (1) Metal, wooden, acrylic, glass, stone, plastic,
2 or ceramic pipes with or without screens, permanent
3 screens, hashish heads, or punctured metal bowls.

4 (2) Water pipes.

5 (3) Carburetion tubes and devices.

6 (4) Smoking and carburetion masks.

7 (5) Roach clips, meaning objects commonly used to
8 hold burning material, such as a marijuana cigarette,
9 that has become too small or too short to be held in
10 the hand.

11 (6) Miniature cocaine spoons, and cocaine vials.

12 (7) Chamber pipes.

13 (8) Carburetor pipes.

14 (9) Electric pipes.

15 (10) Air-driven pipes.

16 (11) Chillums.

17 (12) Bongos.

18 (13) Ice pipes or chillers.

19 2. In determining whether an object is commonly
20 used in connection with a controlled substance, a
21 court or other authority may consider, in addition to
22 all other logically relevant factors, the following:

23 a. Statements by an owner or by anyone in control
24 of the object concerning its use.

25 b. A prior conviction of an owner or of anyone in
26 control of the object under a state or federal law
27 relating to a controlled substance.

28 c. The proximity of the object, in time and space,
29 to a direct violation of this chapter.

30 d. The proximity of the object to a controlled
31 substance.

32 e. The existence of a residue of a controlled
33 substance on the object.

34 f. Instructions, oral or written, provided with
35 the object concerning its use.

36 g. Descriptive materials accompanying the object
37 which explain or depict its use.

38 h. National and local advertising concerning its
39 use.

40 i. The manner in which the object is displayed for
41 sale.

42 j. Whether the owner, or anyone in control of the
43 object, is a legitimate supplier of similar or related

- 44 items to the community, such as a licensed distributor
45 or dealer of tobacco products.
- 46 k. Direct or circumstantial evidence of the ratio
47 of sales of the object to the total sales of the
48 business enterprise.
- 49 l. The existence and scope of legitimate uses for
50 the object in the community.

Page 3

- 1 m. Expert testimony concerning its use.
- 2 3. a. A person shall not use or possess with
3 intent to use a drug-related object to plant,
4 propagate, cultivate, grow, harvest, manufacture,
5 compound, convert, produce, process, prepare, test,
6 analyze, pack, repack, store, contain, conceal,
7 inject, ingest, inhale, or otherwise introduce into
8 the human body a controlled substance in violation of
9 this chapter. A person who violates this paragraph is
10 guilty of a simple misdemeanor.
- 11 b. A person shall not deliver, possess with intent
12 to deliver, or manufacture with intent to deliver, a
13 drug-related object intending that the object will be
14 used, and knowing, or under circumstances where one
15 reasonably should know, that the object will be used
16 to plant, propagate, cultivate, grow, harvest,
17 manufacture, compound, convert, produce, process,
18 prepare, test, analyze, pack, repack, store, contain,
19 conceal, inject, ingest, inhale, or otherwise
20 introduce into the human body a controlled substance
21 in violation of this chapter. A person eighteen years
22 of age or older who violates this paragraph by
23 delivering a drug-related object to a person under
24 eighteen years of age who is at least three years
25 younger than the person delivering the drug-related
26 object is guilty of an aggravated misdemeanor. Any
27 other person who violates this paragraph is guilty of
28 a serious misdemeanor.
- 29 c. A person shall not deliver, possess with intent
30 to deliver, or manufacture with intent to deliver, a
31 drug-related object which has no common use other than
32 its use in connection with the use of a controlled
33 substance in violation of this chapter, knowing, or
34 under circumstances where one reasonably should know,
35 that the object will be used to plant, propagate,
36 cultivate, grow, harvest, manufacture, compound,
37 convert, produce, process, prepare, test, analyze,
38 pack, repack, store, contain, conceal, inject, ingest,
39 inhale, or otherwise introduce into the human body a
40 controlled substance in violation of this chapter. A
41 person eighteen years of age or older who violates
42 this paragraph by delivering a drug-related object,

43 which has no common use other than its use in
 44 connection with the use of a controlled substance in
 45 violation of this chapter, to a person under eighteen
 46 years of age who is at least three years younger than
 47 the person delivering the drug-related object is
 48 guilty of an aggravated misdemeanor. Any other person
 49 who violates this paragraph is guilty of a serious
 50 misdemeanor.

Page 4

1 d. A person shall not place an advertisement in a
 2 newspaper, magazine, handbill, or other publication,
 3 intending, and knowing, or under circumstances where
 4 one reasonably should know, that the purpose of the
 5 advertisement, taken as a whole, is to promote the
 6 sale in this state of a drug-related object that will
 7 be used to plant, propagate, cultivate, grow, harvest,
 8 manufacture, compound, convert, produce, process,
 9 prepare, test, analyze, pack, repack, store, contain,
 10 conceal, inject, ingest, inhale, or otherwise
 11 introduce into the human body a controlled substance
 12 in violation of this chapter. A person who violates
 13 this paragraph is guilty of a serious misdemeanor."

14 2. Title page, line 2, by inserting after the
 15 word "including" the following: "providing penalties
 16 for the use, possession, delivery, manufacture, or
 17 advertisement of objects commonly used in connection
 18 with an illegal use of a controlled substance,".

19 3. By renumbering as necessary.

ERTL of Dubuque
 TYRRELL of Iowa
 RENKEN of Grundy
 LARSON of Linn

H-3591

1 Amend House File 231 as follows:

2 1. By striking everything after the enacting
 3 clause and inserting the following:

4 "Section 1. Section 331.756, subsection 5,
 5 unnumbered paragraphs 2 and 3, Code 1993, are amended
 6 to read as follows:

7 If professional collection services are procured,
 8 the county attorney shall enter on the appropriate
 9 record of file with the clerk of the district court an
 10 indication of the satisfaction of each obligation to
 11 the full extent of all moneys collected in
 12 satisfaction of that obligation, including all fees
 13 and compensation retained by the collection service
 14 incident to the collection and not paid into the
 15 office of the clerk.

16 Before a county attorney designates another county
17 official or agency to assist with collection of debts,
18 revenues, moneys, fines, penalties, restitution of
19 court-appointed attorney fees or expense of a public
20 defender, and forfeitures, the board of supervisors of
21 the county must approve the designation.
22 Notwithstanding the disposition provisions of sections
23 602.8106 and 911.3, the county may retain up to
24 thirty-five percent of all moneys collected, excluding
25 amounts collected for victim restitution, as
26 compensation for collection services. The county
27 attorney shall enter on the appropriate record of the
28 clerk of the district court an indication of the
29 satisfaction of each obligation, including the amount
30 retained by the county for collection services and not
31 paid into the office of the clerk.

32 Sec. 2. Section 331.756, subsection 5, Code 1993,
33 is amended by adding the following new unnumbered
34 paragraph:

35 NEW UNNUMBERED PARAGRAPH. All fines, penalties,
36 court costs, fees, and restitution for court-appointed
37 attorney fees or expenses of a public defender which
38 are delinquent as defined in section 602.8107 may be
39 collected by the county attorney or the county
40 attorney's designee. In order to receive a percentage
41 of the amounts collected pursuant to section 602.8107,
42 the county attorney must file with the clerk of the
43 district court a notice of full commitment to collect
44 delinquent obligations. The notice shall contain a
45 list of procedures which will be initiated by the
46 county attorney. Amounts collected by the county
47 attorney or the county attorney's designee shall be
48 distributed in accordance with section 602.8107.

49 Sec. 3. Section 331.756, subsection 6A, Code
50 1993, is amended by striking the subsection.

Page 2

1 Sec. 4. Section 421.17, subsection 25, Code 1993,
2 is amended to read as follows:

3 25. To establish and maintain a procedure to set
4 off against a debtor's income tax refund or rebate any
5 debt which is in the form of a liquidated sum due,
6 owing, and payable to the clerk of the district court
7 as a criminal fine, civil penalty, surcharge, court
8 costs, or restitution of attorney fees incurred as a
9 result of services provided under chapters 13B and
10 815, and section 232.141. The procedure shall meet
11 the following conditions:

12 a. Before setoff all outstanding tax liabilities
13 collectible by the department shall be satisfied
14 except that no portion of a refund or rebate shall be

15 credited against tax liabilities which are not yet
16 due.

17 b. Before setoff the county attorney clerk of the
18 district court shall obtain and forward to the
19 department the full name and social security number of
20 the debtor. The department shall cooperate in the
21 exchange of relevant information with the county
22 attorney clerk of the district court. However, only
23 relevant information required by the county attorney
24 clerk of the district court shall be provided by the
25 department. The information shall be held in
26 confidence and shall be used for purposes of setoff
27 only.

28 c. The county attorney clerk of the district
29 court, on the first day of February and August of each
30 calendar year, shall submit to the department for
31 setoff the debts described in this subsection, which
32 are at least fifty dollars.

33 d. Upon submission of a claim the department shall
34 notify the county attorney if the debtor is entitled
35 to a refund or rebate and of the amount of the refund
36 or rebate and the debtor's address on the income tax
37 return.

38 e. Upon notice of entitlement to a refund or
39 rebate the county attorney Upon submission of a claim
40 the department shall send written notification to the
41 debtor of the county attorney's clerk of the district
42 court's assertion of rights to all or a portion of the
43 debtor's refund or rebate and the entitlement to
44 recover the debt through the setoff procedure, the
45 basis of the assertion, the opportunity to request
46 that a joint income tax refund or rebate be divided
47 between spouses, and the debtor's opportunity to give
48 written notice of intent to contest the amount of the
49 claim. The county attorney shall send a copy of the
50 notice to the department.

Page 3

1 f e. Upon the request of a debtor or a debtor's
2 spouse to the county attorney department, filed within
3 fifteen days from the mailing of the notice of
4 entitlement to a refund or rebate, and upon receipt of
5 the full name and social security number of the
6 debtor's spouse, the county attorney shall notify the
7 department of the request to divide a joint income tax
8 refund or rebate. The the department shall upon
9 receipt of the notice divide a joint income tax refund
10 or rebate between the debtor and the debtor's spouse
11 in proportion to each spouse's net income as
12 determined under section 422.7.

13 g f. The department shall, after notice has been

14 sent to the debtor by the county attorney, set off the
15 debt against, and deduct a fee established by rule to
16 reflect the cost of processing from the debtor's
17 income tax refund or rebate. The department shall
18 transfer sixty-five ninety percent of the amount set
19 off to the treasurer of state for deposit in the
20 general fund of the state. The remaining thirty-five
21 ten percent shall be remitted to the county and
22 deposited in the general fund of the county judicial
23 department and used to defray the costs of this
24 procedure. If the debtor gives timely written notice
25 of intent to contest the amount of the claim, the
26 department shall hold the refund or rebate until final
27 determination of the correct amount of the claim. The
28 county attorney shall notify the debtor in writing
29 upon completion of setoff.

30 g. The department shall file with the clerk of the
31 district court a notice of the satisfaction of each
32 obligation to the full extent of all moneys collected
33 in satisfaction of the obligation. The clerk shall
34 record the notice and enter a satisfaction for the
35 amounts collected.

36 Sec. 5. Section 421.17, subsection 26, Code 1993,
37 is amended to read as follows:

38 26. To provide that in the case of multiple claims
39 to payments filed under subsections 21, 23, 25, and 29
40 that priority shall be given to claims filed by the
41 child support recovery unit or the foster care
42 recovery unit under subsection 21, next priority shall
43 be given to claims filed by the college student aid
44 commission under subsection 23, next priority shall be
45 given to claims filed by the investigations division
46 of the department of inspections and appeals under
47 subsection 21, next priority shall be given to claims
48 filed by a county attorney clerk of the district court
49 under subsection 25, and last priority shall be given
50 to claims filed by other state agencies under

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1 subsection 29. In the case of multiple claims under
2 subsection 29, priority shall be determined in
3 accordance with rules to be established by the
4 director.

5 Sec. 6. Section 602.8102, subsection 164, Code
6 1993, is amended by striking the subsection.

7 Sec. 7. NEW SECTION. 602.8107 COLLECTION OF
8 FINES, PENALTIES, FEES, COURT COSTS, SURCHARGES,
9 INTEREST, AND RESTITUTION.

10 1. Fines, penalties, court costs, fees, interest,
11 restitution for court-appointed attorney fees, and
12 surcharges shall be paid to the clerk of the district

13 court. All amounts collected shall be distributed
 14 pursuant to sections 602.8106 and 602.8108 or as
 15 otherwise provided by this Code. The clerk may accept
 16 payment of an obligation or a portion thereof by
 17 credit card. The clerk may charge a fee to reflect
 18 the additional cost of processing the payment by
 19 credit card.

20 2. Payments received under this section shall be
 21 applied in the following priority order:

22 a. Fines or penalties plus any interest due on
 23 unsatisfied judgments.

24 b. Criminal penalty surcharges plus interest due
 25 on unsatisfied amounts.

26 c. Victim restitution.

27 d. Court costs.

28 e. Court-appointed attorney fees or public
 29 defender expenses.

30 3. The clerk of the district court shall initiate
 31 procedures pursuant to sections 321.40 and 321.210A if
 32 a fine, penalty, court cost, fee, restitution, or
 33 surcharge is not paid by the date it is due. At the
 34 time of payment, the clerk shall calculate the
 35 interest due on unsatisfied judgments.

36 4. A fine, penalty, court cost, fee, or surcharge
 37 is deemed delinquent if it is not paid within six
 38 months after the date it is assessed. An amount which
 39 was ordered by the court to be paid on a date fixed in
 40 the future pursuant to section 909.3 is deemed
 41 delinquent if it is not received by the clerk within
 42 six months after the fixed future date set out in the
 43 court order. If an amount was ordered to be paid by
 44 installments, and an installment is not received
 45 within thirty days after the date it is due, the
 46 entire amount of the judgment is deemed delinquent.

47 5. All fines, penalties, court costs, fees,
 48 surcharges, and restitution for court-appointed
 49 attorney fees or for expenses of a public defender
 50 which are delinquent may be collected by the county

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1 attorney or the county attorney's designee. Thirty-
 2 five percent of the amounts collected by the county
 3 attorney or the county attorney's designee shall be
 4 deposited in the general fund of the county if the
 5 county attorney has filed the notice required in
 6 section 331.756, subsection 5. The remainder shall be
 7 paid to the clerk for distribution under section
 8 602.8108.

9 This subsection does not apply to amounts collected
 10 for victim restitution, the new victim restitution
 11 fund, criminal penalty surcharge, or amounts collected

12 as a result of procedures initiated under section
13 321.40, 321.210A, or 421.17, subsection 25.

14 The county attorney shall file with the clerk of
15 the district court a notice of the satisfaction of
16 each obligation to the full extent of the moneys
17 collected in satisfaction of the obligation. The
18 clerk of the district court shall record the notice
19 and enter a satisfaction for the amounts collected.

20 6. If a county attorney has not filed a notice of
21 commitment to collect delinquent obligations pursuant
22 to section 331.756, subsection 5, the department of
23 revenue and finance or its designee may collect
24 delinquent fines, penalties, court costs, surcharges,
25 restitutions for court-appointed attorney fees, or
26 expenses of a public defender. From the amounts
27 collected, the department shall pay for the services
28 of its designee and the remainder shall be deposited
29 in the general fund of the state.

30 This subsection does not apply to amounts collected
31 for victim restitution, the new victim restitution
32 fund, criminal penalty surcharge, or amounts collected
33 as a result of procedures initiated under section
34 321.40, 321.210A, or 421.17, subsection 25.

35 The department of revenue and finance or its
36 collection designee shall file with the clerk of the
37 district court a notice of the satisfaction of each
38 obligation to the full extent of the moneys collected
39 in satisfaction of the obligation. The clerk of the
40 district court shall record the notice and enter a
41 satisfaction for the amounts collected.

42 Sec. 8. Section 909.3, Code 1993, is amended to
43 read as follows:

44 909.3 PAYMENT IN INSTALLMENTS OR ON A FIXED DATE.

45 1. All fines imposed by the court shall be paid on
46 the day the fine is imposed.

47 2. The court may, in its discretion, order a fine
48 to be paid in installments, or may fix a date in the
49 future which is not more than thirty days from the
50 date the fine is imposed for the payment of the fine.

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1 whenever it appears that the defendant cannot make
2 immediate payment, or should not be made to do so.

3 3. If the court orders the fine to be paid in
4 installments or at a fixed future date, the court
5 shall also impose a time payment fee in the amount of
6 twenty dollars which shall be paid on the date the
7 fine is imposed.

8 Sec. 9. Section 909.6, Code 1993, is amended by
9 adding the following new unnumbered paragraphs:

10 NEW UNNUMBERED PARAGRAPH. Whenever a court imposes

11 a fine on an offender, the court shall impose interest
 12 charges on any amount remaining unsatisfied from the
 13 day after sentencing at the rate provided in section
 14 535.3.

15 NEW UNNUMBERED PARAGRAPH. At the time of imposing
 16 the sentence, the court shall inform the offender of
 17 the amount of the fine and that the judgment includes
 18 the imposition of a criminal surcharge, court costs,
 19 and applicable fees. The court shall also inform the
 20 offender of the duty to pay the judgment in a timely
 21 manner and that interest will be charged on
 22 unsatisfied judgments.

23 Sec. 10. Section 909.9, Code 1993, is repealed."

24 2. Title page, by striking lines 1 and 2 and
 25 inserting the following: "An Act relating to the
 26 collection of fines, penalties, court costs, fees, and
 27 surcharges, and imposing certain fees."

GRUBBS of Scott
 BRAMMER of Linn

H-3593

1 Amend House File 551 as follows:

2 1. Page 2, line 3, by inserting after the word
 3 "employee." the following: "For purposes of this
 4 section, threatened or actual intimidation requires an
 5 act otherwise prohibited by law."

McCOY of Polk

H-3594

1 Amend House File 551 as follows:

2 1. Page 2, line 28, by inserting after the word
 3 "chapter" the following: "against any person only if
 4 that person has been criminally convicted for that
 5 violation".

McCOY of Polk

H-3596

1 Amend House File 551 as follows:

2 1. Page 3, line 10, by inserting after the word
 3 "law" the following: "or a negotiated collective
 4 bargaining agreement".

CATALDO of Polk
 RUNNING of Linn

H-3597

1 Amend House File 551 as follows:

2 1. Page 1, by striking lines 6 through 10.
 3 2. By renumbering as necessary.

CATALDO of Polk
 RUNNING of Linn

H-3598

- 1 Amend Senate File 63, as passed by the Senate, as
 2 follows:
 3 1. Page 2, line 16, by striking the words
 4 "division of insurance" and inserting the following:
 5 "department of elder affairs".

Committee on Human Resources

H-3602

- 1 Amend Senate File 57, as passed by the Senate, as
 2 follows:
 3 1. Page 6, line 32, by striking the word "two"
 4 and inserting the following: "~~two~~ one and one-half".
 5 2. Page 8, by inserting after line 34 the follow-
 6 ing:
 7 "Sec. _____. APPLICABILITY. For parcels redeemed on
 8 or after the effective date of section 11 of this Act,
 9 interest charged on the amount owed from the month of
 10 enactment of section 11 of this Act shall be at the
 11 rate specified in section 11 of this Act. Interest
 12 charged on the amount owed on a parcel redeemed on or
 13 after the effective date of section 11 of this Act for
 14 months prior to the month of the effective date of
 15 section 11 of this Act shall be at the rate in effect
 16 prior to the effective date of section 11 of this
 17 Act."

SCHRADER of Marion
 DODERER of Johnson
 BAKER of Polk
 KREIMAN of Davis

H-3603

- 1 Amend House File 646 as follows:
 2 1. Page 2, by striking lines 5 through 33 and
 3 inserting the following:
 4 "Sec. _____. IOWA NETWORK INITIATIVE. The Wallace
 5 technology transfer foundation, in cooperation with
 6 the department of economic development, shall
 7 establish a statewide initiative to encourage
 8 businesses to develop cooperative networks. The
 9 statewide initiative may include but is not limited to
 10 all of the following:
 11 1. A plan to educate businesses and the public on
 12 the nature of the international challenge Iowa faces,
 13 and the ways in which network activities have been
 14 used elsewhere to enhance competitiveness.
 15 2. Training for individuals to act as brokers in
 16 helping to organize networks.
 17 3. Establishing programs for networks to study or

- 18 implement specific collaborative ideas.
 19 4. Conducting surveys of Iowa employer practices
 20 designed to attract and encourage high performance
 21 work organizations."
 22 2. By renumbering as necessary.

WISE of Lee
 GILL of Woodbury

H-3604

- 1 Amend House File 600 as follows:
 2 1. Page 1, by striking lines 1 through 16.
 3 2. Page 1, line 24, by inserting after the word
 4 "below" the following: "one hundred eighty-five
 5 percent of".
 6 3. Page 1, by striking lines 27 through 33 and
 7 inserting the following:
 8 "b. A person is not indigent if the person has an
 9 income".
 10 4. Page 1, line 34, by striking the words "three
 11 hundred", and inserting the following: "one hundred
 12 eighty-five".
 13 5. Page 2, by inserting after line 2, the
 14 following:
 15 "c. A person with an income level greater than one
 16 hundred eighty-five percent of the most recently
 17 revised poverty income guidelines published by the
 18 United States department of health and human services
 19 may be deemed indigent by the court pursuant to a
 20 finding that, given the person's circumstances, not
 21 appointing counsel at public expense would cause the
 22 person substantial hardship."
 23 6. By striking page 2, line 17 through page 4,
 24 line 27.

DINKLA of Guthrie
 McNEAL of Hardin

H-3609

- 1 Amend House File 602 as follows:
 2 1. Page 2, line 22, by inserting after the word
 3 "employer." the following: "For the purposes of this
 4 paragraph, a pattern of errors of judgment or mistakes
 5 involving the performance of a supervisor's,
 6 manager's, or officer's job shall constitute probable
 7 cause to believe the supervisor's, manager's, or
 8 officer's faculties are impaired on the job. This
 9 determination shall be made by a committee of
 10 employees at the time of the supervisor's, manager's,
 11 or officer's annual job performance review."
 12 2. Page 3, by inserting after line 7, the
 13 following:

14 "Sec. _____ Section 730.5, Code 1993, is amended by
 15 adding the following new subsection:
 16 NEW SUBSECTION. 3A. If an employer subjects one
 17 group of employees to drug tests as provided in
 18 subsection 3, 5, or 7, all employees, supervisors,
 19 managers, officers, and directors shall be subject to
 20 drug tests on the same conditions."
 21 3. By renumbering as necessary.

RUNNING of Linn

H-3614

1 Amend the amendment, H-3608, to House File 576, as
 2 follows:
 3 1. Page 6, by striking lines 37 through 43, and
 4 inserting the following:
 5 "a. No contributions from political action
 6 committees, political parties, lobbyists, out-of-state
 7 residents, or state candidates or elected officials."
 8 2. Page 6, line 46, by striking the word
 9 "thousand" and inserting the following: "hundred".
 10 3. By striking page 6, line 50, through page 7,
 11 line 6, and inserting the following:
 12 "a. No contributions from political action
 13 committees, political parties, lobbyists, out-of-state
 14 residents, or state candidates or elected officials."
 15 4. Page 7, line 9, by striking the word
 16 "thousand" and inserting the following: "hundred".
 17 5. Page 7, by striking lines 11 through 17, and
 18 inserting the following:
 19 "a. No contributions from political action
 20 committees, political parties, lobbyists, out-of-state
 21 residents, or state candidates or elected officials."
 22 6. Page 7, line 20, by striking the word "five"
 23 and inserting the following: "one".
 24 7. Page 7, by striking lines 22 through 28, and
 25 inserting the following:
 26 "a. No contributions from political action
 27 committees, political parties, lobbyists, out-of-state
 28 residents, or state candidates or elected officials."
 29 8. Page 7, line 31, by striking the word "five"
 30 and inserting the following: "one".
 31 9. Page 7, by striking lines 32 through 36.
 32 10. By renumbering and relettering as necessary.

FALLON of Polk

H-3619

1 Amend Senate File 288, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting before line 1, the
 4 following:

5 "Section 1. Section 157.1, subsections 2, 3, 6, 8,
6 9, 10, 12, 13, and 16, Code 1993, are amended to read
7 as follows:

8 2. "Cosmetologist" means a person who performs the
9 practice of licensed to practice cosmetology, or
10 otherwise by the person's occupation claims to have
11 knowledge or skill particular to the practice of
12 cosmetology. Cosmetologists shall not represent
13 themselves to the public as being primarily in the
14 practice of haircutting unless that function is, in
15 fact, their primary specialty. A cosmetologist shall
16 not practice the full scope of esthetics or represent
17 oneself to the public as an esthetician unless
18 additional study in that practice qualifies the
19 cosmetologist for licensure as an esthetician.

20 3. "Cosmetology" means all practices which include
21 but are not limited to any of the following practices:

22 a. Arranging, braiding, dressing, curling, waving,
23 shampooing, cutting, singeing, bleaching, coloring, or
24 similar works, upon the hair of any person; or upon a
25 wig or hairpiece when done in conjunction with
26 haircutting or hairstyling by any means.

27 b. Massaging, cleansing, stimulating, exercising,
28 beautifying, or similar techniques upon the scalp,
29 face, neck, arms, hands, feet, or upper part of the
30 body of any person with the hands or mechanical or
31 electrical apparatus or appliances or with the use of
32 cosmetic preparations, antiseptics, tonics, lotions,
33 creams, or other preparations.

34 c. Applying artificial extensions and preparations
35 to the hair or nails for beautification purposes.

36 e. d. Manicuring the nails of any person.

37 d. Electrology.

38 e. Esthetics.

39 f. Nail technology.

40 6. "Electrologist" means a person who performs the
41 practice of licensed to practice electrology.

42 8. "Esthetician" means a person who performs the
43 practice of licensed to practice esthetics.

44 9. "Esthetics" means practices which include but
45 are not limited to any of the following:

46 a. Beautifying, massaging, cleansing, or
47 stimulating the skin of a person, except the scalp, by
48 the use of cosmetic preparations, antiseptics, tonics,
49 lotions, or creams or any device, electrical or
50 otherwise, for the care of the skin.

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1 b. The use of any machine or device, electrical or
2 otherwise, for the esthetic care of the skin.

3 b. c. Applying The use of various chemical or

4 other peels, all types of makeup application including
5 corrective makeup, or applying eyelashes to a person,
6 tinging eyelashes or eyebrows, or lightening hair on
7 the body except the scalp.

8 e. d. Removing superfluous hair from the body of a
9 person by the use of depilatories, waxing, or manual
10 tweezers.

11 10. "Instructor" means a person licensed for the
12 purpose of teaching any of the cosmetology arts and
13 sciences.

14 12. "Manicurist" means a person who performs the
15 licensed to practice of manicuring.

16 13. "Nail technologist" means a person who
17 performs the licensed to practice of nail technology.

18 16. "School of cosmetology arts and sciences"
19 means an establishment licensed for the purpose of
20 teaching all cosmetology and any of the cosmetology
21 arts and sciences."

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

24 "Sec. _____. Section 157.10, subsection 1, Code
25 1993, is amended to read as follows:

26 1. The course of study required for licensure for
27 the practice of cosmetology shall be a minimum of two
28 thousand one hundred hours. The hours of a course of
29 study required for licensure for the practices of
30 electrology, esthetics, and nail technology shall be
31 established by the board. The board shall adopt rules
32 to define the course and content of study for each
33 practice of cosmetology arts and sciences.

34 Sec. _____. Section 157.12, Code 1993, is amended to
35 read as follows:

36 157.12 SUPERVISORS.

37 A person who directly supervises the work of
38 practitioners of cosmetology arts and sciences shall
39 be licensed in the practice supervised, shall be a
40 licensed cosmetologist, or shall be a barber licensed
41 under section 158.3.

42 Sec. _____. 1992 Iowa Acts, chapter 1205, section
43 25, is amended to read as follows:

44 SEC. 25. APPLICABILITY. This Act does not apply
45 to persons holding a valid license issued by the board
46 of cosmetology examiners before or on July 1, 1992.

47 A person who can document that the person practiced
48 esthetics or nail technology in this state before or
49 on July 1, 1992, shall be issued an appropriate
50 license without meeting any additional requirements

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1 imposed by this Act. The board shall not accept
2 documentation under this provision after July 1,

3 1993."

4 3. Title page, line 1, by inserting after the
5 word "to" the following: "cosmetology including by
6 providing".

7 4. By renumbering as necessary.

RUNNING of Linn

H-3620

1 Amend the amendment, H-3591, to House File 231, as
2 follows:

3 1. Page 4, by striking lines 23 through 28 and
4 inserting the following: "unsatisfied judgments and
5 criminal penalty surcharges plus interest due on
6 unsatisfied amounts.

7 b. Victim restitution.

8 c. Court costs.

9 d. Court-appointed attorney fees or public".

10 2. Page 5, line 10, by striking the words "new
11 victim restitution" and inserting the following:
12 "victim compensation".

BRAMMER of Linn

H-3624

1 Amend House File 649 as follows:

2 1. Page 11, line 11, by inserting after the word
3 "other" the following: "health insurance or health
4 care".

PLASIER of Sioux
HAVERLAND of Polk

H-3625

1 Amend Senate File 119, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 20 the
4 following:

5 "Sec. _____. Section 668.3, subsection 1, Code 1993,
6 is amended by adding the following new unnumbered
7 paragraph:

8 **NEW UNNUMBERED PARAGRAPH.** Contributory fault shall
9 not bar recovery in an action by a claimant to recover
10 damages for loss of services, companionship, society,
11 or consortium, unless the fault attributable to the
12 person whose injury or death provided the basis for
13 the damages is greater in percentage than the combined
14 percentage of fault attributable to the defendants,
15 third-party defendants, and persons who have been
16 released pursuant to section 668.7, but any damages
17 allowed shall be diminished in proportion to the
18 amount of fault attributable to the person whose

19 injury or death provided the basis for the damages.

20 Sec. _____. Section 668.3, subsection 2, paragraph
21 b, Code 1993, is amended to read as follows:

22 b. The percentage of the total fault allocated to
23 each claimant, defendant, third-party defendant, and
24 person who has been released from liability under
25 section 668.7, and injured or deceased person whose
26 injury or death provides a basis for a claim to
27 recover damages for loss of consortium, services,
28 companionship, or society. However, if a deceased
29 person is found to bear more than fifty percent of the
30 total fault, the spouse of the deceased person shall
31 not have a claim for loss of consortium. For this
32 purpose the court may determine that two or more
33 persons are to be treated as a single party."

34 2. Title page, line 2, by inserting after the
35 word "child" the following: "and to consortium claims
36 under comparative fault".

37 3. By renumbering as necessary.

MILLAGE of Scott

H-3627

1 Amend the amendment, H-3573, to House File 581 as
2 follows:

3 1. Page 1, lines 3 and 4, by striking the follow-
4 ing: "March 15, 1993," and inserting the following:
5 "July 1, 1993, or which was not approved by January 1,
6 1994,".

7 2. Page 1, line 6, by striking the following:
8 "March 15" and inserting the following: "July 1".

PETERSON of Carroll
VANDE HOEF of Osceola

H-3629

1 Amend Senate File 294, as amended, passed, and re-
2 printed by the Senate, as follows:

3 1. Page 1, line 6, by striking the word
4 "appointment" and inserting the following: "assuming
5 the office of sheriff".

Committee on Local Government

H-3630

1 Amend Senate File 216, as passed by the Senate, as
2 follows:

3 1. Page 5, by inserting after line 23, the
4 following:

5 "Sec. 100. NEW SECTION. 476.1E PRIVATE WATER
6 UTILITY.

7 1. As used in this section, water utility means a

8 public water supply system which is organized as a
9 for-profit corporation organized under chapter 490, a
10 nonprofit corporation organized under chapter 504A, or
11 any other type of business entity, which has more than
12 twenty-five but fewer than two thousand residential
13 service connections.

14 2. The water distributed by a water utility shall
15 meet the drinking water standards required by the
16 environmental protection commission pursuant to
17 section 455B.173. If a water utility does not meet
18 the drinking water standards, the department of
19 natural resources shall impose a schedule of
20 compliance for the drinking water distributed by the
21 water utility. The cost of compliance shall not be
22 charged directly to the water utility customers, but
23 may be amortized over not less than twenty years
24 through reasonable rate adjustments. A lesser period
25 of time may be established if approved by two-thirds
26 of the water utility customers.

27 3. A fine imposed on a water utility shall not be
28 directly or indirectly assessed to the water utility
29 customers and shall not be incorporated in any manner
30 in charges to customers unless the customers operate
31 or manage the water utility.

32 4. If a water utility fails to meet the applicable
33 drinking water standards as required under section
34 455B.173 as required by the department of natural
35 resources and is located within two miles of a city,
36 the water utility may be condemned and purchased by
37 the city or a city utility of that city. Condemnation
38 proceedings shall be according to chapter 6B.

39 5. If a petition signed by at least twenty-five
40 percent of the customers of a water utility is filed
41 with the utility board alleging that a rate increase
42 imposed by the water utility on or after January 1,
43 1993, is unreasonable, the utility board shall
44 investigate the complaint. During the investigation,
45 the amount of the rate increase shall be held in an
46 escrow account unless the utility board determines
47 that the rate increase is needed to maintain essential
48 services. If the utility board finds that the rate is
49 unreasonable, the utility board shall mediate an
50 agreement between the petitioners and the water

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1 utility. If an agreement is not reached within one
2 year, the utility board shall determine the water
3 rate.

4 6. An unreasonable rate increase means a rate that
5 will produce excessive revenue during a fiscal period
6 for the water utility; that provides a water rate

7 which is substantially higher than other water rates
 8 in the area considering the size of the facility, and
 9 operating and maintenance costs; that does not
 10 amortize the costs of improvements to meet appropriate
 11 drinking water standards as provided in this section;
 12 or that transfer any fines or monetary penalty
 13 assessed against the water utility directly to the
 14 customers except as provided in subsection 3.

15 7. A customer of a water utility or the consumer
 16 advocate may inspect and copy the books and records of
 17 the water utility which relate to all costs and
 18 expenses which are included in determining the charges
 19 or rates to customers.

20 8. A nonprofit water utility shall annually
 21 disclose to all customers the names, addresses, and
 22 salaries of all officers of the nonprofit corporation
 23 and the person in charge of the daily operation of the
 24 water utility.

25 9. Notwithstanding section 476.1, this section
 26 applies to certain waterworks having less than two
 27 thousand customers, but this section does not apply to
 28 municipally owned waterworks, joint water utilities
 29 established pursuant to chapter 389, rural water
 30 districts incorporated and organized pursuant to
 31 chapters 357A and 504A, or cooperative water
 32 associations incorporated and organized pursuant to
 33 chapter 499.

34 Sec. 101. EFFECTIVE DATE. This Act, being deemed
 35 of immediate importance, takes effect upon enactment."

36 2. Title page, line 2, by inserting after the
 37 word "services" the following: "or certain private
 38 water utilities, by providing for the regulation of
 39 certain private water utilities,".

40 3. Title page, line 6, by inserting after the
 41 word "nonpayment" the following: ", and providing for
 42 retroactive applicability and an effective date".

43 4. By renumbering sections as necessary.

Committee on Local Government

H-3638

1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 5, line 35, by striking the figure
 5 "800,000" and inserting the following: "1,300,000".

McCOY of Polk
 JOCHUM of Dubuque
 O'BRIEN of Boone

H-3639

- 1 Amend House File 655 as follows:
 2 1. Page 2, line 17, by inserting after the word
 3 "converts" the following: "scrap metal".

GRUBBS of Scott

H-3640

- 1 Amend House File 647 as follows:
 2 1. Page 1, by striking lines 31 and 32.
 3 2. Page 2, by striking lines 9 and 10 and
 4 inserting the following:
 5 "3. All local exchange telephone utilities shall
 6 participate in incentive regulation for a minimum of
 7 two years, unless participation is otherwise
 8 terminated pursuant to this subsection. In the event
 9 of exceptional and unforeseeable circumstances, the
 10 utility or the consumer advocate may request that the
 11 board terminate participation in incentive regulation
 12 for the utility."

HOLVECK of Polk

H-3641

- 1 Amend House File 647 as follows:
 2 1. Page 1, line 32, by inserting after the word
 3 "utility." the following: "The rules shall provide
 4 that a utility participating under a plan of
 5 alternative regulation shall receive no share of any
 6 increased earnings which result solely from a
 7 reduction in the number of employees."

HOLVECK of Polk

H-3642

- 1 Amend House File 647 as follows:
 2 1. Page 4, by striking lines 28 and 29.
 3 2. Title page, lines 2 and 3, by striking the
 4 words "and providing an effective date".

BRAND of Benton

H-3643

- 1 Amend House File 647 as follows:
 2 1. Page 1, by striking lines 1 through 20.
 3 2. By striking page 1, line 23, through page 4,
 4 line 29, and inserting the following:
 5 "A telephone utility which is able to reduce its
 6 expenses by increasing the efficiency of its
 7 operations as a result of a plan for alternative
 8 regulation shall be allowed to retain all of the net
 9 income attributable to the increase in efficiency

10 until the next proceeding setting rates for the
 11 utility. In that next proceeding setting rates for
 12 the utility, the utility may be allowed, at the
 13 discretion of the board, to retain lesser amounts of
 14 the net income attributable to the increase in
 15 efficiency. If substantial competition exists for a
 16 service provided by a telephone utility that has not
 17 been deregulated by the board under section 476.1D,
 18 the board may approve a tariff for the service which
 19 provides for rate flexibility within a range
 20 prescribed in the tariff. For rate changes within the
 21 range specified by the tariff, the utility need not
 22 comply with the requirements of section 476.6,
 23 subsections 5, 6, and 7.”
 24 3. Renumber as necessary.

HOLVECK of Polk

H-3645

1 Amend House File 647 as follows:
 2 1. Page 2, by striking lines 2 through 5 and
 3 inserting the following: “utility. If the board
 4 modifies the proposed”.

BRAND of Benton

H-3647

1 Amend House File 647 as follows:
 2 1. Page 2, by inserting after line 8 the
 3 following:
 4 “_____ Before a rate-regulated public utility
 5 furnishing communications services can operate under a
 6 plan for alternative regulation, the consumer advocate
 7 may file a petition under section 476.3, subsection 2.
 8 The consumer advocate shall indicate whether a
 9 complaint will be filed no later than ninety days
 10 after the utility requests permission to operate under
 11 a plan for alternative regulation under subsection 2.
 12 If the consumer advocate indicates an intent to file a
 13 petition, the consumer advocate shall have an
 14 additional ninety days to file such petition. A
 15 refund or rate adjustment to the customers of such
 16 utility which results from a petition filed by the
 17 consumer advocate, shall not be affected as a result
 18 of the implementation of existence of a plan for
 19 alternative regulation.”

BRAND of Benton

H-3648

1 Amend House File 647 as follows:
 2 1. Page 2, line 10, by inserting after the word

3 "years." the following: "However, a plan for
4 alternative regulation shall not be approved or
5 implemented for a period longer than five years
6 without being renewed. At the expiration of the time
7 period for a plan for alternative regulation, the
8 consumer advocate and the utility participating under
9 the plan shall have a reasonable opportunity to
10 request a rate adjustment pursuant to section 476.3,
11 subsection 2, and section 476.6."

OSTERBERG of Linn

H-3649

1 Amend House File 647 as follows:
2 1. Page 2, by inserting after line 8 the
3 following:
4 "_____. The board may approve the operation of a
5 telephone utility under a plan for alternative
6 regulation if the board finds, after notice and an
7 opportunity for evidentiary hearing, all of the
8 following:
9 a. Operation under a plan for alternative
10 regulation is necessary to achieve operating
11 efficiencies which could not otherwise be achieved.
12 b. Operation under a plan for alternative
13 regulation is likely to provide lower rates to
14 customers for communications services that would not
15 be possible under traditional rate base and rate of
16 return regulation.
17 c. Operation under a plan for alternative
18 regulation will not result in the degradation of the
19 quality or availability of communications services.
20 These findings may be made as part of a contested
21 case determining the reasonableness of a utility's
22 rates."
23 2. Renumber as necessary.

HOLVECK of Polk

H-3650

1 Amend House File 647 as follows:
2 1. Page 2, by inserting after line 8 the
3 following:
4 "_____. If a utility's earnings under a plan for
5 incentive regulation are above a level set by the
6 board by rule, the board shall require the utility to
7 revise its rates downward so that its earnings do not
8 exceed the rate of return authorized under incentive
9 regulation, plus a portion of the increased earnings
10 subject to division which are attributable to the
11 preceding year's operation."

HOLVECK of Polk
OSTERBERG of Linn

H-3651

- 1 Amend House File 647 as follows:
- 2 1. Page 4, by inserting after line 27 the
- 3 following:
- 4 "Sec. _____. REPEAL OF CONSUMER ADVOCATE.
- 5 1. Chapter 475A is repealed.
- 6 2. The Code editor is directed to eliminate
- 7 references to the consumer advocate as provided for in
- 8 chapter 475A wherever they appear in the Code."
- 9 2. By renumbering as necessary.

OSTERBERG of Linn

H-3652

- 1 Amend House File 647 as follows:
- 2 1. Page 3, by inserting after line 18 the
- 3 following:
- 4 "8. The board shall provide to the general
- 5 assembly on or before December 1 each year a report
- 6 that includes the utilities participating in
- 7 alternative regulation plans, a description of each
- 8 plan, and an evaluation of each utility's performance
- 9 under its plan."

LUNDBY of Linn

H-3653

- 1 Amend House File 647 as follows:
- 2 1. Page 2, line 35, by inserting after the word
- 3 "plan" the following: ", including a review of the
- 4 utilities rates pursuant to section 476.3".
- 5 2. Page 4, line 27, by inserting after the figure
- 6 "476.30A" the following: ", except as otherwise
- 7 provided in section 476.30A".

BRAND of Benton

H-3654

- 1 Amend House File 647 as follows:
- 2 1. Page 2, by inserting after line 8 the
- 3 following:
- 4 "_____. Before a rate-regulated public utility
- 5 furnishing communications services can operate under a
- 6 plan for alternative regulation or renew such plan,
- 7 the consumer advocate may file a petition under
- 8 section 476.3, subsection 2. The consumer advocate
- 9 shall indicate whether a complaint will be filed no
- 10 later than ninety days after the utility requests
- 11 permission to operate under a plan for alternative
- 12 regulation under subsection 2. If the consumer
- 13 advocate indicates an intent to file a petition, the

- 14 consumer advocate shall have an additional ninety days
 15 to file such petition. A refund or rate adjustment to
 16 the customers of such utility which results from a
 17 petition filed by the consumer advocate, shall not be
 18 affected as a result of the implementation of
 19 existence of a plan for alternative regulation."
 20 2. Page 4, line 27, by inserting after the figure
 21 "476.30A" the following: ", except as otherwise
 22 provided in section 476.30A".
 23 3. By renumbering as necessary.

BRAND of Benton

H-3656

- 1 Amend House File 647 as follows:
 2 1. Page 3, by inserting after line 18 the
 3 following:
 4 "_____. The utilities board shall study the
 5 effectiveness of any plans for alternative regulation
 6 which are approved. A study shall include a
 7 description of the plan, identification of the local
 8 exchange utility or utilities participating under the
 9 plan, and an analysis of the effects of the plan. The
 10 results of a study conducted pursuant to this
 11 subsection shall be reported to the general assembly
 12 by January 15 after the first full year that the plan
 13 is in effect."
 14 2. Renumber as necessary.

BRAND of Benton

H-3657

- 1 Amend House File 647 as follows:
 2 1. Page 3, by inserting after line 6 the
 3 following:
 4 "g. The manner of disclosure by a utility to
 5 customers of the utility participating under an
 6 approved plan of the disposition of any excess
 7 earnings of the utility as determined by a rate case
 8 decided within one year prior to the implementation of
 9 the plan of alternative regulation under which the
 10 utility is to operate."

OSTERBERG of Linn

H-3658

- 1 Amend Senate File 52, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 21 through 24 and
 4 inserting the following: "percent. There shall also
 5 be printed for the".

Committee on State Government

H-3660

- 1 Amend the amendment, H-3640, to House File 647 as
- 2 follows:
- 3 1. Page 1, line 6, by striking the word
- 4 "incentive" and inserting the following: "a plan for
- 5 alternative".
- 6 2. Page 1, line 11, by striking the word
- 7 "incentive" and inserting the following: "a plan for
- 8 alternative".

HOLVECK of Polk

H-3662

- 1 Amend House File 400 as follows:
- 2 1. Page 1, by inserting after line 10 the fol-
- 3 lowing:
- 4 "Sec. _____. Section 364.2, subsection 4, Code 1993,
- 5 is amended by adding the following new paragraph:
- 6 NEW PARAGRAPH. g. A city shall not grant a
- 7 competing cable television franchise, operate its own
- 8 cable television system, or allow a city utility to
- 9 operate a cable television system on terms which are
- 10 more favorable or less burdensome than the terms in
- 11 any existing cable television franchise in the city."

GIPP of Winneshiek

H-3663

- 1 Amend House File 457 as follows:
- 2 1. Page 3, by inserting before line 29 the
- 3 following:
- 4 "Sec. _____. Section 257.7, Code 1993, is amended by
- 5 adding the following new subsection:
- 6 NEW SUBSECTION. 3. INCREASING ENROLLMENT. If a
- 7 school district's actual enrollment for the budget
- 8 year is greater than its budget enrollment for the
- 9 budget year, the district may amend its certified
- 10 budget for that year to increase it by an amount not
- 11 to exceed the lesser of the following:
- 12 a. The product of the district cost per pupil for
- 13 the budget year and the difference between the actual
- 14 enrollment for the budget year and the budget
- 15 enrollment for the budget year.
- 16 b. The amount of actual cash in excess of its
- 17 certified budget."

DVORSKY of Johnson

H-3664

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as

3 follows:

4 1. Page 15, by inserting after line 30 the

5 following:

6 "Sec. _____. REDUCTION OF UPPER LEVEL MANAGEMENT.

7 In order to right size upper level management in state
8 government, the department of management, in
9 consultation with the department of personnel, shall,
10 after discussion and collaboration with the department
11 of education, the state board of regents, the college
12 student aid commission, and the department of cultural
13 affairs, make reductions of upper level management
14 staff and employees with salaries over \$60,000 per
15 year from those existing in the departments, board,
16 and commission on July 1, 1993, as part of the effort
17 across all departments and agencies of state
18 government to achieve a net state general fund savings
19 of at least \$2,000,000 by June 30, 1994. The
20 department of education, the state board of regents,
21 the college student aid commission, and the department
22 of cultural affairs shall review all staff positions
23 in their respective departments, board, or commission
24 with particular emphasis on upper level management
25 staff and shall determine whether there are
26 superfluous positions and management responsibilities
27 which can be reorganized in order to eliminate
28 positions. As part of the effort for general fund
29 savings under this section, the departments, board,
30 and commission shall make reductions of those
31 positions which are determined to be superfluous or
32 are possible to eliminate through reorganization."

33 2. By renumbering as necessary.

PETERSON of Carroll

H-3665

1 Amend the amendment, H-3628, to Senate File 233 as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, line 10, by striking the figure
5 "120,386" and inserting the following: "126,686".

6 2. Page 5, by inserting after line 43 the
7 following:

8 "Sec. 70. There is appropriated from the general
9 fund of the state to the department of education for
10 the fiscal year beginning July 1, 1992, and ending
11 June 30, 1993, to supplement the appropriations made
12 in 1992 Iowa Acts, chapter 1246, section 1, the
13 following amount, or so much thereof as is necessary,
14 to be used for the purposes designated:

15 Board of educational examiners, in subsection 5:

16\$ 6,300".

17 3. Page 27, line 5, by inserting after the word

- 18 "Sections" the following: "70,"
19 4. By renumbering as necessary.

PETERSON of Carroll

H-3667

- 1 Amend the amendment, H-3628, to Senate File 233 as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 18, by inserting after line 45, the
5 following:
6 "Sec. _____. Section 257.7, Code 1993, is amended by
7 adding the following new subsection:
8 NEW SUBSECTION. 3. INCREASING ENROLLMENT. If a
9 school district's actual enrollment for the budget
10 year is greater than its budget enrollment for the
11 budget year, the district may amend its certified
12 budget for that year to increase it by an amount not
13 to exceed the lesser of the following:
14 a. The product of the district cost per pupil for
15 the budget year and the difference between the actual
16 enrollment for the budget year and the budget
17 enrollment for the budget year.
18 b. The amount of actual cash in excess of its
19 certified budget."

DVORSKY of Johnson

H-3668

- 1 Amend House File 602 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. NEW SECTION. 730.6 IMPAIRMENT
5 TESTING OF EMPLOYEES OR APPLICANTS REGULATED.
6 1. As used in this section, "impairment testing"
7 means a noninvasive, computer-assisted test of hand-
8 eye coordination conducted to detect impairment by
9 comparing an employee's current performance level with
10 the employee's previously established baseline level
11 of performance, but not conducted to determine the
12 cause of impairment.
13 2. An employer shall not require or request
14 applicants for employment to submit to an impairment
15 test as a condition of preemployment.
16 3. An employer may require an employee to submit
17 to an impairment test as a condition of employment if
18 the test is administered equitably to all employees in
19 safety-sensitive positions where impairment represents
20 a danger to the safety of the employee, another
21 employee, a member of the public, or the property of
22 the employer.
23 4. An employee shall not be discharged from

24 employment solely because the results from an
 25 impairment test indicate that an employee's faculties
 26 are impaired.

27 5. Impairment test results are not sufficient
 28 probable cause to request or require an employee to
 29 submit to a drug test.

30 6. An employer shall protect the confidentiality
 31 of the results of any impairment test conducted on an
 32 employee. The results of the test may be recorded in
 33 the employee's personnel records.

34 Sec. 2. PILOT PROJECT. The labor commissioner
 35 shall determine by September 1, 1993, the procedures
 36 and guidelines for the establishment of a one-year
 37 pilot project, to be administered by the division of
 38 labor services of the department of employment
 39 services and by a qualifying private business
 40 operating in this state, to study impairment testing.
 41 Representatives from private businesses employing one
 42 hundred or more persons in safety-sensitive positions,
 43 where impairment represents a danger to the safety of
 44 the employee, another employee, a member of the
 45 public, or the property of the employer, may submit a
 46 proposal for a pilot project to study computer-
 47 assisted impairment testing to the labor commissioner.
 48 Guidelines established by the labor commissioner shall
 49 include, but are not limited to, requirements to
 50 protect the confidentiality of employees tested, and

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1 shall prohibit testing to determine cause of
 2 impairment. The business chosen by the labor
 3 commissioner to implement the pilot project must agree
 4 to pay fifty percent of the costs of the program. The
 5 labor commissioner shall submit a report to the
 6 general assembly outlining and describing the proposed
 7 pilot project, including the proposed pilot project
 8 guidelines, by January 1, 1994. If the general
 9 assembly appropriates moneys, the labor commissioner
 10 shall authorize implementation of the pilot project.
 11 At the conclusion of the pilot project, the labor
 12 commissioner shall submit a report, along with any
 13 recommendations, to the general assembly."

14 2. Title page, line 1, by striking the word
 15 "drug" and inserting the following: "impairment".

RUNNING of Linn

H-3670

1 Amend House File 457 as follows:
 2 1. Page 3, by inserting after line 28 the
 3 following:

4 "Sec. _____ Section 257.11, Code 1993, is amended
 5 by adding the following new subsection:
 6 **NEW SUBSECTION. 8. SHARED CURRICULUM SPECIALISTS.**
 7 If a district was receiving additional weighting for
 8 sharing a curriculum specialist under section 442.39,
 9 subsection 4, Code 1991, and requested the assignment
 10 of supplementary weighting for a period of five years
 11 for the shared curriculum specialist prior to the
 12 September 1989 certified enrollment, the district
 13 shall continue to receive the assignment of
 14 supplementary weighting for an additional period of
 15 five years. However, notwithstanding subsection 5,
 16 the additional weighting assigned pupils under this
 17 subsection for a budget year for a school district
 18 shall not exceed one-hundredth for each curriculum
 19 specialist who is jointly employed times the percent
 20 of the curriculum specialist's time in which the
 21 curriculum specialist is employed in the school
 22 district. The final date for receiving the assignment
 23 of supplementary weighting shall be September 1997 for
 24 those assignments beginning in 1988 and September 1998
 25 for those assignments beginning in 1989."

DAGGETT of Union
 DINKLA of Guthrie
 GRIES of Crawford
 KISTLER of Jefferson
 KREIMAN of Davis

H-3671

1 Amend the amendment, H-3654, to House File 647 as
 2 follows:
 3 1. Page 1, by inserting after line 19 the
 4 following:
 5 "_____ Page 2, by striking lines 27 and 28, and
 6 inserting the following:
 7 "a. That prices shall not be increased for
 8 essential communications services."

BRAND of Benton

H-3672

1 Amend the amendment, H-3650, to House File 647, as
 2 follows:
 3 1. Page 1, line 5, by striking the word
 4 "incentive" and inserting the following:
 5 "alternative".
 6 2. Page 1, line 8, by striking the word
 7 "incentive" and inserting the following: "a plan for
 8 alternative".

HOLVECK of Polk

H-3673

- 1 Amend Senate File 11, as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. By striking page 1, line 1 through page 2,
4 line 34, and inserting the following:
- 5 "Section 1. NEW SECTION. 335.32 CREATION OF
6 AGRICULTURAL ENTERPRISE ZONES.
- 7 1. As used in this section, "agricultural
8 activity" means an activity directly connected to the
9 raising, drying, or storage of crops, the care or
10 feeding of livestock as defined in section 267.1, the
11 handling or transportation of crops or livestock, or
12 the treatment or disposal of organic nutrients
13 resulting from livestock.
- 14 2. A county board of supervisors may adopt an
15 ordinance which designates part of the county as being
16 appropriate for agricultural activity. That part of
17 the county shall be referred to as an "agricultural
18 enterprise zone." The land included within an
19 agricultural enterprise zone is not required to be
20 contiguous.
- 21 3. a. The establishment of an agricultural
22 enterprise zone shall be subject to the approval of a
23 city by a resolution adopted by the city council, if
24 land included in the proposed agricultural enterprise
25 zone is located two miles or less from the corporate
26 limits of the city or if land included within the
27 proposed agricultural enterprise zone is the subject
28 of a pending application or petition for annexation or
29 incorporation under chapter 368.
- 30 b. The establishment of an agricultural enterprise
31 zone shall be subject to the approval of another
32 county, by a resolution adopted by that county's board
33 of supervisors, if land included in the proposed
34 agricultural enterprise zone is located two miles or
35 less from the borders of that county.
- 36 4. a. In a county that has adopted a zoning
37 ordinance, all of the land located within the county
38 is eligible to be included in the agricultural
39 enterprise zone, except for land within the corporate
40 limits of a city or land within a state park, state
41 recreation area, or state preserve.
- 42 b. In a county that has not adopted a zoning
43 ordinance, all of the land within the county is
44 eligible to be included in the agricultural enterprise
45 zone, except for land within the corporate limits of a
46 city, land within an area over which a city has
47 exercised its zoning authority as provided under
48 section 414.23, or land within a state park, state
49 recreation area, or state preserve.
- 50 5. The county board of supervisors may designate

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1 all or any part of land within the county which is
2 eligible under this section to be included within an
3 agricultural enterprise zone. However, the board of
4 supervisors may exclude eligible land from the
5 agricultural enterprise zone because the land is, or
6 is located in close proximity to, one of the
7 following:

8 a. Land that is unique, and of scientifically
9 recognized ecological value.

10 b. A residential subdivision or other population
11 center.

12 c. A location at which a significant number of
13 people regularly congregate.

14 The determination by the board of supervisors that
15 land is in close proximity to a location excluded
16 under this section shall be a legislative
17 determination made by the board of supervisors.

18 6. When establishing an agricultural enterprise
19 zone, the board of supervisors shall comply with the
20 notice, hearing, and adoption requirements in section
21 335.6. The board of supervisors shall conduct a
22 public hearing on the adoption of a proposed ordinance
23 establishing an agricultural enterprise zone. The
24 board of supervisors shall mail a notice, at least
25 twenty days before the public hearing on the
26 ordinance, to all property owners and residents within
27 the proposed agricultural enterprise zone and within
28 two miles outside of the proposed zone. The public
29 hearing shall be conducted within sixty days after
30 either of the following:

31 a. The date that the board of supervisors receives
32 a petition requesting adoption of such an ordinance.
33 The petition shall specify the proposed boundaries of
34 the agricultural enterprise zone. The petition must
35 be signed by either at least twenty percent of the
36 eligible electors residing in the proposed
37 agricultural zone or at least fifty eligible electors
38 residing in the proposed agricultural zone, whichever
39 is less.

40 b. The date that the board of supervisors approves
41 a resolution indicating its intent to establish an
42 agricultural enterprise zone.

43 7. a. The board of supervisors may amend the
44 boundaries of the agricultural enterprise zone, rezone
45 areas included within a zone, or eliminate the
46 agricultural enterprise zone.

47 b. The amendment of boundaries of an agricultural
48 enterprise zone shall be subject to the approval of a
49 city by resolution adopted by the city council, if new
50 land included in the amended agricultural enterprise

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1 zone is located two miles or less from the corporate
2 limits of the city or if new land included within the
3 amended agricultural enterprise zone is the subject of
4 a pending application or petition for annexation or
5 incorporation under chapter 368.

6 The amendment of boundaries of an agricultural
7 enterprise zone shall be subject to the approval of
8 another county, by resolution adopted by the county's
9 board of supervisors, if new land included in the
10 amended agricultural enterprise zone is located two
11 miles or less from the borders of that county.

12 c. When amending the borders of an agricultural
13 enterprise zone or rezoning the land within an
14 agricultural enterprise zone, the board of supervisors
15 shall comply with the notice, hearing, and adoption
16 requirements in section 335.6. When amending the
17 borders of a zone, or rezoning land within the zone,
18 the board of supervisors shall mail a notice as
19 provided in this section to all property owners and
20 residents within the proposed agricultural enterprise
21 zone and within two miles outside of the proposed
22 amended zone.

23 8. Upon the establishment of an agricultural
24 enterprise zone, or the amendment of its borders, the
25 board of supervisors shall cause its description to be
26 filed with the county auditor and placed on record in
27 the office of the county recorder."

28 _____ Page 3, by inserting after line 29 the
29 following:

30 "_____. a. An agricultural activity which is a
31 livestock feeding operation located within an
32 agricultural enterprise zone must be located at least
33 one thousand two hundred fifty feet from a residence
34 not owned by the owner of the animal feeding operation
35 or from a public use area other than a public road, if
36 the livestock feeding operation contains less than six
37 hundred twenty-five thousand pounds of live animal
38 weight capacity of animal species other than beef
39 cattle or which contains less than one million six
40 hundred thousand pounds of live animal weight capacity
41 of beef cattle. An agricultural activity which is a
42 livestock feeding operation located within an
43 agricultural enterprise zone must be located at least
44 one thousand eight hundred seventy-five feet from a
45 residence not owned by the owner of the animal feeding
46 operation or from a public use area other than a
47 public road, if the livestock feeding operation
48 contains six hundred twenty-five thousand pounds or
49 more of live animal weight capacity of animal species
50 other than beef cattle or which contains one million

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- 1 six hundred thousand pounds or more of live animal
2 weight capacity of beef cattle.
- 3 b. For purposes of this subsection, the
4 determination of live animal weight capacity shall be
5 based on the average weight capacity during a
6 production cycle and the maximum animal capacity of
7 the animal feeding operation.
- 8 c. A separation distance required in this
9 subsection applies to a livestock feeding operation
10 constructed or expanded after the date that the land
11 where the operation is located becomes included within
12 an agricultural enterprise zone.
- 13 d. An animal feeding operation may be constructed
14 or expanded closer to a residence than is permitted by
15 this subsection, if each affected landowner enters
16 into a written agreement with the owner of the animal
17 feeding operation to waive the separation distances
18 under such terms that the parties negotiate. The
19 written agreement becomes effective only upon
20 recording the agreement in the office of the recorder
21 of deeds of the county in which the residence is
22 located."
- 23 2. By striking page 3, line 32 through page 6,
24 line 1.
- 25 3. Title page, by striking lines 2 and 3, and
26 inserting the following: "zones, and restricting
27 nuisance suits."
- 28 4. By renumbering as necessary.

Committee on Agriculture

H-3675

- 1 Amend House File 606 as follows:
- 2 1. Page I, by striking lines 1 through 30 and
3 inserting the following:
- 4 "Sec. _____. Section 331.441, subsection 2,
5 paragraph b, subparagraph (12), subparagraph
6 subdivisions (a) through (c), Code 1993, are amended
7 by striking the subparagraph subdivisions, and
8 inserting in lieu thereof the following:
- 9 (a) The county board of supervisors may on its own
10 motion or upon a written petition of a water supplier
11 established under chapter 357A or 504A, direct the ,
12 county auditor to establish a special service area tax
13 district for the purpose of issuing general obligation
14 bonds. The special service area tax district shall
15 include only unincorporated portions of the county and
16 shall be drawn according to engineering
17 recommendations provided by the water supplier or the
18 county engineer and, in addition, shall be drawn in

19 order that an election provided for in subparagraph
 20 subdivision (b) can be administered. The county's
 21 debt service tax levy for the county general
 22 obligation bonds issued for the purposes set out in
 23 this subparagraph shall be levied only against real
 24 property within the county which is included within
 25 the boundaries of the special service area tax
 26 district. An owner of property not included within
 27 the boundaries of the special service area taxes
 28 district may petition the board of supervisors to be
 29 included in the special area tax district subsequent
 30 to its establishment.

31 (b) General obligation bonds for the purposes
 32 described in this subparagraph are subject to an
 33 election held in the manner provided in section
 34 331.442, subsections 1 through 4, if not later than
 35 fifteen days following the action by the county board
 36 of supervisors, eligible voters file a petition with
 37 the county commissioner of elections asking that the
 38 question of issuing the bonds be submitted to the
 39 qualified electors of the special service area tax
 40 district. The petition must be signed by at least
 41 five percent of the registered voters residing in the
 42 special service area tax district. If the petition is
 43 duly filed within the fifteen days, the board of
 44 supervisors shall either adopt a resolution declaring
 45 that the proposal to issue the bonds is abandoned, or
 46 direct the county commissioner of elections to call a
 47 special election within a special service area tax
 48 district upon the question of issuing the bonds."

VANDE HOEF of Osceola

H-3679

- 1 Amend House File 602 as follows:
 2 1. By striking page 4, line 33, through page 5,
 3 line 16.
 4 2. By renumbering as necessary.

McKINNEY of Dallas
 CONNORS of Polk
 RUNNING of Linn

H-3680

- 1 Amend House File 602 as follows:
 2 1. By striking page 2, line 23, through page 3,
 3 line 1.
 4 2. Page 3, line 2, by striking the letter "c."
 5 and inserting the following: "e b."
 6 3. By renumbering as necessary.

McKINNEY of Dallas

H-3681

- 1 Amend House File 602 as follows:
- 2 1. Page 6, by striking lines 5 through 13.

McKINNEY of Dallas
 CONNORS of Polk
 RUNNING of Linn

H-3682

- 1 Amend House File 606 as follows:
- 2 1. Page 1, by striking lines 1 through 30 and
- 3 inserting the following:
- 4 "Sec. _____. Section 331.441, subsection 2,
- 5 paragraph b, subparagraph (12), subparagraph
- 6 subdivisions (a) through (c), Code 1993, are amended
- 7 by striking the subparagraph subdivisions, and
- 8 inserting in lieu thereof the following:
- 9 (a) The county board of supervisors may on its own
- 10 motion or upon a written petition of a water supplier
- 11 established under chapter 357A or 504A, direct the
- 12 county auditor to establish a special service area tax
- 13 district for the purpose of issuing general obligation
- 14 bonds. The special service area tax district shall
- 15 include only unincorporated portions of the county and
- 16 shall be drawn according to engineering
- 17 recommendations provided by the water supplier and, in
- 18 addition, shall be drawn in order that an election
- 19 provided for in subparagraph subdivision (b) can be
- 20 administered. The county's debt service tax levy for
- 21 the county general obligation bonds issued for the
- 22 purposes set out in this subparagraph shall be levied
- 23 only against real property within the county which is
- 24 included within the boundaries of the special service
- 25 area tax district. An owner of property not included
- 26 within the boundaries of the special service area
- 27 taxes district may petition the board of supervisors
- 28 to be included in the special area tax district
- 29 subsequent to its establishment.
- 30 (b) General obligation bonds for the purposes
- 31 described in this subparagraph are subject to an
- 32 election held in the manner provided in section
- 33 331.442, subsections 1 through 4, if a petition is
- 34 timely filed with the county commissioner of elections
- 35 asking that the question of issuing the bonds be
- 36 submitted to the qualified electors of the special
- 37 service area tax district. Not later than fifteen
- 38 days following the action by the county board of
- 39 supervisors for this issuance of the bonds, the board
- 40 shall publish notice of the action at least twice in a
- 41 newspaper of general circulation in the county. The
- 42 petition must be signed by at least five percent of

43 the registered voters residing in the special service
 44 area tax district. If the petition is duly filed
 45 within thirty days following the last date that the
 46 notice is published in the newspaper, the board of
 47 supervisors shall either adopt a resolution declaring
 48 that the proposal to issue the bonds is abandoned, or
 49 direct the county commissioner of elections to call a
 50 special election within a special service area tax

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1 district upon the question of issuing the bonds.”

BEATTY of Warren

H—3684

1 Amend House File 117 as follows:

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

4 “Sec. _____. Section 20.22, subsection 9, paragraph
 5 b, Code 1993, is amended to read as follows:

6 b. Comparison of wages, hours and conditions of
 7 employment of the involved public employees with those
 8 of other public employees doing comparable work,
 9 giving consideration to factors peculiar to the area
 10 and the classifications involved. The comparison of
 11 wages shall include consideration of the wage rate
 12 applied to public employees in the governor's office.”

13 2. Page 1, by striking lines 9 and 10.

14 3. By renumbering as necessary.

GILL of Woodbury

H—3685

1 Amend House File 117 as follows:

2 1. Page 1, line 8, by inserting after the word
 3 “services.” the following: “However, consideration
 4 shall not be given to any acts of the general assembly
 5 which restrict the ability of the public employer to
 6 pay for any economic adjustments.”

GILL of Woodbury

H—3686

1 Amend House File 457 as follows:

2 1. Page 9, by inserting after line 32 the
 3 following:

4 “Sec. 201. 1992 Iowa Acts, chapter 1159, section
 5 6, is repealed.

6 Sec. _____. EFFECTIVE DATE. Section 201 of this
 7 Act, being deemed of immediate importance, takes
 8 effect upon enactment.”

9 2. Page 9, by striking line 33 and inserting the

10 following:

- 11 "Sec. _____. EFFECTIVE DATE. The language referring
 12 to carrying over gifted and talented program funds to
 13 a subsequent budget year in section 257.46, as amended
 14 in this Act, and section 13 of this".
 15 3. By renumbering as necessary.

GRUBBS of Scott

H-3687

1 Amend House File 647 as follows:

- 2 1. Page 1, line 32, by inserting after the word
 3 "utility." the following: "The rules shall provide
 4 that a utility participating under a plan of
 5 alternative regulation shall receive no share of any
 6 increased earnings which result from a reduction in
 7 the number of employees."

HOLVECK of Polk

H-3688

1 Amend House File 647 as follows:

- 2 1. Page 3, by inserting after line 34 the
 3 following:
 4 "_____. Charge a customer more than twenty dollars
 5 for installation of toll-restricted service.
 6 Additionally, the utility shall not charge any monthly
 7 fee in connection with such service."
 8 2. Renumber as necessary.

SHOULTZ of Black Hawk

H-3690

1 Amend House File 551 as follows:

- 2 1. Page 1, line 15, by striking the words "or
 3 threaten" and inserting the following: "or threaten".
 4 2. Page 1, line 16, by inserting after the word
 5 "employment" the following: "or deny or threaten to
 6 deny civil rights as protected by state and federal
 7 law".
 8 3. Page 2, line 10, by inserting after the word
 9 "employment" the following: "or deny civil rights as
 10 protected by state and federal law to".

GILL of Woodbury

H-3691

1 Amend House File 551 as follows:

- 2 1. By striking page 2, line 33, through page 3,
 3 line 10.

GILL of Woodbury

H-3692

- 1 Amend House File 647 as follows:
 2 1. Page 3, by inserting after line 34 the
 3 following:
 4 "_____. Charge more than twenty-five cents for a
 5 call made from a public telephone maintained by the
 6 company."
 7 2. Renumber as necessary.

BERNAU of Story

H-3693

- 1 Amend House File 602 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 730.5, subsection 3, paragraph
 5 c, Code 1993, is amended to read as follows:
 6 c. The test sample withdrawn from the employee is
 7 shall be analyzed by a laboratory or testing facility
 8 that has been approved under rules adopted by the
 9 department of public health or has been certified or
 10 approved under the mandatory guidelines for federal
 11 workplace drug testing programs or similar federal
 12 rules or regulations.
 13 Sec. 2. Section 730.5, subsection 7, Code 1993, is
 14 amended to read as follows:
 15 7. A drug test conducted as a part of a physical
 16 examination performed as a part of a preemployment
 17 physical or application process or as a part of a
 18 regularly scheduled physical is only permissible under
 19 the following circumstances:
 20 a. For a preemployment physical application
 21 process, the employer shall include notice that a drug
 22 test will be part of a preemployment physical
 23 application process in any notice or advertisement
 24 soliciting applicants for employment or in the
 25 application for employment, and an applicant for
 26 employment shall be personally informed of the
 27 requirement for a drug test at the first interview.
 28 b. For a regularly scheduled physical, the
 29 employer shall give notice that a drug test will be
 30 part of the physical at least thirty days prior to the
 31 date the physical is scheduled.
 32 Drug testing conducted under this subsection shall
 33 conform to the requirements of subsection 3,
 34 paragraphs "c", "d", "e", and "f"; however, paragraph
 35 "f" shall not apply to drug tests conducted as a part
 36 of a preemployment physical application process."

RUNNING of Linn

H-3694

1 Amend House File 602 as follows:

2 1. Page 1, by striking lines 8 through 25 and
3 inserting the following:

4 "NEW UNNUMBERED PARAGRAPH. As used in this
5 section, "sensitive position" means a position of
6 employment, including any supervisory or management
7 position, identified and classified as such by the
8 labor commissioner pursuant to section 91.4, in which
9 the use of alcohol or a controlled substance by an
10 employee may present a direct and immediate danger to
11 the safety of the employee, another employee, a member
12 of the public, or to the property of the employer or
13 any person by creating a significant risk of serious
14 injury or death or substantial loss of property to a
15 person. The identification and classification of a
16 sensitive position by the labor commissioner shall be
17 limited to occupations which have a high incidence of
18 reported injury, or occupations in which an employee
19 operates hydraulic equipment or a motorized vehicle or
20 has access to firearms. A direct supervisor of an
21 employee who is in a sensitive position and an
22 employee in a position identified as a sensitive
23 position by a collective bargaining agreement shall be
24 deemed to be in a sensitive position for purposes of
25 this section."

RUNNING of Linn
GILL of Woodbury

H-3695

1 Amend House File 602 as follows:

2 1. By striking page 5, line 17 through page 6,
3 line 4.

4 2. By renumbering as necessary.

RUNNING of Linn
McKINNEY of Dallas
GILL of Woodbury

H-3696

1 Amend House File 647 as follows:

2 1. Page 3, by inserting after line 14, the
3 following:

4 "6A. The board shall not authorize any local
5 exchange telephone utility to operate under a plan of
6 alternative regulation unless the utility has filed
7 with the board, and started implementation of, a
8 network upgrade plan. For purposes of this section, a
9 "network upgrade plan" means a plan for the
10 replacement of all nondigital central office switches

11 with digital central office switches and associated
 12 improvements in other facilities as required to allow
 13 the transmission of signals within the local exchange
 14 at a level consistent with the quality allowed by the
 15 digital switch. The network upgrade plan shall be
 16 implemented in good faith by the utility involved.
 17 Such replacement and associated improvements under the
 18 plan shall be completed no later than January 1, 1994.
 19 If the board authorizes operation under a plan for
 20 alternative regulation but later finds that a filed
 21 network upgrade plan has not been implemented in good
 22 faith by the utility involved, the utility shall
 23 refund to customers all earnings under the plan for
 24 alternative regulation which are over the authorized
 25 rate of return for the utility."
 26 2. Renumber as necessary.

KREIMAN of Davis

H-3697

1 Amend House File 647 as follows:
 2 1. Page 1, by inserting before line 1 the fol-
 3 lowing:
 4 "Section 1. NEW SECTION. 474.2A BAN ON EMPLOY-
 5 MENT WITH PUBLIC UTILITY.
 6 A person who has served as a member of the
 7 utilities board shall not within two years after
 8 termination of service become an employee of a common
 9 carrier or other public utility which is under the
 10 jurisdiction of the utilities board."
 11 2. Renumber as necessary.

FALLON of Polk

H-3698

1 Amend House File 647 as follows:
 2 1. Page 1, by inserting before line 1, the
 3 following:
 4 "Section 1. NEW SECTION. 474.2A BAN ON
 5 EMPLOYMENT WITH PUBLIC UTILITY.
 6 A person who has served as a member of the
 7 utilities board shall not within four years after
 8 termination of service become an employee of a common
 9 carrier or other public utility which is under the
 10 jurisdiction of the utilities board."
 11 2. By renumbering as necessary.

FALLON of Polk

H-3700

1 Amend House File 647 as follows:
 2 1. Page 1, by inserting before line 1 the

3 following:

4 "Section 101. NEW SECTION. 474.2A BAN ON
5 EMPLOYMENT WITH PUBLIC UTILITY.

6 A person who has served as a member of the
7 utilities board shall not within four years after
8 termination of service become an employee of a common
9 carrier or other public utility which is under the
10 jurisdiction of the utilities board."

11 2. Page 4, line 28, by striking the words "DATE.
12 This Act" and inserting the following: "DATES.
13 Section 101 of this Act takes effect on July 1, 1993.
14 The remaining sections of this Act, except section
15 101".

16 3. Page 4, line 29, by striking the word "takes"
17 and inserting the following: "take".

18 4. Renumber as necessary.

FALLON of Polk

H-3701

1 Amend House File 647 as follows:

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

4 "Section 101. NEW SECTION. 474.2A BAN ON
5 EMPLOYMENT WITH PUBLIC UTILITY.

6 A person who has served as a member of the
7 utilities board shall not within two years after
8 termination of service become an employee of a common
9 carrier or other public utility which is under the
10 jurisdiction of the utilities board."

11 2. Page 4, line 28, by striking the words "DATE.
12 This Act" and inserting the following: "DATES.
13 Section 101 of this Act takes effect on July 1, 1993.
14 The remaining sections of this Act, except section
15 101".

16 3. Page 4, line 29, by striking the word "takes"
17 and inserting the following: "take".

18 4. Renumber as necessary.

FALLON of Polk

H-3711

1 Amend the amendment, H-3657, to House File 647, as
2 follows:

3 1. Page 1, by striking lines 6 through 10 and
4 inserting the following: "approved plan. The
5 disclosure shall be made by each utility participating
6 under an approved plan and shall include notice that a
7 rate reduction cannot be requested by the office of
8 consumer advocate during the duration of the plan and
9 that the rate case settled with U. S. West
10 Communications in 1991 resulted in a reduction of

11 customer rates totaling forty-one million dollars. At
 12 a minimum, the notice required by this paragraph shall
 13 be given to all customers of the utility in the first
 14 billing notice to the customer which occurs after the
 15 utility begins participating in the approved plan of
 16 alternative regulation. The notice shall be on the
 17 first page of the billing notice and shall be in bold
 18 face and at least ten-point type. The notice shall
 19 include, in addition to other required information,
 20 the following statement: "IN 1991, A RATE CASE WAS
 21 SETTLED WITH U.S. WEST COMMUNICATIONS RESULTING IN A,
 22 REDUCTION OF CUSTOMER RATES TOTALING \$41 MILLION. NO
 23 RATE REDUCTION CAN BE REQUESTED BY THE OFFICE OF
 24 CONSUMER ADVOCATE DURING THE DURATION OF THE
 25 ALTERNATIVE FORM OF REGULATION PLAN UNDER WHICH THIS
 26 UTILITY IS OPERATING."

OSTERBERG of Linn

H-3712

1 Amend Senate Joint Resolution 3, as passed by the
 2 Senate, as follows:
 3 1. Title page 1, by striking lines 3 through 6.
 4 2. Title page 1, line 8, by striking the word
 5 "also".

FALLON of Polk

H-3714

1 Amend House File 457 as follows:
 2 1. Page 1, by striking lines 7 through 19.
 3 2. By striking page 3, line 29, through page 5,
 4 line 9.
 5 3. By renumbering as necessary.

GRUBBS of Scott

H-3715

1 Amend House File 457 as follows:
 2 1. Page 5, by inserting after line 30 the
 3 following:
 4 "The board of a school corporation may elect to
 5 satisfy the requirements of this section regarding
 6 publication of board proceedings or publication of a
 7 schedule of bills allowed by mailing a monthly
 8 newsletter containing the required information to each
 9 mailing address in its district."

GARMAN of Story

H-3716

1 Amend the amendment, H-3675, to House File 606, as
 2 follows:

3 1. Page 1, lines 17 and 18, by striking the words
4 "or the county engineer".

5 2. Page 1, by striking lines 34 through 37, and
6 inserting the following: "331.442, subsections 1
7 through 4, if a petition is timely filed with the
8 county commissioner of elections asking that the".

9 3. Page 1, line 40, by inserting after the word
10 "district." the following: "Not later than fifteen
11 days following the action by the county board of
12 supervisors for this issuance of the bonds, the board
13 shall publish notice of the action at least twice in a
14 newspaper of general circulation in the county."

15 4. Page 1, by striking line 43, and inserting the
16 following: "duly filed within thirty days following
17 the last date that the notice is published in the
18 newspaper, the board of".

BEATTY of Warren

H-3717

1 Amend Senate File 100, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 8, by striking lines 17 through 19, and
4 inserting the following:

5 "This chapter shall apply solely to social workers
6 engaged in private practice. Social workers employed
7 by the state of Iowa or its political subdivisions, or
8 by nonprofit organizations, or students of social work
9 whose activities are conducted within a course of
10 professional education in social work are exempt from
11 licensing under this chapter."

BLODGETT of Cerro Gordo

H-3719

1 Amend the amendment, H-3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 20, by inserting after line 34, the
5 following:

6 "Sec. _____. Section 257.14, Code 1993, is amended
7 by adding the following new unnumbered paragraph after
8 unnumbered paragraph 1:

9 NEW UNNUMBERED PARAGRAPH. If, for the budget year
10 beginning July 1, 1994, or July 1, 1995, a school
11 district is participating in the instructional support
12 program and the district's actual enrollment for the
13 budget year, determined under section 257.6, is
14 greater than its budget enrollment for the budget
15 year, the board of directors of the district may
16 increase the instructional support property tax levy
17 and the instructional support income surtax percent,

18 if any, for the following budget year. The amount
 19 that may be raised for the following budget year shall
 20 not exceed the product of the regular program district
 21 cost per pupil for the current budget year and the
 22 difference between the actual enrollment and the
 23 budget enrollment for the current budget year. The
 24 amount raised shall not be used in calculating the
 25 amount of instructional support state aid under
 26 section 257.20. Any amount raised in a budget year
 27 under this paragraph or raised in the base year in
 28 anticipation of the funding in the budget year is
 29 miscellaneous income."

30 2. By renumbering, redesignating, and correcting
 31 internal references as necessary.

DVORSKY of Johnson

H-3721

1 Amend Senate File 311, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 1, line 26, by striking the word
 4 "eighteen" and inserting the following: "eighteen
 5 twenty-one".

DODERER of Johnson

H-3722

1 Amend House File 647 as follows:

2 1. Page 3, by inserting after line 14, the
 3 following:
 4 "6A. The board shall not authorize any local
 5 exchange telephone utility to operate under a plan of
 6 alternative regulation unless the utility has filed as
 7 a part of the alternative regulation plan, a plan for
 8 upgrading the utility's facilities and equipment
 9 involving, at a minimum, the expenditure of at least
 10 twenty-five percent of the increased earnings realized
 11 by the utility as a result of operation under the plan
 12 of alternative regulation. The amount to be expended
 13 as a result of this section is in addition to any
 14 other expenditures which the utility is already
 15 making. The board shall adopt any rules and
 16 procedures necessary to identify these amounts."
 17 2. By renumbering and correcting internal
 18 references as necessary.

DVORSKY of Johnson

H-3723

1 Amend Senate File 361, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 2, line 27, by striking the word "MDEA"

- 4 and inserting the following: "MDEA)".
- 5 2. Page 2, line 30, by striking the word "MDA"
- 6 and inserting the following: "MDA)".

MILLER of Cherokee

H-3725

- 1 Amend House File 615 as follows:
- 2 1. Page 1, by striking lines 1 through 9.
- 3 2. Title page, by striking lines 1 through 3 and
- 4 inserting the following: "An Act providing for
- 5 unrepresented state employees".
- 6 3. By renumbering as necessary.

RUNNING of Linn

H-3726

- 1 Amend House File 117 as follows:
- 2 1. Page 1, line 8, by inserting after the word
- 3 "services." the following: "However, an appropriation
- 4 by the public employer to finance a new service
- 5 provided to the public within a year of the effective
- 6 date of the collective bargaining agreement currently
- 7 under negotiation, other than an appropriation for
- 8 property tax relief, reduction of health care costs,
- 9 or programs affecting persons aged sixty years or
- 10 older or aged sixteen years or younger, shall not be
- 11 considered in determining the public employer's
- 12 ability to provide other necessary services."

RUNNING of Linn

H-3727

- 1 Amend House File 117 as follows:
- 2 1. Page 1, by striking lines 3 through 8 and
- 3 inserting the following:
- 4 "c. The interests and welfare of the public, the
- 5 ability of the public employer to finance economic
- 6 adjustments and the effect of such adjustments on the
- 7 normal standard of services, and the effect of changes
- 8 in the cost of living on the public employees."

RUNNING of Linn

H-3728

- 1 Amend House File 647 as follows:
- 2 1. Page 3, line 3, by inserting after the word
- 3 "plan." the following: "An individual who intervenes
- 4 in a hearing may request that the utility board grant
- 5 the intervenor costs incurred in intervening in the
- 6 hearing. Such costs shall be granted if the board
- 7 determines that the issue raised by the intervenor is

8 relevant and material to the hearing, and was not
 9 raised by another party to the hearing. Such costs
 10 shall be assessed against the utility."

OSTERBERG of Linn

H-3730

1 Amend House File 647 as follows:
 2 1. Page 1, by striking lines 1 through 20.
 3 2. By striking page 1, line 23, through page 4,
 4 line 29, and inserting the following:
 5 "A telephone utility which is able to reduce its
 6 expenses by increasing the efficiency of its
 7 operations as a result of a plan for alternative
 8 regulation shall be allowed to retain one-half of the
 9 net income attributable to the increase in efficiency
 10 until the next proceeding setting rates for the
 11 utility. In that next proceeding setting rates for
 12 the utility, the utility may be allowed, at the
 13 discretion of the board, to retain lesser amounts of
 14 the net income attributable to the increase in
 15 efficiency. If substantial competition exists for a
 16 service provided by a telephone utility that has not
 17 been deregulated by the board under section 476.1D,
 18 the board may approve a tariff for the service which
 19 provides for rate flexibility within a range
 20 prescribed in the tariff. For rate changes within the
 21 range specified by the tariff, the utility need not
 22 comply with the requirements of section 476.6,
 23 subsections 5, 6, and 7."
 24 3. Renumber as necessary.

HOLVECK of Polk

H-3731

1 Amend House File 619 as follows:
 2 1. Page 1, by inserting before line 1, the
 3 following:
 4 "Section 1. Section 22.7, Code 1993, is amended by
 5 adding the following new subsection:
 6 NEW SUBSECTION. 29. Identifying information
 7 concerning a patient for whom marijuana is prescribed
 8 under the marijuana therapeutic research program in
 9 section 124.511."
 10 2. Page 4, by inserting after line 29, the
 11 following:
 12 "Sec. _____. Section 124.401, subsection 3, Code
 13 1993 is amended by adding the following new unnumbered
 14 paragraph:
 15 NEW UNNUMBERED PARAGRAPH. It is lawful for a
 16 person to knowingly or intentionally possess marijuana
 17 if the possession is in accordance with the provisions

18 of section 124.401B or 124.511.

19 Sec. _____. NEW SECTION. 124.401B MARIJUANA FOR
20 THERAPEUTIC PURPOSES.

21 Notwithstanding other provisions of law to the
22 contrary, the following provisions apply to possession
23 of marijuana for therapeutic purposes in accordance
24 with this section or section 124.511.

25 1. It is lawful for a person who is eighteen years
26 of age or older to knowingly or intentionally possess
27 marijuana if any of the following circumstances
28 exists:

29 a. The person possessing the marijuana was
30 diagnosed by a physician as having glaucoma before the
31 person was alleged to unlawfully possess the
32 marijuana.

33 b. The person possessing the marijuana is being
34 treated with chemotherapy or radiation therapy and has
35 suffered from significant nausea or vomiting as a
36 result of the treatment.

37 c. The person possessing the marijuana was
38 diagnosed by a physician as having multiple sclerosis,
39 hyperparathyroidism, nail patella syndrome, or
40 acquired immune deficiency syndrome, and as having
41 symptoms of pain or spasms due to the diagnosed
42 condition, before the person was alleged to unlawfully
43 possess the marijuana.

44 d. The person possessing the marijuana has
45 obtained the marijuana from a licensed physician or
46 surgeon, osteopath, osteopathic physician or surgeon,
47 or pharmacist and the marijuana is dispensed in
48 accordance with section 147.107.

49 2. Possession of marijuana in accordance with the
50 provisions of this section is a lawful possession and

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1 is an affirmative defense to a prosecution for
2 possession of marijuana.

3 3. Possession of marijuana in accordance with the
4 provisions of this section or section 124.511 is
5 lawful possession and the possessor is not subject to
6 the provisions of chapter 809, relating to seizable
7 and forfeitable property, based upon that possession.

8 Sec. _____. Section 124.506, subsection 2, Code
9 1993, is amended to read as follows:

10 2. Upon written application by the board, the
11 court by whom the forfeiture of controlled substances
12 has been decreed may order the delivery of any of
13 them, except controlled substances listed in schedule
14 I, to the board for distribution or destruction, as
15 provided by this section or section 124.511.

16 Sec. _____. NEW SECTION. 124.511 MARIJUANA

17 THERAPEUTIC RESEARCH PROGRAM.

18 1. The general assembly finds that research has
19 indicated that the use of marijuana may alleviate
20 nausea and other side effects of chemotherapy and
21 radiation therapy as well as some symptoms of glaucoma
22 and other conditions with symptoms of pain, stress,
23 spasms, nausea, or loss of appetite. The general
24 assembly finds that further research and strictly
25 controlled experimentation regarding the therapeutic
26 uses of marijuana is necessary and desirable. The
27 purpose of this section is to encourage this research
28 and experimentation.

29 2. As used in this section, unless the context
30 otherwise requires, "program" means the marijuana
31 therapeutic research program established in this
32 section.

33 3. A marijuana therapeutic research program is
34 established under the board. The board shall adopt
35 rules for the proper administration of the program.
36 In adopting rules, the board shall consider pertinent
37 rules adopted by the federal drug enforcement agency,
38 federal food and drug administration, national
39 institute on drug abuse, and any other applicable
40 federal agency.

41 4. The board shall contract with the national
42 institute on drug abuse for the receipt of marijuana
43 under pertinent rules adopted by the national
44 institute on drug abuse, the federal food and drug
45 administration, and the federal drug administration.
46 However, if within a reasonable period of time, the
47 board is unable to complete a contract with the
48 national institute on drug abuse, the board shall
49 apply to the court for delivery of marijuana under the
50 provisions of section 124.506. The board may receive

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1 the confiscated marijuana and shall distribute it in
2 accordance with this section. Any marijuana received
3 under this subsection shall be made free of impurities
4 and analyzed for potency by the board.

5 5. The board shall deliver marijuana received
6 under subsection 4 to appropriate licensed pharmacists
7 designated by the board. Any marijuana delivered to a
8 pharmacist shall only be distributed to a patient
9 pursuant to a written prescription of a licensed
10 physician who is approved by the participation review
11 committee established by this section. A pharmacist
12 designated by the board is not liable, except for
13 intentional misconduct or gross negligence, in any
14 civil action related to marijuana distributed to a
15 patient in accordance with this section.

16 6. A participation review committee is established
17 and staffing for the committee shall be provided by
18 the board. The membership of the committee shall
19 consist of three members appointed as follows: a
20 registered pharmacist appointed by the board of
21 pharmacy examiners, a licensed physician who is board
22 certified in ophthalmology or otorhinolaryngology
23 appointed by the board of medical examiners, and a
24 licensed physician who is board certified in internal
25 medicine with a subspecialty certification in medical
26 oncology. Committee members shall serve at the
27 pleasure of the appointing authority and are eligible
28 for payment of per diem and reimbursement of actual
29 and necessary expenses incurred while performing
30 official duties. The committee shall have authority
31 to review and approve physician applications to
32 participate in the program. The committee meetings to
33 review applications shall be closed in the same manner
34 as a meeting to discuss the contents of a licensing
35 examination in accordance with the provisions of
36 section 21.5, subsection 1, paragraph "d". Applicants
37 must submit a twenty-five dollar fee with the
38 application.

39 7. A physician approved by the participation
40 review committee for participation in the program is
41 authorized to prescribe marijuana for a patient under
42 any of the following circumstances:
43 a. The patient is diagnosed as having glaucoma by
44 the physician.
45 b. The patient is being treated with chemotherapy
46 or radiation therapy and has suffered from significant
47 nausea or vomiting as a result of the treatment.
48 c. The patient is diagnosed by a physician as
49 having multiple sclerosis, hyperparathyroidism, nail
50 patella syndrome, acquired immune deficiency syndrome,

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1 or other condition with symptoms of pain or spasms.
2 8. A physician approved by the participation
3 review committee for participation in the program is
4 expressly authorized to prescribe marijuana. A
5 patient for whom marijuana is prescribed by a
6 physician approved to participate in the program is
7 expressly authorized to possess marijuana. A
8 registered pharmacist designated by the board under
9 this section is expressly authorized to possess and
10 distribute marijuana under this section.

11 9. Only the following persons shall have access to
12 the name and other identifying characteristics of a
13 patient for whom marijuana is prescribed under this
14 section:

- 15 a. The board.
 16 b. The attorney general or a designee of the
 17 attorney general.
 18 c. A person directly connected with the program
 19 who has a legitimate need for the information.
 20 d. A person for whom access has been specifically
 21 authorized by that patient.
 22 10. The board and the participation review
 23 committee shall report annually with findings and
 24 recommendations concerning the program to the governor
 25 and the general assembly.
 26 Sec. _____. Section 453B.6, Code 1993, is amended by
 27 adding the following new unnumbered paragraph:
 28 NEW UNNUMBERED PARAGRAPH. A person who is in
 29 possession of marijuana for medical purposes in
 30 accordance with section 124.401B or 124.511 is in
 31 lawful possession of a taxable substance and is not
 32 subject to the requirements of this chapter."
 33 3. By numbering and renumbering as necessary.

MILLER of Cherokee
 MERTZ of Kossuth

H-3732

- 1 Amend the amendment, H-3390, to House File 457 as
 2 follows:
 3 1. Page 1, by striking lines 21 through 35 and
 4 inserting the following: " "meeting." the following:
 5 "On a quarterly basis, the board shall publish by one
 6 insertion in at least one newspaper published in the
 7 district a summarized statement verified by affidavit
 8 of the secretary of the board showing the receipts and
 9 disbursements of the funds of the school corporation
 10 for the preceding quarter. The statement of
 11 disbursements shall show the names of the persons,
 12 firms, or corporations, and the total amount paid to
 13 each during the preceding quarter."

GRUNDBERG of Polk

H-3733

- 1 Amend Senate File 361, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 7, line 13, by striking the figure "3"
 4 and inserting the following: "4".

MILLER of Cherokee

H-3734

- 1 Amend the amendment, H-3331, to House File 428 as
 2 follows:
 3 1. Page 1, by inserting after line 9 the fol-

4 lowing:
 5 "_____. Page 1, by striking lines 23 through 25 and
 6 inserting the following: "day. Each member shall
 7 receive a ~~seventy-five dollar~~ per month allowance for
 8 legislative district constituency expenses. These
 9 expenses shall be based upon actual expenses incurred
 10 and shall be submitted in the following four
 11 categories: postage, travel, telephone costs, and
 12 other expenses. A member may be reimbursed up to a
 13 maximum of one hundred twenty-five dollars per month.
 14 Travel expenses".

HALVORSON of Clayton

H-3735

1 Amend the amendment, H-3696, to House File 647, as
 2 follows:
 3 1. Page 1, line 18, by striking the figure "1994"
 4 and inserting the following: "1995".

KREIMAN of Davis

H-3736

1 Amend the amendment, H-3652, to House File 647 as
 2 follows:
 3 1. Page 1, line 4, by striking the word "shall"
 4 and inserting the following: "and the consumer
 5 advocate shall each".

BRAND of Benton

H-3737

1 Amend House File 425 as follows:
 2 1. Page 1, by inserting after line 4, the
 3 following:
 4 "Sec. _____. Section 358.9, unnumbered paragraph 3,
 5 Code 1993, is amended to read as follows:
 6 However, for districts formed after July 1, 1984,
 7 successors to the initial trustees shall may be
 8 elected at the next general election if the board of
 9 trustees approves or at an annual meeting of the board
 10 of trustees called for that purpose. Upon petition of
 11 a majority of the landowners owning more than fifty
 12 percent of the total land in the district, the board
 13 of trustees shall call an annual meeting of the
 14 residents of the district to elect successors to
 15 trustees of the board. Vacancies shall be filled by
 16 the remaining trustees in the same manner as city
 17 council members as provided in section 372.13,
 18 subsection 2."
 19 2. Title page, line 2, by inserting after the

- 20 word "certificates" the following: ", election of
 21 sanitary district trustees,".
 22 3. By renumbering as necessary.

GREIG of Emmet

H-3739

- 1 Amend the amendment, H-3279, to House File 304 as
 2 follows:
 3 1. Page 1, by striking lines 2 through 7 and
 4 inserting the following:
 5 "_____. Page 1, line 6, by inserting after the word
 6 "offenses," the following: "except for those acts
 7 which are public offenses or delinquent acts solely
 8 because they are committed by a person seventeen years
 9 of age or younger,".
 10 _____. Page 1, line 11, by inserting after the word
 11 "probation" the following: ", except for those
 12 violations which are public offenses or delinquent
 13 acts solely because they are committed by a person
 14 seventeen years of age or younger".
 15 _____. Page 1, line 19, by inserting after the word
 16 "offense," the following: "except for an act which is
 17 a public offense or delinquent act solely because it
 18 is committed by a person seventeen years of age or
 19 younger,".
 20 _____. Page 2, line 15, by inserting after the word
 21 "act" the following: ", except for an act which is a
 22 public offense or delinquent act solely because it is
 23 committed by a person seventeen years of age or
 24 younger,".

McNEAL of Hardin
 KREIMAN of Davis

H-3742

- 1 Amend the amendment, H-3527, to House File 602 as
 2 follows:
 3 1. Page 1, line 5, by inserting after the word
 4 "employer" the following: ", including a member of a
 5 board of directors,".
 6 2. Page 1, line 9, by inserting after the word
 7 "employer" the following: ", including members of a
 8 board of directors".

MURPHY of Dubuque

H-3749

- 1 Amend House File 190 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 422.45, Code 1993, is amended

5 by adding the following new subsection:

6 NEW SUBSECTION. 48. The gross receipts from the
7 sale of wind energy conversion property to be used as
8 an electric power source and the sale of the materials
9 used to manufacture, install, construct, repair, or
10 replace wind energy conversion property used or to be
11 used as an electric power source.

12 For purposes of this section, "wind energy
13 conversion property" means any device, including, but
14 not limited to, a wind charger, windmill, wind
15 turbine, tower and electrical equipment, pad mount
16 transformers, power lines, substation, and related
17 structures, which converts wind energy to a form of
18 usable energy.

19 Sec. 2. NEW SECTION. 427B.26 SPECIAL VALUATION
20 OF WIND ENERGY CONVERSION PROPERTY.

21 1. a. A city council or county board of
22 supervisors may provide by ordinance for the special
23 valuation of wind energy conversion property as
24 provided in subsection 2. The ordinance may be
25 enacted not less than thirty days after a public
26 hearing on the ordinance is held. Notice of the
27 hearing shall be published in accordance with section
28 331.305 in the case of a county, or section 362.3 in
29 the case of a city. The ordinance shall only apply to
30 property first assessed on or after the effective date
31 of the ordinance.

32 b. If in the opinion of the city council or the
33 county board of supervisors continuation of the
34 special valuation provided under this section ceases
35 to be of benefit to the city or county, the city
36 council or the county board of supervisors may repeal
37 the ordinance authorized by this subsection. Property
38 specially valued under this section prior to repeal of
39 the ordinance shall no longer be valued under this
40 section for subsequent assessment years.

41 2. In lieu of the valuation and assessment
42 provisions in section 441.21, subsection 9, paragraphs
43 "b" and "c", and sections 428.24 to 428.29, wind
44 energy conversion property which is first assessed for
45 property taxation on or after January 1, 1994, and on
46 or after the effective date of the ordinance enacted
47 pursuant to subsection 1, shall be valued by the local
48 assessor for property tax purposes as follows:

49 a. For the first assessment year, at zero percent
50 of the net acquisition cost.

Page 2

1 b. For the second and succeeding assessment years,
2 at five percent of the net acquisition cost.
3 3. The taxpayer shall file with the local assessor

4 by February 1 of the assessment year in which the wind
 5 energy conversion property is first assessed for
 6 property tax purposes, a declaration of intent to have
 7 the property assessed at the value determined under
 8 this section in lieu of the valuation and assessment
 9 provisions in section 441.21, subsection 9, paragraphs
 10 "b" and "c", and sections 428.24 to 428.29.

11 4. For purposes of this section:

12 a. "Net acquisition cost" means the acquired cost
 13 of the property including all foundations and
 14 installation cost less any excess cost adjustment.

15 b. "Wind energy conversion property" means the
 16 entire windplant including, but not limited to, a wind
 17 charger, windmill, wind turbine, tower and electrical
 18 equipment, pad mount transformer, power lines,
 19 substation, and structures.

20 5. This section is repealed December 31, 2003, for
 21 assessment years beginning after that date. Wind
 22 energy conversion property which is valued and
 23 assessed pursuant to this section prior to the repeal
 24 of this section shall no longer be valued and assessed
 25 under this section."

26 2. Title page, lines 2 and 3, by striking the
 27 words "systems and providing an applicability date
 28 provision" and inserting the following: "property".

GREIG of Emmet

H-3750

1 Amend the amendment, H-3675, to House File 606, as
 2 follows:

3 1. Page 1, line 23, by striking the word "real"
 4 and inserting the following: "taxable".

BEATTY of Warren

H-3751

1 Amend House File 613 as follows:

2 1. Page 1, by striking lines 7 through 23.

3 2. By renumbering as necessary.

HANSEN of Woodbury

H-3752

1 Amend House File 613 as follows:

2 1. Page 1, by striking lines 24 through 35.

3 2. By renumbering as necessary.

HANSEN of Woodbury

H-3753

1 Amend Senate File 266, as amended, passed, and re-
 2 printed by the Senate, as follows:

- 3 1. Page 13, by inserting after line 17, the
 4 following:
 5 "Sec. _____. Section 99F.10, subsection 4, Code
 6 1993, is amended to read as follows:
 7 4. In determining the license fees and state
 8 admission fees to be charged as provided under section
 9 99F.4 and this section, the commission shall use the
 10 amount appropriated to the commission plus the cost of
 11 auditing excursion gambling boat activities as the
 12 basis for determining the amount of revenue to be
 13 raised from the license fees and admission fees. The
 14 costs of auditing shall include, but not be limited
 15 to, salary and associated costs incurred by other
 16 agencies of the state for personnel assigned to
 17 enforcement of excursion boat gambling rules and
 18 regulations adopted by the commission."
 19 2. By renumbering as necessary.

HALVORSON of Webster
 OSTERBERG of Linn

H-3754

- 1 Amend Senate File 303, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 17, by inserting after the word
 4 "establish" the following: "for peace officers
 5 employed by the city".

WEIDMAN of Cass

H-3757

- 1 Amend House File 304, as follows:
 2 1. Page 1, line 6, by inserting after the word
 3 "offenses," the following: "except for those acts
 4 which are public offenses or delinquent acts solely
 5 because they are committed by a person seventeen years
 6 of age or younger."
 7 2. Page 1, line 11, by inserting after the word
 8 "probation" the following: ", except for those
 9 violations which are public offenses or delinquent
 10 acts solely because they are committed by a person
 11 seventeen years of age or younger".
 12 3. Page 1, line 19, by inserting after the word
 13 "offense," the following: "except for an act which is
 14 a public offense or delinquent act solely because it
 15 is committed by a person seventeen years of age or
 16 younger."
 17 4. Page 2, line 15, by inserting after the word
 18 "act" the following: ", except for an act which is a
 19 public offense or delinquent act solely because it is
 20 committed by a person seventeen years of age or
 21 younger"."

McNEAL of Hardin

H-3762

1 Amend the amendment, H-3636, to House File 600 as
2 follows:

3 1. Page 1, by striking lines 2 through 26 and
4 inserting the following:

5 "_____. By striking everything after the enacting
6 clause and inserting the following:

7 "Section 1. Section 815.4, Code 1993, is amended
8 to read as follows:

9 815.4 SPECIAL WITNESSES FOR INDIGENTS.

10 Witnesses secured for indigent or partially
11 indigent defendants under R.Cr.P. 19 must file a claim
12 for compensation supported by an affidavit specifying
13 the time expended, services rendered, and expenses
14 incurred on behalf of the defendant.

15 Sec. _____. Section 815.5, Code 1993, is amended to
16 read as follows:

17 815.5 EXPERT WITNESSES FOR STATE AND DEFENSE.

18 Notwithstanding the provisions of section 622.7²,
19 reasonable compensation as determined by the court
20 shall be awarded expert witnesses, expert witnesses
21 for indigents an indigent or partially indigent person
22 referred to in section 815.4, or called by the state
23 in criminal cases.

24 Sec. _____. Section 815.9, subsection 1, Code 1993,
25 is amended by striking the subsection and inserting in
26 lieu thereof the following:

27 1. For purposes of this chapter, section 68.8,
28 section 222.22, chapter 232, chapter 814, and the
29 rules of criminal procedure, the following apply:

30 a. A person is indigent if the person has an
31 income level at or below the United States poverty
32 level as defined by the most recently revised poverty
33 income guidelines published by the United States
34 department of health and human services.

35 b. A person is partially indigent if the person
36 has an income level greater than one hundred percent
37 but not more than two hundred fifty percent of the
38 United States poverty level as defined by the most
39 recently revised poverty income guidelines published
40 by the United States department of health and human
41 services.

42 Sec. _____. Section 815.9, subsection 2, Code 1993,
43 is amended by striking the subsection and inserting in
44 lieu thereof the following:

45 2. A determination of the indigent status of a
46 person shall be made on the person's initial
47 appearance before a court. If a person is granted
48 legal assistance as an indigent or partial indigent,
49 the financial statement shall be filed and permanently
50 retained in the person's court file.

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1 The supreme court shall adopt rules under section
2 602.4202 prescribing the form and content of the
3 financial statement upon which a determination of
4 indigency shall be based. The financial statement
5 shall contain sufficient information to allow the
6 determination to be made of whether the person meets
7 the guidelines set out in subsection 1 and shall be
8 accompanied by the person's most recent pay slip, if
9 employed.

10 Sec. _____. Section 815.9, subsection 3, Code 1993,
11 is amended to read as follows:

12 3. A person who knowingly submits a false
13 financial statement or pay slip for the purpose of
14 obtaining legal assistance at public expense commits a
15 fraudulent practice. As used in this subsection,
16 "legal assistance" includes legal counsel,
17 transcripts, witness fees and expenses, and any other
18 goods or services required by law to be provided to an
19 indigent or partially indigent person at public
20 expense.

21 Sec. _____. NEW SECTION. 815.9A RECOVERY OF
22 INDIGENT DEFENSE COSTS.

23 1. Costs incurred for indigent defense shall be
24 paid to the clerk of the district court by the person
25 receiving the services not later than the date of
26 sentencing or, if the person is acquitted or the
27 charges are dismissed, within thirty days of the
28 acquittal or dismissal, as follows:

29 a. If the person has an income level as determined
30 pursuant to section 815.9 greater than one hundred
31 percent but not more than one hundred fifty percent of
32 the poverty guidelines, one hundred dollars or the
33 total indigent defense costs, whichever is lower.

34 b. If the person has an income level as determined
35 pursuant to section 815.9 greater than one hundred
36 fifty percent but not more than two hundred percent of
37 the poverty guidelines, two hundred dollars or the
38 total indigent defense costs, whichever is lower.

39 c. If the person has an income level as determined
40 pursuant to section 815.9 greater than two hundred
41 percent but not more than two hundred fifty percent of
42 the poverty guidelines, three hundred dollars or the
43 total indigent defense costs, whichever is lower.

44 Amounts in excess of the minimum amounts stated in
45 paragraphs "a" through "c" or amounts under those
46 paragraphs remaining uncollected shall be recovered in
47 accordance with section 910.2.

48 2. Fees received by the clerk of the district
49 court under this section shall be transferred to the
50 treasurer of state for deposit in the general fund of

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1 the state, notwithstanding any other distribution
2 provisions of the Code to the contrary.

3 Sec. _____. Section 815.10, subsections 1 and 2,
4 Code 1993, are amended to read as follows:

5 1. The court, for cause and upon its own motion or
6 upon application by an indigent or partially indigent
7 person or a public defender, shall appoint the state
8 public defender or the state public defender's
9 designee pursuant to section 13B.4, or an attorney
10 pursuant to section 13B.9 to represent an indigent or
11 partially indigent person at any stage of the criminal
12 or juvenile proceedings or on appeal of any criminal
13 or juvenile action in which the indigent or partially
14 indigent person is entitled to legal assistance at
15 public expense. However, in juvenile cases the court
16 may directly appoint an existing nonprofit corporation
17 established for and engaged in the provision of legal
18 services for juveniles. An appointment shall not be
19 made unless the person is determined to be indigent or
20 partially indigent under section 815.9.

21 2. If a court finds that a person desires legal
22 assistance and is not indigent or partially indigent,
23 but refuses to employ an attorney, the court shall
24 appoint the state public defender or the state public
25 defender's designee pursuant to section 13B.4, or an
26 attorney pursuant to section 13B.9 to represent the
27 person. The cost of providing legal assistance shall
28 be taxed as a court cost against the person.

29 Sec. _____. Section 815.11, Code 1993, is amended to
30 read as follows:

31 815.11 APPROPRIATIONS FOR INDIGENT DEFENSE.

32 Costs incurred under sections section 814.9,
33 814.10, 814.11, 815.4, 815.5, 815.6, 815.7, or 815.10,
34 or the rules of criminal procedure on behalf of an
35 indigent or partially indigent person shall be paid
36 from funds appropriated by the general assembly to the
37 department of inspections and appeals for those
38 purposes."

39 _____. Title page, lines 1 and 2, by striking the
40 words "and providing an effective date".

41 _____. By renumbering as necessary. "

DICKINSON of Jackson

H-3764

1 Amend the amendment, H-3434, to House File 602 as
2 follows:

3 1. Page 1, line 11, by inserting after the word
4 "record." the following: "A member who refuses to
5 submit to the test or whose test indicated that the

6 member was under the influence of alcohol or a
7 controlled substance or indicated the presence of a
8 controlled substance shall submit to substance abuse
9 evaluation and treatment at the cost of the member.
10 The member shall not return to the member's duties for
11 three months from the date the test was required or
12 from the date the substance abuse treatment has been
13 successfully completed, whichever is later."

BURKE of Marshall

H-3765

1 Amend the amendment, H-3535, to House File 602, as
2 follows:
3 1. Page 1, by striking lines 18 through 21 and
4 inserting the following: "legislative council."
5 2. Page 1, line 23, by inserting after the word
6 "record." the following: "A member of the news media
7 who refuses to submit to the test or whose test
8 indicated that the member was under the influence of
9 alcohol or a controlled substance or indicated the
10 presence of a controlled substance shall submit to
11 substance abuse evaluation and treatment at the cost
12 of the member of the news media. The member of the
13 news media shall be denied access to the press-only
14 areas of the general assembly for three months from
15 the date the test was required or from the date the
16 substance abuse treatment has been successfully
17 completed, whichever is later."

BURKE of Marshall

H-3766

1 Amend the amendment, H-3498, to House File 602 as,
2 follows:
3 1. Page 1, line 15, by inserting after the word
4 "record." the following: "A member who refuses to
5 submit to the test or whose test indicated that the
6 member was under the influence of alcohol or a
7 controlled substance or indicated the presence of a
8 controlled substance shall submit to substance abuse
9 evaluation and treatment at the cost of the member.
10 The member shall not return to the member's duties for
11 three months from the date the test was required or
12 from the date the substance abuse treatment has been
13 successfully completed, whichever is later."

BURKE of Marshall

H-3767

1 Amend House File 613 as follows:
2 1. By striking everything after the enacting

3 clause and inserting the following:

4 "Section 1. NEW SECTION. 523I.1 DEFINITIONS.

5 1. "Fast food restaurant" means a restaurant where
6 food and beverages are sold for consumption on or off
7 the premises and delivered to the customer after the
8 customer places an order with a cashier or other
9 individual at a counter, drive-through window, or by
10 telephone. "Fast food restaurant" does not include a
11 restaurant in which a majority of the customers are
12 seated at tables before an individual waits on the
13 table and takes the orders of the customers, a
14 restaurant or cafeteria located on the premises of a
15 retail grocery store, or a restaurant or cafeteria
16 located on the premises of a convenience store or
17 other similar retail store.

18 2. "Franchise" means a written agreement which
19 does all of the following:

20 a. Grants the right to distribute goods or provide
21 services under a marketing plan prescribed or
22 suggested in substantial part by the franchisor.

23 b. Requires payment, directly or indirectly, of a
24 franchise fee to a franchisor or the franchisor's
25 affiliate.

26 c. Allows the franchise business to be
27 substantially associated with the franchisor's
28 trademark, service mark, trade name, logotype,
29 advertisement, or other commercial symbol of or
30 commercial symbol designating the franchisor or the
31 franchisor's affiliate.

32 Sec. 2. NEW SECTION. 523I.2 DUTY OF GOOD FAITH.

33 The establishment of a fast food restaurant
34 franchise imposes on the parties to the agreement a
35 duty of good faith in performance and enforcement.
36 "Good faith" means honesty in fact and the observance
37 of reasonable commercial and ethical standards of fair
38 dealing in the trade, faithfulness to an agreed common
39 purpose, and consistency with the justified
40 expectations of the parties to the franchise
41 agreement. The duty of good faith obligates a party
42 to a fast food restaurant franchise, in making a
43 decision that directly affects the fast food
44 restaurant franchise or the business conducted under
45 the fast food restaurant franchise, to refrain from
46 conduct that impairs or injures the right of another
47 party to the franchise agreement to receive the
48 reasonably anticipated benefits of the fast food
49 restaurant franchise. The exercise of rights and the
50 performance of obligations in the manner expressly

2 accordance with this chapter shall not be a breach of
3 this chapter.

4 Sec. 3. NEW SECTION. 523I.3 RIGHT OF FREE
5 ASSOCIATION.

6 A fast food restaurant franchisor shall not
7 restrict or inhibit, or attempt to restrict or
8 inhibit, a franchisee from seeking legislative
9 redress, from associating with other fast food
10 restaurant franchisees for any lawful purpose, or from
11 participating in a trade association, and shall not
12 retaliate against a franchisee for engaging in these
13 activities.

14 Sec. 4. NEW SECTION. 523I.4 CHOICE OF LAW.

15 A condition, stipulation, or provision requiring
16 the application of the law of another state in lieu of
17 this chapter is void.

18 Sec. 5. NEW SECTION. 523I.5 PRIVATE CIVIL
19 ACTION.

20 A fast food restaurant franchisor or franchisee who
21 is aggrieved as a result of a violation of this
22 chapter, may bring a civil action in the district
23 court in a county in which the franchisee's fast food
24 restaurant is located. The aggrieved party may
25 maintain an action under this section for actual
26 damages and other appropriate relief, including costs
27 and reasonable attorney fees. Additionally, the court
28 may award, as appropriate, exemplary damages not to
29 exceed four times the amount of actual damages if the
30 court determines the violator acted with malice.

31 Sec. 6. Chapter 523H, Code 1993, is repealed."

HANSEN of Woodbury

H-3770

1 Amend House File 428 as follows:

2 1. Page 1, by striking lines 10 through 22 and
3 inserting the following: "addition, each such member
4 shall receive the sum of fifty dollars per day for
5 expenses of office, except travel, for each day the
6 general assembly is in session commencing with the
7 first day of a legislative session and ending with the
8 day of final adjournment of each legislative session
9 as indicated by the journals of the house and senate,
10 except that if the length of the first regular session
11 of the general assembly exceeds one hundred ten
12 calendar days and the second regular session exceeds
13 one hundred calendar days, the payments shall be made
14 only for one hundred ten calendar days for the first
15 session and one hundred calendar days for the second
16 session a total of five thousand five hundred dollars
17 for the first regular session of the general assembly
18 and a total of five thousand dollars for the second

19 regular session of the general assembly for expenses
 20 of office, except travel. However, members from Polk
 21 county shall receive thirty-five dollars per day three
 22 thousand eight hundred fifty dollars for the first
 23 regular session and three thousand five hundred
 24 dollars for the second regular session. These amounts
 25 shall be payable in four equal monthly payments
 26 beginning on January 15 of each year".

27 2. Page 1, line 23, by striking the word "day"
 28 and inserting the following: "day"."

HANSON of Delaware

H-3771

1 Amend House File 647 as follows:
 2 1. Page 3, line 3, by inserting after the word
 3 "plan." the following: "A person who intervenes in a
 4 hearing may request that the utility board grant the
 5 intervenor one-half the reasonable costs incurred in
 6 intervening in the hearing. Such costs shall be
 7 granted if the board determines that the issue raised
 8 by the intervenor is relevant and material to the
 9 hearing, and was not raised by another party to the
 10 hearing. Such costs shall be assessed against the
 11 utility."

FALLON of Polk

H-3772

1 Amend House File 647 as follows:
 2 1. Page 1, by striking lines 1 through 20.
 3 2. By striking page 1, line 23, through page 4,
 4 line 29, and inserting the following:
 5 "A telephone utility which is able to reduce its
 6 expenses by increasing the efficiency of its
 7 operations as a result of a plan for alternative
 8 regulation shall be allowed to retain one-half of the
 9 net income attributable to the increase in efficiency,
 10 until the next proceeding setting rates for the
 11 utility. In that next proceeding setting rates for
 12 the utility, the utility may be allowed, at the
 13 discretion of the board, to retain lesser amounts of
 14 the net income attributable to the increase in
 15 efficiency. If substantial competition exists for a
 16 service provided by a telephone utility that has not
 17 been deregulated by the board under section 476.1D,
 18 the board may approve a tariff for the service which
 19 provides for rate flexibility within a range
 20 prescribed in the tariff. For rate changes within the
 21 range specified by the tariff, the utility need not

- 22 comply with the requirements of section 476.6,
 23 subsections 5, 6, and 7."
 24 3. Renumber as necessary.

FALLON of Polk

H-3773

- 1 Amend House File 647 as follows:
 2 1. Page 4, by inserting after line 17 the
 3 following:
 4 "Sec. _____. NEW SECTION. 476.30D INTERVENOR
 5 TRAINING.
 6 The board shall establish a training program to be
 7 offered to persons who may intervene in any proceeding
 8 involving a local exchange utility electing to
 9 participate under, and submitting a plan for,
 10 alternative regulation. The costs of the program
 11 shall be charged to local exchange utilities
 12 submitting a plan for alternative regulation. A plan
 13 for alternative regulation shall not be approved
 14 unless the plan includes a provision providing that
 15 the costs charged to the utility pursuant to this
 16 section shall not be included either directly or
 17 indirectly in their charges or rates to customers."
 18 2. Renumber as necessary.

FALLON of Polk

H-3774

- 1 Amend House File 647 as follows:
 2 1. Page 4, by inserting after line 27 the
 3 following:
 4 "Sec. _____. The utilities board shall assess an
 5 amount against each local exchange telephone utility
 6 in proportion to the annual gross revenues of such
 7 utilities such that the total amount assessed against
 8 all local exchange telephone utilities equals fifteen
 9 million dollars. The amount collected shall be
 10 deposited in a fund to be administered by the board.
 11 The board shall provide grants from the fund to local
 12 exchange telephone utilities making application on
 13 forms provided by the board, to be used for upgrading
 14 the facilities and equipment of the local exchange
 15 telephone utilities."
 16 2. Renumber as necessary.

OSTERBERG of Linn

H-3775

- 1 Amend House File 572 as follows:
 2 1. Page 1, by inserting after line 33, the
 3 following:

4 "Sec. _____. Section 455C.2, subsection 2, Code
 5 1993, is amended to read as follows:
 6 2. In addition to the refund value provided in
 7 subsection 1 of this section, a dealer, or person
 8 operating a redemption center who redeems empty
 9 beverage containers or a dealer agent shall be
 10 reimbursed by the distributor required to accept the
 11 empty beverage containers an amount which is one cent
 12 and one-half cents per container. A dealer, dealer
 13 agent, or person operating a redemption center may
 14 compact empty metal beverage containers with the
 15 approval of the distributor required to accept the
 16 containers." .
 17 2. By renumbering as necessary.

BERNAU of Story
 SCHRADER of Marion

H-3776

1 Amend the amendment, H-3682, to House File 606 as
 2 follows:
 3 1. Page 1, line 45, by striking the word "thirty"
 4 and inserting the following: "twenty".

VANDE HOEF of Osceola

H-3778

1 Amend House Concurrent Resolution 24 as follows:
 2 1. Page 2, line 17, by striking the figure
 3 "16,380,000" and inserting the following:
 4 "21,584,349".
 5 2. Page 3, line 6, by striking the figure
 6 "16,380,000" and inserting the following:
 7 "21,584,349".
 8 3. Page 3, line 23, by striking the figure
 9 "16,380,000" and inserting the following:
 10 "21,584,349".
 11 4. Page 3, by inserting after line 27 the
 12 following:
 13 "Iowa State University of Science and Technology
 14 Fire and environmental safety and deferred
 15 maintenance
 16 Cost of issuance of bonds
 17\$ 5,204,349"
 18 5. Page 4, line 2, by striking the figure
 19 "16,380,000" and inserting the following:
 20 "21,584,349".

HAMMOND of Story
 BERNAU of Story

H-3780

- 1 Amend the amendment, H-3673, to Senate File 11, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, by striking lines 14 through 17 and
 5 inserting the following:
 6 "A district court, hearing a matter regarding an
 7 ordinance establishing an agricultural enterprise zone
 8 or amending the borders of an agricultural enterprise
 9 zone, shall conduct a de novo hearing on any issue
 10 raised on appeal regarding whether the land is in
 11 close proximity to a location described in this
 12 subsection."

NEUHAUSER of Johnson

H-3781

- 1 Amend the amendment, H-3673, to Senate File 11, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, line 4, by striking the word "may" and
 5 inserting the following: "shall".

NEUHAUSER of Johnson

H-3787

- 1 Amend House File 656 as follows:
 2 1. Page 1, line 12, by striking the word
 3 "electricity" and inserting the following: "energy".
 4 2. Page 1, line 13, by striking the word
 5 "electricity" and inserting the following: "energy".
 6 3. Page 1, by inserting after line 16, the
 7 following:
 8 "Application for this exemption shall be filed with
 9 the assessing authority not later than February 1 of
 10 the first year for which the exemption is requested on
 11 forms provided by the department of revenue and
 12 finance. The application shall describe and locate
 13 the specific methane gas conversion property to be
 14 exempted. If the property consuming methane gas also
 15 consumes another fuel, the application shall contain a
 16 statement to that effect and shall identify the other
 17 fuel and estimate the ratio that the methane gas
 18 consumed bears to the total fuel consumed."

GREIG of Emmet
 CARPENTER of Polk
 HALVORSON of Clayton

H-3791

- 1 Amend the amendment, H-3767, to House File 613, as
 2 follows:

- 3 1. Page 2, by inserting after line 13, the
 4 following:
 5 "Sec. _____. NEW SECTION. 523I.3A WAIVERS VOID.
 6 A condition, stipulation, or provision requiring a
 7 fast food restaurant franchisee to waive compliance
 8 with or relieving a person of a duty or liability
 9 imposed by or a right provided by this chapter or a
 10 rule or order under this chapter is void. This
 11 section shall not affect the settlement of disputes,
 12 claims, or civil lawsuits arising or brought pursuant
 13 to this chapter."
 14 2. By renumbering as necessary.

HANSEN of Woodbury

H-3792

- 1 Amend the amendment, H-3767, to House File 613, as
 2 follows:
 3 1. Page 2, by inserting after line 13, the
 4 following:
 5 "Sec. _____. NEW SECTION. 523I.3B INDEPENDENT
 6 SOURCING.
 7 1. Except as provided in subsection 2, a fast food
 8 restaurant franchisor shall allow a fast food
 9 restaurant franchisee to obtain equipment, fixtures,
 10 supplies, and services used in the establishment and
 11 operation of the franchised business from sources of
 12 the franchisee's choosing, provided that such goods
 13 and services meet standards as to their nature and
 14 quality promulgated by the franchisor.
 15 2. Subsection 1 of this section does not apply to
 16 reasonable quantities of inventory goods or services,
 17 including display and sample items, that the
 18 franchisor requires the franchisee to obtain from the
 19 franchisor or its affiliate, but only if the goods or
 20 services are central to the franchised business and
 21 either are actually manufactured or produced by the
 22 franchisor or its affiliate, or incorporate a trade
 23 secret owned by the franchisor or its affiliate."
 24 2. By renumbering as necessary.

HANSEN of Woodbury

H-3793

- 1 Amend the amendment, H-3767, to House File 613, as
 2 follows:
 3 1. Page 2, by inserting after line 13, the
 4 following:
 5 "Sec. _____. NEW SECTION. 523I.3C ENCROACHMENT.
 6 1. Notwithstanding the terms, provisions, or
 7 conditions of an agreement or fast food restaurant
 8 franchise, if a fast food restaurant franchisor seeks

9 to establish a new outlet, company-owned store, or
10 carry-out store within an unreasonable proximity of an
11 existing fast food restaurant franchisee, the existing
12 fast food restaurant franchisee, at the option of the
13 fast food restaurant franchisor, shall have either a
14 right of first refusal with respect to the proposed
15 new outlet, company-owned store, or carry-out store or
16 a right to compensation for market share diverted by
17 the new outlet. For the purposes of this section,
18 "unreasonable proximity" as applied to a fast food
19 restaurant franchise includes but is not limited to
20 the shortest distance as measured by the following
21 methods:

22 • a. A three-mile radius, using a straight line
23 measurement, from the center of an already existing
24 franchise.

25 b. A circular radius, using a straight line
26 measurement, from an existing fast food restaurant
27 franchise business which comprises a population of
28 thirty thousand or greater.

29 2. With respect to a right of first refusal, the
30 parties shall in good faith seek to establish a
31 mutually agreeable price and terms. If the parties
32 are unable to agree, each party shall appoint an
33 independent appraiser. If the independent appraisers
34 are unable to agree upon a price and terms, the
35 independent appraisers shall name a third appraiser to
36 determine the price and terms upon which the right of
37 first refusal may be exercised. The determination of
38 the independent appraiser shall be final and binding,
39 and subject to judicial review under chapter 679A.

40 If two or more existing fast food restaurant
41 franchises are located within an unreasonable
42 proximity to the proposed outlet, the closest fast
43 food restaurant franchisee shall have the first right
44 of first refusal, and if declined, the right of first
45 refusal shall pass to the next closest fast food
46 restaurant franchisee.

47 3. If the fast food restaurant franchisor does not
48 offer a right of first refusal, the fast food
49 restaurant franchisor shall compensate existing fast
50 food restaurant franchisees for market share diverted

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1 by the opening of the new outlet. If the fast food
2 restaurant franchisor and existing fast food
3 restaurant franchisees cannot agree upon the proper
4 amount of such compensation, each party shall appoint
5 an independent appraiser. If the independent
6 appraisers are unable to agree, the independent
7 appraisers shall appoint a third appraiser who shall

- 8 establish the level of compensation. The
 9 determination of the independent appraiser shall be
 10 final and binding, and subject to judicial review
 11 under chapter 679A.
 12 4. The court may grant a permanent or preliminary
 13 injunction to prevent injury or threatened injury from
 14 the violation or threatened violation of this
 15 section."
 16 2. By renumbering as necessary.

HANSEN of Woodbury

H-3794

- 1 Amend House File 647 as follows:
 2 1. Page 1, line 14, by inserting after the word
 3 "goals" the following: "as determined by the
 4 utilities board in consultation with the office of
 5 consumer advocate".

FALLON of Polk

H-3795

- 1 Amend House File 647 as follows:
 2 1. Page 1, by striking lines 18 through 20.
 3 2. By renumbering as necessary.

FALLON of Polk

H-3796

- 1 Amend House File 647 as follows:
 2 1. Page 2, by striking lines 21 and 22.
 3 2. By relettering as necessary.

FALLON of Polk

H-3797

- 1 Amend House File 647 as follows:
 2 1. Page 3, line 2, by striking the word "five"
 3 and inserting the following: "two".
 4 2. By renumbering as necessary.

FALLON of Polk

H-3798

- 1 Amend House File 647 as follows:
 2 1. Page 1, line 6, by striking the word
 3 "Communications" and inserting the following:
 4 "Essential communications".

FALLON of Polk

H-3799

- 1 Amend the amendment, H-3673, to Senate File 11, as

2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 49, by inserting after the word
5 "preserve." the following: "If a permit is required
6 to be issued by the department of natural resources
7 relating to the construction or operation of a
8 facility used for an agricultural activity within an
9 agricultural enterprise zone in a county that has not
10 adopted a zoning ordinance, the department may
11 condition the issuance of the permit on restrictions
12 necessary to ensure that a state park, state
13 recreation area, or state preserve is protected from
14 the effects of the agricultural activity which may
15 negatively impact the use or enjoyment of the state
16 park, state recreation area, or state preserve."

MAY of Worth

H-3800

1 Amend the amendment, H-3767, to House File 613, as
2 follows:

3 1. Page 2, by inserting after line 13, the
4 following:

5 "Sec. _____. NEW SECTION. 523L3C TRANSFER OF FAST
6 FOOD RESTAURANT FRANCHISE.

7 1. A fast food restaurant franchisee may transfer
8 the fast food restaurant franchised business and fast
9 food restaurant franchise to a transferee, provided
10 that the transferee satisfies the reasonable current-
11 qualifications of the fast food restaurant franchisor
12 for new fast food restaurant franchisees. For the
13 purposes of this section, a reasonable current
14 qualification for a new fast food restaurant
15 franchisee is a qualification based upon a legitimate
16 business reason. If the proposed transferee does not
17 meet the reasonable current qualifications of the fast
18 food restaurant franchisor, the fast food restaurant
19 franchisor may refuse to permit the transfer, provided
20 that the refusal of the fast food restaurant
21 franchisor to consent to the transfer is not arbitrary
22 or capricious when compared to the actions of the fast
23 food restaurant franchisor in other similar
24 circumstances.

25 2. Except as otherwise provided in this section, a
26 fast food restaurant franchisor may exercise a right
27 of first refusal contained in a fast food restaurant
28 franchise agreement after receipt of a proposal from
29 the fast food restaurant franchisee to transfer the
30 fast food restaurant franchise.

31 3. A fast food restaurant franchisor may require
32 as a condition of a transfer any of the following:

33 a. That the transferee successfully complete a

34 reasonable training program.

35 b. That a reasonable transfer fee be paid to
36 reimburse the fast food restaurant franchisor for the
37 fast food restaurant franchisor's reasonable and
38 actual expenses directly attributable to the transfer.

39 c. That the fast food restaurant franchisee pay or
40 make provision reasonably acceptable to the fast food
41 restaurant franchisor to pay any amount due the fast
42 food restaurant franchisor or the fast food restaurant
43 franchisor's affiliate.

44 4. A fast food restaurant franchisor shall not
45 withhold consent to a fast food restaurant franchisee
46 making a public offering of the fast food restaurant
47 franchisee's securities without good cause, provided
48 the fast food restaurant franchisee or the owners of
49 the fast food restaurant franchise retain control of
50 more than fifty percent of the voting power in the

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1 fast food restaurant franchise.

2 5. A fast food restaurant franchisee may transfer
3 the fast food restaurant franchisee's interest in the
4 fast food restaurant franchise, for the unexpired term
5 of the fast food restaurant franchise agreement, and a
6 fast food restaurant franchisor shall not require the
7 fast food restaurant franchisee or the transferee to
8 enter into a new or different fast food restaurant
9 franchise agreement as a condition of the transfer.

10 6. A fast food restaurant franchisee shall give
11 the fast food restaurant franchisor no less than sixty
12 days' written notice of a transfer which is subject to
13 the provisions of this section, and on request from
14 the fast food restaurant franchisor shall provide in
15 writing the ownership interests of all persons holding
16 or claiming an equitable or beneficial interest in the
17 fast food restaurant franchise subsequent to the
18 transfer or the fast food restaurant franchisee, as
19 appropriate. A fast food restaurant franchisee shall
20 not circumvent the intended effect of a contractual
21 provision governing the transfer of the fast food
22 restaurant franchise or an interest in the fast food
23 restaurant franchise by means of a management
24 agreement, lease, profit-sharing agreement,
25 conditional assignment, or other similar device.

26 7. A fast food restaurant franchisor shall not
27 transfer its interest in a fast food restaurant
28 franchise unless the fast food restaurant franchisor
29 makes reasonable provision for the performance of the
30 fast food restaurant franchisor's obligations under
31 the fast food restaurant franchise agreement by the
32 transferee. A fast food restaurant franchisor shall

33 provide the fast food restaurant franchisee notice of
34 a proposed transfer of the fast food restaurant
35 franchisor's interest in the fast food restaurant
36 franchise at the time the disclosure is required of
37 the fast food restaurant franchisor under applicable
38 securities laws, if interests in the fast food
39 restaurant franchisor are publicly traded, or if not
40 publicly traded, at the time such disclosure would be
41 required if the interests in the fast food restaurant
42 franchisor were publicly traded.

43 8. A transfer by a fast food restaurant franchisee.
44 is deemed to be approved sixty days after the fast
45 food restaurant franchisee submits the request for
46 consent to the transfer unless the fast food
47 restaurant franchisor withholds consent to the
48 transfer as evidenced in writing, specifying the
49 reason or reasons for withholding the consent. The
50 written notice must be delivered to the fast food

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1 restaurant franchisee prior to the expiration of the
2 sixty-day period. Any such notice is privileged and
3 is not actionable based upon a claim of defamation.

4 9. A fast food restaurant franchisor shall not
5 discriminate against a proposed transferee of a fast
6 food restaurant franchise on the basis of race, color,
7 national origin, sex, or physical handicap.

8 10. A fast food restaurant franchisor, as a
9 condition to a transfer of a fast food restaurant
10 franchise, shall not obligate a fast food restaurant
11 franchisee to undertake obligations or relinquish any
12 rights unrelated to the fast food restaurant franchise
13 proposed to be transferred, or to enter into a release
14 of claims broader than a similar release of claims by
15 the fast food restaurant franchisor against the fast
16 food restaurant franchisee which is entered into by
17 the fast food restaurant franchisor.

18 11. A fast food restaurant franchisor, after a
19 transfer of a fast food restaurant franchise, shall
20 not seek to enforce any covenant of the transferred
21 fast food restaurant franchise against the transferor
22 which prohibits the transferor from engaging in any
23 lawful occupation or enterprise. However, this
24 subsection does not prohibit the fast food restaurant
25 franchisor from enforcing a contractual covenant
26 against the transferor not to exploit the fast food
27 restaurant franchisor's trade secrets or intellectual
28 property rights, unless otherwise agreed to by the
29 parties.

30 12. For purposes of this section, "transfer" means
31 any change in ownership or control of a fast food

32 restaurant franchise, fast food restaurant franchised
33 business, or a fast food restaurant franchisee.

34 13. The following occurrences shall not be
35 considered transfers requiring the consent of the fast
36 food restaurant franchisor under a fast food
37 restaurant franchise agreement, and shall not result
38 in the imposition of any penalties or make applicable
39 any right of first refusal by the fast food restaurant
40 franchisor:

41 a. The succession of ownership of a fast food
42 restaurant franchise upon the death or disability of a
43 fast food restaurant franchisee, or of an owner of a
44 fast food restaurant franchise, to the fast food
45 restaurant franchisee's spouse, child or children, or
46 a partner of the fast food restaurant franchisee
47 unless the successor fails to meet the then current
48 reasonable qualifications of the fast food restaurant
49 franchisor for fast food restaurant franchisees and
50 the enforcement of the reasonable current

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1 qualifications is not arbitrary or capricious when
2 compared to actions of the fast food restaurant
3 franchisor in other similar circumstances.

4 b. The succession of a spouse, child, partner, or
5 other owner as operating manager upon the death or
6 disability of the operating manager, unless the
7 successor fails to meet the then current reasonable
8 qualifications of the fast food restaurant franchisor
9 for an operating manager, and enforcement of the
10 reasonable current qualifications is not arbitrary or
11 capricious when compared to actions of the fast food
12 restaurant franchisor in other similar circumstances.

13 c. Incorporation of a proprietorship fast food
14 restaurant franchisee, provided that such
15 incorporation does not prohibit a fast food restaurant
16 franchisor from requiring a personal guaranty by the
17 fast food restaurant franchisee of obligations related
18 to the fast food restaurant franchise.

19 d. A transfer within an existing ownership group
20 of a fast food restaurant franchise provided that more
21 than fifty percent of the fast food restaurant
22 franchise is held by persons who meet the fast food
23 restaurant franchisor's reasonable current
24 qualifications for fast food restaurant franchisees.
25 If less than fifty percent of the fast food restaurant
26 franchise would be owned by persons who meet the fast
27 food restaurant franchisor's reasonable current
28 qualifications, the fast food restaurant franchisor
29 may refuse to authorize the transfer, provided that
30 enforcement of the reasonable current qualifications

31 is not arbitrary or capricious when compared to
32 actions of the fast food restaurant franchisor in
33 other similar circumstances.

34 e. A transfer of less than a controlling interest
35 in the fast food restaurant franchise to the fast food
36 restaurant franchisee's spouse or child or children,
37 provided that more than fifty percent of the entire
38 fast food restaurant franchise is held by those who
39 meet the fast food restaurant franchisor's reasonable
40 current qualifications. If less than fifty percent of
41 the fast food restaurant franchise would be owned by
42 persons who meet the fast food restaurant franchisor's
43 reasonable current qualifications, the fast food
44 restaurant franchisor may refuse to authorize the
45 transfer, provided that enforcement of the reasonable
46 current qualifications is not arbitrary or capricious
47 when compared to actions of the fast food restaurant
48 franchisor in other similar circumstances.

49 f. A transfer of less than a controlling interest
50 in the fast food restaurant franchise of an employee

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1 stock ownership plan, or employee incentive plan,
2 provided that more than fifty percent of the entire
3 fast food restaurant franchise is held by those who
4 meet the fast food restaurant franchisor's reasonable
5 current qualifications for fast food restaurant
6 franchisees. If less than fifty percent would be
7 owned by persons who meet the fast food restaurant
8 franchisor's reasonable current qualifications, the
9 fast food restaurant franchisor may refuse to
10 authorize the transfer, provided that enforcement of
11 the reasonable current qualifications is not arbitrary
12 or capricious when compared to actions of the fast
13 food restaurant franchisor in other similar
14 circumstances.

15 g. A grant or retention of a security interest in
16 the fast food restaurant franchised business or its
17 assets, or an ownership interest in the fast food
18 restaurant franchisee, provided the security agreement
19 establishes an obligation on the part of the secured
20 party enforceable by the fast food restaurant
21 franchisor to give the fast food restaurant franchisor
22 notice of the secured party's intent to foreclose on
23 the collateral simultaneously with notice to the fast
24 food restaurant franchisee, and a reasonable
25 opportunity to redeem the interests of the secured
26 party and recover the secured party's interest in the
27 fast food restaurant franchise or fast food restaurant
28 franchised business by paying the secured obligation.

29 14. A fast food restaurant franchisor shall not

- 30 interfere or attempt to interfere with any disposition
 31 of an interest in a fast food restaurant franchise or
 32 fast food restaurant franchised business as described
 33 in subsection 13, paragraphs "a" through "g".
 34 2. By renumbering as necessary.

HANSEN of Woodbury

H-3801

- 1 Amend the amendment, H-3673, to Senate File 11, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, line 4, by striking the word "may" and
 5 inserting the following: "shall".
 6 2. Page 2, line 13, by inserting after the word
 7 "congregate" the following: ", which shall include
 8 but is not limited to any place where religious
 9 observances or worship regularly occurs, if the place
 10 is located on land in which a religious organization
 11 or association holds a legal interest".

HAVERLAND of Polk

H-3802

- 1 Amend Senate File 11, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 3, by striking lines 2 through 7 and
 4 inserting the following:
 5 "_____. In an action or proceeding against a person
 6 arising from an agricultural activity conducted on
 7 land included within an agricultural enterprise zone
 8 as provided in section 335.32, a person shall not be
 9 liable for damages caused by a public or private
 10 nuisance, except as provided in this section."
 11 2. Page 3, by inserting after line 8 the
 12 following:
 13 "_____. An action or proceeding brought by or on
 14 behalf of a person who acquired an interest in land
 15 subject to the alleged nuisance prior to the date that
 16 the agricultural activity was established or expanded,
 17 if the establishment or expansion of the agricultural
 18 activity is a direct or proximate cause of damages
 19 claimed by the person. A court may award attorney
 20 fees and court costs to a defendant if the court finds
 21 that the plaintiff's action is frivolous."
 22 3. Page 3, line 21, by striking the word "ten"
 23 and inserting the following: "three".

BERNAU of Story

H-3803

- 1 Amend Senate File 11, as amended, passed, and re-

2 printed by the Senate, as follows:

3 1. By striking page 2, line 35, through page 3,
4 line 22, and inserting the following:

5 "Sec. _____. NEW SECTION. 335.33 NUISANCE SUITS --
6 RISK MANAGEMENT POOL.

7 1. The owner of agricultural land within an
8 agricultural enterprise zone as provided in section
9 335.32, is eligible to participate in a program
10 creating a risk management pool. The risk management
11 pool shall serve to reimburse an eligible owner for
12 costs associated with defending an action or pro-
13 ceeding involving a claim of nuisance resulting from
14 an agricultural activity conducted within the
15 agricultural enterprise zone. The commissioner of
16 insurance shall adopt rules necessary to assure the
17 availability of coverage to eligible owners, including
18 rules relating to the administration of the program,
19 and the establishment of premiums. The risk manage-
20 ment pool is not insurance and is not subject to
21 regulation under chapters 505 through 523C or 523F.

22 2. The owner of agricultural land shall be subject
23 to risk management pool coverage, unless otherwise
24 excluded by the commissioner of insurance, for ten
25 years following the exclusion of the owner's land from
26 the zone due to the elimination of the".

27 2. Page 3, by striking lines 25 through 29.

BERNAU of Story

H-3804

1 Amend Senate File 216, as passed by the Senate, as
2 follows:

3 1. Page 5, by inserting after line 23, the
4 following:

5 "Sec. _____. NEW SECTION. 476.1E PRIVATE WATER
6 UTILITY.

7 1. As used in this section, water utility means a
8 public water supply system which is organized as a
9 for-profit corporation organized under chapter 490, a
10 nonprofit corporation organized under chapter 504A, or
11 any other type of business entity, which has more than
12 twenty-five but fewer than two thousand residential
13 service connections.

14 2. The water distributed by a water utility shall
15 meet the drinking water standards required by the
16 environmental protection commission pursuant to
17 section 455B.173. If a water utility does not meet
18 the drinking water standards, the department of
19 natural resources shall impose a schedule of
20 compliance for the drinking water distributed by the
21 water utility. If the cost of compliance is recovered
22 in rates or charges to customers, it shall not be

23 recovered over less than twenty years. A lesser
24 period of time may be established if approved by two-
25 thirds of the water utility customers.

26 3. A water utility is prohibited from including
27 directly or indirectly in its charges or rates to
28 customers any fines or monetary penalties assessed
29 against the water utility unless the customers operate
30 or manage the water utility.

31 4. If a water utility fails to meet the applicable
32 drinking water standards as required under section
33 455B.173 within a reasonable period of time as
34 established by the department of natural resources and
35 is located within two miles of a city, the city may
36 acquire or may grant a city utility the right to
37 acquire the water utility by purchase or condemnation.
38 Condemnation proceedings shall be according to chapter
39 6B.

40 5. If a complaint signed by at least twenty-five
41 percent of the customers of a water utility is filed
42 with the utility board alleging that a rate increase
43 imposed by the water utility on or after January 1,
44 1993, is unreasonable, the utility board shall
45 investigate the complaint. An unreasonable rate
46 increase means a rate that will produce excessive
47 revenue during a fiscal period for the water utility.
48 During the investigation, the water utility may
49 continue to collect the increased amount if the water
50 utility files a bond or undertaking approved by the

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1 board conditioned upon the refund in a manner
2 prescribed by the board of amounts collected after the
3 date of filing of the complaint in excess of rates or
4 charges finally determined by the board to be lawful.
5 If upon hearing the board finds that the utility's
6 rates and charges are unlawful, the board shall
7 mediate an agreement between the petitioners and the
8 water utility. If an agreement is not reached within
9 one hundred twenty days, the board shall determine
10 just, reasonable, and nondiscriminatory rates and
11 charges. The water utility shall pay the board's and
12 the consumer advocate's expenses reasonably
13 attributable to the investigation of the complaint and
14 any mediation which expenses may be recovered in the
15 utility's rates and charges over a reasonable period
16 of time. The board shall apply established regulatory
17 principles in any investigation of the reasonableness
18 of rates and charges or the determination of rates and
19 charges for a water utility.

20 6. a. A water utility may make effective a new or
21 changed rate, charge, schedule, or regulation after

22 giving written notice of the proposed new or changed
23 rate, charge, schedule, or regulation to all affected
24 customers served by the water utility. The notice
25 shall inform the customers of their right to petition
26 for a review of the proposal to the utilities board
27 within sixty days after notice is served if the
28 petition contains the signatures of at least twenty-
29 five percent of the water utility's customers. The
30 notice shall state the address of the utilities board.
31 The new or changed rate, charge, schedule, or
32 regulation takes effect sixty days after a valid
33 notice is served unless a petition for review of the
34 new or changed rate, charge, schedule, or regulation
35 signed by at least twenty-five percent of the water
36 utility's customers is filed with the board prior to
37 the expiration of the sixty-day period.

38 If a valid petition is filed with the board within
39 the sixty-day period, any new or changed rate, charge,
40 schedule, or regulation shall take effect, under bond
41 or corporate undertaking, subject to refund of all
42 amounts collected in excess of those amounts which
43 would have been collected under the rates or charges
44 finally approved by the board. The board shall within
45 five months of the date of filing make a determination
46 of just and reasonable rates based on a review of the
47 proposal, applying established regulatory principles.
48 The board may require the water utility and its
49 customers to furnish factual evidence in support of or
50 opposition to the new or changed rate, charge,

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1 schedule, or regulation. If the water utility
2 disputes the finding, the utility may within twenty
3 days file for further review, and the board shall
4 docket the case as a formal proceeding under section
5 476.6, subsection 7, and set the case for hearing.
6 The water utility shall submit factual evidence and
7 written argument in support of the filing.

8 b. A water utility shall not make effective a new
9 or changed rate, charge, schedule, or regulation which
10 relates to services for which a rate change is pending
11 within twelve months following the date the petition
12 to review the prior proposed rate, charge, schedule,
13 or regulation was filed with the board or until the
14 board has made its determination of just and
15 reasonable rates, whichever date is earlier, unless
16 the utility applies to the board for authority and
17 receives authority to make a subsequent rate change at
18 an earlier date.

19 c. A water utility shall not make or grant any
20 unreasonable preferences or advantages as to rates or

21 services to any person or subject any person to any
22 unreasonable prejudice or disadvantage.

23 7. The consumer advocate or the board may inspect
24 and copy the books and records of the water utility
25 which relate to the costs and expenses which are
26 included in determining the charges and rates to
27 customers.

28 8. Notwithstanding section 476.1, this section
29 applies to certain waterworks having less than two
30 thousand customers, but this section does not apply to
31 municipally owned waterworks, joint water utilities
32 established pursuant to chapter 389, rural water
33 districts incorporated and organized pursuant to
34 chapters 357A and 504A, benefited water districts
35 organized pursuant to chapter 357, cooperative water
36 associations incorporated and organized pursuant to
37 chapter 499 or to any business entity providing a
38 water supply system in conjunction with the provision
39 of residential housing.

40 Sec. _____. EFFECTIVE DATE. This Act, being deemed
41 of immediate importance, takes effect upon enactment."

42 2. Title page, line 2, by inserting after the
43 word "services" the following: "or certain private
44 water utilities, by providing for the regulation of
45 certain private water utilities,".

46 3. Title page, line 6, by inserting after the
47 word "nonpayment" the following: ", and providing for
48 retroactive applicability and an effective date".

49 4. By renumbering sections as necessary.

HAYERLAND of Polk

H-3806

1 Amend Senate File 359, 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 2B.12, subsection 2, Code
6 1993, is amended to read as follows:

7 2. The entire Iowa Code shall be maintained on a
8 computer data base which shall be updated as soon as
9 possible after each session of the general assembly.
10 The Iowa Code and Code Supplement shall be prepared
11 and printed on a good quality of paper in one or more
12 volumes, in the manner determined by the Iowa Code
13 editor in accordance with the policies of the
14 legislative council, as provided in section 2.42. The
15 Iowa Code shall be provided to the state library in
16 electronic format each year as soon as possible after
17 updating for the purpose of making the Code available
18 to the public in that format. Availability to the
19 state library and the public in electronic format

- 20 shall be in accordance with the policies of the
 21 legislative council, as provided in section 2.42."
 22 2. Title page, line 2, by inserting before the
 23 word "administrative" the following: "Iowa Code and
 24 the".
 25 3. Renumber as necessary.

Committee on State Government

H-3807

- 1 Amend Senate File 357, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 8 through 20 and
 4 inserting the following:
 5 "1. Three senators, two appointed by the majority
 6 leader, one appointed by the minority leader.
 7 2. Three representatives, two appointed by the
 8 speaker of the house of representatives, one appointed
 9 by the minority leader.
 10 The legislative council shall designate temporary
 11 co-chairpersons from among the legislative members.
 12 3. One ex officio, nonvoting member who shall be
 13 the director of the department of management or the
 14 director's designee.
 15 4. One member each representing private business
 16 and a state employee labor organization appointed by
 17 the legislative council. Members".

Committee on State Government

H-3810

- 1 Amend the amendment, H-3779, to House File 388, as
 2 follows:
 3 1. Page 1, by striking lines 27 through 29 and
 4 inserting the following: "include costs for portable
 5 and vehicle radios. Costs do not include expenditures
 6 for any".

HARPER of Black Hawk
 DICKINSON of Jackson
 WITT of Black Hawk
 SHOULTZ of Black Hawk

H-3811

- 1 Amend House File 600 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 815.4, Code 1993, is amended
 5 to read as follows:
 6 815.4 SPECIAL WITNESSES FOR INDIGENTS.
 7 Witnesses secured for indigent or partially
 8 indigent defendants under R.Cr.P. 19 must file a claim

9 for compensation supported by an affidavit specifying
10 the time expended, services rendered, and expenses
11 incurred on behalf of the defendant.

12 Sec. _____. Section 815.5, Code 1993, is amended to
13 read as follows:

14 815.5 EXPERT WITNESSES FOR STATE AND DEFENSE.

15 Notwithstanding the provisions of section 622.72,
16 reasonable compensation as determined by the court
17 shall be awarded expert witnesses, expert witnesses
18 for indigents an indigent or partially indigent person
19 referred to in section 815.4, or called by the state
20 in criminal cases.

21 Sec. _____. Section 815.9, subsection 1, Code 1993,
22 is amended by striking the subsection and inserting in
23 lieu thereof the following:

24 1. For purposes of this chapter, section 68.8,
25 section 222.22, chapter 232, chapter 814, and the
26 rules of criminal procedure, the following apply:

27 a. A person is indigent if the person has an
28 income level at or below the United States poverty
29 level as defined by the most recently revised poverty
30 income guidelines published by the United States
31 department of health and human services.

32 b. A person is partially indigent if the person
33 has an income level greater than one hundred percent
34 but not more than two hundred fifty percent of the
35 United States poverty level as defined by the most
36 recently revised poverty income guidelines published
37 by the United States department of health and human
38 services.

39 Sec. _____. Section 815.9, subsection 2, Code 1993,
40 is amended by striking the subsection and inserting in
41 lieu thereof the following:

42 2. A determination of the indigent status of a
43 person shall be made on the person's initial
44 appearance before a court. If a person is granted
45 legal assistance as an indigent or partial indigent,
46 the financial statement shall be filed and permanently
47 retained in the person's court file.

48 The supreme court shall adopt rules under section
49 602.4202 prescribing the form and content of the
50 financial statement upon which a determination of

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1 indigency shall be based. The financial statement
2 shall contain sufficient information to allow the
3 determination to be made of whether the person meets
4 the guidelines set out in subsection 1 and shall be
5 accompanied by the person's most recent pay slip, if
6 employed.

7 Sec. _____. Section 815.9, subsection 3, Code 1993,

8 is amended to read as follows:

9 3. A person who knowingly submits a false
10 financial statement or pay slip for the purpose of
11 obtaining legal assistance at public expense commits a
12 fraudulent practice. As used in this subsection,
13 "legal assistance" includes legal counsel,
14 transcripts, witness fees and expenses, and any other
15 goods or services required by law to be provided to an
16 indigent or partially indigent person at public
17 expense.

18 Sec. _____. NEW SECTION. 815.9A RECOVERY OF
19 INDIGENT DEFENSE COSTS.

20 1. Costs incurred for indigent defense shall be
21 paid to the clerk of the district court by the person
22 receiving the services not later than the date of
23 sentencing or, if the person is acquitted or the
24 charges are dismissed, within thirty days of the
25 acquittal or dismissal, as follows:

26 a. If the person has an income level as determined
27 pursuant to section 815.9 greater than one hundred
28 percent but not more than one hundred fifty percent of
29 the poverty guidelines, one hundred dollars or the
30 total indigent defense costs, whichever is lower.

31 b. If the person has an income level as determined
32 pursuant to section 815.9 greater than one hundred
33 fifty percent but not more than two hundred percent of
34 the poverty guidelines, two hundred dollars or the
35 total indigent defense costs, whichever is lower.

36 c. If the person has an income level as determined
37 pursuant to section 815.9 greater than two hundred
38 percent but not more than two hundred fifty percent of
39 the poverty guidelines, three hundred dollars or the
40 total indigent defense costs, whichever is lower.

41 Amounts in excess of the minimum amounts stated in
42 paragraphs "a" through "c" or amounts under those
43 paragraphs remaining uncollected shall be recovered in
44 accordance with section 910.2.

45 2. Fees received by the clerk of the district
46 court under this section shall be transferred to the
47 treasurer of state for deposit in the general fund of
48 the state, notwithstanding any other distribution
49 provisions of the Code to the contrary.

50 Sec. _____. Section 815.10, subsections 1 and 2,

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1 Code 1993, are amended to read as follows:

2 1. The court, for cause and upon its own motion or
3 upon application by an indigent or partially indigent
4 person or a public defender, shall appoint the state
5 public defender or the state public defender's
6 designee pursuant to section 13B.4, or an attorney

7 pursuant to section 13B.9 to represent an indigent or
 8 partially indigent person at any stage of the criminal
 9 or juvenile proceedings or on appeal of any criminal
 10 or juvenile action in which the indigent or partially
 11 indigent person is entitled to legal assistance at
 12 public expense. However, in juvenile cases the court
 13 may directly appoint an existing nonprofit corporation
 14 established for and engaged in the provision of legal
 15 services for juveniles. An appointment shall not be
 16 made unless the person is determined to be indigent or
 17 partially indigent under section 815.9.

18 2. If a court finds that a person desires legal
 19 assistance and is not indigent or partially indigent,
 20 but refuses to employ an attorney, the court shall
 21 appoint the state public defender or the state public
 22 defender's designee pursuant to section 13B.4, or an
 23 attorney pursuant to section 13B.9 to represent the
 24 person. The cost of providing legal assistance shall
 25 be taxed as a court cost against the person.

26 Sec. _____. Section 815.11, Code 1993, is amended to
 27 read as follows:

28 815.11 APPROPRIATIONS FOR INDIGENT DEFENSE.

29 Costs incurred under sections section 814.9,
 30 814.10, 814.11, 815.4, 815.5, 815.6, 815.7, or 815.10,
 31 or the rules of criminal procedure on behalf of an
 32 indigent or partially indigent person shall be paid
 33 from funds appropriated by the general assembly to the
 34 department of inspections and appeals for those
 35 purposes."

36 _____. Title page, lines 1 and 2, by striking the
 37 words "and providing an effective date".

38 _____. By renumbering as necessary."

DICKINSON of Jackson

H-3813

1 Amend the amendment, H-3673, to Senate File 11, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 3, by inserting before line 23 the
 5 following:

6 "_____. When eliminating an agricultural enterprise
 7 zone, the board of supervisors shall comply with the
 8 notice, hearing, and adoption requirements in section
 9 335.6. The board of supervisors shall conduct a
 10 public hearing on the adoption of a proposed ordinance
 11 eliminating the agricultural enterprise zone. The
 12 board of supervisors shall mail a notice, at least
 13 twenty days before the public hearing on the
 14 ordinance, to all property owners and residents of
 15 land located within the agricultural enterprise zone,
 16 and within two miles outside the current borders of

17 the agricultural enterprise zone. The public hearing
18 shall be conducted within sixty days after either of
19 the following:

20 (1) The date that the board of supervisors
21 receives a petition requesting adoption of such an
22 ordinance. The petition must be signed by either at
23 least twenty percent of the eligible electors who
24 reside in the agricultural enterprise zone or at least
25 fifty eligible electors who reside in the agricultural
26 enterprise zone, whichever is less.

27 (2) The date that the board of supervisors
28 approves a resolution indicating its intent to
29 eliminate the boundaries of an agricultural enterprise
30 zone."

FOGARTY of Palo Alto
MERTZ of Kossuth

H-3814

1 Amend the amendment, H-3673, to Senate File 11, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, by inserting after line 42, the
5 following:

6 "A county board of supervisors shall not adopt the
7 ordinance establishing an agricultural enterprise zone
8 until after a referendum in which a majority of
9 eligible electors residing on land which would be
10 included within the proposed agricultural enterprise
11 zone vote to approve the establishment of the
12 agricultural enterprise zone. The county board of
13 supervisors shall provide notice of the referendum,
14 including the time and places of holding the
15 referendum and the hours when the polls will open and
16 close. The notice shall be published for two
17 consecutive weeks in a newspaper in which the official
18 proceedings of the board are published. The final
19 notice shall be published not less than ten days
20 before the date of the referendum. A map of the
21 county illustrating the borders of the proposed
22 agricultural enterprise zone shall be posted at each
23 place of voting. On the day designated for the
24 referendum the polls shall open at 8:00 a.m. and
25 remain open until 8:00 p.m. The judges of the
26 referendum shall canvass the vote, certify the
27 results, and deposit with the county auditor the
28 ballots cast, together with the poll books showing the
29 names of the voters. The board of supervisors shall
30 canvass returns on the next Monday following the
31 referendum. The board shall make a return of the
32 results available to the county auditor who shall
33 publish the results in the same newspaper in which

34 notice of the referendum was provided."

35 2. Page 3, by striking lines 16 through 22, and
36 inserting the following: "requirements in section
37 335.6.

38 _____. The board of supervisors shall conduct a
39 public hearing on the adoption of a proposed ordinance
40 amending an agricultural enterprise zone. The board
41 of supervisors shall mail a notice, at least twenty
42 days before the public hearing on the ordinance, to
43 all property owners and residents of land currently
44 located within the agricultural enterprise zone which
45 would be excluded from the zone because of the
46 proposed amended borders, all property owners and
47 residents of land not currently located within the
48 agricultural enterprise zone but which would be
49 included in the agricultural enterprise zone because
50 of the proposed amended borders, and all property

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1 owners and residents of land located within two miles
2 outside the proposed amended borders of the
3 agricultural enterprise zone. The public hearing
4 shall be conducted within sixty days after either of
5 the following:

6 (1) The date that the board of supervisors
7 receives a petition requesting adoption of such an
8 ordinance. The petition shall specify the proposed
9 amended borders of the agricultural enterprise zone.
10 If the petition amends the borders of the agricultural
11 enterprise zone to exclude land within the current
12 zone, the petition must be signed by either at least
13 twenty percent of the eligible electors currently
14 residing within that part of the agricultural
15 enterprise zone proposed to be excluded, or at least
16 fifty eligible electors currently residing within that
17 part of the agricultural enterprise zone proposed to
18 be excluded, whichever is less. If the petition
19 amends the borders of the agricultural enterprise zone
20 to include more land within the zone, the petition
21 must be signed by either at least twenty percent of
22 the eligible electors who will reside in the
23 agricultural enterprise zone because of the proposed
24 amendment to the borders of the zone, or fifty
25 eligible electors who will reside in the agricultural
26 enterprise zone because of the proposed amendment to
27 the borders of the zone, whichever is less.

28 (2) The date that the board of supervisors
29 approves a resolution indicating its intent to amend
30 the borders of an agricultural enterprise zone."

31 3. Page 3, by inserting before line 23, the
32 following:

33 "A county board of supervisors shall not adopt the
34 ordinance amending the borders of an agricultural
35 enterprise zone until after a referendum in which a
36 majority of eligible electors vote to approve the
37 amendment. If the amendment would exclude land
38 existing in the agricultural enterprise zone, only
39 electors residing on the land to be excluded by the
40 ordinance may vote in the referendum. If the
41 amendment would include more land within the
42 agricultural enterprise zone, only electors residing
43 on land to be included by the ordinance may vote in
44 the referendum. The county board of supervisors shall
45 conduct the referendum as provided in subsection 6,
46 except that a map of the county illustrating the
47 borders of the existing agricultural enterprise zone
48 and the proposed amended borders of the zone shall be
49 posted at each place of voting."
50 4. Page 3, by inserting before line 23 the

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1 following:

2 "_____. When eliminating an agricultural enterprise
3 zone, the board of supervisors shall comply with the
4 notice, hearing, and adoption requirements in section
5 335.6. The board of supervisors shall conduct a
6 public hearing on the adoption of a proposed ordinance
7 eliminating the agricultural enterprise zone. The
8 board of supervisors shall mail a notice, at least
9 twenty days before the public hearing on the
10 ordinance, to all property owners and residents of
11 land located within the agricultural enterprise zone.
12 The public hearing shall be conducted within sixty
13 days after either of the following:

14 (1) The date that the board of supervisors
15 receives a petition requesting adoption of such an
16 ordinance. The petition must be signed by either at
17 least twenty percent of the eligible electors who
18 reside in the agricultural enterprise zone or at least
19 fifty eligible electors who reside in the agricultural
20 enterprise zone, whichever is less.

21 (2) The date that the board of supervisors
22 approves a resolution indicating its intent to
23 eliminate an agricultural enterprise zone."

24 5. Page 3, by inserting before line 23 the
25 following:

26 "A county board of supervisors shall not adopt the
27 ordinance eliminating an agricultural enterprise zone
28 until after a referendum in which a majority of
29 eligible electors residing within the agricultural
30 enterprise zone vote to eliminate the zone. The
31 county board of supervisors shall conduct the

32 referendum as provided in subsection 6, except that a
33 map of the county illustrating the borders of the
34 existing agricultural enterprise zone shall be posted
35 at each place of voting.”
36 6. By relettering and renumbering as necessary.

NEUHAUSER of Johnson

H—3815

1 Amend House File 502 as follows:
2 1. Page 1, by striking lines 1 through 30.
3 2. By striking page 1, line 33, through page 2,
4 line 8.
5 3. Page 7, by striking lines 3 through 12, and
6 inserting the following: “of personnel are considered
7 attorney work product as described in section 22.7,
8 subsection 4.”
9 4. By renumbering as necessary.

HESTER of Pottawattamie

H—3816

1 Amend Senate File 94, as passed by the Senate, as
2 follows:
3 1. Page 2, by inserting after line 19, the
4 following:
5 “_____. This section shall not apply to local
6 legislation which requires information relating to
7 pesticides, including pesticide contamination, to be
8 posted at a commercial establishment selling, or
9 offering for sale, fruits or vegetables, including but
10 not limited to a food establishment licensed under
11 chapter 137A.”
12 2. By renumbering as necessary.

HENDERSON of Scott

H—3817

1 Amend Senate File 94, as passed by the Senate, as
2 follows:
3 1. Page 2, by inserting after line 19 the
4 following:
5 “_____. This section shall not apply to local
6 legislation which provides for instruction to students
7 at a public school or nonpublic school, as defined in
8 section 280.2, including the communication or
9 distribution of information relating to pesticide use,
10 pesticide contamination, or the effects of pesticides
11 on human health and the environment.”
12 2. By renumbering as necessary.

HENDERSON of Scott

H-3819

1 Amend the amendment, H-3630, to Senate File 216, as
2 passed by the Senate, as follows:

3 1. By striking page 1, line 5 through page 2,
4 line 35 and inserting the following:

5 "Sec. _____. NEW SECTION. 476.1E PRIVATE WATER
6 UTILITY.

7 1. As used in this section, water utility means a
8 public water supply system which is organized as a
9 for-profit corporation organized under chapter 490, a
10 nonprofit corporation organized under chapter 504A, or
11 any other type of business entity, which has more than
12 twenty-five but fewer than two thousand residential
13 service connections.

14 2. The water distributed by a water utility shall
15 meet the drinking water standards required by the
16 environmental protection commission pursuant to
17 section 455B.173. If a water utility does not meet
18 the drinking water standards, the department of
19 natural resources shall impose a schedule of
20 compliance for the drinking water distributed by the
21 water utility. If the cost of compliance is recovered
22 in rates or charges to customers, it shall not be
23 recovered over less than twenty years. A lesser
24 period of time may be established if approved by two-
25 thirds of the water utility customers.

26 3. A water utility is prohibited from including
27 directly or indirectly in its charges or rates to
28 customers any fines or monetary penalties assessed
29 against the water utility unless the customers operate
30 or manage the water utility.

31 4. If a water utility fails to meet the applicable
32 drinking water standards as required under section
33 455B.173 within a reasonable period of time as
34 established by the department of natural resources and
35 is located within two miles of a city, the city may
36 acquire or may grant a city utility the right to
37 acquire the water utility by purchase or condemnation.
38 Condemnation proceedings shall be according to chapter
39 6B.

40 5. If a complaint signed by at least twenty-five
41 percent of the customers of a water utility is filed
42 with the utility board alleging that a rate increase
43 imposed by the water utility on or after January 1,
44 1993, is unreasonable, the utility board shall
45 investigate the complaint. An unreasonable rate
46 increase means a rate that will produce excessive
47 revenue during a fiscal period for the water utility.
48 During the investigation, the water utility may
49 continue to collect the increased amount if the water
50 utility files a bond or undertaking approved by the

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1 board conditioned upon the refund in a manner
2 prescribed by the board of amounts collected after the
3 date of filing of the complaint in excess of rates or
4 charges finally determined by the board to be lawful.
5 If upon hearing the board finds that the utility's
6 rates and charges are unlawful, the board shall
7 mediate an agreement between the petitioners and the
8 water utility. If an agreement is not reached within
9 one hundred twenty days, the board shall determine
10 just, reasonable, and nondiscriminatory rates and
11 charges. The water utility shall pay the board's and
12 the consumer advocate's expenses reasonably
13 attributable to the investigation of the complaint and
14 any mediation which expenses may be recovered in the
15 utility's rates and charges over a reasonable period
16 of time. The board shall apply established regulatory
17 principles in any investigation of the reasonableness
18 of rates and charges or the determination of rates and
19 charges for a water utility.

20 6. a. A water utility may make effective a new or
21 changed rate, charge, schedule, or regulation after
22 giving written notice of the proposed new or changed
23 rate, charge, schedule, or regulation to all affected
24 customers served by the water utility. The notice
25 shall inform the customers of their right to petition
26 for a review of the proposal to the utilities board
27 within sixty days after notice is served if the
28 petition contains the signatures of at least twenty-
29 five percent of the water utility's customers. The
30 notice shall state the address of the utilities board.
31 The new or changed rate, charge, schedule, or
32 regulation takes effect sixty days after a valid
33 notice is served unless a petition for review of the
34 new or changed rate, charge, schedule, or regulation
35 signed by at least twenty-five percent of the water
36 utility's customers is filed with the board prior to
37 the expiration of the sixty-day period.

38 If a valid petition is filed with the board within
39 the sixty-day period, any new or changed rate, charge,
40 schedule, or regulation shall take effect, under bond
41 or corporate undertaking, subject to refund of all
42 amounts collected in excess of those amounts which
43 would have been collected under the rates or charges
44 finally approved by the board. The board shall within
45 five months of the date of filing make a determination
46 of just and reasonable rates based on a review of the
47 proposal, applying established regulatory principles.
48 The board may require the water utility and its
49 customers to furnish factual evidence in support of or
50 opposition to the new or changed rate, charge,

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1 schedule, or regulation. If the water utility
2 disputes the finding, the utility may within twenty
3 days file for further review, and the board shall
4 docket the case as a formal proceeding under section
5 476.6, subsection 7, and set the case for hearing.

6 The water utility shall submit factual evidence and
7 written argument in support of the filing.

8 b. A water utility shall not make effective a new
9 or changed rate, charge, schedule, or regulation which
10 relates to services for which a rate change is pending
11 within twelve months following the date the petition
12 to review the prior proposed rate, charge, schedule,
13 or regulation was filed with the board or until the
14 board has made its determination of just and
15 reasonable rates, whichever date is earlier, unless
16 the utility applies to the board for authority and
17 receives authority to make a subsequent rate change at
18 an earlier date.

19 c. A water utility shall not make or grant any
20 unreasonable preferences or advantages as to rates or
21 services to any person or subject any person to any
22 unreasonable prejudice or disadvantage.

23 7. The consumer advocate or the board may inspect
24 and copy the books and records of the water utility
25 which relate to the costs and expenses which are
26 included in determining the charges and rates to
27 customers.

28 8. Notwithstanding section 476.1, this section
29 applies to certain waterworks having less than two
30 thousand customers, but this section does not apply to
31 municipally owned waterworks, joint water utilities
32 established pursuant to chapter 389, rural water
33 districts incorporated and organized pursuant to
34 chapters 357A and 504A, benefited water districts
35 organized pursuant to chapter 357, cooperative water
36 associations incorporated and organized pursuant to
37 chapter 499 or to any business entity providing a
38 water supply system in conjunction with the provision
39 of residential housing.

40 Sec. _____. EFFECTIVE DATE. This Act, being deemed
41 of immediate importance, takes effect upon enactment."

HAVERLAND of Polk

H-3823

1 Amend Senate File 266, as amended, passed, and re-
2 printed by the Senate, as follows:

3 1. Page 13, by inserting after line 17, the
4 following:

5 "Sec. _____. Section 99F.10, subsection 4, Code

6 1993, is amended to read as follows:

- 7 4. In determining the license fees and state
8 admission fees to be charged as provided under section
9 99F.4 and this section, the commission shall use the
10 amount appropriated to the commission plus the cost of
11 auditing excursion gambling boat activities as the
12 basis for determining the amount of revenue to be
13 raised from the license fees and admission fees. The
14 costs of auditing shall include salary and associated
15 costs incurred by the department of public safety and
16 the commission for personnel assigned to enforcement
17 of excursion boat gambling rules and regulations
18 adopted by the commission.
19 2. By renumbering as necessary.

HALVORSON of Webster
OSTERBERG of Linn

H-3827

1 Amend House File 519 as follows:

- 2 1. Page 4, line 31, by inserting after the word
3 "rent." the following: "However, a late payment fee
4 shall not exceed three dollars a day for the first
5 five days the rent is late and one dollar a day for
6 the next twenty-five days."
7 2. Page 8, line 27, by striking the word
8 "either".
9 3. Page 8, line 29, by inserting after the words
10 "there is" the following: "either".
11 4. Page 10, by striking lines 3 through 7.
12 5. Page 10, by striking lines 14 and 15 and
13 inserting the following: "of a complaint within six
14 months prior to the alleged act of".
15 6. Page 10, line 20, by inserting after the word
16 "reasons" the following: "which existed prior to
17 the time of the tenant's complaint."
18 7. Page 12, line 3, by striking the figures
19 "562A.24, 562A.32, 562B.22," and inserting the
20 following: "562A.24, 562A.32, 562B.22,".
21 8. Page 12, line 6, by striking the figure
22 "562A.32," and inserting the following: "562A.24,
23 562A.32, 562B.22."

IVERSON of Wright

H-3830

- 1 Amend the amendment, H-3804, to Senate File 216 as
2 passed by the Senate, as follows:
3 1. Page 1, line 7, by inserting after the word
4 "section" the following: "except as provided in
5 subsection 8".

VANDE HOEF of Osceola

H-3833

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, by striking lines 27 through 39.

DAGGETT of Union

H-3842

- 1 Amend Senate File 308, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 1 through 13.
- 4 2. Page 1, by striking lines 16 through 28 and
- 5 inserting the following:
- 6 "NEW SUBSECTION. 5. a. In addition to any other
- 7 sentencing option provided in this section, the court
- 8 may, at the time of sentencing, enter a restraining
- 9 order, prohibiting the defendant from coming within a
- 10 distance specified by the court, or having contact
- 11 with, the victim of the offense or of a member of the
- 12 victim's family, or any residence or place of
- 13 employment of the victim or of a member of the
- 14 victim's family. However, the court shall only enter
- 15 a restraining order pursuant to this subsection if the
- 16 defendant has previously been convicted pursuant to
- 17 chapter 708 or this chapter."
- 18 3. Title page, by striking lines 1 through 4 and
- 19 inserting the following: "An Act relating to the
- 20 entry of restraining orders in cases of criminal
- 21 trespass."
- 22 4. By renumbering as necessary.

Committee on Judiciary and Law Enforcement

H-3843

- 1 Amend Senate File 303, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 4, by striking the word "off-
- 4 duty".
- 5 2. Page 1, by striking lines 5 through 7 and
- 6 inserting the following: "peace officers carrying
- 7 weapons while off-duty."
- 8 3. Page 1, line 11, by striking the word "off-
- 9 duty".
- 10 4. Page 1, by striking lines 12 through 14 and
- 11 inserting the following: "employees carrying weapons
- 12 while off-duty."
- 13 5. Page 1, line 16, by striking the words "city
- 14 council" and inserting the following: "chief of
- 15 police".
- 16 6. Page 1, by striking line 17, and inserting the

17 following: "shall develop,".

18 7. Page 1, line 18, by striking the word "off-
19 duty".

20 8. Page 1, by striking lines 19 through 21 and
21 inserting the following: "peace officers carrying
22 weapons while off-duty."

23 9. Title page, by striking lines 3 through 6 and
24 inserting the following: "regarding the carrying of
25 weapons by a peace officer while off-duty."

Committee on Local Government

H-3845

1 Amend Senate File 281, 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 455B.301, Code 1993, is
6 amended by adding the following new subsection:
7 NEW SUBSECTION. 21. "Tipping fee" means the
8 amount paid by a person disposing of solid waste at a
9 sanitary landfill for each ton or equivalent volume of
10 solid waste received and disposed of at a sanitary
11 landfill. The tipping fees collected are to be
12 retained and used by the sanitary landfill, as a
13 depository of solid waste, and are in addition to the
14 tonnage fee amount imposed pursuant to section
15 455B.310."

16 2. Page 1, by inserting after line 9, the
17 following:

18 "Sec. _____. Section 455B.305, Code 1993, is amended
19 by adding the following new subsection:

20 NEW SUBSECTION. 7. The director shall not issue a
21 permit for a sanitary disposal project if the proposed
22 site of the project is located within one mile of an
23 existing or proposed site of a state park or
24 recreation area."

25 3. Page 1, line 12, by inserting after the letter
26 "a." the following: "(1)".

27 4. Page 1, line 27, by inserting after the word
28 "landfill." the following:

29 "(2)".

30 5. Page 1, line 31, by striking the word
31 "tonnage" and inserting the following: "tonnage
32 tipping".

33 6. Page 1, line 33, by striking the word
34 "tonnage" and inserting the following: "tonnage
35 tipping".

36 7. Page 2, line 1, by inserting after the word
37 "greater." the following:

38 "(3)".

39 8. Page 2, line 4, by inserting after the word

- 40 "charge" the following: "both".
 41 9. Page 2, line 4, by inserting after the word
 42 "fee" the following: "and a tipping fee";
 43 10. Page 2, line 5, by striking the word "is" and
 44 inserting the following: "is are each".
 45 11. Page 2, line 6, by striking the word "The"
 46 and inserting the following:
 47 "(4) The".
 48 12. Page 2, line 7, by striking the word "fee"
 49 and inserting the following: "fee tonnage fees".
 50 13. Page 2, line 10, by striking the word "This"

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- 1 and inserting the following: "Section 455B.310,
 2 subsection 2, paragraph "a", subparagraph (1), of
 3 this".
 4 14. Title page, line 1, by inserting after the
 5 word "tonnage" the following: "and tipping".
 6 15. Title page, line 2, by inserting after the
 7 word "waste," the following: "sanitary disposal
 8 project permits,".
 9 16. By renumbering, relettering, or redesignating
 10 and correcting internal references as necessary.

Committee on Energy and Environmental Protection

H-3847

- 1 Amend Senate File 318, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by inserting after line 7, the
 4 following:
 5 "Sec. _____ NEW SECTION. 455B.333A LICENSE
 6 REQUIRED.
 7 1. A person shall not establish or operate a
 8 nuclear waste disposal site until the person obtains a
 9 site license issued under this part 2 of division IV
 10 by the commission. A person planning to establish or
 11 operate a nuclear waste disposal site shall give
 12 notice of the intent to establish or operate the site
 13 as provided in this section. The notice shall be
 14 served on the director and on the city council and
 15 board of supervisors of each city and county in which
 16 the proposed site would be located and shall be
 17 published in a newspaper of general circulation in
 18 each city and county in which the proposed site would
 19 be located once a week for two consecutive weeks. The
 20 notice shall contain the following:
 21 a. A description of the proposed location of the
 22 site.
 23 b. A description of the treatment, storage, or
 24 disposal method to be used and the types of wastes to

25 be handled, including estimated volumes.

26 c. The names and addresses of the owners and the
27 operators of the site.

28 2. Within fifteen days of the date the notice is
29 last published, the owners and operators of the site
30 shall submit an application to the director requesting
31 that a site license be issued under this part 2 of
32 division IV. The application for a site license shall
33 contain the name and residence of the applicant, and
34 the following additional information:

35 a. The location of the proposed site and a plat of
36 the proposed location.

37 b. A description of the design and capacity of the
38 proposed site.

39 c. The expected sources of wastes for the
40 facility, the proposed methods and routes of
41 transporting the wastes to and from the site.

42 d. The qualifications of the operator.

43 e. Other relevant information as the commission
44 requires by rule.

45 The application shall be accompanied by a
46 nonrefundable application fee determined by a schedule
47 established by the commission by rule, but which shall
48 not exceed one thousand dollars.

49 3. Within thirty days of the receipt of the
50 application, the director shall determine whether the

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1 application is in substantial compliance with the
2 information requirements, and shall either accept the
3 application or notify the applicant of any
4 deficiencies. An applicant who receives notification
5 of deficiencies in the application has ninety days
6 from the receipt of notice to remedy the deficiencies
7 and resubmit the application for consideration. The
8 director shall notify the applicant within thirty days
9 of receipt of a resubmitted application whether the
10 application is accepted. An application rejected
11 under this subsection may be resubmitted only once.
12 If a resubmitted application is rejected the applicant
13 may reapply for a license by giving notice and
14 resubmitting an application as provided in subsections
15 1 and 2, including payment of the nonrefundable
16 application fee.

17 Sec. _____. NEW SECTION. 455B.333B TEMPORARY
18 MEMBERS APPOINTED.

19 Immediately upon receipt of an application for a
20 site license the director shall notify the city
21 council of the city closest to the proposed site and
22 the county board of supervisors of the county in which
23 the site is proposed to be located that the

24 application has been received. Within thirty days of
 25 the receipt of notification the city council or the
 26 county board of supervisors may make the following
 27 appointments to the commission for purposes of
 28 consideration of the site license application and if
 29 the city council or the county board of supervisors
 30 chooses to make the temporary appointments the
 31 director shall be notified of the names of those
 32 persons appointed as follows:

33 1. The county board may appoint two temporary
 34 members who are residents of the county.

35 2. The city council may appoint two temporary
 36 members who are residents of the city.

37 Temporary members who may be appointed under this
 38 section shall serve on the commission only during
 39 discussion and proceedings relating to the application
 40 for a site license which the temporary members were
 41 appointed to consider and shall vote only on questions
 42 relating to the issuance of that site license.

43 Temporary members shall serve on the commission until
 44 final action is taken on the application for the site
 45 license which the temporary members were appointed to
 46 consider. Temporary members who are not public
 47 employees shall receive a per diem as specified in
 48 section 7E.6 and actual and necessary expenses
 49 incurred in performance of their official duties.

50 Temporary members who are public employees shall

Page 3

1 receive reimbursement for expenses only. Per diem and
 2 expenses under this section shall be paid by the
 3 state.

4 Sec. _____. NEW SECTION. 455B.333C PROCEEDING.

5 1. Within thirty days after the acceptance of the
 6 application for a site license, the commission shall
 7 establish a timetable for consideration of the
 8 application. The timetable for final action by the
 9 commission shall not exceed one hundred eighty days
 10 after the date the application is accepted.

11 2. The proceeding for the issuance of a site
 12 license is a contested case under chapter 17A.

13 3. The commission shall establish a date for the
 14 hearing on the application and shall serve notice of
 15 the hearing on interested agencies, as determined by
 16 the commission, and regulatory agencies.

17 The commission shall notify all owners of record of
 18 real property located within one mile from the
 19 boundaries of the proposed site of the time and place
 20 of the hearing.

21 4. Notice of the hearing in the form provided in
 22 section 17A.12, subsection 2, shall be published in a

23 newspaper of general circulation in each city and
 24 county in which the proposed site is located once a
 25 week for two consecutive weeks with the second
 26 publication being at least twenty days prior to the
 27 date of the hearing.

28 Sec. _____ NEW SECTION. 455B.333D PROCEEDING —
 29 ROLE OF REGULATORY AGENCIES.

30 1. Regulatory agencies that appear on record at
 31 the proceeding shall state whether the application
 32 meets their permit or licensing requirements. If the
 33 application does not meet the requirements of a
 34 regulatory agency, the regulatory agency shall state
 35 why the application is not in compliance.

36 2. Any person may present oral or written comments
 37 to the commission at the hearing.

38 Sec. _____ NEW SECTION. 455B.333E EVALUATION BY
 39 COMMISSION.

40 1. The commission shall consider at a minimum all
 41 of the following in an evaluation of a proposal:

42 a. The need for the site.

43 b. The impact of the proposed site on the area in
 44 which it is to be located.

45 c. The zoning classification of the proposed site
 46 and the extent to which a proposed site is by present
 47 or projected use dedicated to industrial development.

48 d. The land uses and the density of population in
 49 areas near the proposed site.

50 e. The density of population in areas adjacent to

Page 4

1 probable transportation routes to the site.

2 f. The risk and effect of accidents during the
 3 transportation of wastes to the site.

4 g. The geology of the site, where relevant, with
 5 reference to factors which include, but are not
 6 limited to, the presence of fault zones and the risk
 7 of contamination of ground and surface waters by
 8 leaching and runoff from the site.

9 h. The risk and effect of fires or explosions from
 10 improper storage and disposal methods.

11 i. The impact of the site on the operations and
 12 responsibilities of the city and county in which the
 13 site is proposed to be located and on cities and
 14 counties near the proposed site.

15 j. Local ordinances, permits, or other
 16 requirements and their relationship to the proposed
 17 site.

18 k. The availability of alternative sites and
 19 methods of treatment, disposal, or storage, including
 20 cost comparisons. The cost comparisons shall cover
 21 short and long-term costs including, but not limited

22 to, liability insurance, postclosure maintenance,
 23 monitoring of ground and surface waters, monitoring of
 24 air before and after closure, and the potential loss
 25 of land or water resources due to contamination.

26 1. To the maximum extent feasible a site should be
 27 located away from all of the following areas:

28 (1) Areas subject to natural hazards including,
 29 but not limited to, flooding, earthquakes, or
 30 subsidence.

31 (2) Sources of drinking water supply including,
 32 but not limited to, reservoirs, lakes and rivers and
 33 their watersheds, and aquifers and their recharge
 34 areas.

35 (3) Fragile land areas including, but not limited
 36 to, wetlands and the shorelines of rivers, lakes, and
 37 streams.

38 (4) Areas with rare or valuable ecosystems or
 39 geologic formations or significant wildlife habitat.

40 (5) Unique scenic or historic areas.

41 (6) Residential areas, parks, or schools.

42 (7) Prime farmland as defined by the United States
 43 department of agriculture in 7 C.F.R. § 657.5(a).

44 m. Other criteria adopted by rule which the
 45 commission finds relevant to the siting of a facility
 46 which are consistent with this part 2 of division IV."

47 2. Page 2, line 19, by inserting after the word
 48 "including" the following: ", and in accordance with
 49 and in addition to the criteria established in section
 50 455B.333E,".

Page 5

1 3. By renumbering as necessary.

Committee on Energy and Environmental Protection

H-3851

1 Amend the amendment, H-3699, to Senate File 266, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 1, by striking lines 7 through 21 and
 5 inserting the following:

6 "b. The commission may authorize the licensee to
 7 simultaneously telecast within the racetrack
 8 enclosure, for the purpose of pari-mutuel wagering, a
 9 horse or dog race licensed by the racing authority of
 10 another state subject to the requirements of this
 11 paragraph. It is the responsibility of each licensee
 12 to obtain the consent of appropriate racing officials
 13 in other states as required by the federal Interstate
 14 Horseracing Act of 1978, 15 U.S.C. § 3001-3007, to
 15 televise races for the purpose of conducting pari-

16 mutuel wagering. A licensee may also obtain the
 17 permission of The commission shall authorize a person
 18 licensed by the commission to conduct horse or dog
 19 races in this state to televise races conducted by
 20 that person for the purpose of conducting pari-mutuel
 21 racing at other licensed racetracks within the state.
 22 However, arrangements".

23 2. Page 1, by inserting after line 40 the
 24 following:

25 "Sec. 100A. Section 99F.1, subsection 7, Code
 26 1993, is amended to read as follows:

27 7. "Excursion gambling boat" means a self-
 28 propelled excursion boat on which lawful gambling is
 29 authorized and licensed as provided in this chapter.
 30 "Excursion gambling boat" also means the grandstand of
 31 a dog or horse racetrack licensed for pari-mutuel
 32 wagering before January 1, 1992, and which is licensed
 33 for gambling as provided in this chapter."

34 3. By striking page 1, line 43 through page 2,
 35 line 2, and inserting the following:

36 "Sec. 100B. Section 99F.4, subsection 4, Code
 37 1993, is amended by striking the subsection."

38 4. Page 2, by striking lines 16 through 24 and
 39 inserting the following:

40 "Sec. 100C. Section 99F.4, subsection 20, Code
 41 1993, is amended by striking the subsection and
 42 inserting in lieu thereof the following:

43 20. To require a licensee to schedule at least one
 44 excursion daily during the excursion season, and
 45 otherwise allow a licensee to conduct gambling games
 46 as if the licensee were operating during the off-
 47 season."

48 5. Page 2, by inserting before line 25 the
 49 following:

50 "Sec. 101A. NEW SECTION. 99F.4A GAMBLING GAMES

Page 2

1 AT PARI-MUTUEL DOG OR HORSE RACETRACKS.

2 1. The commission shall license the licensee of a
 3 pari-mutuel dog or horse racetrack to conduct gambling
 4 games at the pari-mutuel dog or horse racetrack
 5 enclosure subject to the requirements of this chapter
 6 except as otherwise provided in this section.

7 a. A person licensed pursuant to chapter 99D is
 8 exempt from further investigation and examination for
 9 licensing purposes under this chapter.

10 b. The annual license fee based on passenger or
 11 guest capacity as provided in section 99F.5 shall be
 12 equivalent to the maximum occupancy authorized for the
 13 space allocated for gambling games at a pari-mutuel
 14 dog or horse racetrack which is licensed to conduct

15 gambling games.

16 c. Section 99F.7, subsection 10, which requires
17 approval of the county electorate for excursion boat
18 gambling, applies to the licensing of gambling games
19 at a pari-mutuel dog or horse racetrack.

20 2. The commission shall adopt rules, pursuant to
21 chapter 17A, as necessary to administer this section.

22 Sec. 101B. Section 99F.5, subsection 1, Code 1993,
23 is amended to read as follows:

24 1. A qualified sponsoring organization may apply
25 to the commission for a license to conduct gambling
26 games on an excursion gambling boat as provided in
27 this chapter. A person may apply to the commission
28 for a license to operate an excursion gambling boat.
29 The application shall be filed with the administrator
30 of the commission at least ninety days before the
31 first day of the next excursion season as determined
32 by the commission, shall identify the excursion
33 gambling boat upon which gambling games will be
34 authorized, shall specify the exact location where the
35 excursion gambling boat will be docked, and shall be
36 in a form and contain information as the commission
37 prescribes. The minimum passenger capacity of an
38 excursion gambling boat is two hundred fifty persons.

39 Sec. 101C. Section 99F.6, subsection 4, Code 1993,
40 is amended to read as follows:

41 4. Before a license is granted, the division of
42 criminal investigation of the department of public
43 safety shall conduct a thorough background
44 investigation of the applicant for a license to
45 operate a gambling game operation on an excursion
46 gambling boat. The applicant shall provide
47 information on a form as required by the division of
48 criminal investigation. Before a qualified sponsoring
49 organization is licensed to operate gambling games
50 under this chapter, the qualified sponsoring

Page 3

1 organization shall certify that the receipts of all
2 gambling games, less reasonable expenses, charges,
3 taxes, fees, and deductions allowed under this
4 chapter, will be distributed as winnings to players or
5 participants or will be distributed for educational,
6 civic, public, charitable, patriotic, or religious
7 uses as defined in section 99B.7, subsection 3,
8 paragraph "b". However, a licensee who is also
9 licensed to conduct dog races for pari-mutuel wagering
10 may use receipts from gambling games to supplement
11 purses for dog races pursuant to an agreement which
12 shall be negotiated between the licensee and
13 representatives of dog owners. For a licensee who is

- 14 also licensed to conduct horse races for pari-mutuel
 15 wagering, seventy-five percent of any receipts
 16 available from gambling games shall be used first to
 17 repay all annual indebtedness incurred in the
 18 construction and operation of the horse racing
 19 facilities and twenty-five percent of the receipts
 20 shall be used to supplement purses for horse races as
 21 agreed to between the licensee and the representatives
 22 of horse owners. A qualified sponsoring organization
 23 shall not make a contribution to a candidate,
 24 political committee, candidate's committee, state
 25 statutory political committee, county statutory
 26 political committee, national political party, or
 27 fund-raising event as these terms are defined in
 28 section 56.2. The membership of the board of
 29 directors of a qualified sponsoring organization shall
 30 represent a broad interest of the communities."
 31 6. By striking page 2, line 43 through page 3,
 32 line 1 and inserting the following:
 33 "Sec. 108. Section 99F.9, subsection 2, Code 1993,
 34 is amended by striking the subsection."
 35 7. Page 3, by striking lines 2 through 9.
 36 8. Page 3, by striking lines 12 through 16.

RENAUD of Polk
 BAKER of Polk
 SHOULTZ of Black Hawk
 McCOY of Polk
 HENDERSON of Scott
 BURKE of Marshall

CATALDO of Polk
 CONNORS of Polk
 HARPER of Black Hawk
 MUNDIE of Webster
 NELSON of Pottawattamie
 LUNDBY of Linn

H-3854

- 1 Amend the amendment, H-3820, to Senate File 266, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. By striking page 1, line 3, through page 4,
 5 line 49, and inserting the following:
 6 "_____. Page 11, line 10, by striking the figure
 7 "4,667,435" and inserting the following:
 8 "2,767,435"."

DICKINSON of Jackson

H-3855

- 1 Amend the amendment, H-3673, to Senate File 11, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 42, by striking the following:
 5 "b. In" and inserting the following: "In".
 6 2. Page 1, by inserting after line 49, the
 7 following:
 8 "b. If a permit is required to be issued by the

9 department of natural resources relating to the
 10 construction or operation of a facility used for an
 11 agricultural activity within an agricultural
 12 enterprise zone, the department may condition the
 13 issuance of the permit on restrictions necessary to
 14 ensure that a state park, state recreation area, or
 15 state preserve is protected from the effects of the
 16 agricultural activity which may negatively impact the
 17 use or enjoyment of the state park, state recreation
 18 area, or state preserve."

MAY of Worth

H-3856

1 Amend the amendment, H-3673, to Senate File 11, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 3, line 23, by inserting after the figure
 5 "8." the following: "a."
 6 2. Page 3, by inserting after line 27 the
 7 following:
 8 "b. Upon the establishment of an agricultural
 9 enterprise zone, the amendment of the borders of an
 10 agricultural enterprise zone, or the elimination of an
 11 agricultural enterprise zone, the county board of
 12 supervisors shall deliver information relating to the
 13 zone to the department of natural resources, as
 14 provided by rules which shall be adopted by the
 15 department. The department shall incorporate the
 16 information into a geographic information system which
 17 shall be used by the department in issuing permits
 18 required for the construction or operation of
 19 facilities used for agricultural activities. The
 20 department shall provide the information to persons
 21 upon request." "

MAY of Worth

H-3867

1 Amend the amendment, H-3673, to Senate File 11, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking line 7, and inserting the
 5 following:
 6 "_____. As used in this section, unless the context
 7 otherwise requires:
 8 a. "Agricultural".
 9 2. Page 1, by inserting after line 13, the
 10 following:
 11 "b. "Public use area" means a public land or lake
 12 managed for public recreation and conservation
 13 purposes that is under the jurisdiction of the

14 department of natural resources or a county.
 15 c. "State-designated public use area" means a
 16 public use area which is any of the following:
 17 (1) Land within a state park as provided in
 18 chapter 461A.
 19 (2) Land within a state preserve as provided in
 20 chapter 465C.
 21 (3) A state-owned lake under the jurisdiction of
 22 the natural resource commission.
 23 (4) State-owned land developed for recreational
 24 activities such as hiking, camping, picnicking, water
 25 sports, team sports, or winter sports, if the land is
 26 under the jurisdiction of the natural resource
 27 commission. However, a recreational activity does not
 28 include fishing, hunting, or trapping of animals."
 29 3. Page 1, by striking lines 40 and 41, and
 30 inserting the following: "limits of a city, land
 31 within a state-designated public use area, or land
 32 within one mile of a state-designated public use
 33 area."
 34 4. Page 1, by striking lines 48 and 49, and
 35 inserting the following: "section 414.23, land within
 36 a state-designated public use area, or land within one
 37 mile of a state-designated public use area."
 38 5. Page 3, by inserting before line 23, the
 39 following:
 40 "_____. Upon adopting an ordinance to establish an
 41 agricultural enterprise zone, amend the borders of a
 42 zone, or eliminate the zone, the county board of
 43 supervisors shall deliver a notice to the department
 44 of natural resources according to procedures required
 45 by the department, if the ordinance establishes an
 46 agricultural enterprise zone within two miles from a
 47 state-designated public use area, amends the borders
 48 of an agricultural enterprise zone to locate the zone
 49 within two miles from a state-designated public use
 50 area, amends the borders of an agricultural enterprise

Page 2

1 zone to locate the zone beyond two miles from the
 2 area, or eliminates an agricultural enterprise zone
 3 located within two miles of a state-designated public
 4 use area."
 5 6. By renumbering as necessary.

SHOULTZ of Black Hawk
 OLLIE of Clinton
 KOENIGS of Mitchell
 SCHRADER of Marion
 OSTERBERG of Linn
 HENDERSON of Scott
 HAVERLAND of Polk

HANSEN of Woodbury
 FALLON of Polk
 MURPHY of Dubuque
 MCKINNEY of Dallas
 WITT of Black Hawk
 GILL of Woodbury
 DODERER of Johnson

DVORSKY of Johnson
 LUNDBY of Linn
 DICKINSON of Jackson
 HAMMOND of Story
 KREIMAN of Davis
 BERNAU of Story

RENAUD of Polk
 RUNNING of Linn
 HARPER of Black Hawk
 NEUHAUSER of Johnson
 JOCHUM of Dubuque
 BAKER of Polk
 WISE of Lee

H-3868

- 1 Amend the amendment, H-3824, to Senate File 350, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 3 through 24 and
- 5 inserting the following:
- 6 "_____. By striking page 1, line 5 through page 4,
- 7 line 22." "
- 8 2. By renumbering as necessary.

BURKE of Marshall

H-3871

- 1 Amend the amendment, H-3670, to House File 457 as
- 2 follows:
- 3 1. Page 1, by striking lines 7 through 25 and
- 4 inserting the following:
- 5 "School districts may jointly employ a curriculum
- 6 specialist. The additional weighting assigned pupils
- 7 under this subsection for a budget year for a school
- 8 district jointly employing a curriculum specialist
- 9 shall not exceed one-hundredth for each curriculum
- 10 specialist who is jointly employed times the percent
- 11 of the curriculum specialist's time during which the
- 12 curriculum specialist is employed in the school dis-
- 13 trict. The department of management shall determine
- 14 the additional state aid generated under this
- 15 subsection for each school district for a budget year,
- 16 and notwithstanding sections 294A.16, 294A.18, and
- 17 294A.25, the department of education shall deduct an
- 18 amount equal to that additional state aid from phase
- 19 III moneys to be paid to the school district for that
- 20 budget year. If the amount of phase III moneys to be
- 21 paid to the school district for that budget year is
- 22 less than the additional state aid generated under
- 23 this subsection, the district shall only receive
- 24 additional state aid equal to the amount of phase III
- 25 moneys to be paid to the school district."

DAGGETT of Union

H-3874

- 1 Amend the amendment, H-3591, to House File 231, as
- 2 follows:

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

5 "Section 1. Section 321.40, unnumbered paragraph
6 4, Code 1993, is amended to read as follows:

7 The county treasurer shall refuse to renew the
8 registration of a vehicle registered to a person when
9 notified that there is a warrant outstanding for that
10 person's arrest out of a court located within that
11 county and the warrant arises out of the alleged
12 violation of a provision of this chapter or of an
13 ordinance adopted by a local authority relating to the
14 stopping, parking or operation of a vehicle or the
15 regulation of traffic by the clerk of the district
16 court that a person has failed to pay a fine, penalty,
17 court cost, fee, or surcharge when ordered to do so by
18 a court. Each clerk of the district court in this
19 state shall, by the last day of each month, notify the
20 county treasurer of that county of all persons against
21 whom such an arrest warrant has been issued and is
22 outstanding the names of the persons owing fines,
23 penalties, court costs, fees, or surcharges.
24 Immediately upon the cancellation or satisfaction of
25 such an arrest warrant the fine, penalty, court cost,
26 fee, or surcharge the clerk of the district court
27 shall notify the person against whom the arrest
28 warrant was issued and the county treasurer if that
29 person's name appeared on the last list furnished to
30 the county treasurer. The county treasurer shall
31 collect an additional five dollar fee from the person
32 and the fee shall be deposited in the county general
33 fund to be used to defray the cost of implementing
34 this procedure. This paragraph does not apply to the
35 transfer of a registration or the issuance of a new
36 registration. The provisions of this paragraph are
37 applicable to counties with a population of two
38 hundred thousand or more. The provisions of this
39 paragraph shall be applicable to any county with a
40 population of less than two hundred thousand upon the
41 adoption of a resolution by the county board of
42 supervisors so providing.

43 Sec. _____. Section 321.210A, Code 1993, is amended
44 to read as follows:

45 321.210A SUSPENSION FOR FAILURE TO PAY FINE,
46 PENALTY, SURCHARGE, OR COURT COSTS.

47 The department shall suspend the motor vehicle
48 license of a person who, upon conviction of violating
49 a law regulating the operation of a motor vehicle, has
50 failed to pay the criminal fine or penalty, surcharge,

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1 or court costs, as follows:

2 1. Upon the failure of a person to timely pay the
3 fine, penalty, surcharge, or court costs the clerk of
4 the district court shall notify the person by regular
5 mail that if the fine, penalty, surcharge, or court
6 costs remain unpaid after ~~sixty~~ ten days from the date
7 of mailing, the clerk will notify the department of
8 the failure for purposes of instituting suspension
9 procedures.

10 2. Upon the failure of a person to pay the fine,
11 penalty, surcharge, or court costs within ~~sixty~~ ten
12 days notice by the clerk of the district court as
13 provided in subsection 1, the clerk shall report the
14 failure to the department.

15 3. Upon receipt of a report of a failure to pay
16 the fine, penalty, surcharge, or court costs from the
17 clerk of the district court, the department shall in
18 accordance with its rules, suspend the person's motor
19 vehicle license until the fine, penalty, surcharge, or
20 court costs are paid, unless the person proves to the
21 satisfaction of the department that the person cannot
22 pay the fine, penalty, surcharge, or court costs."

23 2. By renumbering as necessary.

GRUBBS of Scott
BRAMMER of Linn

H-3875

1 Amend the amendment, H-3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 25, line 15, by striking the words "five
5 hundred" and inserting the following: "two hundred
6 fifty".

7 2. Page 25, by striking lines 16 through 28 and
8 inserting the following: "be used for support for the
9 operations of the new Iowa schools development
10 corporation and for school projects that promote basic
11 academic skills and implementation projects
12 administered by the corporation."

13 3. By renumbering as necessary.

GRUBBS of Scott

H-3876

1 Amend Senate File 370, as passed by the Senate, as
2 follows:

3 1. Page 1, by striking lines 1 through 15.

4 2. Title page, by striking lines 2 and 3 and
5 inserting the following: "convictions, collecting
6 delinquent".

7 3. By renumbering as necessary

PLASIER of Sioux

H-3878

1 Amend House File 647 as follows:

2 1. Page 3, by inserting after line 34, the
3 following:

4 "_____. Assess any charge to a customer for
5 providing a line-block service which prevents the
6 customer's number from being displayed pursuant to a
7 caller identification service offered by another
8 utility. The participating utility shall not refuse
9 to provide such line-block service upon the request of
10 a customer of the utility. Additionally, a
11 participating utility shall include in the utility's
12 billing statements to the utility's customers, at
13 least once every six months, notice of the
14 availability of line-block service."

15 2. By renumbering as necessary.

FALLON of Polk

H-3880

1 Amend the amendment, H-3737, to House File 425 as
2 follows:

3 1. Page 1, by striking lines 4 through 18 and
4 inserting the following:

5 "Sec. _____. Section 358.9, unnumbered paragraphs 1
6 and 3, Code 1993, as amended by 1993 Iowa Acts, Senate
7 File 315, section 1, is further amended to read as
8 follows:

9 Section 1. Section 358.9, unnumbered paragraphs 1
10 and 3, Code 1993, are amended to read as follows:

11 At the election provided for in section 358.7, the
12 names of candidates for trustee of the district shall
13 be written by the voters on blank ballots without
14 formal nomination, and the board of supervisors which
15 had jurisdiction of the proceedings for establishment
16 of the sanitary district, together with the board of
17 supervisors of any other county in which any part of
18 the district is located, shall appoint three trustees
19 from among the five persons receiving the greatest
20 number of votes as trustees of the district. One of
21 the trustees shall be designated to serve a term
22 expiring on the first day of January which is not a
23 Sunday or legal holiday following the next general
24 election, one to serve a term expiring on the first
25 day of January which is not a Sunday or legal holiday
26 two years later, and one to serve a term expiring on
27 the first day of January which is not a Sunday or
28 legal holiday four years later. Thereafter, each term
29 shall be for a term of years established by the board
30 of supervisors, not less than three years or more than
31 six years. Successors to trustees shall be elected by

32 special or general election or at a special meeting of
 33 the board of trustees called for that purpose. For
 34 each special election called after the initial
 35 election, a candidate for office of trustee shall be
 36 nominated by a personal affidavit of the candidate or
 37 by petition of at least ten eligible electors of the
 38 district and the candidate's personal affidavit, which
 39 shall be filed with the county commissioner of
 40 elections at least twenty-five days before the date of
 41 the election. The form of the candidate's affidavit
 42 shall be substantially the same as provided in section
 43 45.3.

44 In lieu of a special or general election,
 45 successors to trustees shall be elected at a special
 46 meeting of the board of trustees called for that
 47 purpose. Upon its own motion, the board of trustees
 48 may, or upon petition of landowners owning more than
 49 fifty percent of the total land in the district,
 50 shall, call a special meeting of the residents of the

Page 2

1 district to elect successors to trustees of the board.
 2 Notice of the meeting shall be given at least ten days
 3 before the date of the meeting by publication of the
 4 notice in a newspaper of general circulation in the
 5 district. The notice shall state the date, times, and
 6 location of the meeting and that the meeting is called
 7 for the purpose of electing one or more trustees to
 8 the board."

GREIG of Emmet

H-3886

1 Amend the amendment, H-3699, to Senate File 266, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 1, by inserting after line 40 the
 5 following:

6 "Sec. 100A. Section 99D.14, Code 1993, is amended
 7 by adding the following new subsection:

8 NEW SUBSECTION. 7. Notwithstanding subsections 4
 9 and 5, an amount equal to the product of the state
 10 sales tax rate under section 422.43 multiplied by the
 11 gross sum wagered shall be deducted as the sales tax
 12 on the gross sum wagered, remitted to the treasurer of
 13 state and deposited into the state general fund."

14 2. Page 3, by inserting after line 9 the
 15 following:

16 "Sec. 109A. Section 99F.10, Code 1993, is amended
 17 by adding the following new subsection:

18 NEW SUBSECTION. 7. Notwithstanding subsections 5

19 and 6, an amount equal to the product of the state
 20 sales tax rate under section 422.43 multiplied by the
 21 gross sum wagered shall be deducted as the sales tax
 22 on the gross sum wagered, remitted to the treasurer of
 23 state and deposited into the state general fund."

GARMAN of Story

H-3890

1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 27, line 1, by inserting before the word
 5 "Code" the following: "and 301.28,".

EDDIE of Buena Vista

H-3891

1 Amend the Senate amendment, H-3846, to House File
 2 518, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 1, by striking line 8.
 5 2. Page 5, by striking lines 28 and 29.
 6 3. Page 5, by striking lines 30 through 33.
 7 4. By renumbering as necessary.

BELL of Jasper
 BLACK of Jasper

H-3892

1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 25, by inserting after line 34 the
 5 following:
 6 "Sec. 400. Section 301.28, Code 1993, is amended
 7 to read as follows:
 8 301.28 OFFICERS AND TEACHERS AS AGENTS FOR BOOKS
 9 AND SUPPLIES.

10 It shall be unlawful for any a school director,
 11 officer, area education director, or teacher to act as
 12 an agent or dealer for any school textbooks or school
 13 supplies during such the person's term of office or
 14 employment, and any. A school director, officer, area
 15 education director, or teacher, who shall act acts as
 16 an agent or dealer in school textbooks or school
 17 supplies, during the term of such the person's office
 18 or employment, shall be deemed is guilty of a serious
 19 misdemeanor. However, a nonsalaried school director
 20 may act as an agent or dealer for school textbooks or
 21 school supplies outside the district in which the
 22 school director holds office."

- 23 2. Page 27, line 5, by inserting after the figure
 24 "40," the following: "400,".
 25 3. By renumbering, redesignating, and correcting
 26 internal references as necessary.

EDDIE of Buena Vista

H-3893

- 1 Amend House File 647 as follows:
 2 1. Page 3, by inserting after line 34, the
 3 following:
 4 "_____. Offer a caller identification service which
 5 allows a person receiving a call to see the telephone
 6 number from which the call originates and the name of
 7 the individual associated with that number."
 8 2. By renumbering as necessary.

FALLON of Polk

H-3894

- 1 Amend the amendment, H-3673, to Senate File 11, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, line 4, by striking the word "may" and
 5 inserting the following: "shall".
 6 2. Page 2, line 9, by inserting after the word
 7 "value" the following: "as determined by the
 8 department of natural resources. A county shall not
 9 include land within a proposed agricultural enterprise
 10 zone or land within a proposed amended agricultural
 11 enterprise zone until the department completes an
 12 inventory of all land that is unique and of
 13 scientifically recognized ecological value within the
 14 proposed agricultural enterprise zone or proposed
 15 amended agricultural enterprise zone. The department
 16 shall inventory such land in cooperation with private
 17 landowners. The department shall determine that land
 18 is of unique and scientifically recognized value if
 19 the land includes a habitat required to ensure
 20 biological diversity. As used in this paragraph,
 21 "biological diversity" means the full range of variety
 22 and variability within and among living organisms and
 23 the natural associations in which they occur, and
 24 including ecosystem diversity, species diversity, and
 25 genetic diversity. The department shall deliver to
 26 the county board of supervisors a description of land
 27 that is unique, and of scientifically recognized
 28 ecological value not later than six months after
 29 beginning the inventorying program within the proposed
 30 agricultural enterprise zone or proposed amended
 31 agricultural enterprise zone".
 32 3. Page 2, by striking lines 14 through 17.

- 33 4. Page 2, by inserting after line 42 the
 34 following:
 35 "A county board of supervisors may decide not to
 36 establish an agricultural enterprise zone, based on a
 37 determination that the establishment of the zone would
 38 not be in the best interest of ensuring biological
 39 diversity."
 40 5. Page 3, by inserting before line 23 the
 41 following:
 42 "A county board of supervisors may decide not to
 43 amend an agricultural enterprise zone to include more
 44 land, based on a determination that the inclusion of
 45 the land within the zone would not be in the best
 46 interest of ensuring biological diversity."

SHOULTZ of Black Hawk
 OSTERBERG of Linn
 HENDERSON of Scott
 DVORSKY of Johnson

BLACK of Jasper
 WITT of Black Hawk
 HARPER of Black Hawk
 KREIMAN of Davis

H-3895

- 1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking lines 18 through 20.
 5 2. Page 25, by striking lines 23 through 28 and
 6 inserting the following: "thresholds of student
 7 achievement."

GRUNDBERG of Polk
 HANSON of Black Hawk

H-3897

- 1 Amend the amendment, H-3843, to Senate File 303, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking lines 8 and 9 and
 5 inserting the following:
 6 "_____. Page 1, line 11, by striking the words
 7 "departmental policy regarding off-duty" and inserting
 8 the following: "county policy regarding peace
 9 officers employed by the county and"."

IVERSON of Wright

H-3898

- 1 Amend the Senate amendment, H-3846, to House File
 2 518, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 5, by striking line 33, and inserting the
 5 following: "1993, is amended to read as follows:
 6 8. This subsection applies only to placements in a

7 juvenile shelter care home which is publicly owned,
 8 operated as a county or multicounty shelter care home,
 9 organized under a chapter 28E agreement, or operated
 10 by a private juvenile shelter care home. If the
 11 allowable costs of a child's shelter care placement
 12 exceeds the amount the department is authorized to pay
 13 in accordance with law and administrative rule, the
 14 unpaid costs may be recovered from the child's county
 15 of legal settlement. The unpaid costs are payable
 16 pursuant to filing of verified claims against the
 17 county of legal settlement. A detailed statement of
 18 the facts upon which a claim is based shall accompany
 19 the claim. Any dispute between counties arising from
 20 filings of claims pursuant to this subsection shall be
 21 settled in the manner provided to determine legal
 22 settlement in section 230.12. A juvenile shelter care
 23 home may refuse to accept the placement of a child in
 24 the home if the child's county of legal settlement
 25 does not agree to pay the unpaid costs in accordance
 26 with the provisions of this subsection."

BLACK of Jasper
 BELL of Jasper

H-3900

1 Amend the amendment, H-3819, to Senate File 216, as
 2 passed by the Senate, as follows:
 3 1. Page 1, line 7, by inserting after the word
 4 "section" the following: "except as provided in sub-
 5 section 8".

VANDE HOEF of Osceola

H-3902

1 Amend Senate File 11, as amended, passed, and re-
 2 printed by the Senate, as follows:
 3 1. By striking page 2, line 35, through page 3,
 4 line 31 and inserting the following:
 5 "Sec. _____. NEW SECTION. 335.33 AGRICULTURAL
 6 ACTIVITIES WITHIN AGRICULTURAL ENTERPRISE ZONES -
 7 NUISANCE SUITS.
 8 1. As used in this section:
 9 a. "Agricultural activity" means the same as
 10 defined in section 335.32.
 11 b. "Nuisance" means an activity which arises from
 12 an unreasonable, unwarranted, or unlawful use of
 13 property which works an obstruction or injury to the
 14 comfortable enjoyment of life or property of another,
 15 or which renders ordinary use or occupation of that
 16 property physically uncomfortable, including a private
 17 or public nuisance as provided by statute or common
 18 law.

19 2. In any action or proceeding against a person
20 arising from an agricultural activity conducted on
21 land included within an agricultural enterprise zone,
22 a person shall not be liable for damages caused by a
23 nuisance, unless all of the following conditions are
24 satisfied:

25 a. The claim for nuisance in the action or
26 proceeding is brought by or on behalf of a person who
27 acquired an interest in the land subject to the
28 alleged nuisance prior to the date that the
29 agricultural activity was established or expanded.

30 b. The agricultural activity causes a sustained or
31 regular and substantial interference with the
32 reasonable enjoyment of the life or property of the
33 person.

34 c. The agricultural activity is carried out in a
35 manner which significantly departs from practices
36 customarily used or recognized by persons engaged in
37 the same type of agricultural activity. An
38 agricultural activity shall be presumed to depart from
39 practices customarily used or recognized by persons
40 engaged in the same type of agricultural activity if
41 the activity is in violation of a federal statute or
42 regulation, a state statute or rule, or an ordinance
43 adopted by a county or city having jurisdiction over
44 the land where the agricultural activity is located.

45 3. A party to an action or proceeding who does not
46 prevail with regard to a claim for nuisance arising
47 from an agricultural activity conducted on land
48 included within an agricultural enterprise zone shall
49 pay court costs and the reasonable attorney fees
50 expended by the opposing party in defending the claim,

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1 unless a court determines that the claim is well
2 grounded in fact, is warranted by existing law or a
3 good faith argument for the extension, modification,
4 or reversal of existing law, and is not brought for a
5 purpose considered improper under the Iowa rules of
6 civil procedure, such as to harass or cause any
7 unnecessary delay or needless increase in the cost of
8 litigation.

9 4. This section does not apply to an action to
10 recover damages for injury or damage sustained by the
11 person because of pollution to or a change in
12 conditions of the waters of a river or stream, the
13 overflowing of such waters onto a person's land, or
14 the erosion of soil onto that person's land."

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

17 "Sec. _____. Section 657.8, Code 1993, is amended by

- 18 adding the following new unnumbered paragraph:
 19 **NEW UNNUMBERED PARAGRAPH.** A civil action shall not
 20 be brought under this chapter based upon a nuisance
 21 arising from an agricultural activity carried out on
 22 land within an agricultural enterprise zone, except as
 23 provided in section 335.33."
 24 3. By renumbering as necessary.

McNEAL of Hardin

H-3904

- 1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 21, line 12, by striking the word "a."
 5 and inserting the following: "a."
 6 2. Page 21, by striking lines 46 and 47.
 7 3. Page 27, by striking line 14 and inserting the
 8 following:
 9 "Sec. 50. Section 30 of this Act takes".

GRUNDBERG of Polk
 DAGGETT of Union

H-3905

- 1 Amend the Senate amendment, H-3846, to House File
 2 518, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 2, by striking lines 45 through 47.
 5 2. Page 5, by striking line 44.
 6 3. By renumbering as necessary.

JOCHUM of Dubuque

H-3907

- 1 Amend the amendment, H-3845, to Senate File 281, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 24, by inserting after the word
 5 "area" the following: "or game management area".

HENDERSON of Scott

H-3908

- 1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 23, by inserting after line 48 the
 5 following:
 6 "Sec. 1700. **NEW SECTION. 262.1A REGENT CANDIDATE**
 7 **ADVISORY COMMISSION ESTABLISHED - MEMBERSHIP AND**
 8 **DUTIES.**

9 1. A regent candidate advisory commission is
10 created to advise and make recommendations to the
11 governor regarding the appointment of members to the
12 state board of regents.

13 2. The commission shall consist of twenty-four
14 members jointly appointed by the speaker and the
15 minority leader of the house of representatives. The
16 membership shall include one student from each of the
17 institutions listed in section 262.7, subsections 1,
18 2, and 3, who is enrolled on a full-time basis in good
19 standing at either the graduate or undergraduate level
20 at the time of the member's appointment.

21 a. The terms shall be staggered and each member
22 shall serve a three-year term commencing May 1 of the
23 year of appointment. In making all appointments,
24 consideration shall be given to gender, race or ethnic
25 representation, population and demographic factors,
26 and representation of different geographic regions.
27 All appointments shall comply with sections 69.16 and
28 69.16A. If a vacancy occurs, a successor shall be
29 appointed in the same manner and subject to the same
30 qualifications as the original appointment to serve
31 the unexpired term,

32 b. The commission shall elect a chairperson from
33 its membership for a one-year term. The commission
34 shall meet annually and at other times as necessary.

35 c. All meetings of the commission or a committee
36 established by the commission at which public business
37 is discussed or formal action is taken shall comply
38 with the requirements of chapter 21.

39 d. Members of the commission shall serve without
40 compensation, but shall receive actual and necessary
41 expenses, including travel at the state rate. Payment
42 shall be made from funds available pursuant to section
43 2.12.

44 e. A majority of the commission constitutes a
45 quorum.

46 3. The commission shall review the qualifications
47 of candidates for membership on the state board of
48 regents. Persons interested in serving as members of
49 the state board of regents shall make application to
50 the commission, and, in addition, the commission may

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1 solicit applications. The commission shall consider
2 and be guided by the following when making
3 recommendations:

4 a. The candidate's knowledge of and demonstrated
5 interest in higher education.

6 b. The need for balance of members interested in a
7 specific institution, including, but not limited to,

8 former faculty members or alumni of a specific
9 institution.

10 c. The provisions of section 262.1.

11 d. Other factors deemed pertinent.

12 4. The commission shall submit to the governor at
13 least three but not more than five recommendations for
14 each appointment to the board. The commission shall
15 forward its recommendations to the governor by January
16 1 in the year in which an appointment is due to
17 expire, or as necessary to fill a vacancy.

18 Sec. _____. Section 262.2, Code 1993, is amended to
19 read as follows:

20 262.2 APPOINTMENT — TERM OF OFFICE.

21 The members shall be appointed by the governor
22 shall appoint a member to the state board of regents
23 from among the list of names of individuals
24 recommended by the regent candidate advisory
25 commission subject to confirmation by the senate. The
26 term of each member of the board shall be for six
27 years. The terms of three members of the board shall
28 begin and expire in each odd-numbered year as provided
29 in section 69.19."

30 2. Page 27, by inserting before line 1 the
31 following:

32 "Sec. _____. INITIAL COMMISSION. Notwithstanding
33 section 1700 of this Act, regent candidate advisory
34 commission members shall be appointed to the following
35 terms: eight members to initial terms of one year;
36 eight members to initial terms of two years; and eight
37 members to terms of three years. The initial
38 organizational meeting shall be called by the speaker
39 of the house of representatives in consultation with
40 the house minority leader."

41 3. By renumbering, redesignating, and correcting
42 internal references as necessary.

HAMMOND of Story
BERNAU of Story

H-3909

1 Amend the amendment, H-3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as
3 follows;

4 1. Page 11, line 27, by striking the figure
5 "428.28" and inserting the following: "431.28".

6 2. Page 11, by inserting after line 27 the
7 following:

8 "The center for industrial research and service
9 shall maintain at least one outreach specialist in

10 each of the following cities: Davenport, Dubuque, and
 11 Sioux City."

GILL of Woodbury
 DICKINSON of Jackson
 ARNOULD of Scott

MURPHY of Dubuque
 HANSEN of Woodbury
 HENDERSON of Scott

H-3910

1 Amend Senate File 311, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 2, by inserting after line 12 the
 4 following:

5 "Sec. _____. Section 724.9, Code 1993, is amended to
 6 read as follows:

7 **724.9 FIREARM TRAINING PROGRAM.**

8 A training program to qualify persons in the safe
 9 use of firearms shall be provided by the issuing
 10 officer of permits, as provided in section sections
 11 724.11 and 724.17. The commissioner of public safety
 12 shall approve the training program, and the county
 13 sheriff or the commissioner of public safety
 14 conducting the training program within their
 15 respective jurisdictions may contract with a private
 16 organization or use the services of other agencies, or
 17 may use a combination of the two, to provide such
 18 training. Any person eligible to be issued a permit
 19 to acquire pistols or revolvers or a permit to carry
 20 weapons may enroll in such course. A fee sufficient
 21 to cover the cost of the program may be charged each
 22 person attending. Certificates of completion, on a
 23 form prescribed and published by the commissioner of
 24 public safety, shall be issued to each person who
 25 successfully completes the program pursuant to section
 26 724.9A. No person shall be issued either a permit to
 27 acquire pistols or revolvers, or a professional or
 28 nonprofessional permit to carry weapons unless the
 29 person has received a certificate of completion or is
 30 a certified peace officer. No peace officer or
 31 correctional officer, except a certified peace
 32 officer, shall go armed with a pistol or revolver
 33 unless the officer has received a certificate of
 34 completion, provided that this requirement shall not
 35 apply to persons who are employed in this state as
 36 peace officers on January 1, 1978 until July 1, 1978,
 37 or to peace officers of other jurisdictions exercising
 38 their legal duties within this state.

39 Sec. _____. **NEW SECTION. 724.9A FIREARMS TRAINING**
 40 **PROGRAM - EXAMINATION REQUIREMENTS - ISSUANCE OF**
 41 **CERTIFICATE OF COMPLETION.**

42 A person shall not be issued a certificate of
 43 completion of a firearms safety training course unless
 44 that person has first received a passing score on an

45 examination approved by the commissioner.

46 The examination shall consist of the following:

- 47 1. For a person seeking a permit to acquire, a
48 written test of the person's knowledge of the safe
49 use, handling, storage, and childproofing of firearms.
50 2. For a person seeking a nonprofessional permit

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1 to carry weapons, the written test pursuant to
2 subsection 1 and a physical demonstration of the
3 person's ability to operate a firearm in a safe
4 manner.

5 3. For a person seeking a professional permit to
6 carry weapons, the written test and physical
7 demonstration under subsections 1 and 2, and
8 qualifying on a shooting range.

9 The commissioner shall establish the standards for
10 determining competency."

11 2. Page 3, line 31, by striking the word and
12 figure "subsection 1,".

13 3. Page 3, by striking lines 33 through 35 and
14 inserting the following:

15 "724.15 ANNUAL PERMIT TO ACQUIRE PISTOLS OR
16 REVOLVERS.

17 1. Any person who acquires ownership of any pistol.
18 or revolver shall first obtain an annual permit.

19 2. An annual permit shall not be issued to any
20 person unless:".

21 4. Page 4, by inserting after line 18 the
22 following:

23 "h. The issuing officer reasonably determines that
24 the applicant does not constitute a danger to any
25 person.

26 3. In addition to the requirements of subsection
27 2, a person shall not be issued a permit unless that
28 person has received a certificate of completion of a
29 firearms safety training program and passage of the
30 examination as provided in sections 724.9 and 724.9A.
31 However, the issuing officer or a certified instructor
32 may issue a certificate of completion to a person who
33 has otherwise satisfied the examination requirements
34 of section 724.9A, even though the person has not
35 completed the firearms training program pursuant to
36 section 724.9.

37 2 4. Any person who acquires ownership of a pistol
38 or revolver shall not be required to obtain an annual
39 permit if any of the following apply:

40 a. The person transferring the pistol or revolver
41 and the person acquiring the pistol or revolver are
42 licensed firearms dealers under federal law;

43 b. The pistol or revolver acquired is an antique

44 firearm, a collector's item, a device which is not
45 designed or redesigned for use as a weapon, a device
46 which is designed solely for use as a signaling,
47 pyrotechnic, line-throwing, safety, or similar device,
48 or a firearm which is unserviceable by reason of being
49 unable to discharge a shot by means of an explosive
50 and is incapable of being readily restored to a firing

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1 condition; or.

2 c. The person acquiring the pistol or revolver is
3 authorized to do so on behalf of a law enforcement
4 agency.

5 d. The person has obtained a valid permit to carry
6 weapons, as provided in section 724.11.

7 e. The person transferring the pistol or revolver
8 and the person acquiring the pistol or revolver are
9 related to one another within the second degree of
10 consanguinity or affinity unless the person
11 transferring the pistol or revolver knows that the
12 person acquiring the pistol or revolver would be
13 ineligible to obtain a permit.

14 § 5. The annual permit to acquire pistols or
15 revolvers shall authorize the permit holder to acquire
16 one or more pistols or revolvers during the period
17 that the permit remains valid. If the issuing officer
18 determines that the applicant has become disqualified
19 under the provisions of subsection 1, the issuing
20 officer may immediately invalidate the permit."

21 5. By striking page 4, line 23, through page 5,
22 line 5, and inserting the following:

23 "The application for an annual permit to acquire
24 pistols or revolvers ~~may~~ shall be made to the sheriff
25 of the county of the applicant's residence and shall
26 be on a form prescribed and published by the
27 commissioner of public safety. The application shall
28 state the full name of the applicant, the social
29 security number of the applicant, the residence of the
30 applicant, and the age of the applicant and shall
31 state whether the applicant has ever been convicted of
32 a felony, whether the person is addicted to the use of
33 alcohol or controlled substances, whether the
34 applicant has ever been adjudged mentally incompetent,
35 and whether the person has any history of mental
36 illness or repeated acts of violence. The applicant
37 shall also display an identification card that bears a
38 distinguishing number assigned to the cardholder, the
39 full name, date of birth, sex, residence address, and
40 brief description and colored color photograph of the
41 cardholder, or other identification as specified by
42 rule of the department of public safety. Upon
43 notification that criminal history data is available

44 but not later than July 1, 1991, the The sheriff shall
45 conduct a criminal history check concerning each
46 applicant by obtaining criminal history data from the
47 department of public safety.

48 A person who knowingly makes a false statement of
49 material fact on the application commits a class "D"
50 felony.

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1 Sec. _____. NEW SECTION. 724.19A RENEWAL OF ANNUAL
2 PERMIT TO ACQUIRE PISTOLS OR REVOLVERS.

3 1. A person who renews an annual permit to acquire
4 pistols or revolvers shall comply with the renewal
5 procedures established by the commissioner of public
6 safety.

7 2. A person shall not be eligible to renew an
8 annual permit under this section if any of the
9 following exist:

10 a. Any of the conditions required for the issuance
11 of a permit to acquire pistols or revolvers have
12 ceased to exist, except as provided in subsection 3.

13 b. The person's most recent permit to acquire
14 pistols or revolvers was revoked pursuant to section
15 724.20A.

16 c. The person's most recent permit to acquire
17 pistols or revolvers expired more than two years prior
18 to the date of renewal.

19 3. The issuing officer may waive the training and
20 examination requirements of section 724.15, subsection
21 3, for a person renewing a valid permit to acquire a
22 pistol or revolver on or before January 1, 1998,
23 provided that the person possessed a valid permit to
24 acquire pistols or revolvers prior to January 1, 1993.

25 Sec. _____. NEW SECTION. 724.20A REVOCATION OF
26 PERMIT TO ACQUIRE PISTOLS OR REVOLVERS.

27 The issuing officer may revoke any permit to
28 acquire pistols or revolvers if the officer learns
29 that any of the conditions required for the issuance
30 of the permit have ceased to exist or if the officer
31 learns that the permit was improperly issued. If the
32 issuing officer revokes a permit, the officer shall
33 notify the permit holder of such revocation on a form
34 prescribed and published by the commissioner of public
35 safety and shall take possession of the permit. From
36 the time the permit holder receives notice of
37 revocation, the permit shall cease to have any force
38 or effect. Permit revocations shall be reviewed by
39 writ of certiorari."

40 6. By renumbering as necessary.

H-3911

1 Amend the amendment, H-3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 16, by inserting after line 17 the
5 following:

6 "Sec. _____. NEW SECTION. 146A.1 NOTIFICATION OF
7 PARENT PRIOR TO PERFORMANCE OF ABORTION ON MINOR --
8 REQUIREMENTS -- EXCEPTIONS.

9 1. A person shall not perform an abortion on a
10 pregnant minor until at least forty-eight hours' prior
11 notification is provided to a parent of the minor.

12 2. The person who will perform the abortion shall
13 provide notification in person or by mailing the
14 notification by restricted certified mail to the
15 parent of the minor at the usual place of abode of the
16 parent. For the purposes of delivery by restricted
17 certified mail, the time of delivery is deemed to
18 occur at twelve o'clock noon on the next day on which
19 regular mail delivery takes place, subsequent to the
20 mailing.

21 3. For the purposes of this section, unless the
22 context otherwise requires:

23 a. "Abortion" means an abortion as defined in
24 chapter 146.

25 b. "Court" means the juvenile court.

26 c. "Medical emergency" means a condition that,
27 based on a physician's good faith clinical judgment,
28 so complicates the medical condition of a pregnant
29 woman as to necessitate the immediate abortion of the
30 woman's pregnancy to avert the woman's death, or for
31 which a delay will create serious risk of substantial
32 and irreversible impairment of a major bodily
33 function.

34 d. "Minor" means a person under eighteen years of
35 age who meets any of the following criteria:

36 (1) Has not been married.

37 (2) Is not living separate and apart from the
38 person's parent, whether with or without the consent
39 of the parent and regardless of the duration of the
40 separate residence and who is not managing the
41 person's own financial affairs regardless of the
42 source or extent of the person's income.

43 e. "Parent" means one parent of the pregnant minor
44 or the pregnant minor's guardian or custodian.

45 4. Notification shall not be required under this
46 section if any of the following conditions apply:

47 a. The attending physician certifies that a
48 medical emergency existed. The attending physician
49 shall certify in writing the basis for the medical
50 judgment that a medical emergency existed and shall

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1 make written certification available to a parent of
2 the minor prior to the abortion, if possible. If it
3 is not possible to provide a parent of the minor with
4 written certification prior to the abortion, the
5 physician shall provide the written certification to a
6 parent of the minor within twelve hours following the
7 performance of the abortion unless paragraph "b", "c",
8 or "d" is applicable.

9 b. The abortion is authorized in writing by a
10 parent entitled to notification.

11 c. The pregnant minor declares that the pregnant
12 minor is a victim of child abuse pursuant to section
13 232.68, the person responsible for the care of the
14 child is a parent of the child, and the abuse has been
15 reported pursuant to the procedures prescribed in
16 chapter 232, division III, part 2, or a parent of the
17 child is named in a report of founded child abuse.
18 The department of human services shall maintain
19 confidentiality under chapter 232 regarding the
20 minor's pregnancy and abortion, if an abortion is
21 obtained.

22 d. The pregnant minor elects not to allow
23 notification of the pregnant minor's parent and a
24 court authorizes waiver of the notification
25 requirement following completion of the proceedings
26 prescribed under subsection 5.

27 5. If a pregnant minor objects to the notification
28 of a parent prior to the performance of an abortion on
29 the pregnant minor, the pregnant minor may petition
30 the court to authorize waiver of the notification
31 requirement pursuant to this section in accordance
32 with the following procedures:

33 a. The court shall ensure that the minor is
34 provided with assistance in preparing and filing the
35 petition for waiver of notification and shall ensure
36 that the minor's identity remains confidential.

37 b. The minor may participate in the court
38 proceedings on the minor's own behalf and the court
39 may appoint a guardian ad litem for the minor. The
40 court shall advise the minor of the minor's right to
41 court-appointed legal counsel, and shall, upon the
42 minor's request, provide the minor with legal counsel,
43 at no cost to the minor.

44 c. The court proceedings shall be conducted in a
45 manner which protects the anonymity of the minor and
46 all court documents pertaining to the proceedings
47 shall remain confidential. Only the minor, the
48 minor's guardian ad litem, the minor's legal counsel,
49 and persons whose presence is specifically requested
50 by the minor, by the minor's guardian ad litem, or by

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1 the minor's legal counsel may attend the hearing on
2 the petition.

3 d. The court proceedings under this section shall
4 be given precedence over other pending matters to
5 ensure that the court reaches a decision
6 expeditiously.

7 e. Upon petition and following an appropriate
8 hearing, the court shall waive the notification
9 requirement if the court determines either of the
10 following:

11 (1) That the minor is mature and capable of
12 providing informed consent to the performance of an
13 abortion.

14 (2) That the minor is not mature, or does not
15 claim to be mature, but that notification is not in
16 the best interest of the minor.

17 f. The court shall issue specific factual findings
18 and legal conclusions, in writing, to support the
19 decision.

20 g. Upon conclusion of the hearing, the court shall
21 immediately issue a written order which shall be
22 provided immediately to the minor, the minor's
23 guardian ad litem, the minor's legal counsel, or any
24 other person designated by the minor to receive the
25 order.

26 h. An expedited, anonymous, confidential appeal
27 shall be available to a minor for whom the court
28 denies a petition for waiver of notification. An
29 order granting the minor's application for waiver of
30 notification is not subject to appeal. Access to the
31 appellate courts for the purpose of an appeal under
32 this section shall be provided to a minor twenty-four
33 hours a day, seven days a week.

34 i. The supreme court shall prescribe rules to
35 ensure that the proceedings under this section are
36 performed in an expeditious, anonymous, and
37 confidential manner.

38 j. A minor who chooses to utilize the waiver of
39 notification procedures under this subsection shall
40 not be required to pay a fee at any level of the
41 proceedings.

42 k. A person performing an abortion on a minor
43 under this chapter may inform the parent of the minor
44 of any necessary treatment resulting from
45 complications of the abortion procedure if, in the
46 judgment of the person, failure to inform the parent
47 would seriously jeopardize the health of the minor.

48 6. A person who performs an abortion in violation
49 of this section is guilty of a serious misdemeanor. A
50 person is not subject to a criminal penalty under this

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1 section if the person establishes through written
 2 evidence that the provisions of this section have been
 3 met or that the person has used reasonable diligence
 4 in attempting to provide notification to a parent of
 5 the pregnant minor.

6 7. Venue for proceedings under this section is in
 7 the court in the county where the minor resides or
 8 where the premises in which the abortion will be
 9 performed is located.

10 Sec. _____. **NEW SECTION. 232.5 ABORTION PERFORMED**
 11 **ON A MINOR — PROCEEDINGS.**

12 The court shall have exclusive jurisdiction over
 13 the authorization of an abortion on a minor pursuant
 14 to section 146A.1.”

15 2. By renumbering as necessary.

GARMAN of Story
 HURLEY of Fayette
 VANDE HOEF of Osceola
 O'BRIEN of Boone
 KLEMME of Plymouth

BODDICKER of Cedar
 TYRRELL of Iowa
 MERTZ of Kossuth
 FOGARTY of Palo Alto
 LARSON of Linn

H-3915

1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 3, by striking lines 9 through 26 and
 5 inserting the following:

6 “\$ 95,831,241

7 The funds appropriated in this subsection shall be
 8 allocated as follows:

9	a. Merged Area I	\$ 4,493,600
10	b. Merged Area II	\$ 5,416,768
11	c. Merged Area III	\$ 5,161,299
12	d. Merged Area IV	\$ 2,426,547
13	e. Merged Area V	\$ 5,286,851
14	f. Merged Area VI	\$ 4,862,527
15	g. Merged Area VII	\$ 6,631,922
16	h. Merged Area IX	\$ 8,436,375
17	i. Merged Area X	\$ 13,091,791
18	j. Merged Area XI	\$ 14,072,257
19	k. Merged Area XII	\$ 5,496,323
20	l. Merged Area XIII	\$ 5,686,244
21	m. Merged Area XIV	\$ 2,511,257
22	n. Merged Area XV	\$ 7,848,977
23	o. Merged Area XVI	\$ 4,408,503”.

H-3917

1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 20, line 34, by inserting after the word
 5 "difference." the following: "However, the department
 6 shall not provide the budget adjustment under this
 7 paragraph for the budget year beginning July 1, 1994,
 8 or July 1, 1995, unless an election is held by March
 9 15 preceding the budget year on the question of the
 10 budget adjustment being provided and a majority of
 11 those voting on the question vote in favor of
 12 providing such budget adjustment."

MUNDIE of Webster
 WISE of Lee
 FOGARTY of Palo Alto

MERTZ of Kossuth
 MAY of Worth
 BLACK of Jasper

H-3918

1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 3, line 9, by striking the figure
 5 "93,295,486" and inserting the following:
 6 "93,320,486".
 7 2. Page 3, by striking lines 12 through 26 and
 8 inserting the following:
 9 "a. Merged Area I\$
 10 4,370,381
 11 b. Merged Area II\$
 12 5,269,937
 13 c. Merged Area III\$
 14 5,050,654
 15 d. Merged Area IV\$
 16 2,375,610
 17 e. Merged Area V\$
 18 5,144,139
 19 f. Merged Area VI\$
 20 4,739,790
 21 g. Merged Area VII\$
 22 6,485,554
 23 h. Merged Area IX\$
 24 8,204,347
 25 i. Merged Area X\$
 26 12,707,980
 27 j. Merged Area XI\$
 28 13,731,504
 29 k. Merged Area XII\$
 30 5,360,338
 31 l. Merged Area XIII\$
 32 5,531,999

- 33 m. Merged Area XIV\$
- 34 2,445,791
- 35 n. Merged Area XV\$
- 36 7,613,230
- 37 o. Merged Area XVI\$
- 38 4,289,232".
- 39 3. By renumbering as necessary.

BRAND of Benton
 OSTERBERG of Linn
 HALVORSON of Webster
 MURPHY of Dubuque

DVORSKY of Johnson
 MORELAND of Wapello
 HENDERSON of Scott
 COHOON of Des Moines

H-3928

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 7, line 32, by striking the figure
- 5 "23,608,580" and inserting the following:
- 6 "23,108,580".

BRAND of Benton

H-3932

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 5, by inserting after line 43 the
- 5 following:
- 6 "Sec. 1500. There is appropriated from the general
- 7 fund of the state to the department of education for
- 8 the fiscal year beginning July 1, 1992, and ending
- 9 June 30, 1993, to supplement the appropriation made in
- 10 1992 Iowa Acts, chapter 1247, section 44, subsection
- 11 3, the following amount, or so much thereof as is
- 12 necessary, to be used for the purposes designated:
- 13 For the payment of claims of public school
- 14 districts for transportation services to nonpublic
- 15 school pupils under section 285.2:
- 16\$ 1,300,000".
- 17 2. Page 27, line 5, by inserting after the word
- 18 "Sections" the following: "1500,".
- 19 3. By renumbering, redesignating, and correcting
- 20 internal references as necessary.

HARPER of Black Hawk

H-3938

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:

- 4 1. Page 11, line 32, by striking the figure
5 "460,560" and inserting the following: "560,560".

SCHRADER of Marion
HENDERSON of Scott
DVORSKY of Johnson

BRAMMER of Linn
WITT of Black Hawk
OSTERBERG of Linn
FOGARTY of Palo Alto

H-3944

- 1 Amend the amendment, H-3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 27, by inserting before line 1 the
5 following:
6 "Sec. _____. The department of education shall
7 conduct a study and submit a report on the progress of
8 the renewed services delivery system for providing
9 special education services. The report shall also
10 include the costs and benefits provided by the renewed
11 services delivery system, safeguards taken to ensure
12 that those special education services required by law
13 are being provided, and recommendations for statutory
14 changes to improve and enhance special education
15 services. The report shall be submitted to the
16 general assembly by January 15, 1994."

NELSON of Pottawattamie
COHOON of Des Moines
DVORSKY of Johnson
BAKER of Polk

JOCHUM of Dubuque
OLLIE of Clinton
HARPER of Black Hawk
CONNORS of Polk
O'BRIEN of Boone

H-3946

- 1 Amend the amendment, H-3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 17, line 10, by striking the figure
5 "1993" and inserting the following: "1994".
6 2. Page 17, line 27, by striking the figure
7 "1993" and inserting the following: "1994".
8 3. Page 17, line 27, by striking the figure
9 "1994" and inserting the following: "1995".
10 4. Page 17, line 30, by striking the figure
11 "1995" and inserting the following: "1996".
12 5. Page 17, line 41, by striking the figure
13 "1993" and inserting the following: "1994".
14 6. Page 17, line 49, by striking the figure
15 "1994" and inserting the following: "1995".
16 7. Page 18, line 15, by striking the figure
17 "1993" and inserting the following: "1994".
18 8. Page 18, line 41, by striking the figure
19 "1993" and inserting the following: "1994".

- 20 9. Page 20, line 14, by striking the figure
 21 "1993" and inserting the following: "1994".
 22 10. Page 27, lines 9 and 10, by striking the
 23 following: "upon enactment and apply retroactively to
 24 July 1, 1992" and inserting the following: "July 1,
 25 1993".
 26 11. Page 27, line 13, by striking the figure
 27 "1993" and inserting the following: "1994".
 28 12. Page 27, line 15, by striking the figure
 29 "1993" and inserting the following: "1994".
 30 13. Page 27, line 17, by striking the figure
 31 "1994" and inserting the following: "1995".

NELSON of Pottawattamie
 WITT of Black Hawk
 WISE of Lee
 MERTZ of Kossuth
 COHOON of Des Moines
 BAKER of Polk

KREIMAN of Davis
 NEUHAUSER of Johnson
 BELL of Jasper
 LARKIN of Lee
 MURPHY of Dubuque
 BRAND of Benton
 OLLIE of Clinton

H-3947

- 1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 17, line 10, by striking the figure
 5 "1993" and inserting the following: "1994".
 6 2. Page 17, line 27, by striking the figure
 7 "1993" and inserting the following: "1994".
 8 3. Page 17, line 27, by striking the figure
 9 "1994" and inserting the following: "1995".
 10 4. Page 17, line 30, by striking the figure
 11 "1995" and inserting the following: "1996".
 12 5. Page 17, line 41, by striking the figure
 13 "1993" and inserting the following: "1994".
 14 6. Page 17, line 49, by striking the figure
 15 "1994" and inserting the following: "1995".
 16 7. Page 18, line 15, by striking the figure
 17 "1993" and inserting the following: "1994".
 18 8. Page 18, line 41, by striking the figure
 19 "1993" and inserting the following: "1994".
 20 9. Page 18, lines 43 and 44, by striking the word
 21 "sixty-eight" and inserting the following: "seventy-
 22 four".
 23 10. Page 18, line 44, by striking the word
 24 "thirty-five" and inserting the following: "forty-
 25 eight".
 26 11. Page 20, line 14, by striking the figure
 27 "1993" and inserting the following: "1994".
 28 12. Page 27, lines 9 and 10, by striking the
 29 words "upon enactment and apply retroactively to July
 30 1, 1992" and inserting the following: "July 1, 1993".

- 31 13. Page 27, line 13, by striking the figure
 32 "1993" and inserting the following: "1994".
 33 14. Page 27, line 15, by striking the figure
 34 "1993" and inserting the following: "1994".
 35 15. Page 27, line 17, by striking the figure
 36 "1994" and inserting the following: "1995".

NELSON of Pottawattamie
 NEUHAUSER of Johnson
 MERTZ of Kossuth
 COHOON of Des Moines
 BAKER of Polk

KREIMAN of Davis
 WISE of Lee
 BELL of Jasper
 DVORSKY of Johnson
 BRAND of Benton
 OLLIE of Clinton

H-3948

- 1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 3, line 9, by striking the figure
 5 "93,295,486" and inserting the following:
 6 "93,795,486".
 7 2. Page 3, by striking lines 12 through 26 and
 8 inserting the following:
 9 "a. Merged Area I \$ 4,392,500
 10 b. Merged Area II \$ 5,296,655
 11 c. Merged Area III \$ 5,077,039
 12 d. Merged Area IV \$ 2,388,049
 13 e. Merged Area V \$ 5,169,801
 14 f. Merged Area VI \$ 4,764,061
 15 g. Merged Area VII \$ 6,519,324
 16 h. Merged Area IX \$ 8,245,853
 17 i. Merged Area X \$ 12,771,637
 18 j. Merged Area XI \$ 13,802,204
 19 k. Merged Area XII \$ 5,387,860
 20 l. Merged Area XIII \$ 5,560,043
 21 m. Merged Area XIV \$ 2,458,261
 22 n. Merged Area XV \$ 7,651,216
 23 o. Merged Area XVI \$ 4,310,983
 24 From the funds appropriated in this subsection, \$500,000
 25 for the fiscal year beginning July 1, 1993, shall be expended for
 26 full-time faculty salaries to supplement, not supplant, the
 27 results of a collective bargaining agreement."

MAY of Worth
 HALVORSON of Webster
 MORELAND of Wapello
 CONNORS of Polk
 HARPER of Black Hawk
 COHOON of Des Moines
 JOCHUM of Dubuque
 McCOY of Polk
 HENDERSON of Scott

WISE of Lee
 DVORSKY of Johnson
 ARNOULD of Scott
 BAKER of Polk
 BELL of Jasper
 OLLIE of Clinton
 JOCHUM of Pottawattamie
 RENAUD of Polk
 BRAMMER of Linn

MERTZ of Kossuth
 LARKIN of Lee
 KOENIGS of Mitchell

BEATTY of Warren
 MUNDIE of Webster
 FOGARTY of Palo Alto
 WEIGEL of Chickasaw

H-3951

1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 26, by inserting after line 10, the
 5 following:

6 "Sec. _____. Section 427B.17, Code 1993, is amended
 7 to read as follows:

8 427B.17 PROPERTY SUBJECT TO SPECIAL VALUATION.

9 1. For property defined in section 427A.1,
 10 subsection 1, paragraphs "e" and "j" acquired or
 11 initially leased after January 1, 1985 the taxpayer's
 12 valuation shall be limited to thirty percent of the
 13 net acquisition cost of the property. For purposes of
 14 this section, "net acquisition cost" means the
 15 acquired cost of the property including all
 16 foundations and installation cost less any excess cost
 17 adjustment.

18 2. For purposes of this section:

19 1 a. Property assessed by the department of
 20 revenue and finance pursuant to sections 428.24 to
 21 428.29, or chapters 433, 434 and 436 to 438 shall not
 22 receive the benefits of this section.

23 2 b. Property acquired on or before January 1,
 24 1985 which was owned or used on or before January 1,
 25 1985 by a related person shall not receive the
 26 benefits of this section.

27 3 c. Property acquired after January 1, 1985 which
 28 was owned and used by a related person shall not
 29 receive any additional benefits under this section.

30 4 d. Property which was owned or used on or before
 31 January 1, 1985 and subsequently acquired by an
 32 exchange of like property shall not receive the
 33 benefits of this section.

34 5 e. Property which was acquired after January 1,
 35 1985 and subsequently exchanged for like property
 36 shall not receive any additional benefits under this
 37 section.

38 6 f. Property acquired on or before January 1,
 39 1985 which is subsequently leased to a taxpayer or
 40 related person who previously owned the property shall
 41 not receive the benefits of this section.

42 7 g. Property acquired after January 1, 1985 which
 43 is subsequently leased to a taxpayer or related person
 44 who previously owned the property shall not receive
 45 any additional benefits under this section.

46 h. For purposes of this section, "related "Related
 47 person" means a person who owns or controls the
 48 taxpayer's business and another business entity from
 49 which property is acquired or leased or to which
 50 property is sold or leased. Business entities are

Page 2

1 owned or controlled by the same person if the same
 2 person directly or indirectly owns or controls fifty
 3 percent or more of the assets or any class of stock or
 4 who directly or indirectly has an interest of fifty
 5 percent or more in the ownership or profits.

6 3. Property assessed pursuant to this section
 7 shall not be eligible to receive a partial exemption
 8 under sections 427B.1 to 427B.6.

9 4. a. A city council or county board of
 10 supervisors may provide by ordinance an exemption from
 11 taxation for property defined in this section whose
 12 valuation is computed pursuant to subsection 1, and
 13 which is acquired after December 31, 1992. The
 14 ordinance may be enacted not less than thirty days
 15 after a public hearing on the ordinance is held.
 16 Notice of the hearing shall be published in accordance
 17 with section 331.305 in the case of a county, or
 18 section 362.3 in the case of a city. The exemption
 19 shall not apply to any property acquired or initially
 20 leased prior to the enactment of the ordinance unless
 21 the ordinance specifically allows for retroactive
 22 application.

23 b. If in the opinion of the city council or the
 24 county board of supervisors continuation of the
 25 exemption granted under this subsection ceases to be
 26 of benefit to the city or county, the city council or
 27 the county board of supervisors may repeal the
 28 ordinance authorized by this subsection. Exemptions
 29 allowed prior to repeal of the ordinance shall
 30 continue until their expiration."

31 2. By renumbering as necessary.

WISE of Lee
 BELL of Jasper
 PETERSON of Carroll
 GILL of Woodbury

H-3952

1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 16, by inserting after line 17, the
 5 following:

6 "Sec. 100. Section 56.13, unnumbered paragraph 1,

7 Code 1993, is amended to read as follows:

8 Action involving a contribution or expenditure
 9 which must be reported under this chapter and which is
 10 taken by any person, candidate's committee or
 11 political committee on behalf of a candidate, if known
 12 and approved by the candidate, shall be deemed action
 13 by the candidate and reported by the candidate's
 14 committee. If a restricted campaign exists, the
 15 action involving an expenditure or contribution which
 16 must be reported under this chapter which is taken by
 17 any person, candidate's committee or political
 18 committee on behalf of a candidate, if known and
 19 approved by the candidate, shall be deemed action by
 20 the candidate, shall be reported by the candidate's
 21 committee, and shall be credited against the
 22 candidate's expenditure or contribution limits
 23 pursuant to section 56.38 or 56.39B. It shall be
 24 presumed that a candidate approves the action if the
 25 candidate had knowledge of it and failed to file a
 26 statement of disavowal with the commissioner or
 27 commission board and take corrective action within
 28 seventy-two hours of the action. A person,
 29 candidate's committee or political committee taking
 30 such action independently of that candidate's
 31 committee shall notify that candidate's committee in
 32 writing within twenty-four hours of taking the action.
 33 The notification shall provide that candidate's
 34 committee with the cost of the promotion at fair
 35 market value. A copy of the notification shall be
 36 sent to the commission. If a candidate files a
 37 statement of disavowal, the commissioner or board
 38 shall forward a copy of the statement to the
 39 candidate's opponent.

40 Sec. 101. Section 56.14, Code 1993, is amended by
 41 adding the following new unnumbered paragraph:
 42 **NEW UNNUMBERED PARAGRAPH.** In addition to the
 43 identification required in this section, a candidate's
 44 committee of a candidate who is not registered for a
 45 restricted campaign pursuant to section 56.37, shall
 46 include, on all printed material, a statement, equal
 47 in size to the identification information, that the
 48 candidate is not registered for a restricted campaign.
 49 A similar disclaimer shall also be included, vocally,
 50 in all radio and television commercials purchased on

Page 2

1 behalf of the candidate. Candidates who have not
 2 registered for a restricted campaign shall state the
 3 following: "(name of candidate) refused to limit
 4 campaign spending." The information required under
 5 this paragraph may be included on materials and

6 commercials by a candidate who is registered for a
7 restricted campaign.

8 Sec. 102. Sections 103 through 109 of this Act are
9 created as a new division of chapter 56.

10 Sec. 103. NEW SECTION. 56.36 DEFINITIONS.

11 As used in this division, unless the context
12 requires otherwise:

13 1. "Advocacy information" is material published or
14 broadcast which discusses public issues, candidates,
15 or voting records from which a reasonable person could
16 draw a fair inference that the material recommends the
17 defeat or election of an identifiable candidate in a
18 restricted campaign.

19 2. "Benefited candidate" means a candidate in a
20 restricted campaign whose election is recommended or
21 whose opponent's defeat is recommended by advocacy
22 information or by the fair inferences drawn from the
23 advocacy information by a reasonable person as
24 determined by the board.

25 3. "Eligible office" means the offices of state
26 representative, state senator, secretary of
27 agriculture, secretary of state, treasurer of state,
28 auditor of state, attorney general, and governor. The
29 office of lieutenant governor shall not be considered
30 a separate eligible office but shall be considered
31 with the office of governor for purposes of this
32 division.

33 4. "Political action committee" means any
34 political committee except a county statutory
35 political committee, a state statutory political
36 committee, a national political party, or a nonparty
37 political organization under chapter 44.

38 5. "Qualifying nomination" means a nomination by a
39 political party as defined by section 43.2, or a
40 nomination under chapter 44 or 45.

41 6. "Restricted campaign" means a campaign for an
42 eligible office in which there are two or more
43 candidates with qualifying nominations and all of
44 those candidates have registered with the board and
45 voluntarily agreed to limit campaign expenditures and
46 contributions pursuant to section 56.39.

47 Sec. 104. NEW SECTION. 56.37 REGISTRATION FOR A
48 RESTRICTED CAMPAIGN.

49 Each candidate for an eligible office shall
50 register with the commission and shall indicate

Page 3

1 whether the candidate voluntarily agrees to limit
2 campaign expenditures and contributions in a
3 restricted campaign prior to or with the filing of
4 nomination papers pursuant to chapter 43, 44, or 45.

5 Notwithstanding section 43.20, the nomination
6 petition of a candidate who does not agree to a
7 restricted campaign must contain signatures of at
8 least fifteen percent of the total number of votes
9 cast in the last general election for that office. A
10 candidate nominated pursuant to section 43.66 who does
11 not agree to a restricted campaign must file a
12 nomination petition within fifteen days of nomination
13 containing signatures of at least fifteen percent of
14 the total number of votes cast in the last general
15 election for that office in order to be placed on the
16 general election ballot. A candidate who agrees to a
17 restricted campaign and whose opponent does not agree
18 to a restricted campaign is not required to obtain
19 signatures under this section, is not subject to the
20 limitations on campaign expenditures or contributions
21 imposed in this division, and shall be considered as a
22 candidate who agreed to a restricted campaign for
23 purposes of sections 43.31 and 49.53A.

24 Notwithstanding the dates required for filing
25 disclosure reports pursuant to section 56.6, a
26 candidate who does not agree to a restricted campaign
27 pursuant to this section shall file a disclosure
28 report each month until June 30 of the year of the
29 election. Beginning July 1 of the year of the
30 election, the candidate shall file a disclosure report
31 every fourteen days until the date of the general
32 election. After the date of election, the candidate
33 shall file a disclosure report each month until the
34 candidate files nomination papers for the same or
35 another public office, or closes the candidate's
36 campaign account.

37 The commissioner required to publish notice of the
38 election and the ballot pursuant to section 49.53
39 shall, simultaneously with such publication, publish
40 the names of candidates who agree and do not agree to
41 a restricted campaign using the following language
42 where applicable: "These candidates refused to limit
43 their campaign spending."; or "These candidates
44 voluntarily agreed to limit their campaign spending."

45 Sec. 105. NEW SECTION. 56.38 RESTRICTED
46 CAMPAIGNS — LIMITS ON EXPENDITURES.

47 If a restricted campaign exists, the candidate's
48 committees of those candidates with qualifying
49 nominations to that eligible office are subject to the
50 following limits on expenditures:

Page 4

- 1 1. Governor. Total expenditure limit, five
- 2 hundred thousand dollars in a primary election if
- 3 there is no primary opponent, one million dollars in a

4 primary election if there is a primary opponent, and
5 one million five hundred thousand dollars in a general
6 election.

7 2. Attorney general, secretary of agriculture,
8 secretary of state, treasurer of state, and auditor of
9 state. Total expenditure limit, fifty thousand
10 dollars in a primary election if there is no primary
11 opponent, one hundred thousand dollars in a primary
12 election if there is a primary opponent, and one
13 hundred thousand dollars in a general election.

14 3. State senator. Total expenditure limit, ten
15 thousand dollars in a primary election if there is no
16 primary opponent, twenty-five thousand dollars in a
17 primary election if there is a primary opponent, and
18 twenty-five thousand dollars in a general election.

19 4. State representative. Total expenditure limit,
20 five thousand dollars in a primary election if there
21 is no primary opponent, fifteen thousand dollars in a
22 primary election if there is a primary opponent, and
23 fifteen thousand dollars in a general election.

24 For purposes of this division, an expenditure
25 occurs at the time of performance and not at the time
26 of payment.

27 Actions involving an expenditure taken on behalf of
28 a candidate in a restricted campaign shall be
29 accepted, reported, and credited against the limits of
30 this section, or disavowed pursuant to section 56.13.
31 Actions taken by a county or state statutory political
32 committee or a national political party which benefit
33 the political party generally and which benefit more
34 than one candidate shall not be considered as
35 expenditures under this division.

36 The board shall, by July 1 in each odd-numbered
37 year, adjust the limitations on expenditures to
38 reflect any increase in the consumer price index as
39 released by the federal government.

40 Sec. 106. NEW SECTION. 56.39 PERIODS THE
41 EXPENDITURE LIMITS ARE IN EFFECT.

42 If a restricted campaign exists, the limitations of
43 section 56.38 apply to expenses incurred during the
44 following periods:

45 1. During an even-numbered year, from the date the
46 candidate or the candidate's treasurer files a
47 statement of organization as required by section 56.5,
48 or from the date the candidate or the candidate's
49 designee files an affidavit of candidacy with the
50 state commissioner of elections, whichever date is

3 2. During a special election, from the date the
4 candidate or the candidate's treasurer files a
5 statement of organization as required by section 56.5,
6 or from the date the candidate or the candidate's
7 designee files an affidavit of candidacy with the
8 state commissioner of elections, whichever date is
9 earlier, through the date of the special election for
10 that office.

11 Sec. 107. NEW SECTION. 56.39A ADJUSTMENTS FOR
12 BENEFITED CANDIDATES AND OPPONENTS.

13 1. A person or political committee which causes
14 the publication, mass mailing, or broadcast of
15 advocacy information in a restricted campaign shall
16 give notice to the commission and to the benefited
17 candidate. The notice shall be given by certified
18 restricted mail within twenty-four hours after the
19 publication, mailing, or broadcast of the advocacy
20 information and be accompanied by the text of the
21 advocacy information and the amount of the
22 publication, mailing, or broadcasting expenditures.

23 2. The benefited candidate shall notify the
24 commission within seventy-two hours of receipt of
25 notice given pursuant to subsection 1 whether the
26 candidate accepts or disavows the expenditure. If the
27 candidate accepts the expenditure, the anticipated
28 expenditure shall be credited against the candidate's
29 expenditure limit. If the candidate files a statement
30 of disavowal, the commissioner or board shall forward
31 a copy of the statement to the candidate's opponent.

32 3. For the purposes of this section, the board
33 shall disregard the first five hundred dollars of
34 aggregate disavowed expenditures regarding a benefited
35 candidate for the general assembly, the first one
36 thousand dollars of aggregate disavowed expenditures
37 regarding a benefited candidate for a statewide office
38 other than governor, and the first five thousand
39 dollars of aggregate disavowed expenditures regarding
40 a benefited candidate for governor. If the aggregate
41 disavowed expenditures regarding a benefited candidate
42 exceed the amounts provided in this section, the board
43 shall determine if a reasonable person would or would
44 not draw a fair inference that the material assists
45 the election of the benefited candidate or the defeat
46 of an opposing candidate. If the board determines
47 that a candidate is benefited, the board shall
48 attribute the disavowed expenditure to the expenditure
49 limits of the benefited candidate and shall do one of
50 the following: increase the benefited candidate's

2 disavowed expenditures attributed to the benefited
3 candidate or eliminate the expenditure limit of the
4 benefited candidate's opponent for that election
5 period.

6 4. The board by rule may delegate decisions under
7 subsection 3 to a panel of three members of the
8 commission. If delegated, the decisions of the panel
9 constitute final agency action for the purposes of
10 chapter 17A. Notwithstanding section 17A.19, a
11 petition for judicial review of a decision under this
12 section shall be filed only in Polk county district
13 court, the court shall not stay the increase or
14 elimination of the limits for the candidates opposing
15 the benefited candidate pending the outcome of the
16 judicial review proceeding, the petitioner has only
17 two days after filing to provide notice or copies to
18 the other parties, and the proceeding shall receive
19 the highest priority among the cases before the
20 district court.

21 The decisions under subsection 3 shall be made
22 within two days of the commission's receipt of the
23 benefited candidate's disavowal and the benefited
24 candidate and opponents shall be promptly notified.

25 Advocacy information caused by a county or state
26 statutory political committee or a national political
27 party which benefit the political party generally and
28 which benefit more than one candidate are not subject
29 to the requirements of this section.

30 **Sec. 108. NEW SECTION. 56.39B RESTRICTED**
31 **CAMPAIGNS — LIMITS ON ACCEPTANCE OF CONTRIBUTIONS.**

32 If a restricted campaign exists, the acceptance of
33 contributions by candidates for the following offices
34 from political action committees and individuals is
35 subject to the following limitations:

36 1. Governor.

37 a. Total political action committee contributions,
38 thirty-five percent of the candidate's applicable
39 expenditure limit in a primary election, and thirty-
40 five percent of the candidate's expenditure limit in a
41 general election.

42 b. Largest political action committee
43 contribution, five thousand dollars.

44 c. Largest individual contribution, excluding
45 contributions made by a candidate to the candidate's
46 own campaign, one thousand dollars.

47 2. Attorney general, secretary of agriculture,
48 secretary of state, treasurer of state, and auditor of
49 state.

50 a. Total political action committee contributions,

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1 thirty-five percent of the candidate's applicable
2 expenditure limit in a primary election, and thirty-
3 five percent of the candidate's expenditure limit in a
4 general election.

5 b. Largest political action committee
6 contribution, five thousand dollars.

7 c. Largest individual contribution, excluding
8 contributions made by a candidate to the candidate's
9 own campaign, one thousand dollars.

10 3. State senator.

11 a. Total political action committee contributions,
12 thirty-five percent of the candidate's applicable
13 expenditure limit in a primary election, and thirty-
14 five percent of the candidate's expenditure limit in a
15 general election.

16 b. Largest political action committee
17 contribution, one thousand dollars.

18 c. Largest individual contribution, excluding
19 contributions made by a candidate to the candidate's
20 own campaign, five hundred dollars.

21 4. State representative.

22 a. Total political action committee contributions,
23 thirty-five percent of the candidate's applicable
24 expenditure limit in a primary election, and thirty-
25 five percent of the candidate's expenditure limit in a
26 general election.

27 b. Largest political action committee
28 contribution, one thousand dollars.

29 c. Largest individual contribution, excluding
30 contributions made by the candidate to the candidate's
31 own campaign, five hundred dollars.

32 5. Individual contributions to the candidate or
33 candidate's committee made by one individual of a
34 cumulative value of one hundred dollars or more shall
35 be reported, including the name, address, occupation,
36 and place of business of the contributor.

37 Sec. 109. NEW SECTION. 56.39C PENALTIES.

38 1. A candidate who voluntarily agrees to a
39 restricted campaign, and who exceeds the expenditure
40 or contribution limitations in this division, shall be
41 subject to a fine which is based on the percentage by
42 which the candidate exceeds permitted expenditures or
43 contributions, so that the candidate shall pay a
44 percentage of the excess campaign expenditures or
45 contributions as follows:

46 a. Governor. For excess campaign expenditures or
47 contributions of under two thousand dollars, one
48 percent; for excess campaign expenditures or
49 contributions of two thousand to ten thousand dollars,
50 ten percent; for excess campaign expenditures or

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1 contributions of ten thousand one to twenty thousand
2 dollars, twenty-five percent; for excess campaign
3 expenditures or contributions of over twenty thousand
4 dollars, fifty percent.

5 b. Attorney general, secretary of agriculture,
6 secretary of state, treasurer of state, and auditor of
7 state, under one thousand dollars, one percent; for
8 excess expenditures or contributions of one thousand
9 to five thousand dollars, ten percent; for excess
10 expenditures or contributions of five thousand one to
11 ten thousand dollars, twenty-five percent; for excess
12 expenditures or contributions of over ten thousand
13 dollars, fifty percent.

14 c. State senator. For excess campaign
15 expenditures or contributions of under five hundred
16 dollars, one percent; for excess expenditures or
17 contributions of five hundred to one thousand dollars,
18 ten percent; for excess expenditures or contributions
19 of one thousand one to five thousand dollars, twenty-
20 five percent; for excess expenditures or contributions
21 of over five thousand dollars, fifty percent.

22 d. State representative. For excess campaign
23 expenditures or contributions of under two hundred
24 fifty dollars, one percent; for excess expenditures or
25 contributions of two hundred fifty to five hundred
26 dollars, ten percent; for excess expenditures or
27 contributions of five hundred one to two thousand five
28 hundred dollars, twenty-five percent; for excess
29 expenditures or contributions of over two thousand
30 five hundred dollars, fifty percent.

31 Fines collected pursuant to this section shall be
32 paid to the state political party of the violating
33 candidate's opponent.

34 2. Mileage expenses of the candidate, at a rate
35 determined pursuant to section 2.10, are not subject
36 to the expenditure limits of section 56.38.

37 3. The criminal penalty of section 56.16 applies
38 to violations of this division.

39 4. A candidate who knowingly and intentionally
40 violates the expenditure or contribution limits of
41 section 56.38 or section 56.39B is, upon conviction,
42 guilty of a class "D" felony, but is only subject to a
43 fine and is not subject to imprisonment,
44 notwithstanding the provisions of section 902.9. A
45 candidate shall not take the oath of office pending
46 conviction or acquittal, following trial, on charges
47 brought under this subsection, and a candidate is
48 disqualified from holding office upon conviction
49 obtained pursuant to this subsection."

50 2. Page 27, by inserting after line 22, the

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1 following:

2 "Sec. _____. Sections 100 through 109 of this Act
3 take effect January 1, 1994.

4 Sec. _____. ANTISEVERABILITY CLAUSE.

5 Notwithstanding section 4.12, if section 56.39A,
6 subsection 3 or 4, or section 56.39C, subsection 3, or
7 the application thereof is invalid, sections 100
8 through 109 of this Act shall be invalid."

9 3. Page 27, line 25, by inserting before the word
10 "effective" the following: "for voluntary limitation
11 of campaign expenditures and contributions for certain
12 elective officers, providing penalties, and
13 providing".

14 4. By numbering, renumbering, and changing
15 internal references as necessary.

JOCHUM of Dubuque

H-3953

1 Amend the amendment, H-3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 26, by inserting after line 10 the
5 following:

6 "Sec. 100. Section 422.7, Code 1993, is amended by
7 adding the following new subsection:

8 NEW SUBSECTION. 28. For a person who is disabled,
9 or is fifty-five years of age or older, or is the
10 surviving spouse of an individual or a survivor having
11 an insurable interest in an individual who would have
12 qualified for the exemption under this subsection for
13 the tax year, subtract, to the extent included, the
14 total amount of a governmental or other pension,
15 retirement pay, annuity, or other similar periodic
16 payment made under a plan maintained or contributed to
17 by an employer, or maintained or contributed to by a
18 self-employed person as an employer. However, a
19 surviving spouse who is not disabled or fifty-five
20 years of age or older can only exclude the amount of
21 annuities or other similar periodic payments received
22 as a result of the death of the other spouse."

23 2. Page 27, by inserting after line 7, the
24 following:

25 "Sec. _____. APPLICABILITY. Section 100 of this Act
26 applies to tax years beginning on or after January 1,
27 1994."

GILL of Woodbury
SCHRADER of Marion

H-3955

1 Amend the amendment, H-3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 27, by inserting before line 1 the
5 following:

6 "Sec. 45A. The following amendment to the
7 Constitution of the State of Iowa is proposed:
8 Article VII of the Constitution of the State of Iowa
9 is amended by adding the following new section:
10 FISH AND GAME PROTECTION FUNDS. SEC. 9. The
11 revenue from all license fees, from hunting, fishing,
12 and trapping activities, and any public or private
13 funds appropriated, allocated, or given for programs
14 which are the responsibility of the fish and wildlife
15 division of the department of natural resources, shall
16 be used exclusively for activities of the fish and
17 wildlife division relating to wildlife, law
18 enforcement, fisheries, and land acquisition and
19 management, except for an equitable portion for the
20 administration of the department.

21 Sec. _____. The foregoing proposed amendment to the
22 Constitution of the State of Iowa in section 45A of
23 this Act is referred to the General Assembly to be
24 chosen at the next general election for members of the
25 General Assembly and the Secretary of State is
26 directed to cause it to be published for three
27 consecutive months before the date of the election as
28 provided by law."

29 2. Page 27, line 25, by inserting before the word
30 "effective" the following: "a proposed amendment to
31 the Constitution of the State of Iowa restricting the
32 expenditure of license fees from hunting, fishing, and
33 trapping activities, and other private or public funds
34 received for hunting, fishing, trapping, wildlife, law
35 enforcement, and related activities, and providing".

BLACK of Jasper

H-3956

1 Amend the amendment, H-3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 20, line 34, by inserting after the word
5 "difference." the following: "However, the department
6 of management shall not provide the budget adjustment
7 under this paragraph for the budget years beginning
8 July 1, 1994, or July 1, 1995, unless an election is
9 held by March 15 preceding the budget year on the
10 question of whether the board of directors of the

11 school district should ratify a collective bargaining
12 agreement negotiated pursuant to chapter 20."

HALVORSON of Clayton
TYRRELL of Iowa
ROYER of Page

H-3957

1 Amend the amendment, H-3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 26, by inserting after line 10 the
5 following:

6 "Sec. _____. Section 321.109, subsection 1, Code
7 1993, is amended to read as follows:

8 1. The annual fee for all motor vehicles including
9 vehicles designated by manufacturers as station
10 wagons, and 1993 and subsequent model years for
11 multipurpose vehicles, except motor trucks, motor
12 homes, ambulances, hearses, motorcycles, motor
13 bicycles, and 1992 and older model years for
14 multipurpose vehicles, shall be equal to one percent
15 of the value as fixed by the department plus forty
16 cents for each one hundred pounds or fraction thereof
17 of weight of vehicle, as fixed by the department. The
18 weight of a motor vehicle, fixed by the department for
19 registration purposes, shall include the weight of a
20 battery, heater, bumpers, spare tire, and wheel.
21 Provided, however, that for any new vehicle purchased
22 in this state by a nonresident for removal to the
23 nonresident's state of residence the purchaser may
24 make application to the county treasurer in the county
25 of purchase for a transit plate for which a fee of ten
26 dollars shall be paid. And provided, however, that
27 for any used vehicle held by a registered dealer and
28 not currently registered in this state, or for any
29 vehicle held by an individual and currently registered
30 in this state, when purchased in this state by a
31 nonresident for removal to the nonresident's state of
32 residence, the purchaser may make application to the
33 county treasurer in the county of purchase for a
34 transit plate for which a fee of three dollars shall
35 be paid. The county treasurer shall issue a
36 nontransferable certificate of registration for which
37 no refund shall be allowed; and the transit plates
38 shall be void thirty days after issuance. Such
39 purchaser may apply for a certificate of title by
40 surrendering the manufacturer's or importer's
41 certificate or certificate of title, duly assigned as
42 provided in this chapter. In this event, the
43 treasurer in the county of purchase shall, when
44 satisfied with the genuineness and regularity of the

45 application, and upon payment of a fee of ten dollars,
 46 issue a certificate of title in the name and address
 47 of the nonresident purchaser delivering the same to
 48 the person entitled to the title as provided in this
 49 chapter. The provisions of this subsection relating
 50 to multipurpose vehicles are effective January 1,

Page 2

1 1993, for all 1993 and subsequent model years. The
 2 annual registration fee for multipurpose vehicles that
 3 are 1992 model years and older shall be in accordance
 4 with section 321.124.

5 The annual registration fee for a vehicle with
 6 permanently installed equipment manufactured for and
 7 necessary to assist a handicapped person who is either
 8 the owner or a member of the owner's household in
 9 entry and exit of the vehicle shall be seventy-five
 10 dollars for the first through fifth model years and
 11 shall be fifty-five dollars for each model year
 12 thereafter. To qualify under this paragraph, the
 13 owner's income and earnings must not exceed one
 14 hundred fifty percent of the federal poverty level as
 15 published by the United States department of health
 16 and human services.

17 Sec. _____. Section 321.124, subsection 3, paragraph
 18 h, Code 1993, is amended by striking the paragraph and
 19 inserting in lieu thereof the following:

20 h. For multipurpose vehicles, seventy-five dollars
 21 for registration each year through five model years
 22 and fifty-five dollars for each succeeding
 23 registration.

24 Sec. _____. Section 422.9, subsection 2, paragraph
 25 h, Code 1993, is amended by striking the paragraph.

26 Sec. _____. Section 422.35, subsection 15, Code
 27 1993, is amended by striking the subsection."

28 2. Page 27, by striking lines 24 and 25 and
 29 inserting the following: "words "and providing an
 30 effective date" and inserting the following: "
 31 multipurpose vehicle registration fees, and providing
 32 effective and applicability date provisions"."

SCHRADER of Marion

H-3959

1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 26, by inserting after line 10, the
 5 following:

6 "Sec. _____. Section 427B.17, Code 1993, is amended
 7 to read as follows:

8 427B.17 PROPERTY SUBJECT TO SPECIAL VALUATION.

9 1. For property defined in section 427A.1,
 10 subsection 1, paragraphs "e" and "j" acquired or
 11 initially leased after January 1, 1985, the taxpayer's
 12 valuation shall be limited to thirty percent of the
 13 net acquisition cost of the property. For purposes of
 14 this section, "net acquisition cost" means the
 15 acquired cost of the property including all
 16 foundations and installation cost less any excess cost
 17 adjustment.

18 2. For purposes of this section:

19 1 a. Property assessed by the department of
 20 revenue and finance pursuant to sections 428.24 to
 21 428.29, or chapters 433, 434 and 436 to 438 shall not
 22 receive the benefits of this section.

23 2 b. Property acquired on or before January 1,
 24 1985, which was owned or used on or before January 1,
 25 1985, by a related person shall not receive the
 26 benefits of this section.

27 3 c. Property acquired after January 1, 1985,
 28 which was owned and used by a related person shall not
 29 receive any additional benefits under this section.

30 4 d. Property which was owned or used on or before
 31 January 1, 1985, and subsequently acquired by an
 32 exchange of like property shall not receive the
 33 benefits of this section.

34 5 e. Property which was acquired after January 1,
 35 1985, and subsequently exchanged for like property
 36 shall not receive any additional benefits under this
 37 section.

38 6 f. Property acquired on or before January 1,
 39 1985, which is subsequently leased to a taxpayer or
 40 related person who previously owned the property shall
 41 not receive the benefits of this section.

42 7 g. Property acquired after January 1, 1985,
 43 which is subsequently leased to a taxpayer or related
 44 person who previously owned the property shall not
 45 receive any additional benefits under this section.

46 h. For purposes of this section, "related "Related
 47 person" means a person who owns or controls the
 48 taxpayer's business and another business entity from
 49 which property is acquired or leased or to which
 50 property is sold or leased. Business entities are

Page 2

1 owned or controlled by the same person if the same
 2 person directly or indirectly owns or controls fifty
 3 percent or more of the assets or any class of stock or
 4 who directly or indirectly has an interest of fifty
 5 percent or more in the ownership or profits.

6 3. Property assessed pursuant to this section

7 shall not be eligible to receive a partial exemption
8 under sections 427B.1 to 427B.6.

9 4. a. A city council or county board of
10 supervisors may provide by ordinance an exemption from
11 taxation for property defined in this section whose
12 valuation is computed pursuant to subsection 1, which
13 is acquired after December 31, 1992, and which is used
14 primarily in a process that converts waste plastic,
15 wastepaper products, or waste paperboard into new raw
16 materials or products composed primarily of recycled
17 material. The ordinance may be enacted not less than
18 thirty days after a public hearing on the ordinance is
19 held. Notice of the hearing shall be published in
20 accordance with section 331.305 in the case of a
21 county, or section 362.3 in the case of a city. The
22 exemption shall not apply to any property acquired or
23 initially leased prior to the enactment of the
24 ordinance unless the ordinance specifically allows for
25 retroactive application.

26 The ordinance shall provide that the application
27 for exemption shall be accompanied by a certificate of
28 the administrator of the environmental protection
29 division of the department of natural resources
30 certifying that the primary use of the property is for
31 recycling.

32 A taxpayer may seek judicial review of a
33 determination of the administrator of the
34 environmental protection division or, on appeal, of
35 the environmental protection commission in accordance
36 with the provisions of chapter 17A.

37 The environmental protection commission of the
38 department of natural resources shall adopt rules
39 relating to certification under this subsection and
40 information to be submitted for evaluating recycling
41 property for which a certificate is requested.

42 b. If in the opinion of the city council or the
43 county board of supervisors continuation of the
44 exemption granted under this subsection ceases to be
45 of benefit to the city or county, the city council or
46 the county board of supervisors may repeal the
47 ordinance authorized by this subsection. Exemptions
48 allowed prior to repeal of the ordinance shall
49 continue until their expiration."

50 2. By renumbering as necessary.

DVORSKY of Johnson
NEUHAUSER of Johnson
OSTERBERG of Linn

H-3961

1 Amend the amendment, H-3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as

3 follows:

4 1. Page 16, by inserting after line 17, the
5 following:

6 "Section 100. Section 99D.11, subsection 6,
7 paragraph b, Code 1993, is amended to read as follows:

8 b. The commission ~~may~~ shall authorize the licensee
9 to simultaneously telecast within the racetrack
10 enclosure, for the purpose of pari-mutuel wagering, a
11 horse or dog race licensed by the racing authority of
12 another state subject to the requirements of this
13 paragraph. It is the responsibility of each licensee
14 to obtain the consent of appropriate racing officials
15 in other states as required by the federal Interstate
16 Horseracing Act of 1978, 15 U.S.C. § 3001-3007, to
17 televise races for the purpose of conducting pari-
18 mutuel wagering. A licensee may also obtain the
19 permission of a person licensed by the commission to
20 conduct horse or dog races in this state to televise
21 races conducted by that person for the purpose of
22 conducting pari-mutuel racing. However, arrangements
23 made by a licensee to televise any race for the
24 purpose of conducting pari-mutuel wagering are subject
25 to the approval of the commission, and the commission
26 shall select the races to be televised. The races
27 selected by the commission shall be the same for all
28 licensees approved by the commission to televise races
29 for the purpose of conducting pari-mutuel wagering.
30 The commission shall not authorize the simultaneous
31 telecast or televising of and a licensee shall not
32 simultaneously telecast or televise any horse or dog
33 race for the purpose of conducting pari-mutuel
34 wagering unless the simultaneous telecast or
35 televising is done at the racetrack of a licensee that
36 schedules no less than ~~ninety~~ sixty performances of
37 nine live races each day of the season. For purposes
38 of the taxes imposed under this chapter, races
39 televised by a licensee for purposes of pari-mutuel
40 wagering shall be treated as if the races were held at
41 the racetrack of the licensee.

42 Sec. 101. Section 99E.9, subsection 3, paragraphs
43 b and l, Code 1993, are amended to read as follows:

44 b. The types of lottery games to be conducted.
45 Rules governing the operation of a class of games are
46 subject to chapter 17A. However, rules governing the
47 particular features of specific games within a class
48 of games are not subject to chapter 17A. Such rules
49 may include, but are not limited to, setting the name
50 and prize structure of the game and shall be made

Page 2

1 available to the public prior to the time the games go

2 on sale and shall be kept on file at the office of the
3 commissioner. The board shall authorize instant
4 lottery and on-line lotto games and may authorize the
5 use of any type of lottery game that on May 3, 1985,
6 has been conducted by a state lottery of another state
7 in the United States, or any game that the board
8 determines will achieve the revenue objectives of the
9 lottery and is consistent with subsection 1. However,
10 the board shall not authorize a game using an
11 electronic computer terminal or other device if, upon
12 winning a game, the terminal or device immediately
13 dispenses coins or currency or a ticket, credit or
14 token which is redeemable for cash or a prize, except
15 at pari-mutuel tracks authorized and licensed under
16 chapter 99D. In a game utilizing instant tickets
17 other than pull-tab tickets, each ticket in the game
18 shall bear a unique consecutive serial number
19 distinguishing it from every other ticket in the game,
20 and each lottery number or symbol shall be accompanied
21 by a confirming caption consisting of a repetition of
22 a symbol or a description of the symbol in words. In
23 the game other than an instant game which uses
24 tangible evidence of participation, each ticket shall
25 bear a unique serial number distinguishing it from
26 every other ticket in the game.

27 1. The compensation to be paid licensees including
28 but not limited to provision for variable compensation
29 based on sales volume or incentive considerations.
30 The compensation paid to pari-mutuel racetracks shall
31 take into consideration the retirement of existing
32 debt and the covering of racetrack operating deficits.

33 Sec. 102. Section 99E.10, subsection 1, paragraph
34 b, Code 1993, is amended to read as follows:

35 b. An Except for video lottery sales as defined by
36 administrative rule at pari-mutuel racetracks, amount
37 equal to the product of the state sales tax rate under
38 section 422.43 multiplied by the gross sales price of
39 each ticket or share sold shall be deducted as the
40 sales tax on the sale of that ticket or share,
41 remitted to the treasurer of state and deposited into
42 the state general fund.

43 Sec. 103. Section 99F.1, subsections 8 and 15,
44 Code 1993, are amended by striking the subsections.

45 Sec. 104. Section 99F.4, subsection 4, Code 1993,
46 is amended to read as follows:

47 4. To regulate the wagering structure for gambling
48 excursions including providing a maximum wager of five
49 dollars per hand or play and maximum loss of two
50 hundred one thousand dollars per individual player per

Page 3

1 gambling excursion. The commission shall provide that
 2 each excursion gambling boat has at least one type of
 3 table gambling game for low stakes wagers of five
 4 dollars or less per hand or play.

5 Sec. 105. Section 99F.4, Code 1993, is amended by
 6 adding the following new subsection:

7 NEW SUBSECTION. 16A. To specify the excursion
 8 season and the off-season for excursion gambling
 9 boats.

10 Sec. 106. Section 99F.4, subsection 17, Code 1993,
 11 is amended to read as follows:

12 17. To define the duration of an excursion which
 13 shall be at least three hours during the excursion
 14 season. ~~For the off season, the commission shall~~
 15 ~~adopt rules limiting times of admission to excursion~~
 16 ~~gambling boats consistent with maximum loss per player~~
 17 ~~per gambling excursion specified in subsection 4.~~

18 Sec. 107. Section 99F.4, subsection 20, Code 1993,
 19 is amended by striking the subsection and inserting in
 20 lieu thereof the following:

21 20. To require a licensee to schedule at least
 22 three hundred sixty cruises annually. Between May 15
 23 and October 15 of each year, the commission shall
 24 require at least one excursion daily, and otherwise
 25 allow a licensee to conduct gambling games as if the
 26 licensee were operating during the off-season.

27 Sec. 108. Section 99F.7, subsection 5, paragraph
 28 a, Code 1993, is amended by striking the paragraph.

29 Sec. 109. Section 99F.7, subsection 10, paragraph
 30 c, Code 1993, is amended to read as follows:

31 c. If, after July 1, 1989, section 99F.4,
 32 subsection 4 or 99F.9, subsection 2, is amended, the
 33 board of supervisors of a county in which excursion
 34 boat gambling has been approved before January 1,
 35 1993, shall submit to the county electorate a
 36 proposition to approve or disapprove the conduct of
 37 gambling games pursuant to any amendment to the
 38 subsections on excursion gambling boats at a special
 39 election at the earliest practicable time. If
 40 excursion boat gambling pursuant to the amendment is
 41 not approved at the election, paragraph "b" does not
 42 apply to the licenses and the commission shall cancel
 43 the licenses issued for the county within sixty days
 44 of the unfavorable referendum.

45 Sec. 110. Section 99F.9, subsection 2, Code 1993,
 46 is amended to read as follows:

47 2. Licensees shall only allow a maximum wager of
 48 five dollars per hand or play and a maximum loss of
 49 two hundred one thousand dollars per person during
 50 each gambling excursion. However, the commission may

Page 4

1 adopt rules allowing additional wagers consistent with
 2 generally accepted wagering options in the games of
 3 twenty-one and dice.

4 Sec. 111. Section 99F.9, subsection 6, Code 1993,
 5 is amended to read as follows:

6 6. A person under the age of eighteen twenty-one
 7 years shall not make a wager on an excursion gambling
 8 boat and shall not be allowed in the area of the
 9 excursion boat where gambling is being conducted,
 10 However, an employee who is at least eighteen years of
 11 age may work in the gambling area.

12 Sec. 112. Section 99F.9, subsection 7, Code 1993,
 13 is amended by striking the subsection.

14 Sec. 113. Section 99F.15, subsection 2, Code 1993,
 15 is amended to read as follows:

16 2. A person knowingly permitting a person under
 17 the age of eighteen twenty-one years to make a wager
 18 is guilty of a simple misdemeanor."

19 2. Page 26, by inserting after line 10 the
 20 following:

21 "Sec. 120. Section 422.43, subsection 2, Code
 22 1993, is amended to read as follows:

23 2. There is imposed a tax of five percent upon the
 24 gross receipts derived from the operation of all forms
 25 of amusement devices and games of skill, games of
 26 chance, raffles, and bingo games as defined in chapter
 27 99B, operated or conducted within the state, the tax
 28 to be collected from the operator in the same manner
 29 as for the collection of taxes upon the gross receipts
 30 of tickets or admission as provided in this section.

31 The Except for video lottery receipts, the tax shall
 32 also be imposed upon the gross receipts derived from
 33 the sale of lottery tickets or shares pursuant to
 34 chapter 99E. The tax on the lottery tickets or shares
 35 shall be included in the sales price and distributed
 36 to the general fund as provided in section 99E.10."

37 3. Page 27, lines 5 and 6, by striking the word
 38 and figure "and 47" and inserting the following: ",
 39 47, 100 through 113, and 120".

40 4. Page 27, line 25, by striking the word
 41 "effective" and inserting the following: "for the
 42 regulation of certain types of gambling and pari-
 43 mutuel wagering, by providing penalties, and providing
 44 effective".

WISE of Lee
 CATALDO of Polk
 CONNORS of Polk
 HARPER of Black Hawk
 SHOULTZ of Black Hawk
 COHOON of Des Moines
 BAKER of Polk

RENAUD of Polk
 ARNOULD of Scott
 McCOY of Polk
 HENDERSON of Scott
 LARKIN of Lee
 NELSON of Pottawattamie
 JOCHUM of Dubuque

H-3962

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, line 9, by striking the figure
- 5 "93,295,486" and inserting the following:
- 6 "93,355,486".
- 7 2. Page 3, line 21, by striking the figure
- 8 "13,728,569" and inserting the following:
- 9 "13,788,569".
- 10 3. Page 23, lines 30 and 31, by striking the
- 11 words "five hundred forty-six twenty-three" and
- 12 inserting the following: "four hundred forty-six
- 13 sixty-three".

BAKER of Polk
 COHOON of Des Moines
 NELSON of Pottawattamie
 MORELAND of Wapello
 O'BRIEN of Boone
 BELL of Jasper
 HENDERSON of Scott
 HAMMOND of Story
 MAY of Worth
 HANSEN of Woodbury
 NEUHAUSER of Johnson

OSTERBERG of Linn
 McCOY of Polk
 MURPHY of Dubuque
 CATALDO of Polk
 HARPER of Black Hawk
 OLLIE of Clinton
 BRAMMER of Linn
 SHOULTZ of Black Hawk
 GILL of Woodbury
 McKINNEY of Dallas
 HAVERLAND of Polk

H-3965

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 6, by striking lines 19 through 22 and
- 5 inserting the following: "health sciences for an
- 6 initiative in primary health care to direct primary
- 7 care physicians to shortage areas in the state:".
- 8 2. Page 6, by inserting after line 23 the
- 9 following:
- 10 "From the moneys appropriated in this lettered
- 11 paragraph, at least \$122,500 for the fiscal year
- 12 beginning July 1, 1993, shall be expended to reduce
- 13 the student loan debt for resident Iowa students in
- 14 return for a fixed period of medical service in the
- 15 state of Iowa."

CARPENTER of Polk
 BEATTY of Warren
 BAKER of Polk
 HOLVECK of Polk

H-3966

- 1 Amend the amendment, H-3673, to Senate File 11, as

2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 3, line 26, by inserting after the word
 5 "filed" the following: "with the secretary of state
 6 according to procedures required by the secretary of
 7 state. The board shall also cause its description to
 8 be filed".

OSTERBERG of Linn

H-3967

1 Amend the amendment, H-3673, to Senate File 11, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, by striking lines 18 through 20 and
 5 inserting the following: "enterprise zone."
 6 _____. An agricultural enterprise zone shall not be
 7 established or amended to include less than five
 8 hundred contiguous acres. However, a smaller
 9 agricultural enterprise zone may exist if the
 10 agricultural enterprise zone is adjacent to an
 11 agricultural area located in the same or a different
 12 county. A smaller agricultural enterprise zone may
 13 also exist if the agricultural enterprise zone is
 14 adjacent to farmland subject to an agricultural land
 15 preservation ordinance located in the same or a
 16 different county, and the agricultural enterprise zone
 17 and the adjacent farmland combine to include at least
 18 five hundred acres."
 19 3. By renumbering as necessary.

OSTERBERG of Linn
 DVORSKY of Johnson

H-3968

1 Amend the amendment, H-3673, to Senate File 11, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, by inserting before line 18 the
 5 following:
 6 "_____. In designating land as eligible to be
 7 included within an agricultural enterprise zone, the
 8 board of supervisors shall consider the need to
 9 protect soil from wind and water erosion; encourage
 10 efficient urban development patterns; lessen
 11 congestion on roads; secure safety from fire, flood,
 12 panic, or other dangers; protect the health and
 13 general welfare of persons; provide adequate light and
 14 air; prevent the overcrowding of land; avoid the undue
 15 concentration of population; promote the conservation
 16 of energy resources; facilitate the adequate provision
 17 of transportation, water, sewerage, schools, and

- 18 parks; ensure the proper disposal of wastes produced
19 from livestock; and provide for other public
20 requirements.”
21 2. By renumbering as necessary.

OSTERBERG of Linn

H-3969

- 1 Amend Senate File 221, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 6, by inserting after line 16 the
4 following:
5 “DIVISION _____
6 HOME AND COMMUNITY-BASED WAIVER
7 Sec. _____. HOME AND COMMUNITY-BASED WAIVER PROGRAM.
8 The department of human services shall authorize
9 residential programs serving not more than five
10 individuals to provide services and receive
11 reimbursement under the provisions of the medical
12 assistance home and community-based waiver program for
13 persons with mental retardation.
14 Sec. _____. Section 135C.6, subsection 8, paragraph
15 b, Code 1993, is amended to read as follows:
16 b. A residential program which serves not more
17 than ~~four~~ five individuals and is operating under
18 provisions of a federally approved home and community-
19 based waiver for persons with mental retardation, if
20 all individuals residing in the program receive on-
21 site staff supervision during the entire time period
22 the individuals are present in the program's living
23 unit. The need for the on-site supervision shall be
24 reflected in each individual's program plan developed
25 pursuant to the department of human services' rules
26 relating to case management for persons with mental
27 retardation. In approving a residential program under
28 this paragraph, the department of human services shall
29 consider the geographic location of the program so as
30 to avoid an overconcentration of such programs in an
31 area.

- 32 DIVISION _____
33 JUVENILE SHELTER CARE
34 Sec. _____. Section 232.141, Code 1993, is amended
35 by adding the following new subsection:
36 NEW SUBSECTION. 9. This subsection applies only
37 to placements in a juvenile shelter care home which is
38 publicly owned, operated as a county or multicounty
39 shelter care home, organized under a chapter 28E
40 agreement, or operated by a private juvenile shelter
41 care home. If the allowable costs of a child's
42 shelter care placement exceeds the amount the
43 department is authorized to pay in accordance with law
44 and administrative rule, the unpaid costs may be

45 recovered from the child's county of legal settlement.
 46 The unpaid costs are payable pursuant to filing of
 47 verified claims against the county of legal
 48 settlement. A detailed statement of the facts upon
 49 which a claim is based shall accompany the claim. Any
 50 dispute between counties arising from filings of

Page 2

- 1 claims pursuant to this subsection shall be settled in
- 2 the manner provided to determine legal settlement in
- 3 section 230.12."
- 4 2. Title page, line 3, by striking the words "and
- 5 child day care" and inserting the following: "child
- 6 day care, medical assistance home and community-based
- 7 waiver, and juvenile shelter care".
- 8 3. By renumbering as necessary.

BELL of Jasper
 BLACK of Jasper

H-3972

- 1 Amend Senate File 268, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, line 17, by striking the words "family
- 4 development plans" and inserting the following:
- 5 "family investment agreements".
- 6 2. Page 6, lines 23 and 24, by striking the words
- 7 "family development agreement" and inserting the
- 8 following: "family investment agreement".
- 9 3. Page 7, line 18, by striking the word
- 10 "disregard" and inserting the following: "disregard
- 11 not more than \$20,000 of".
- 12 4. Page 7, line 25, by striking the words "family
- 13 development agreements" and inserting the following:
- 14 "family investment agreements".
- 15 5. Page 7, line 29, by striking the words "family
- 16 development agreement" and inserting the following:
- 17 "family investment agreement".
- 18 6. Page 7, line 34, by striking the words "family
- 19 development agreement" and inserting the following:
- 20 "family investment agreement".
- 21 7. Page 8, line 2, by striking the words "family
- 22 development agreement" and inserting the following:
- 23 "family investment agreement".
- 24 8. Page 8, line 13, by striking the words "family
- 25 development agreement" and inserting the following:
- 26 "family investment agreement".
- 27 9. Page 8, line 29, by striking the words "family
- 28 development agreement" and inserting the following:
- 29 "family investment agreement".
- 30 10. Page 9, line 7, by striking the words "family

- 31 development agreement" and inserting the following:
32 "family investment agreement".
- 33 11. Page 9, lines 12 and 13, by striking the
34 words "family development agreement" and inserting the
35 following: "family investment agreement".
- 36 12. Page 10, by striking lines 23 through 31.
37 13. Page 10, line 33, by striking the word and
38 figure "and 4" and inserting the following: "4, and
39 5".
- 40 14. Page 21, line 28, by striking the words
41 "family development plan" and inserting the following:
42 "family investment program".
- 43 15. Page 26, line 2, by striking the words
44 "FAMILY DEVELOPMENT PLAN" and inserting the following:
45 "FAMILY INVESTMENT PROGRAM".
- 46 16. Page 26, line 10, by striking the words
47 "family development plan" and inserting the following:
48 "family investment program".
- 49 17. Page 26, line 19, by striking the words
50 "family development plan" and inserting the following:

Page 2

- 1 "family investment program".
- 2 18. Page 26, line 29, by striking the words
3 "family development plan" and inserting the following:
4 "family investment program".
- 5 19. Page 27, line 2, by striking the words
6 "family development plan" and inserting the following:
7 "family investment program".
- 8 20. Page 27, line 9, by striking the words
9 "family development plan" and inserting the following:
10 "family investment program".
- 11 21. Page 27, line 12, by striking the words
12 "family development plan" and inserting the following:
13 "family investment program".
- 14 22. Page 27, line 17, by striking the words
15 "family development plan" and inserting the following:
16 "family investment program".
- 17 23. Page 27, line 21, by striking the words
18 "family development plan" and inserting the following:
19 "family investment program".
- 20 24. Page 27, lines 22 and 23, by striking the
21 words "family development plan" and inserting the
22 following: "family investment program".
- 23 25. Page 27, line 30, by striking the words
24 "family development plan" and inserting the following:
25 "family investment program".
- 26 26. Page 28, lines 19 and 20, by striking the
27 words "family development plan" and inserting the
28 following: "family investment program".
- 29 27. Page 28, line 35, by striking the words

- 30 "family development" and inserting the following:
31 "family investment".
32 28. Page 29, line 1, by striking the word "plan"
33 and inserting the following: "program".
34 29. Page 29, line 27, by striking the words
35 "family development plan" and inserting the following:
36 "family investment program".
37 30. Page 29, line 31, by striking the words
38 "family development plan" and inserting the following:
39 "family investment program".
40 31. Page 29, line 32, by striking the words
41 "FAMILY DEVELOPMENT PLAN" and inserting the following:
42 "FAMILY INVESTMENT PROGRAM".
43 32. Page 30, line 1, by striking the words
44 "family development plan" and inserting the following:
45 "family investment program".
46 33. Page 31, line 14, by striking the words
47 "FAMILY DEVELOPMENT PLAN" and inserting the following:
48 "FAMILY INVESTMENT PROGRAM".
49 34. Page 31, lines 17 and 18, by striking the
50 words "family development plan" and inserting the

Page 3

- 1 following: "family investment program".
2 35. Page 32, line 3, by striking the words
3 "family development plan" and inserting the following:
4 "family investment program".
5 36. Page 32, line 11, by striking the words
6 "family development plan" and inserting the following:
7 "family investment program".
8 37. Page 32, line 22, by striking the words
9 "family development plan" and inserting the following:
10 "family investment program".
11 38. Page 32, lines 29 and 30, by striking the
12 words "family development plan" and inserting the
13 following: "family investment program".
14 39. Page 33, lines 9 and 10, by striking the
15 words "family development plan" and inserting the
16 following: "family investment program".
17 40. Page 33, lines 13 and 14, by striking the
18 words "family development plan" and inserting the
19 following: "family investment program".
20 41. Page 33, line 19, by striking the words
21 "family development plan" and inserting the following:
22 "family investment program".
23 42. Page 33, line 22, by striking the words
24 "family development plan" and inserting the following:
25 "family investment program".
26 43. Page 33, line 28, by striking the words
27 "family development plan" and inserting the following:
28 "family investment program".

- 29 44. Page 33, lines 34 and 35, by striking the
 30 words "family development plan" and inserting the
 31 following: "family investment program".
- 32 45. Page 34, lines 4 and 5, by striking the words
 33 "family development plan" and inserting the following:
 34 "family investment program".
- 35 46. Page 34, lines 10 and 11, by striking the
 36 words "family development plan" and inserting the
 37 following: "family investment program".
- 38 47. Page 34, lines 16 and 17, by striking the
 39 words "family development plan" and inserting the
 40 following: "family investment program".
- 41 48. Page 34, line 24, by striking the words
 42 "family development plan" and inserting the following:
 43 "family investment program".
- 44 49. Page 34, line 35, by striking the words
 45 "family development plan" and inserting the following:
 46 "family investment program".
- 47 50. By renumbering as necessary.

PLASIER of Sioux

H-3974

- 1 Amend the amendment, H-3824, to Senate File 350, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
- 4 1. Page 1, by striking lines 35 and 36, and
 5 inserting the following:
 6 "_____. Page 11, by striking line 23 and inserting
 7 the following: "conference with the unit to discuss
 8 paternity establishment and the amount of"."
- 9 2. Page 1, by striking lines 41 and 42, and
 10 inserting the following:
 11 "_____. Page 11, by striking lines 33 and 34, and
 12 inserting the following: "putative father if the
 13 putative father no longer denies paternity, whichever
 14 is later, to send a written request for a hearing on
 15 the issue of support to the unit." "
- 16 3. Page 1, by striking lines 45 and 46, and
 17 inserting the following:
 18 "_____. Page 12, by striking lines 12 and 13 and
 19 inserting the following: "results to the putative
 20 father if the putative father no longer denies
 21 paternity, whichever is later, to send a written
 22 request for a hearing on the issue of support to
 23 the"."
- 24 4. Page 1, by inserting after line 48, the
 25 following:
 26 "_____. Page 12, by striking lines 21 through 23
 27 and inserting the following: "father if the putative
 28 father no longer denies paternity, whichever is later,
 29 to send a written request for a hearing on the issue

30 of support to the unit.””

31 5. Page 1, by inserting before line 49 the

32 following:

33 “_____, Page 13, by inserting after line 1 the

34 following:

35 “1A. The time limitations established for the
36 notice provisions under subsection 1 are binding
37 unless otherwise specified in this chapter or waived
38 by the putative father pursuant to section 252F.8.””

39 6. Page 2, by striking lines 9 and 10 and

40 inserting the following:

41 “_____, Page 13, by striking lines 17 through 19

42 and inserting the following: “putative father shall
43 submit, within twenty days of service of the notice
44 under subsection 1, a written device of paternity”.”

45 7. Page 2, by inserting after line 20 the

46 following:

47 “_____, Page 14, by striking lines 25 through 33.”

48 8. Page 2, by inserting after line 26 the

49 following:

50 “_____, Page 16, by inserting after line 29 the

Page 2

1 following:

2 “3A. If paternity testing was performed and the
3 putative father was not excluded, and the putative
4 father fails to timely challenge paternity testing,
5 the administrator may enter an order against the
6 putative father declaring the putative father to be
7 the biological father of the child and assessing the
8 support obligation and accrued and accruing child
9 support pursuant to the guidelines established under
10 section 598.21, subsection 4, and medical support
11 pursuant to chapter 252E against the father.””
12 9. By renumbering as necessary.

HAVERLAND of Polk

H—3975

1 Amend Senate File 398, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 5, line 4, by inserting after the word

4 “However,” the following: “in the case of a

5 residential lease.”.

IVERSON of Wright

H—3976

1 Amend the amendment, H—3673, to Senate File 11, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 3, by inserting before line 23 the

5 following:

6 "_____. In any hearing required by this section to
7 adopt an ordinance to establish an agricultural
8 enterprise zone, or amend the borders of an existing
9 agricultural enterprise zone, the board of supervisors
10 shall make available to the public during the hearing
11 information regarding livestock production facilities
12 planned to be constructed or expanded in the next
13 twelve months on land proposed to be included within
14 the agricultural enterprise zone. The board shall
15 make available a summary of each pending application
16 for a permit required to be issued by a city, county,
17 or the department of natural resources for
18 constructing or expanding a livestock production
19 facility on land which is being considered for
20 inclusion within an agricultural enterprise zone. If
21 the hearing is conducted because a petition is
22 submitted to the board requesting the board of
23 supervisors to adopt an ordinance establishing an
24 agricultural enterprise zone, or amending the borders
25 of an agricultural enterprise zone, the petition shall
26 include the information required in this subsection."

27 2. By renumbering as necessary.

OSTERBERG of Linn

H-3977

1 Amend House File 190 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 422.45, Code 1993, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 48. The gross receipts from the
7 sale of wind energy conversion property to be used as
8 an electric power source and the sale of the materials
9 used to manufacture, install, construct, repair, or
10 replace wind energy conversion property used or to be
11 used as an electric power source.

12 For purposes of this section, "wind energy
13 conversion property" means any device, including, but
14 not limited to, a wind charger, windmill, wind
15 turbine, tower and electrical equipment, pad mount
16 transformers, power lines, substation, and related
17 structures, which converts wind energy to a form of
18 usable energy.

19 Sec. 2. NEW SECTION. 427B.26 SPECIAL VALUATION
20 OF WIND ENERGY CONVERSION PROPERTY.

21 1. a. A city council or county board of
22 supervisors may provide by ordinance for the special
23 valuation of wind energy conversion property as
24 provided in subsection 2. The ordinance may be
25 enacted not less than thirty days after a public

26 hearing on the ordinance is held. Notice of the
27 hearing shall be published in accordance with section
28 331.305 in the case of a county, or section 362.3 in
29 the case of a city. The ordinance shall only apply to
30 property first assessed on or after the effective date
31 of the ordinance.

32 b. If in the opinion of the city council or the
33 county board of supervisors continuation of the
34 special valuation provided under this section ceases
35 to be of benefit to the city or county, the city
36 council or the county board of supervisors may repeal
37 the ordinance authorized by this subsection. Property
38 specially valued under this section prior to repeal of
39 the ordinance shall no longer be valued under this
40 section for subsequent assessment years.

41 2. In lieu of the valuation and assessment
42 provisions in section 441.21, subsection 9, paragraphs
43 "b" and "c", and sections 428.24 to 428.29, wind
44 energy conversion property which is first assessed for
45 property taxation on or after January 1, 1994, and on
46 or after the effective date of the ordinance enacted
47 pursuant to subsection 1, shall be valued by the local
48 assessor for property tax purposes as follows:

49 a. For the first assessment year, at zero percent
50 of the net acquisition cost.

Page 2

1 b. For the second through sixth assessment years,
2 at a percent of the net acquisition cost which rate
3 increases by five percentage points each assessment
4 year.

5 c. For the seventh and succeeding assessment
6 years, at thirty percent of the net acquisition cost.

7 3. The taxpayer shall file with the local assessor
8 by February 1 of the assessment year in which the wind
9 energy conversion property is first assessed for
10 property tax purposes, a declaration of intent to have
11 the property assessed at the value determined under
12 this section in lieu of the valuation and assessment
13 provisions in section 441.21, subsection 9, paragraphs
14 "b" and "c", and sections 428.24 to 428.29.

15 4. For purposes of this section:

16 a. "Net acquisition cost" means the acquired cost
17 of the property including all foundations and
18 installation cost less any excess cost adjustment.

19 b. "Wind energy conversion property" means the
20 entire windplant including, but not limited to, a wind
21 charger, windmill, wind turbine, tower and electrical
22 equipment, pad mount transformer, power lines,
23 substation, and structures."

24 2. Title page, lines 2 and 3, by striking the

25 words "systems and providing an applicability date
 26 provision" and inserting the following: "property".

GREIG of Emmet

H-3978

- 1 Amend House File 659 to read as follows:
- 2 1. Page 3, by inserting after line 13, the
- 3 following:
- 4 "1. Establishments exclusively engaged in the
- 5 processing of meat and poultry which are licensed
- 6 pursuant to section 189A.3."

HANSON of Delaware

H-3981

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, line 9, by striking the figure
- 5 "93,295,486" and inserting the following:
- 6 "94,295,486".
- 7 2. Page 3, by striking lines 12 through 26 and
- 8 inserting the following:
- 9 "a. Merged Area I \$ 4,415,876
- 10 b. Merged Area II \$ 5,324,861
- 11 c. Merged Area III \$ 5,104,390
- 12 d. Merged Area IV \$ 2,400,926
- 13 e. Merged Area V \$ 5,196,917
- 14 f. Merged Area VI \$ 4,789,529
- 15 g. Merged Area VII \$ 6,554,400
- 16 h. Merged Area IX \$ 8,289,728
- 17 i. Merged Area X \$ 12,839,338
- 18 j. Merged Area XI \$ 13,876,143
- 19 k. Merged Area XII \$ 5,416,692
- 20 l. Merged Area XIII \$ 5,589,651
- 21 m. Merged Area XIV \$ 2,471,378
- 22 n. Merged Area XV \$ 7,691,714
- 23 o. Merged Area XVI \$ 4,333,943".

WEIGEL of Chickasaw
 MAY of Worth
 BELL of Jasper

HALVORSON of Webster
 MURPHY of Dubuque
 JOCHUM of Dubuque

H-3982

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 16, by inserting after line 17 the fol-
- 5 lowing:
- 6 "Sec. _____. Section 20.9, unnumbered paragraph 1,
- 7 Code 1993, is amended to read as follows:

8 The public employer and the employee organization
 9 shall meet at reasonable times, including meetings
 10 meeting reasonably in advance of the public employer's
 11 budget-making process, to negotiate in good faith with
 12 respect on proposals reasonably related to wages,
 13 hours, vacations, insurance, holidays, leaves of
 14 absence, shift differentials, overtime compensation,
 15 supplemental pay, seniority, transfer procedures, job
 16 classifications, health and safety matters, evaluation
 17 procedures, procedures for staff reduction, in-service
 18 training and other matters mutually agreed upon terms
 19 and conditions of employment. Negotiations shall also
 20 include terms authorizing dues checkoff for members of
 21 the employee organization and grievance procedures for
 22 resolving any questions arising under the agreement,
 23 which shall be embodied in a written agreement and
 24 signed by the parties. If an agreement provides for
 25 dues checkoff, a member's dues may be checked off only
 26 upon the member's written request and the member may
 27 terminate the dues checkoff at any time by giving
 28 thirty days' written notice. Such The obligation to
 29 negotiate in good faith does not compel either party
 30 to agree to a proposal or make a concession."
 31 2. By renumbering as necessary.

RUNNING of Linn
 McKINNEY of Dallas
 MURPHY of Dubuque

H-3984

1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 3, line 9, by striking the figure
 5 "93,295,486" and inserting the following:
 6 "93,355,486".
 7 2. Page 3, line 21, by striking the figure
 8 "13,728,569" and inserting the following:
 9 "13,788,569".

BAKER of Polk

H-3985

1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 16, line 12, by striking the words "shall
 5 not" and inserting the following: "may".

RUNNING of Linn
 McKINNEY of Dallas
 MURPHY of Dubuque

H-3987

- 1 Amend the amendment, H-3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 26, by inserting after line 50 the
5 following:
6 "Sec. _____. STATE BOARD OF REGENTS STUDY. The
7 state board of regents shall conduct a study of pay
8 equity within the institutions of higher education
9 under its control. The study shall include, but is
10 not limited to, consideration of pay equity for merit,
11 professional and scientific, administrative, and
12 faculty positions. The board shall submit its
13 findings, along with any recommendations, to the
14 general assembly by January 1, 1995."
15 2. By renumbering as necessary.

WISE of Lee
DVORSKY of Johnson
BEATTY of Warren
DODERER of Johnson

H-3988

- 1 Amend the amendment, H-3628, to Senate File 233, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 26, by inserting after line 50 the
5 following:
6 "Sec. _____. DEPARTMENTAL STUDY. The department of
7 education shall conduct a study of fire safety
8 violations in public school districts and the methods
9 by which the school districts in this state address
10 fire safety. The department shall submit its
11 findings, along with any recommendations to correct
12 deficiencies and improve fire safety in the districts,
13 to the general assembly by January 1, 1995."
14 2. By renumbering, redesignating, and correcting
15 internal references as necessary.

WISE of Lee
NELSON of Pottawattamie
OLLIE of Clinton
O'BRIEN of Boone

H-3995

- 1 Amend Senate File 11, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by inserting after line 14 the
4 following:
5 "_____. An action or proceeding brought by or on
6 behalf of a person who holds an interest in land

7 subject to a nuisance alleged to be caused by an
 8 agricultural activity, if the land is within an
 9 agricultural enterprise zone or within one-half mile
 10 of the borders of the zone, and if the person acquired
 11 an interest in the land prior to when the land where
 12 the agricultural activity is conducted was included
 13 within the agricultural enterprise zone, and the
 14 person's land is used in the same manner that it was
 15 used when the land where the agricultural activity is
 16 conducted was included in the agricultural enterprise
 17 zone."

18 2. By relettering as necessary.

IVERSON of Wright

H-3999

1 Amend Senate File 398, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 5, line 4, by inserting after the word
 4 "However," the following: "in the case of a
 5 residential lease,".

6 2. Page 10, by striking lines 16 through 32.

IVERSON of Wright

H-4001

1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 16, by inserting after line 17 the
 5 following:

6 "Sec. _____. Section 20.9, unnumbered paragraph 1,
 7 Code 1993, is amended to read as follows:

8 The public employer and the employee organization
 9 shall meet at reasonable times, including meetings
 10 reasonably in advance of the public employer's budget-
 11 making process, to negotiate in good faith with
 12 respect to wages, hours, vacations, insurance,
 13 holidays, leaves of absence, shift differentials,
 14 overtime compensation, supplemental pay, seniority,
 15 transfer procedures, job classifications, health and
 16 safety matters, evaluation procedures, procedures for
 17 staff reduction, in-service training and other matters
 18 mutually agreed upon. The public employer and public
 19 employees represented by a certified employee
 20 organization who are teachers licensed under chapter
 21 272 and who are employed by a public employer which is
 22 a school district or area education agency, in
 23 addition to any other provision of this section, shall
 24 negotiate in good faith with respect to phase III
 25 salary moneys under chapter 294A. Negotiations shall
 26 also include terms authorizing dues checkoff for

27 members of the employee organization and grievance
 28 procedures for resolving any questions arising under
 29 the agreement, which shall be embodied in a written
 30 agreement and signed by the parties. If an agreement
 31 provides for dues checkoff, a member's dues may be
 32 checked off only upon the member's written request and
 33 the member may terminate the dues checkoff at any time
 34 by giving thirty days' written notice. Such
 35 obligation to negotiate in good faith does not compel
 36 either party to agree to a proposal or make a
 37 concession."
 38 2. By renumbering as necessary.

WISE of Lee
 RUNNING of Linn
 MURPHY of Dubuque
 CONNORS of Polk

H-4008

1 Amend Senate File 303, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 4, by striking the word
 4 "regarding" and inserting the following:
 5 "prohibiting".
 6 2. Page 1, line 5, by inserting before the word
 7 "carrying" the following: "from".
 8 3. Page 1, line 11, by striking the word
 9 "regarding" and inserting the following:
 10 "prohibiting".
 11 4. Page 1, line 12, by inserting before the word
 12 "carrying" the following: "from".
 13 5. Page 1, line 18, by striking the word
 14 "regarding" and inserting the following:
 15 "prohibiting".
 16 6. Page 1, line 19, by inserting before the word
 17 "carrying" the following: "from".

FALLON of Polk
 DODERER of Johnson
 MORELAND of Wapello

H-4010

1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 7, line 35, by striking the figure
 5 "67,300" and inserting the following: "34,300".

GILL of Woodbury

H-4012

1 Amend Senate File 327, as passed by the Senate, as

2 follows:

3 1. Page 1, line 6, by striking the word "rate"

4 and inserting the following: "vote".

Committee on Ways and Means

H-4016

1 Amend the amendment, H-3628, to Senate File 233, as

2 amended, passed, and reprinted by the Senate, as

3 follows:

4 1. Page 14, by inserting after line 37 the

5 following:

6 "Sec. _____. Section 279.8, Code 1993, is amended by

7 adding the following new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. The rules shall provide

9 that each school district is required to employ a

10 registered nurse, licensed pursuant to chapter 152, to

11 provide any health or medical services, as needed by

12 the personnel or students of the school district,

13 which a registered nurse is qualified to provide."

14 2. By renumbering, redesignating, and correcting

15 internal references as necessary.

WISE of Lee

BERNAU of Story

COHOON of Des Moines

BRAMMER of Linn

H-4018

1 Amend the amendment, H-3628, to Senate File 233, as

2 amended, passed, and reprinted by the Senate, as

3 follows:

4 1. Page 16, by inserting after line 7, the

5 following:

6 "Sec. _____. Section 20.8, subsection 4, Code 1993,

7 is amended by adding the following new unnumbered

8 paragraph:

9 NEW UNNUMBERED PARAGRAPH. However, a public

10 employee who is a member of a bargaining unit

11 represented by an employee organization, but who does

12 not pay dues to the employee organization, shall pay

13 the employee organization a fee. The fee shall be

14 based upon the total cost of providing collective

15 bargaining services and shall be proportional to the

16 number of public employees in the bargaining unit

17 represented by the employee organization."

18 2. Page 16, by inserting after line 17 the

19 following:

20 "Sec. _____. Section 20.25, subsection 2, paragraph

21 d, Code 1993, is amended to read as follows:

22 d. The amounts of the initiation fee and, the

23 monthly dues members must pay, and the collective

- 24 bargaining services fee as provided in section 20.8."
 25 3. By renumbering as necessary.

RUNNING of Linn
 MCKINNEY of Dallas
 MURPHY of Dubuque

H-4021

- 1 Amend the amendment, H-3628, to Senate File 233, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 27, line 1, by inserting after the figure
 5 "260C.55," the following: "and 279.38,".

HANSEN of Woodbury
 RANTS of Woodbury

H-4024

- 1 Amend the amendment, H-3203, to Senate File 75, as
 2 passed by the Senate, as follows:
 3 1. Page 10, by inserting after line 30 the
 4 following:
 5 "_____. Page 21, by inserting after line 18 the
 6 following:
 7 "Sec. _____. EFFECTIVE DATE. If House File 518 is
 8 enacted by the Seventy-fifth General Assembly, 1993
 9 Session, section 49 of House File 518, relating to
 10 indoor air, being deemed of immediate importance,
 11 takes effect upon enactment of this Act." "
 12 2. Title page, line 1, by inserting after the
 13 word "corrections" the following: "and providing an
 14 effective date".
 15 3. By renumbering as necessary.

BRAMMER of Linn

H-4025

- 1 Amend the amendment, H-3893, to House File 647 as
 2 follows:
 3 1. Page 1, line 7, by inserting after the word
 4 "number." the following: "However, the prohibition
 5 contained in this subsection does not apply where the
 6 person requesting the service has received harassing
 7 or obscene telephone calls."

FALLON of Polk

H-4027

- 1 Amend the amendment, H-3779, to House File 388, as
 2 follows:
 3 1. Page 1, by striking line 27 and inserting the

- 4 following: "include costs for portable and vehicle
5 radios or for other radios and equipment".

HARPER of Black Hawk

H-4028

- 1 Amend House File 647 as follows:
2 1. Page 3, by inserting after line 18, the
3 following:
4 "_____. A utility participating in an alternative
5 form of regulation must disclose in any published
6 material distributed by the utility after July 1,
7 1993, in a conspicuous manner and in at least twelve-
8 point type, whether the cost of publishing and
9 distributing the material is being charged to the
10 customers of the utility or will be charged to the
11 utility's investors through a reduction in dividend or
12 other distributions to the investors."
13 2. By renumbering as necessary.

FALLON of Polk

H-4031

- 1 Amend Senate File 268, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 8, line 15, by inserting after the word
4 "options." the following: "An individual's level of
5 participation in one or more of the options shall be
6 equivalent to the level of commitment required for
7 full-time employment or shall be significant so as to
8 move toward that level."
9 2. Page 8, by striking line 27 and inserting the
10 following:
11 "(7) Unpaid community service. Community service
12 shall be authorized in any nonprofit association which
13 has been determined under section 501(c)(3) of the
14 Internal Revenue Code to be exempt from taxation or in
15 any government agency. Upon request, the department
16 shall provide a listing of potential community service
17 placements to an individual, however, an individual
18 shall locate the individual's own placement and
19 perform the number of hours required by the agreement.
20 The individual shall file a monthly report with the
21 department which is signed by the director of the
22 community service placement verifying the community
23 service hours performed by the individual during that
24 month. The department shall develop a form for this
25 purpose."

GRUBBS of Scott
RENKEN of Grundy
MILLAGE of Scott

WEIDMAN of Cass
EDDIE of Buena Vista
LARSON of Linn

HURLEY of Fayette
 RAFFERTY of Scott
 BLODGETT of Cerro Gordo
 LUNDBY of Linn
 DAGGETT of Union
 HANSON of Delaware
 HANSON of Black Hawk
 KLEMME of Plymouth
 HOUSER of Pottawattamie
 MEYER of Sac
 BRAUNS of Muscatine
 DRAKE of Pottawattamie
 GREIG of Emmet

MARTIN of Scott
 HESTER of Pottawattamie
 CHURCHILL of Polk
 McNEAL of Hardin
 GRIES of Crawford
 GARMAN of Story
 BRUNKHORST of Bremer
 WELTER of Jones
 MERTZ of Kossuth
 KISTLER of Jefferson
 HAHN of Muscatine
 MILLER of Cherokee
 RANTS of Woodbury
 DINKLA of Guthrie

H-4036

- 1 Amend the amendment, H-3628, to Senate File 233, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 14, by inserting after line 37 the
- 5 following:
- 6 "Sec. _____. In addition to the moneys appropriated
- 7 in section 1, subsection 12, lettered paragraph "j" of
- 8 this Act, \$60,000 for the fiscal year beginning July
- 9 1, 1993, is appropriated from the general fund of the
- 10 state to the department of education to be allocated
- 11 to Merged Area XI."
- 12 2. By renumbering as necessary.

BAKER of Polk

H-4037

- 1 Amend Senate File 268, as amended, passed, and re-
- 2 printed by the Senate, as follows:
- 3 1. Page 10, by inserting after line 1 the
- 4 following:
- 5 "_____. Implementation of a school attendance
- 6 provision. Under the provision, if the superintendent
- 7 of a school district, authorities in charge of a
- 8 nonpublic school, or school truancy officer refers a
- 9 school attendance matter to the county attorney
- 10 pursuant to section 299.5A, the department of human
- 11 services shall also be notified. If the child
- 12 involved in the matter has a parent who is
- 13 participating in a family development agreement under
- 14 this section and the county attorney's referral for
- 15 mediation or prosecution does not assure the child's
- 16 school attendance, the department may apply a sanction
- 17 to the parent. The sanction shall be equivalent to a
- 18 JOBS program sanction for a recipient who does not

- 19 comply with JOBS program requirements."
 20 2. By renumbering as necessary.

RAFFERTY of Scott
 MEYER of Sac
 RANTS of Woodbury
 HALVORSON of Clayton
 CHURCHILL of Polk
 KLEMME of Plymouth
 BODDICKER of Cedar
 WELTER of Jones
 BRUNKHORST of Bremer
 GRIES of Crawford

BRAUNS of Muscatine
 HESTER of Pottawattamie
 DRAKE of Pottawattamie
 MERTZ of Kossuth
 ERTL of Dubuque
 HURLEY of Fayette
 GRUBBS of Scott
 MARTIN of Scott
 GREIG of Emmet
 LARSON of Linn
 GREINER of Washington

H-4038

- 1 Amend Senate File 268, as amended, passed, and re-
 2 printed by the Senate, as follows:
 3 1. Page 2, line 10, by inserting after the word
 4 "governor" the following: "or the governor's
 5 designee".

PLASIER of Sioux

H-4041

- 1 Amend the amendment, H-3203, to Senate File 75, as
 2 passed by the Senate, as follows:
 3 1. Page 10, by inserting after line 30 the
 4 following:
 5 "_____. Page 21, by inserting after line 18 the
 6 following:
 7 "Sec. _____. EFFECTIVE DATE. If House File 518 is
 8 enacted by the Seventy-fifth General Assembly, 1993
 9 Session, section 54 of House File 518, relating to
 10 indoor air, being deemed of immediate importance,
 11 takes effect upon enactment of this Act." "
 12 2. Title page, line 1, by inserting after the
 13 word "corrections" the following: "and providing an
 14 effective date".
 15 3. By renumbering as necessary.

BRAMMER of Linn

H-4046

- 1 Amend the amendment, H-3924, to Senate File 268, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, line 45, by inserting after the word
 5 "holder." the following: "When an individual
 6 development account is opened, the account holder must
 7 be a recipient of the family investment program under
 8 chapter 239."

9 2. Page 5, by striking line 6 and inserting the
10 following: "limited to the amount of the annualized
11 federal poverty level for the family size of the
12 account holder."

13 3. Page 5, by striking lines 13 and 14 and
14 inserting the following: "year that an account holder
15 who is a current recipient of the family investment
16 program under chapter 239 deposits in the account
17 holder's account. An account holder who is no longer
18 a recipient of the family investment program under
19 chapter 239 is not eligible for a savings refund."

20 4. Page 5, by striking lines 20 through 48 and
21 inserting the following: "refund shall be equal to
22 twenty percent of the amount deposited."

23 5. Page 6, by striking lines 42 through 49 and
24 inserting the following: "who are recipients of the
25 family investment program under chapter 239 at the
26 time the accounts are opened."

27 6. Page 7, line 42, by striking the word "income"
28 and inserting the following: "family investment
29 program".

PETERSON of Carroll
SCHRADER of Marion
MERTZ of Kossuth

H-4053

1 Amend the amendment, H-3824, to Senate File 350, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 3, by striking lines 7 through 11, and
5 inserting the following: "paragraphs a and d, Code
6 1993, are amended to read as follows:

7 a. Notwithstanding section 598.21, subsection 8,
8 paragraph "k", the establishment of paternity by court
9 order may be overcome if all of the following
10 conditions are met:

11 (1) Prior blood or genetic tests have not been
12 performed to establish paternity of the child.

13 (2) The court finds that it is in the best
14 interest of the child to overcome the establishment of
15 paternity. In determining the best interest of the
16 child, the court shall consider the possibility of
17 establishing actual paternity of the child.

18 (3) (1) The court finds that the conclusion of the
19 expert as disclosed by the evidence based upon blood
20 or genetic tests demonstrates that the established
21 father is not the biological father of the child.

22 (4) The action to overcome paternity is filed no
23 later than three years after the entry of an order of
24 paternity.

25 (5) (2) The action to overcome paternity is filed

26 prior to the child reaching majority.

27 (6) (3) Notice of the action to overcome paternity
28 is served on any parent of the child not initiating
29 the action and any assignee of the support judgment.

30 (7) A guardian ad litem is appointed for the
31 child.

32 d. The costs of testing, the fee of the guardian
33 ad litem, and all court costs shall be paid by the
34 person bringing the action to overcome paternity."

HALVORSON of Webster

H-4054

1 Amend Senate File 370, as passed by the Senate, as
2 follows:

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

5 "Section 1. Section 321.40, unnumbered paragraph
6 4, Code 1993, is amended to read as follows:

7 The county treasurer shall refuse to renew the
8 registration of a vehicle registered to a person when
9 notified that there is a warrant outstanding for that
10 person's arrest out of a court located within that
11 county and the warrant arises out of the alleged
12 violation of a provision of this chapter or of an
13 ordinance adopted by a local authority relating to the
14 stopping, parking or operation of a vehicle or the
15 regulation of traffic by the clerk of the district
16 court that a person has failed to pay a fine, penalty,
17 court cost, fee, or surcharge when ordered to do so by
18 a court. Each clerk of the district court in this
19 state shall, by the last day of each month, notify the
20 county treasurer of that county of all persons against
21 whom such an arrest warrant has been issued and is
22 outstanding the names of the persons owing fines,
23 penalties, court costs, fees, or surcharges.

24 Immediately upon the cancellation or satisfaction of
25 such an arrest warrant the fine, penalty, court cost,
26 fee, or surcharge the clerk of the district court
27 shall notify the person against whom the arrest
28 warrant was issued and the county treasurer if that
29 person's name appeared on the last list furnished to
30 the county treasurer. The county treasurer shall
31 collect an additional five dollar fee from the person
32 and the fee shall be deposited in the county general
33 fund to be used to defray the cost of implementing
34 this procedure. This paragraph does not apply to the
35 transfer of a registration or the issuance of a new
36 registration. The provisions of this paragraph are
37 applicable to counties with a population of two
38 hundred thousand or more. The provisions of this
39 paragraph shall be applicable to any county with a

40 population of less than two hundred thousand upon the
 41 adoption of a resolution by the county board of
 42 supervisors so providing.

43 Sec. _____. Section 321.210A, Code 1993, is amended
 44 to read as follows:

45 321.210A SUSPENSION FOR FAILURE TO PAY FINE,
 46 PENALTY, SURCHARGE, OR COURT COSTS.

47 The department shall suspend the motor vehicle
 48 license of a person who, upon conviction of violating
 49 a law regulating the operation of a motor vehicle, has
 50 failed to pay the criminal fine or penalty, surcharge,

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1 or court costs, as follows:

2 1. Upon the failure of a person to timely pay the
 3 fine, penalty, surcharge, or court costs the clerk of
 4 the district court shall notify the person by regular
 5 mail that if the fine, penalty, surcharge, or court
 6 costs remain unpaid after ~~sixty~~ ten days from the date
 7 of mailing, the clerk will notify the department of
 8 the failure for purposes of instituting suspension
 9 procedures.

10 2. Upon the failure of a person to pay the fine,
 11 penalty, surcharge, or court costs within ~~sixty~~ ten
 12 days notice by the clerk of the district court as
 13 provided in subsection 1, the clerk shall report the
 14 failure to the department.

15 3. Upon receipt of a report of a failure to pay
 16 the fine, penalty, surcharge, or court costs from the
 17 clerk of the district court, the department shall in
 18 accordance with its rules, suspend the person's motor
 19 vehicle license until the fine, penalty, surcharge, or
 20 court costs are paid, unless the person proves to the
 21 satisfaction of the department that the person cannot
 22 pay the fine, penalty, surcharge, or court costs."

23 2. Page 1, lines 16 and 17, by striking the words
 24 and figure "unnumbered paragraph 1,".

25 3. Page 1, line 18, by inserting before the word
 26 "Enforce" the following: "5."

27 4. By striking page 1, line 32, through page 2,
 28 line 6, and inserting the following:

29 "If professional collection services are procured,
 30 the county attorney shall enter on the appropriate
 31 record of file with the clerk of the district court an
 32 indication of the satisfaction of each obligation to
 33 the full extent of all moneys collected in
 34 satisfaction of that obligation, including all fees
 35 and compensation retained by the collection service
 36 incident to the collection and not paid into the
 37 office of the clerk.

38 Before a county attorney designates another county

39 official or agency to assist with collection of debts,
 40 revenues, moneys, fines, penalties, restitution of
 41 court-appointed attorney fees or expense of a public
 42 defender, and forfeitures, the board of supervisors of
 43 the county must approve the designation.
 44 Notwithstanding the disposition provisions of sections
 45 602.8106 and 911.3, the county may retain up to
 46 thirty-five percent of all moneys collected, excluding
 47 amounts collected for victim restitution, as
 48 compensation for collection services. The county
 49 attorney shall enter on the appropriate record of the
 50 clerk of the district court an indication of the

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1 satisfaction of each obligation, including the amount
 2 retained by the county for collection services and not
 3 paid into the office of the clerk.

4 Sec. _____. Section 331.756, subsection 5, Code
 5 1993, is amended by adding the following new
 6 unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. All fines, penalties,
 8 court costs, fees, and restitution for court-appointed
 9 attorney fees or expenses of a public defender which
 10 are delinquent as defined in section 602.8107 may be
 11 collected by the county attorney or the county
 12 attorney's designee. In order to receive a percentage
 13 of the amounts collected pursuant to section 602.8107,
 14 the county attorney must file with the clerk of the
 15 district court a notice of full commitment to collect
 16 delinquent obligations. The notice shall contain a
 17 list of procedures which will be initiated by the
 18 county attorney. Amounts collected by the county
 19 attorney or the county attorney's designee shall be
 20 distributed in accordance with section 602.8107.

21 Sec. _____. Section 331.756, subsection 6A, Code
 22 1993, is amended by striking the subsection.

23 Sec. _____. Section 421.17, subsection 25, Code
 24 1993, is amended to read as follows:

25 25. To establish and maintain a procedure to set
 26 off against a debtor's income tax refund or rebate any
 27 debt which is in the form of a liquidated sum due,
 28 owing, and payable to the clerk of the district court
 29 as a criminal fine, civil penalty, surcharge, court
 30 costs, or restitution of attorney fees incurred as a
 31 result of services provided under chapters 13B and
 32 815, and section 232.141. The procedure shall meet
 33 the following conditions:

34 a. Before setoff all outstanding tax liabilities
 35 collectible by the department shall be satisfied
 36 except that no portion of a refund or rebate shall be
 37 credited against tax liabilities which are not yet

38 due.

39 b. Before setoff the county attorney clerk of the
40 district court shall obtain and forward to the
41 department the full name and social security number of
42 the debtor. The department shall cooperate in the
43 exchange of relevant information with the county
44 attorney clerk of the district court. However, only
45 relevant information required by the county attorney
46 clerk of the district court shall be provided by the
47 department. The information shall be held in
48 confidence and shall be used for purposes of setoff
49 only.

50 c. The county attorney clerk of the district

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1 court, on the first day of February and August of each
2 calendar year, shall submit to the department for
3 setoff the debts described in this subsection, which
4 are at least fifty dollars.

5 d. Upon submission of a claim the department shall
6 notify the county attorney if the debtor is entitled
7 to a refund or rebate and of the amount of the refund
8 or rebate and the debtor's address on the income tax
9 return.

10 e. Upon notice of entitlement to a refund or
11 rebate the county attorney Upon submission of a claim
12 the department shall send written notification to the
13 debtor of the county attorney's clerk of the district
14 court's assertion of rights to all or a portion of the
15 debtor's refund or rebate and the entitlement to
16 recover the debt through the setoff procedure, the
17 basis of the assertion, the opportunity to request
18 that a joint income tax refund or rebate be divided
19 between spouses, and the debtor's opportunity to give
20 written notice of intent to contest the amount of the
21 claim. The county attorney shall send a copy of the
22 notice to the department.

23 f. Upon the request of a debtor or a debtor's
24 spouse to the county attorney department, filed within
25 fifteen days from the mailing of the notice of
26 entitlement to a refund or rebate, and upon receipt of
27 the full name and social security number of the
28 debtor's spouse, the county attorney shall notify the
29 department of the request to divide a joint income tax
30 refund or rebate. The the department shall upon
31 receipt of the notice divide a joint income tax refund
32 or rebate between the debtor and the debtor's spouse
33 in proportion to each spouse's net income as
34 determined under section 422.7.

35 g. The department shall, after notice has been
36 sent to the debtor by the county attorney, set off the

37 debt against, and deduct a fee established by rule to
 38 reflect the cost of processing from the debtor's
 39 income tax refund or rebate. The department shall
 40 transfer sixty-five ninety percent of the amount set
 41 off to the treasurer of state for deposit in the
 42 general fund of the state. The remaining thirty-five
 43 ten percent shall be remitted to the county and
 44 deposited in the general fund of the county judicial
 45 department and used to defray the costs of this
 46 procedure. If the debtor gives timely written notice
 47 of intent to contest the amount of the claim, the
 48 department shall hold the refund or rebate until final
 49 determination of the correct amount of the claim. The
 50 county attorney shall notify the debtor in writing

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1 upon completion of setoff.

2 g. The department shall file with the clerk of the
 3 district court a notice of the satisfaction of each
 4 obligation to the full extent of all moneys collected
 5 in satisfaction of the obligation. The clerk shall
 6 record the notice and enter a satisfaction for the
 7 amounts collected.

8 Sec. _____. Section 421.17, subsection 26, Code
 9 1993, is amended to read as follows:

10 26. To provide that in the case of multiple claims
 11 to payments filed under subsections 21, 23, 25, and 29
 12 that priority shall be given to claims filed by the
 13 child support recovery unit or the foster care
 14 recovery unit under subsection 21, next priority shall
 15 be given to claims filed by the college student aid
 16 commission under subsection 23, next priority shall be
 17 given to claims filed by the investigations division
 18 of the department of inspections and appeals under
 19 subsection 21, next priority shall be given to claims
 20 filed by a county attorney clerk of the district court
 21 under subsection 25, and last priority shall be given
 22 to claims filed by other state agencies under
 23 subsection 29. In the case of multiple claims under
 24 subsection 29, priority shall be determined in
 25 accordance with rules to be established by the
 26 director.

27 Sec. _____. Section 602.8102, subsection 164, Code
 28 1993, is amended by striking the subsection.

29 Sec. _____. NEW SECTION. 602.8107 COLLECTION OF
 30 FINES, PENALTIES, FEES, COURT COSTS, SURCHARGES,
 31 INTEREST, AND RESTITUTION.

32 1. Fines, penalties, court costs, fees, interest,
 33 restitution for court-appointed attorney fees, and
 34 surcharges shall be paid to the clerk of the district
 35 court. All amounts collected shall be distributed

36 pursuant to sections 602.8106 and 602.8108 or as
37 otherwise provided by this Code. The clerk may accept
38 payment of an obligation or a portion thereof by
39 credit card. The clerk may charge a fee to reflect
40 the additional cost of processing the payment by
41 credit card.

42 2. Payments received under this section shall be
43 applied in the following priority order:

44 a. Fines or penalties plus any interest due on
45 unsatisfied judgments and criminal penalty surcharges
46 plus interest due on unsatisfied amounts.

47 b. Victim restitution.

48 c. Court costs.

49 d. Court-appointed attorney fees or public
50 defender expenses.

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1 3. The clerk of the district court shall initiate
2 procedures pursuant to sections 321.40 and 321.210A if
3 a fine, penalty, court cost, fee, restitution, or
4 surcharge is not paid by the date it is due. At the
5 time of payment, the clerk shall calculate the
6 interest due on unsatisfied judgments.

7 4. A fine, penalty, court cost, fee, or surcharge
8 is deemed delinquent if it is not paid within six
9 months after the date it is assessed. An amount which
10 was ordered by the court to be paid on a date fixed in
11 the future pursuant to section 909.3 is deemed
12 delinquent if it is not received by the clerk within
13 six months after the fixed future date set out in the
14 court order. If an amount was ordered to be paid by
15 installments, and an installment is not received
16 within thirty days after the date it is due, the
17 entire amount of the judgment is deemed delinquent.

18 5. All fines, penalties, court costs, fees,
19 surcharges, and restitution for court-appointed
20 attorney fees or for expenses of a public defender
21 which are delinquent may be collected by the county
22 attorney or the county attorney's designee. Thirty-
23 five percent of the amounts collected by the county
24 attorney or the county attorney's designee shall be
25 deposited in the general fund of the county if the
26 county attorney has filed the notice required in
27 section 331.756, subsection 5. The remainder shall be
28 paid to the clerk for distribution under section
29 602.8108.

30 This subsection does not apply to amounts collected
31 for victim restitution, the victim compensation fund,
32 criminal penalty surcharge, or amounts collected as a
33 result of procedures initiated under section 321.40,
34 321.210A, or 421.17, subsection 25.

35 The county attorney shall file with the clerk of
 36 the district court a notice of the satisfaction of
 37 each obligation to the full extent of the moneys
 38 collected in satisfaction of the obligation. The
 39 clerk of the district court shall record the notice
 40 and enter a satisfaction for the amounts collected.

41 6. If a county attorney has not filed a notice of
 42 commitment to collect delinquent obligations pursuant
 43 to section 331.756, subsection 5, the department of
 44 revenue and finance or its designee may collect
 45 delinquent fines, penalties, court costs, surcharges,
 46 restitutions for court-appointed attorney fees, or
 47 expenses of a public defender. From the amounts
 48 collected, the department shall pay for the services
 49 of its designee and the remainder shall be deposited
 50 in the general fund of the state.

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1 This subsection does not apply to amounts collected
 2 for victim restitution, the new victim restitution
 3 fund, criminal penalty surcharge, or amounts collected
 4 as a result of procedures initiated under section
 5 321.40, 321.210A, or 421.17, subsection 25.

6 The department of revenue and finance or its
 7 collection designee shall file with the clerk of the
 8 district court a notice of the satisfaction of each
 9 obligation to the full extent of the moneys collected
 10 in satisfaction of the obligation. The clerk of the
 11 district court shall record the notice and enter a
 12 satisfaction for the amounts collected."

13 5. Page 3, by inserting after line 13 the
 14 following:

15 "Sec. _____. Section 909.3, Code 1993, is amended to
 16 read as follows:

17 909.3 PAYMENT IN INSTALLMENTS OR ON A FIXED DATE.

18 1. All fines imposed by the court shall be paid on
 19 the day the fine is imposed.

20 2. The court may, in its discretion, order a fine
 21 to be paid in installments, or may fix a date in the
 22 future which is not more than thirty days from the
 23 date the fine is imposed for the payment of the fine,
 24 whenever it appears that the defendant cannot make
 25 immediate payment, or should not be made to do so.

26 3. If the court orders the fine to be paid in
 27 installments or at a fixed future date, the court
 28 shall also impose a time payment fee in the amount of
 29 twenty dollars which shall be paid on the date the
 30 fine is imposed."

31 6. Page 3, by inserting after line 21 the
 32 following:

33 "Sec. _____. Section 909.6, Code 1993, is amended by

34 adding the following new unnumbered paragraphs:
 35 NEW UNNUMBERED PARAGRAPH. Whenever a court imposes
 36 a fine on an offender, the court shall impose interest
 37 charges on any amount remaining unsatisfied from the
 38 day after sentencing at the rate provided in section
 39 535.3.

40 NEW UNNUMBERED PARAGRAPH. At the time of imposing
 41 the sentence, the court shall inform the offender of
 42 the amount of the fine and that the judgment includes
 43 the imposition of a criminal surcharge, court costs,
 44 and applicable fees. The court shall also inform the
 45 offender of the duty to pay the judgment in a timely
 46 manner and that interest will be charged on
 47 unsatisfied judgments."

48 7. Page 4, by striking lines 1 through 30 and
 49 inserting the following:

50 "Sec. _____. Section 909.9, Code 1993, is repealed."

Page 8

1 8. By renumbering as necessary.

GRUBBS of Scott

H-4055

1 Amend Senate File 364, as passed by the Senate, as
 2 follows:

3 1. Page 1, line 3, by inserting after the word
 4 "purchased" the following: "for use".

GRUNDBERG of Polk

H-4056

1 Amend Senate File 94, as passed by the Senate, as
 2 follows:

3 1. Page 1, line 8, by striking the figure "359"
 4 and inserting the following: "331".

5 2. Page 1, by striking lines 26 and 27 and
 6 inserting the following:

7 "_____. This section does not apply to local
 8 legislation which applies generally to all commercial
 9 activity and which is not directed specifically to a
 10 matter relating to fertilizers or soil conditioners,
 11 including but not limited to zoning."

12 3. Page 1, line 35, by striking the figure "359"
 13 and inserting the following: "331".

14 4. Page 2, by striking lines 18 and 19 and
 15 inserting the following:

16 "_____. This section does not apply to local
 17 legislation which applies generally to all commercial
 18 activity and which is not directed specifically to a

- 19 matter relating to pesticides, including but not
 20 limited to zoning."
 21 5. By renumbering as necessary.

MEYER of Sac

H—4065

- 1 Amend the amendment, H—4050, to Senate File 268, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 7, by striking the word "full-
 5 time" and inserting the following: "better".
 6 2. Page 1, lines 8 and 9, by striking the words
 7 "child support insurance program" and inserting the
 8 following: "parenting education program or any other
 9 plan".

HAVERLAND of Polk

H—4070

- 1 Amend the Senate amendment H—4019, to House File
 2 584, as amended, passed, and reprinted by the
 3 House, as follows:
 4 1. Page 1, line 13, by striking the word
 5 "disbursed" and inserting the word "dispersed".
 6 2. Page 1, line 21, by striking the word
 7 "disbursed" and inserting the word "dispersed".

WITT of Black Hawk
GRUNDBERG of Polk

H—4071

- 1 Amend Senate File 303, as amended, passed, and re-
 2 printed by the Senate, as follows:
 3 1. Page 1, by inserting after line 7 the follow-
 4 ing:
 5 "Regardless of other components of the policy, the
 6 policy shall expressly prohibit off-duty peace
 7 officers from carrying weapons while consuming
 8 alcoholic beverages or while intoxicated in
 9 establishments serving alcoholic beverages for
 10 consumption on the premises."
 11 2. Page 1, by inserting after line 14 the
 12 following:
 13 "Regardless of other components of the policy, the
 14 policy shall expressly prohibit off-duty sheriff's
 15 department employees and peace officers employed by
 16 the county from carrying weapons while consuming
 17 alcoholic beverages or while intoxicated in
 18 establishments serving alcoholic beverages for
 19 consumption on the premises."
 20 3. Page 1, by inserting after line 21 the

21 following:
 22 "Regardless of other components of the policy, the
 23 policy shall expressly prohibit off-duty peace
 24 officers from carrying weapons while consuming
 25 alcoholic beverages or while intoxicated in
 26 establishments serving alcoholic beverages for
 27 consumption on the premises."

FALLON of Polk
 HALVORSON of Webster
 BERNAU of Story
 HAMMOND of Story
 NEUHAUSER of Johnson
 HARPER of Black Hawk

OSTERBERG of Linn
 KREIMAN of Davis
 JOCHUM of Dubuque
 DODERER of Johnson
 HENDERSON of Scott
 BRAMMER of Linn
 WISE of Lee

H-4074

1 Amend House File 369, as passed by the House, as
 2 follows:
 3 1. Page 1, by striking lines 7 through 16, and
 4 inserting the following: "part, the enucleation of
 5 eyes being the exception. A licensed funeral
 6 director, as defined in chapter 156, staff members of
 7 the Iowa Lions eye bank, and members of the Iowa
 8 statewide organ and tissue procurement organization,
 9 upon successfully completing a course in eye
 10 enucleation and receiving a certificate of competence
 11 from the department of ophthalmology, college of
 12 medicine, of the University of Iowa, may enucleate the
 13 eyes of a donor."

Senate Amendment

H-4084

1 Amend Senate File 94, as passed by the Senate, as
 2 follows:
 3 1. Page 2, by inserting after line 19, the
 4 following:
 5 "Sec. _____. NEW SECTION. 206.34 ATRAZINE -
 6 RATHBUN LAKE.
 7 The department shall designate an area within the
 8 watershed of Rathbun lake as a pesticide management
 9 area. A person shall not apply a pesticide containing
 10 atrazine within the area at a rate which exceeds one
 11 and one-half pounds of the actual active ingredient
 12 atrazine per acre during any year."
 13 2. By renumbering as necessary.

OSTERBERG of Linn
 WITT of Black Hawk
 HENDERSON of Scott

H-4085

- 1 Amend Senate File 94, as passed by the Senate, as
2 follows:
3 1. Page 2, by inserting after line 19, the
4 following:
5 "Sec. _____. NEW SECTION. 206.34 ATRAZINE -
6 SURFACE WATER.
7 The department shall adopt rules providing for
8 restrictions upon the use of a pesticide containing
9 atrazine, in areas of this state where the department
10 determines that sources of drinking water systems
11 predominately rely upon surface water."

OSTERBERG of Linn
WITT of Black Hawk
HENDERSON of Scott

H-4086

- 1 Amend Senate File 94, as passed by the Senate, as
2 follows:
3 1. Page 2, by inserting after line 19 the
4 following:
5 "Sec. _____. NEW SECTION. 206.35 INERT
6 INGREDIENTS.
7 A person shall not offer for sale, sell, purchase,
8 apply, or use a pesticide having an inert ingredient
9 derived from a hazardous waste, as defined in section
10 455B.411."
11 2. Title page, by striking lines 2 and 3 and
12 inserting the following: "pesticides."
13 3. By renumbering as necessary.

HENDERSON of Scott

H-4087

- 1 Amend Senate File 94, as passed by the Senate, as
2 follows:
3 1. Page 2, by inserting after line 19 the
4 following:
5 "_____. This section does not apply to local
6 legislation which requires a commercial or public
7 applicator to provide notice of a pesticide
8 application to a resident of property which abuts or
9 is adjacent to property which is private property, a
10 playground, or an athletic field in an urban area.
11 The applicator is not required to provide notice
12 unless the resident contacts the applicator and
13 provides the name, address, and telephone number of
14 the resident. At least the day before a scheduled
15 pesticide application, a commercial or public
16 applicator shall provide notification to a person who

17 has requested notification in writing, in person, or
 18 by telephone, disclosing the date and approximate time
 19 of day of application.

20 If a commercial or public applicator is unable to
 21 provide prior notification to the resident because of
 22 the absence or inaccessibility of the person, at the
 23 time of application to a customer's lawn, the
 24 applicator shall leave a written notice at the
 25 residence of the person requesting notification."

26 2. By renumbering as necessary.

OSTERBERG of Linn

H-4090

1 Amend Senate File 364, as passed by the Senate, as
 2 follows:

3 1. Page 1, by inserting after line 11 the
 4 following:

5 "Sec. 101. Section 301.28, Code 1993, is amended
 6 to read as follows:

7 301.28 OFFICERS AND TEACHERS AS AGENTS FOR BOOKS
 8 AND SUPPLIES.

9 It shall be unlawful for any a school director,
 10 officer, area education director, or teacher to act as
 11 an agent or dealer for any school textbooks or school
 12 supplies during such the person's term of office or
 13 employment, and any. A school director, officer, area
 14 education director, or teacher, who shall ~~aet~~ acts as
 15 an agent or dealer in school textbooks or school
 16 supplies, during the term of such the person's office
 17 or employment, shall be deemed is guilty of a serious
 18 misdemeanor. However, a nonsalaried school director
 19 may act as an agent or dealer for school textbooks or
 20 school supplies outside the district in which the
 21 school director holds office.

22 Sec. _____. EFFECTIVE DATE. Section 101 of this
 23 Act, being deemed of immediate importance, takes
 24 effect upon enactment."

25 2. Title page, line 1, by inserting after the
 26 word "services" the following: "and to school
 27 directors as agents for school textbooks and supplies,
 28 and providing an effective date."

29 3. By renumbering as necessary.

EDDIE of Buena Vista

H-4091

1 Amend Senate File 94, as passed by the Senate, as
 2 follows:

3 1. Page 2, by inserting after line 17 the
 4 following:

5 "_____. A person licensed as a commercial applicator

6 who uses a restricted use pesticide within the limits
 7 of a city having a population of five thousand or more
 8 persons shall report information regarding the use of
 9 that pesticide to the public library located in that
 10 city, as shall be required by ordinance adopted by the
 11 city. The information shall include a materials
 12 safety data sheet as required by rules which shall be
 13 adopted by the department."

14 2. Title page, line 2, by striking the word
 15 "prohibiting" and inserting the following: "providing
 16 for".

17 3. By renumbering as necessary.

WITT of Black Hawk
 GRUNDBERG of Polk

H-4092

1 Amend Senate File 180, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 1, line 22, by striking the words "one
 4 hundred eighty days five years" and inserting the
 5 following: "one hundred eighty days".

RUNNING of Linn
 BRAMMER of Linn

H-4093

1 Amend House File 602 as follows:

2 1. By striking everything after the enacting
 3 clause and inserting the following:

4 "Section 1. Section 730.5, subsection 2,
 5 unnumbered paragraph 1, Code 1993, is amended to read
 6 as follows:

7 Except as provided in this subsection or in
 8 subsection 7, an employer shall not require or request
 9 employees or applicants for employment to submit to a
 10 drug test as a condition of employment, preemployment,
 11 promotion, or change in status of employment. An
 12 employer shall not request, require, or conduct random
 13 or blanket drug testing of employees. However, this
 14 section does not apply to preemployment drug tests
 15 authorized for peace officers or correctional officers
 16 of the state, or to drug tests required under federal
 17 statutes or under federal regulations adopted as of
 18 July 1, 1990, or to drug tests conducted pursuant to a
 19 nuclear regulatory commission policy statement, or to
 20 drug tests conducted to determine if an employee is
 21 ineligible to receive workers' compensation under
 22 section 85.16, subsection 2.

23 Sec. 2. Section 730.5, subsection 3, paragraph a,
 24 Code 1993, is amended to read as follows:

25 a. (1) The employer has probable cause to believe

26 that an employee's faculties are impaired on the job;
27 or
28 (2) The employer is investigating an accident in
29 the workplace in which a person has suffered an injury
30 which requires medical treatment away from the
31 workplace, or which involves damages to property and
32 equipment reasonably estimated to exceed five hundred
33 dollars at the time of the accident, if the employee
34 proposed to be tested either caused or contributed to
35 the accident, or was operating or helping to operate
36 the machinery, equipment, or vehicles involved in the
37 accident, provided that prior to the accident the
38 employer has provided the employee to be tested with
39 written notice of its rules or policies regarding
40 alcohol and controlled substances, and testing when
41 there is a workplace accident or injury.

42 Sec. 3. Section 730.5, subsection 3, paragraph c,
43 Code 1993, is amended to read as follows:

44 c. The test sample withdrawn from the employee is
45 shall be analyzed by a laboratory or testing facility
46 that has been approved under rules adopted by the
47 department of public health or has been certified or
48 approved under the mandatory guidelines for federal
49 workplace drug testing programs or similar federal
50 rules or regulations. The rules adopted by the

Page 2

1 department of public health shall require that an
2 approved laboratory or testing facility use methods of
3 testing that insure the reliability of the results.

4 Sec. 4. Section 730.5, subsection 7, Code 1993, is
5 amended to read as follows:

6 7. A drug test conducted as a part of a physical
7 examination performed as a part of a preemployment
8 physical or application process or as a part of a
9 regularly scheduled physical is only permissible under
10 the following circumstances:

11 a. For a preemployment physical application
12 process, the employer shall include notice that a drug
13 test will be part of a preemployment physical
14 application process in any notice or advertisement
15 soliciting applicants for employment or in the
16 application for employment, and an applicant for
17 employment shall be personally informed of the
18 requirement for a drug test at the first interview.

19 b. For a regularly scheduled physical, the
20 employer shall give notice that a drug test will be
21 part of the physical at least thirty days prior to the
22 date the physical is scheduled.

23 c. An employer may request or require, as a
24 condition of employment, an employee to undergo drug

25 testing if that employee has been referred by the
26 employer for substance abuse evaluation or treatment,
27 or is participating in or has participated in a
28 substance abuse treatment program while an employee,
29 in which case the employee may be requested or
30 required to undergo drug testing without prior notice
31 but no more frequently than every thirty days. Such
32 testing may be required during the evaluation or
33 treatment period and for a period of no more than
34 twenty-four months following the completion of
35 treatment or, in the case of an employee who has had
36 substance abuse evaluation but not treatment, for a
37 period of no more than twenty-four months following
38 completion of the evaluation.

39 Drug testing conducted under this subsection shall
40 conform to the requirements of subsection 3,
41 paragraphs "c", "d", "e", and "f"; however, paragraph
42 "f" shall not apply to drug tests conducted as a part
43 of a preemployment physical application process.

44 Sec. 5. Section 730.5, subsection 8, Code 1993, is
45 amended to read as follows:

46 8. An employer shall protect the confidentiality
47 of the results of any drug test conducted on an
48 employee. The results of the test may be recorded in
49 the employee's personnel records; however and may be
50 presented by the employer in any contractual,

Page 3

1 administrative, or judicial proceeding involving the
2 employee. However, if an employee whose test
3 indicated the employee was under the influence of
4 alcohol or a controlled substance or indicated the
5 presence of a controlled substance has undergone
6 substance abuse evaluation and, when treatment is
7 indicated under the substance abuse evaluation,
8 successfully completed treatment for substance abuse,
9 the employee's personnel records shall be expunged of
10 any reference to the test or its results the employer
11 shall not disclose to any person not otherwise
12 employed by or acting as a representative of the
13 employer any reference to the test or its results,
14 except as provided in this section, when the employee
15 leaves employment.

16 Sec. 6. Section 730.5, subsection 9, Code 1993, is
17 amended to read as follows:

18 9. This section may be enforced through a civil
19 action.

20 a. A person who violates this section or who aids
21 in the violation of this section is liable to an
22 aggrieved employee or applicant for employment for
23 affirmative relief including reinstatement or hiring,

24 with or without back pay, or any other equitable
 25 relief as the court deems appropriate including
 26 attorney fees and court costs. An action under this
 27 section shall be commenced within two years of the
 28 date of the alleged violation.

29 b. When a person commits, is committing, or
 30 proposes to commit, an act in violation of this
 31 section, an injunction may be granted through an
 32 action in district court to prohibit the person from
 33 continuing such acts. The action for injunctive
 34 relief may be brought by an aggrieved employee or
 35 applicant for employment, the county attorney, or the
 36 attorney general.

37 In an action brought under this subsection alleging
 38 that an employer has required or requested a drug test
 39 in violation of this section, the employer has the
 40 burden of proving that the requirements of this
 41 section were met. An employer who proves that the
 42 requirements were met may recover reasonable attorney
 43 fees and court costs from the person bringing the
 44 action.

45 Sec. 7. Section 730.5, Code 1993, is amended by
 46 adding the following new subsection:

47 NEW SUBSECTION. 12. Employers do not have a legal
 48 duty to request or require an employee or job
 49 applicant to undergo drug testing as authorized in
 50 this section. No cause of action shall arise in favor

Page 4

1 of any person based upon the failure of an employer to
 2 request or require any employee or job applicant to
 3 submit to a drug test, or for failure to require drug
 4 testing as permitted by this section."

MILLAGE of Scott
 TYRRELL of Iowa

H-4095

1 Amend Senate File 94, as passed by the Senate, as
 2 follows:

3 1. Page 2, by inserting after line 19 the fol-
 4 lowing:

5 "Sec. _____. NEW SECTION. 206.35 NOTIFICATION
 6 SIGNS - URBAN PESTICIDES.

7 The notification sign required to be posted for
 8 urban pesticide application for residential,
 9 commercial, or public lawns or gardens, or other
 10 similar areas shall consist of a sign or placard with
 11 a minimum size of eight and one-half inches by eleven
 12 inches. The lettering shall not be less than one-half
 13 inch in size."

- 14 2. Title page, by striking lines 2 and 3 and
 15 inserting the following: "pesticides and applying a
 16 penalty."
 17 3. By renumbering as necessary.

FALLON of Polk

H-4096

- 1 Amend Senate File 94, as passed by the Senate, as
 2 follows:
 3 1. Page 2, by inserting after line 19 the fol-
 4 lowing:
 5 "Sec. _____. NEW SECTION. 206.35 PROHIBITION OF
 6 LAWN CHEMICAL USAGE BY GOVERNMENTAL ENTITIES.
 7 All state agencies, counties, cities, school
 8 districts, and other governmental entities shall not
 9 apply pesticides or authorize a commercial or public
 10 applicator to apply pesticides labeled for lawn and
 11 garden use on property owned or under the control of
 12 the particular governmental entity. This section does
 13 not apply to applications used for research purposes.
 14 A person who authorizes the application shall be
 15 guilty of a serious misdemeanor."
 16 2. Title page, by striking lines 2 and 3 and
 17 inserting the following: "pesticides, and providing a
 18 penalty."
 19 3. By renumbering as necessary.

FALLON of Polk

H-4097

- 1 Amend Senate File 94, as passed by the Senate, as
 2 follows:
 3 1. Page 2, by inserting after line 19 the
 4 following:
 5 "Sec. _____. NEW SECTION. 206.35 PRIOR
 6 NOTIFICATION OF PESTICIDE APPLICATION - LAWN AND
 7 GARDEN PESTICIDES.
 8 1. A person who applies pesticides labeled for
 9 lawn and garden usage shall provide notice, at least
 10 forty-eight hours in advance of the application, to
 11 each affected property owner or occupant within two
 12 hundred feet of the site of the application. The
 13 notice shall be a written notice which shall include a
 14 statement of the intended time of application and a
 15 statement disclosing the chemical content of the
 16 pesticide which will be applied to the property and
 17 shall be delivered to the affected property. Notice
 18 shall be required for all applications made on or
 19 after July 1, 1995.
 20 2. A person offering for sale or selling
 21 pesticides labeled for lawn and garden usage at retail

22 in the state shall post written notice that as of July
23 1, 1995, application of lawn and garden pesticides
24 will require prior notification to the surrounding
25 areas.”
26 2. Title page, by striking lines 2 and 3 and
27 inserting the following: “pesticides, and applying a
28 penalty.”
29 3. By renumbering as necessary.

FALLON of Polk

H-4098

1 Amend Senate File 327, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting after line 15 the
4 following:
5 “Sec. _____. Section 257.12, unnumbered paragraph 1,
6 Code 1993, is amended to read as follows:
7 In determining weighted enrollment under section
8 257.6, if the board of directors of a school district
9 has approved a contract for sharing under section
10 442.39, subsection 2 or 4, Code 1991, or section
11 257.11 and the school district has initiated an action
12 prior to November 30, 1990, to bring about a
13 reorganization, the reorganized school district shall
14 include, for a period of five six years following the
15 effective date of the reorganization, additional
16 pupils added by the application of the supplementary
17 weighting plan, equal to the pupils added by the
18 application of the supplementary weighting plan in the
19 year preceding the reorganization. For the purposes
20 of this paragraph, the weighted enrollment for the
21 period of six years following the effective date of
22 reorganization shall include the supplementary
23 weighting in the base year used for determining the
24 combined district cost for the first year of the
25 reorganization. However, the weighting shall be
26 reduced by the supplementary weighting added for a
27 pupil whose residency is not within the reorganized
28 district. For purposes of this ~~section~~ paragraph, a
29 reorganized district is one in which the
30 reorganization was approved in an election pursuant to
31 sections 275.18 and 275.20 and takes effect on or
32 after July 1, 1991, and on or before July 1, 1993.
33 Each district which initiated, by a vote of the board
34 of directors or jointly by the affected boards, action
35 to bring about a reorganization or dissolution by
36 November 30, 1990, shall certify the date and the
37 nature of the action taken to the department of
38 education by September 1, 1991.
39 Sec. _____. Section 257.12, unnumbered paragraph 2,
40 Code 1993, is amended to read as follows:

41 A reorganized school district in which eligible
 42 pupils were added under section 442.39A, Code 1991,
 43 shall continue to have pupils added, subject to the
 44 changes in weighting made under section 257.11, until
 45 the expiration of the five-year period provided in
 46 section 442.39A, Code 1991 this paragraph. For the
 47 purposes of this paragraph, the weighted enrollment
 48 continues for a period of six years following the
 49 effective date of reorganization and shall include the
 50 supplementary weighting in the base year used for

Page 2

1 determining the combined district cost for the first
 2 year of the reorganization."

3 2. Page 1, line 16, by striking the word "This"
 4 and inserting the following: "Section 1 of this".

5 3. Title page, line 1, by inserting after the
 6 word "Act" the following: "relating to supplementary
 7 weightings and".

8 4. By renumbering as necessary.

GREIG of Emmet
 IVERSON of Wright
 DINKLA of Guthrie
 PETERSON of Carroll
 MERTZ of Kossuth

H-4099

1 Amend House File 647 as follows:

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

4 "Section 1. Section 18.133, subsection 3, Code
 5 1993, is amended to read as follows:

6 3. "Public agency" means a state agency, a school
 7 corporation, a city library, a regional library as
 8 provided in chapter 303B, and a county library as
 9 provided in chapter 336, and a political subdivision
 10 of the state.

11 Sec. _____. Section 18.136, subsection 4, Code 1993,
 12 is amended to read as follows:

13 4. The department of general services shall
 14 develop the requests for proposals that are needed for
 15 a state communications network with sufficient
 16 capacity to serve the video, data, and voice
 17 requirements of state agencies and the educational
 18 telecommunications applications required by the Iowa
 19 public broadcasting board. The department shall
 20 develop a request for proposals for each of the
 21 systems that will make up the network. The department
 22 may develop a request for proposals for each
 23 definitive component of Part I, Part II, and Part III

24 of the system as provided in this section, or the
25 department may provide in the request for proposals
26 for each such system that separate contracts may be
27 entered into for each definitive component covered by
28 the request for proposals. The requests for
29 proposals, except those that are related to Part III,
30 may be for the purchase, lease-purchase, or lease of
31 the component parts of the system, may require
32 maintenance costs to be identified, and the resulting
33 contract may provide for maintenance for parts of the
34 system. The requests for proposals related to Part
35 III of the system shall be for a lease of the
36 component parts and the state shall not own any
37 component of Part III. The master contract may
38 provide for electronic classrooms, satellite
39 equipment, receiving equipment, studio and production
40 equipment, and other associated equipment as required.
41 Sec. _____. Section 18.136, Code 1993, is amended by
42 adding the following new subsection:
43 NEW SUBSECTION. 4A. The utilities division shall
44 adopt rules concerning the bidding procedures to be
45 used related to a request for proposals developed
46 pursuant to subsection 4 for part III of the system.
47 The rules shall be designed to permit all utilities,
48 including rate-regulated and nonrate-regulated
49 utilities to submit bids subject to similar or
50 identical constraints or requirements so that these

Page 2

1 bids may be compared on an equal basis. The rules
2 shall contemplate that bids will be submitted from all
3 types of utility service providers, including but not
4 limited to those utilities providing telephone
5 service, cable service, and other utilities competent
6 to provide the services for which the request for
7 proposals is developed.

8 It is the intent of the general assembly that when
9 developing such rules, the utilities board shall
10 consider the relative burdens and benefits affecting
11 the utility service providers qualified to submit a
12 bid in response to the request for proposals."

13 2. Page 3, by inserting after line 6 the
14 following:

15 "_____. A plan for upgrading the facilities of the
16 utility which provides for the replacement of all
17 nondigital switches with digital switches no later
18 than July 1, 1996."

19 3. By renumbering and relettering as necessary.

H-4100

1 Amend House File 647 as follows:

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

4 "Section 1. Section 18.133, subsection 3, Code
5 1993, is amended to read as follows:

6 3. "Public agency" means a state agency, a school
7 corporation, a city library, a regional library as
8 provided in chapter 303B, and a county library as
9 provided in chapter 336, and a political subdivision
10 of the state."

11 2. By renumbering as necessary.

GILL of Woodbury

H-4101

1 Amend House File 647 as follows:

2 1. Page 2, by inserting after line 8 the follow-
3 ing:

4 "_____. If a utility's earnings under a plan for
5 alternative regulation are above a level set by the
6 board by rule, the board shall require the utility to
7 expend such funds for the establishment and operation
8 of a statewide E911 service plan."

9 2. By renumbering as necessary.

GILL of Woodbury

H-4102

1 Amend House File 647 as follows:

2 1. Page 4, by inserting after line 17, the
3 following:

4 "Sec. _____. NEW SECTION. 476.30D
5 TELECOMMUNICATIONS UPGRADE.

6 a. The general assembly finds that investment in
7 both business and residential telecommunications
8 contributes to economic growth in this state. The
9 general assembly finds that this growth permits
10 greater investment in telecommunications, which
11 further stimulates growth and investment. The general
12 assembly further finds that in order to take the
13 fullest advantage possible of demonstrated benefits of
14 improved telecommunications, rural Iowa needs
15 telecommunications services similar to those currently
16 provided to the urban areas.

17 b. All certified local exchange telephone
18 companies shall submit to the utilities board no later
19 than December 31, 1993, a schedule of network
20 switching center upgrades that result in the transfer
21 to an all digital switching network by no later than
22 December 31, 1996. The utilities board shall require

23 notification of changes in the filed schedule, at
 24 least on an annual basis, to ensure that the local
 25 exchange telephone companies complete the required
 26 upgrades.”

27 2. By renumbering as necessary.

GILL of Woodbury

H-4104

1 Amend Senate File 94, as passed by the Senate, as
 2 follows:

3 1. Page 1, by striking lines 10 through 12 and
 4 inserting the following:

5 “_____. “Local legislation” means an ordinance,
 6 motion, resolution, rule, or any other enactment
 7 adopted by the governing body of a local governmental
 8 entity except orders given to its employees relating
 9 to their use, storage, transportation, or disposal of
 10 a fertilizer or soil conditioner in their capacity as
 11 public employees or the approved terms of a service or
 12 sales contract between a person and the local
 13 governmental entity relating to the use of a
 14 fertilizer or soil conditioner.”

15 2. Page 2, by striking lines 2 through 4 and
 16 inserting the following:

17 “_____. “Local legislation” means an ordinance,
 18 motion, resolution, rule, or any other enactment
 19 adopted by the governing body of a local governmental
 20 entity except orders given to its employees relating
 21 to their use, storage, transportation, or disposal of
 22 a pesticide in their capacity as public employees or
 23 the approved terms of a service or sales contract
 24 between a person and the local governmental entity
 25 relating to the use of a pesticide.”

HAHN of Muscatine

H-4105

1 Amend the amendment, H-4054, to Senate File 370, as
 2 passed by the Senate, as follows:

3 1. Page 7, line 22, by striking the word “thirty”
 4 and inserting the following: “one hundred twenty”.

5 2. Page 7, by inserting after line 25 the follow-
 6 ing:

7 “For good cause, the court may order that the date
 8 for payment of the fine be extended beyond one hundred
 9 twenty days from the date the fine was imposed.”

MILLAGE of Scott

H-4106

1 Amend Senate File 94, as passed by the Senate, as

2 follows:

- 3 1. By striking everything after the enacting
4 clause and inserting the following:
5 "Section 1. PREEMPTION STUDY. The legislative
6 council is requested to establish an interim study
7 committee to examine ordinances adopted by local
8 governmental entities which regulate the use, sale,
9 distribution, storage, transportation, disposal,
10 formulation, labeling, registration, and manufacture
11 of fertilizers or soil conditioners or of pesticides.
12 The study committee shall examine the need to adopt
13 legislation which preempts or restricts local
14 governmental entities from adopting such ordinances.
15 The study committee shall report its findings and
16 recommendations to the Seventy-fifth General Assembly
17 by a date established by the legislative council."
18 2. Title page, by striking lines 2 and 3, and
19 inserting the following: "pesticides."

BERNAU of Story

H-4107

- 1 Amend Senate File 94, as passed by the Senate, as
2 follows:
3 1. Page 1, by inserting after line 27 the
4 following:
5 "_____. a. Prior to the commercial application of a
6 fertilizer or soil conditioner, within the
7 jurisdiction of a local governmental entity, the
8 person applying the fertilizer or soil conditioner on
9 a commercial basis shall execute a contract with the
10 owner of the property subject to the application. The
11 contract must be in writing. The provisions of the
12 contract shall be printed in at least twelve-point
13 type, and shall include all of the following:
14 (1) The location of the application.
15 (2) The date or dates of the application or the
16 approximate date or dates of the application.
17 (3) The total cost for providing the application
18 service.
19 (4) The number of applications to be carried out
20 at the locations.
21 (5) A list including the brand name and generic
22 name of each fertilizer or soil conditioner to be
23 applied on the property.
24 (6) All warnings required to appear on the label
25 or material safety data sheet of each fertilizer or
26 soil conditioner to be applied, to the extent that the
27 warnings are pertinent to the protection of humans,
28 animals, or the natural environment.
29 (7) The name, address, telephone number, and
30 federal registration number of any organization which

31 is responsible for applying a fertilizer or soil
32 conditioner to the property.

33 b. A copy of the contract shall be made available
34 to the owner of the property, and to all residents,
35 tenants, or occupants of the property.

36 c. If a date or dates specified in the contract is
37 changed, the person applying the fertilizer or soil
38 conditioner shall provide the owner of the property
39 and all residents, tenants, and other occupants of the
40 property, oral or written notice of the proposed
41 alternative date or dates before the application of
42 the fertilizer or soil conditioner.

43 d. The applicator required to execute a contract
44 under this subsection shall retain a copy of the
45 executed contract for a period of thirty-six months
46 following the date that the contract is executed. The
47 applicator shall furnish a copy of the contract to the
48 department upon request."

49 2. Page 2, by inserting after line 19 the
50 following:

Page 2

1 "_____. a. Prior to the commercial application of a
2 pesticide, within the jurisdiction of a local
3 governmental entity, the person applying the pesticide
4 on a commercial basis shall execute a contract with
5 the owner of the property subject to the application.
6 The contract must be in writing. The provisions of
7 the contract shall be printed in at least twelve-point
8 type, and shall include all of the following:

- 9 (1) The location of the application.
- 10 (2) The date or dates of the application or the
11 approximate date or dates of the application.
- 12 (3) The total cost for providing the application
13 service.
- 14 (4) The number of applications to be carried out
15 at the locations.
- 16 (5) A list including the brand name and generic
17 name of each pesticide to be applied on the property.
- 18 (6) All warnings required to appear on the label
19 or material safety data sheet of each pesticide
20 applied, to the extent that the warnings are pertinent
21 to the protection of humans, animals, or the natural
22 environment.
- 23 (7) The name, address, telephone number, and
24 federal registration number of any organization which
25 is responsible for applying a pesticide to the
26 property.

27 b. A copy of the contract shall be made available
28 to the owner of the property, and to all residents,
29 tenants, or occupants of the property.

30 c. If a date or dates specified in the contract is
31 changed, the person applying the pesticide shall
32 provide the owner of the property and all residents,
33 tenants, and other occupants of the property, oral or
34 written notice of the proposed alternative date or
35 dates before the application of the pesticide.

36 d. The applicator required to execute a contract
37 under this subsection shall retain a copy of the
38 executed contract for a period of thirty-six months
39 following the date that the contract is executed. The
40 applicator shall furnish a copy of the contract to the
41 department upon request."

42 3. Title page, by striking lines 2 and 3 and
43 inserting the following: "pesticides, and making
44 penalties applicable."

HENDERSON of Scott

H-4108

1 Amend Senate File 94, as passed by the Senate, as
2 follows:

3 1. Page 1, by inserting after line 27 the
4 following:

5 "_____. a. Prior to the application of a fertilizer
6 or soil conditioner, within the jurisdiction of a
7 local governmental entity, which is on the grounds of
8 a day care facility, a public or private preschool, or
9 a public or nonpublic school accredited pursuant to
10 section 256.11, the person applying the fertilizer or
11 soil conditioner shall provide written notice to the
12 parent or guardian of each child attending the
13 facility or school. Prior to the application of a
14 fertilizer or soil conditioner, within the
15 jurisdiction of a local governmental entity, on the
16 grounds of a public or private postsecondary
17 educational facility, including a university, college,
18 community college, trade school, or vocational school,
19 the person applying the fertilizer or soil conditioner
20 shall provide written notice to all persons attending
21 the educational facility.

22 b. The notice required pursuant to this subsection
23 shall be provided not less than seven days prior to
24 the application. The provisions of the notice shall
25 be printed in at least twelve-point type. The notice
26 shall include all of the following:

27 (1) The location on the grounds where the
28 fertilizer or soil conditioner is to be applied.

29 (2) The number of applications to be carried out
30 on the grounds.

31 (3) A list including the brand name and generic
32 name of each fertilizer or soil conditioner to be
33 applied on the grounds.

34 (4) All warnings required to appear on the label
35 or material safety data sheet of each fertilizer or
36 soil conditioner applied, to the extent that the
37 warnings are pertinent to the protection of humans,
38 animals, or the natural environment.

39 (5) The name, address, telephone number, and
40 federal registration number of the organization which
41 is responsible for applying a fertilizer or soil
42 conditioner to the grounds."

43 2. Page 2, by inserting after line 19 the
44 following:

45 "_____. a. Prior to the application of a pesticide,
46 within the jurisdiction of a local governmental
47 entity, which is on the grounds of a day care
48 facility, a public or private preschool, or a public
49 or nonpublic school accredited pursuant to section
50 256.11, the person applying the pesticide shall

Page 2

1 provide written notice to the parent or guardian of
2 each child attending the facility or school. Prior to
3 the application of a pesticide, within the
4 jurisdiction of a local governmental entity, on the
5 grounds of a public or private postsecondary
6 educational facility, including a university, college,
7 community college, trade school, or vocational school,
8 the person applying the pesticide shall provide
9 written notice to all persons attending the
10 educational facility.

11 b. The notice required pursuant to this subsection
12 shall be provided not less than seven days prior to
13 the application. The provisions of the notice shall
14 be printed in at least twelve-point type. The notice
15 shall include all of the following:

16 (1) The location on the grounds where the
17 pesticide is to be applied.

18 (2) The number of applications to be carried out
19 on the grounds.

20 (3) A list including the brand name and generic
21 name of each pesticide to be applied on the grounds.

22 (4) All warnings required to appear on the label
23 or material safety data sheet of each pesticide
24 applied, to the extent that the warnings are pertinent
25 to the protection of humans, animals, or the natural
26 environment.

27 (5) The name, address, telephone number, and
28 federal registration number of the organization which
29 is responsible for applying a pesticide to the
30 grounds."

31 3. Title page, by striking lines 2 and 3 and
32 inserting the following: "pesticides, and making

33 penalties applicable."

34 4. By renumbering as necessary.

DVORSKY of Johnson
OSTERBERG of Linn

H-4110

1 Amend the amendment, H-4057, to the Senate
2 amendment, H-3703, to House File 144, as amended,
3 passed, and reprinted by the House, as follows:
4 1. Page 1, line 43, by inserting after the figure
5 "6" the following: ", 8".
6 2. Page 1, by inserting after line 46 the
7 following:
8 "8. If a hearing on the complaint is ordered the
9 ethics committee shall receive all admissible
10 evidence, determine any factual or legal issues
11 presented during the hearing, and make findings of
12 fact based upon evidence received. Hearings shall be
13 conducted in the manner prescribed in section 17A.12.
14 The rules of evidence applicable under section 17A.14
15 shall also apply in hearings before the ethics
16 committee. A preponderance of clear Clear and
17 convincing evidence shall be required to support a
18 finding that the member of the general assembly or
19 lobbyist before the general assembly has committed a
20 violation of this chapter. Parties to a complaint
21 may, subject to the approval of the ethics committee,
22 negotiate for settlement of disputes that are before
23 the ethics committee. Terms of any negotiated
24 settlements shall be publicly recorded. If a
25 complaint is filed or initiated less than ninety days
26 before the election for a state office, for which the
27 person named in the complaint is the incumbent
28 officeholder, the ethics committee shall, if possible,
29 set the hearing at the earliest available date so as
30 to allow the issue to be resolved before the election.
31 An extension of time for a hearing may be granted when
32 both parties mutually agree on an alternate date for
33 the hearing. The ethics committee shall make every
34 effort to hear all ethics complaints within three
35 months of the date that the complaints are filed.
36 However, after three months from the date of the
37 filing of the complaint, extensions of time for
38 purposes of preparing for hearing may only be granted
39 by the ethics committee when the party charged in the
40 complaint with the ethics violation consents to an
41 extension. If the party charged does not consent to
42 an extension, the ethics committee shall not grant any
43 extensions of time for preparation prior to hearing.
44 All complaints alleging a violation of this chapter or
45 the code of ethics shall be heard within nine months

46 of the filing of the complaint. Final dispositions of
47 violations, which the ethics committee have found to
48 have been established by a preponderance of clear and
49 convincing evidence, shall be made within thirty days
50 of the conclusion of the hearing on the complaint."

Page 2

- 1 3. Page 2, by inserting after line 35 the
- 2 following:
- 3 "_____ Page 8, by inserting after line 23 the
- 4 following:
- 5 "_____ Page 37, by striking line 13 and inserting
- 6 the following: "the general assembly, on forms
- 7 prescribed by each house of the general assembly, a
- 8 report".
- 9 4. By renumbering as necessary.

CARPENTER of Polk
NEUHAUSER of Johnson

H-4113

- 1 Amend Senate File 94, as passed by the Senate, as
- 2 follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. NEW SECTION. 200.22 PREEMPTION OF
- 6 LOCAL GOVERNMENT LEGISLATION.
- 7 1. As used in this section:
- 8 a. "Local government" means any political
- 9 subdivision of the state or any state authority which
- 10 is not the general assembly or under the direction of
- 11 a principal central department as enumerated in
- 12 section 7E.5, including, but not limited to, a city, a
- 13 county, a school district, or any special purpose
- 14 district.
- 15 b. "Local legislation" means an ordinance, motion,
- 16 resolution, rule, or any other enactment adopted by
- 17 the governing body of a local government except orders
- 18 given to its employees relating to their use, storage,
- 19 transportation, or disposal of a fertilizer or soil
- 20 conditioner in their capacity as public employees or
- 21 the approved terms of a service or sales contract
- 22 between a person and the local government relating to
- 23 the use of a fertilizer or soil conditioner.
- 24 2. The provisions of this chapter and rules
- 25 adopted by the department pursuant to this chapter
- 26 shall preempt all local legislation relating to the
- 27 use, sale, distribution, storage, transportation,
- 28 disposal, formulation, labeling, registration, or
- 29 manufacture of a fertilizer or soil conditioner. A
- 30 local government shall not adopt or continue in effect

31 local legislation relating to the use, sale,
32 distribution, storage, transportation, disposal,
33 formulation, labeling, registration, or manufacture of
34 a fertilizer or soil conditioner, regardless of
35 whether a statute or rule adopted by the department
36 applies to preempt the local legislation. Local
37 legislation in violation of this section is void and
38 unenforceable.

39 3. This section does not apply to local
40 legislation which applies generally to all commercial
41 activity and which is not directed specifically to a
42 matter relating to fertilizers or soil conditioners,
43 including but not limited to zoning.

44 4. This section does not apply to local
45 legislation which is required to be adopted by a local
46 government in order to comply with a federal or state
47 statute, regulation, or rule.

48 **Sec. 2. NEW SECTION. 206.34 PREEMPTION OF LOCAL**
49 **GOVERNMENT LEGISLATION.**

50 1. As used in this section:

Page 2

1 a. "Local government" means any political
2 subdivision of the state or any state authority which
3 is not the general assembly or under the direction of
4 a principal central department as enumerated in
5 section 7E.5, including, but not limited to, a city, a
6 county, a school district, or any special purpose
7 district.

8 b. "Local legislation" means an ordinance, motion,
9 resolution, rule, or any other enactment adopted by
10 the governing body of a local government except orders
11 given to its employees relating to their use, storage,
12 transportation, or disposal of a pesticide in their
13 capacity as public employees or the approved terms of
14 a service or sales contract between a person and the
15 local government relating to the use of a pesticide.

16 2. The provisions of this chapter and rules
17 adopted by the department pursuant to this chapter
18 shall preempt all local legislation relating to the
19 use, sale, distribution, storage, transportation,
20 disposal, formulation, labeling, registration, or
21 manufacture of a pesticide. A local government shall
22 not adopt or continue in effect local legislation
23 relating to the use, sale, distribution, storage,
24 transportation, disposal, formulation, labeling,
25 registration, or manufacture of a pesticide,
26 regardless of whether a statute or rule adopted by the
27 department applies to preempt the local legislation.
28 Local legislation in violation of this section is void
29 and unenforceable.

30 3. This section does not apply to local
31 legislation which applies generally to all commercial
32 activity and which is not directed specifically to a
33 matter relating to pesticides, including but not
34 limited to zoning.

35 4. This section does not apply to local
36 legislation which is required to be adopted by a local
37 government in order to comply with a federal or state
38 statute, regulation or rule.

39 5. This section does not apply to local
40 legislation which is required to comply with rules
41 adopted by the department. The department shall adopt
42 rules relating to the use of pesticides on real
43 property and its improvements when one of the
44 following applies:

- 45 a. The property is unique and of scientifically
46 recognized ecological value and publicly owned.
- 47 b. The property is the habitat of an endangered or
48 threatened species of fish, wildlife, or plant.
- 49 c. The use of pesticides may have an impact upon
50 the ability of a local government to comply with state

Page 3

1 or federal environmental laws, including statutes or
2 rules adopted by agencies.

3 d. A playground open to the general public is
4 located on the property.

5 e. A child day care facility licensed pursuant to
6 chapter 237A is located on the property.

7 f. A facility licensed pursuant to chapter 135B,
8 135C, or 135J is located on the property.

9 g. A public or nonpublic school accredited
10 pursuant to section 256.11 is located on the property.

11 h. A capacity dedicated to educating the blind or
12 deaf, including an institution administered under
13 chapter 269 or 270, is located on the property.

14 i. A public park, preserve, or recreation area is
15 located on the property."

WITT of Black Hawk
MARTIN of Scott
GRUNDBERG of Polk

H-4114

1 Amend Senate Concurrent Resolution 14, as amended,
2 passed, and reprinted by the Senate, as follows:

3 1. Page 2, by inserting after line 16 the fol-
4 lowing:

5 "*Be It Further Resolved*, That a copy of this
6 resolution be forwarded to the President of the United
7 States, to the administrators of the United States

8 Environmental Protection Agency and the United States
 9 Department of Energy, and to the members of the Iowa
 10 congressional delegation."

DVORSKY of Johnson

H-4116

1 Amend the amendment, H-4057, to Senate amendment,
 2 H-3703, to House File 144, as amended, passed, and
 3 reprinted by the House, as follows:
 4 1. Page 2, by inserting after line 41 the
 5 following:
 6 "_____ Page 9, line 5, by striking the word
 7 "council" and inserting the following: "counsel".
 8 3. By renumbering as necessary.

CARPENTER of Polk

H-4117

1 Amend the amendment, H-3233, to Senate File 94, as
 2 passed by the Senate, as follows:
 3 1. Page 1, line 10, by inserting after the word
 4 "property" the following: ", or if a preschool is
 5 located on the real property".
 6 2. Page 1, line 18, by inserting after the word
 7 "property" the following: ", or if a preschool is
 8 located on the real property".

BERNAU of Story

H-4120

1 Amend the amendment, H-4093, to House File 602 as
 2 follows:
 3 1. Page 1, line 34, by striking the words "either
 4 caused or contributed to" and inserting the following:
 5 "was the proximate cause of".

RUNNING of Linn

H-4121

1 Amend the amendment, H-4093, to House File 602 as
 2 follows:
 3 1. Page 1, line 35, by striking the words "or
 4 helping to operate".

RUNNING of Linn

H-4122

1 Amend the amendment, H-4113, to Senate File 94, as
 2 passed by the Senate, as follows:
 3 1. By striking page 2, line 39 through page 3,
 4 line 15.

LUNDBY of Linn
 McCOY of Polk

H-4123

1 Amend the amendment, H-4093, to House File 602 as
2 follows:

3 1. Page 1, by inserting after line 3 the follow-
4 ing:

5 "Section 1. NEW SECTION. 68B.36A LOBBYIST -
6 DRUG TESTING.

7 On the first session day during every week the
8 house of representatives is in session, the chief
9 clerk of the house of representatives shall select, by
10 random drawing, the names of ten lobbyists registered
11 to engage in lobbying activities before the house of
12 representatives for purposes of a drug test. The
13 registered lobbyists selected by the random drawing to
14 submit to a drug test shall submit to a drug test
15 conducted pursuant to the requirements of section
16 730.5, subsection 3, paragraphs "c" and "d" sometime
17 during that week. The failure of a lobbyist to submit
18 to a drug test shall result in a suspension of the
19 lobbyist's status as a registered lobbyist for a
20 period of two weeks following the week in which the
21 lobbyist was required to submit to a drug test. The
22 results of the drug test shall be a public record."

23 2. Page 4, by inserting after line 4 the
24 following:

25 "_____. Title page, line 1, by inserting after the
26 word "certain" the following: "lobbyists,""

27 3. By renumbering as necessary.

FALLON of Polk

H-4124

1 Amend the amendment, H-4093, to House File 602 as
2 follows:

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

5 "Section 1. NEW SECTION. 2.40A GENERAL ASSEMBLY
6 - DRUG TESTING.

7 The members of the general assembly shall submit to
8 a drug test conducted pursuant to the requirements of
9 section 730.5, subsection 3, paragraphs "c" and "d" on
10 a date during each month of the legislative session as
11 determined by the legislative council. The results of
12 the drug test shall be a public record.

13 Sec. _____. Section 2.42, Code 1993, is amended by
14 adding the following new subsection:

15 NEW SUBSECTION. 19. To establish policies
16 concerning drug testing of members of the general
17 assembly as required by section 2.40A.

18 Sec. _____. NEW SECTION. 7.23 DRUG TESTING.

19 The governor and lieutenant governor shall submit

20 to a drug test conducted pursuant to the requirements
 21 of section 730.5, subsection 3, paragraphs "c" and "d"
 22 on a date during each month as determined by the
 23 members of the executive council not subject to the
 24 drug test. The results of the drug test shall be a
 25 public record."

26 2. Page 4, by inserting after line 4 the
 27 following:

28 "_____. Title page, line 1, by inserting after the
 29 word "certain" the following: "public officials,"."

30 3. By renumbering as necessary.

FALLON of Polk

H-4125

1 Amend the amendment, H-4093, to House File 602 as
 2 follows:

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

5 "Section 1. Section 2.42, Code 1993, is amended
 6 by adding the following new subsection:
 7 NEW SUBSECTION. 19. To establish policies
 8 concerning drug testing of the news media and press as
 9 required by section 2.43.

10 Sec. _____. Section 2.43, Code 1993, is amended by
 11 adding the following new unnumbered paragraph:

12 NEW UNNUMBERED PARAGRAPH. The members of the news
 13 media and press seeking continued access to the press-
 14 only areas in each chamber of the general assembly
 15 shall submit to a drug test conducted pursuant to the
 16 requirements of section 730.5, subsection 3,
 17 paragraphs "c" and "d", within one week of a date
 18 during the legislative session as determined by the
 19 legislative council. Failure to submit to a drug test
 20 as required by this section shall result in the member
 21 of the news media being denied access to the press-
 22 only areas of each chamber of the general assembly.
 23 The results of the drug test shall be a public
 24 record."

25 2. Page 4, by inserting after line 4 the
 26 following:

27 "_____. Title page, line 1, by inserting after the
 28 word "certain" the following: "members of the news
 29 media,"".

30 3. By renumbering as necessary.

FALLON of Polk

H-4126

1 Amend the amendment, H-4093, to House File 602 as
 2 follows:

3 1. Page 1, by inserting after line 3 the

4 following:

5 "Sec. _____. NEW SECTION. 2.40A GENERAL ASSEMBLY

6 - DRUG TESTING.

7 On the first session day during every week the
 8 general assembly is in session, the chief clerk of the
 9 house and the secretary of the senate shall each
 10 select, by random drawing, the names of ten members of
 11 their respective chambers for purposes of submission
 12 to a drug test. The members selected shall submit to
 13 a drug test conducted pursuant to the requirements of
 14 section 730.5, subsection 3, paragraphs "c" and "d".
 15 The results of the drug test shall be a public
 16 record."

17 2. Page 4, by inserting after line 4 the
 18 following:

19 "_____. Title page, line 1, by inserting after the
 20 word "certain" the following: "public officials,""

21 3. By renumbering as necessary.

FALLON of Polk

H-4127

1 Amend the amendment, H-4093, to House File 602 as
 2 follows:

3 1. Page 2, by striking lines 6 through 10 and
 4 inserting the following:

5 "7. A drug test conducted as a part of a physical
 6 examination performed as a part of a preemployment
 7 physical or as a part of a regularly scheduled
 8 physical is only permissible In addition to drug
 9 testing permitted by subsection 3, drug testing of an
 10 employee or applicant for employment shall also be
 11 permitted under the following circumstances:"

MILLAGE of Scott

H-4128

1 Amend the amendment, H-4113, to Senate File 94, as
 2 passed by the Senate, as follows:

3 1. Page 3, line 11, by striking the word
 4 "capacity" and inserting the following: "facility".

BERNAU of Story

H-4129

1 Amend the amendment, H-3233, to Senate File 94, as
 2 passed by the Senate, as follows:

3 1. Page 1, line 10, by inserting after the word
 4 "property" the following: ", or if a building where
 5 competent private instruction is provided pursuant to
 6 chapter 299A is located on the real property".

7 2. Page 1, line 18, by inserting after the word

8 "property" the following: ", or if a building where
 9 competent private instruction is provided pursuant to
 10 chapter 299A is located on the real property".

BERNAU of Story

H-4133

1 Amend House File 647 as follows:

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

4 "Section 1. Section 476.1, unnumbered paragraph 4,
 5 Code 1993, is amended to read as follows:

6 Mutual telephone companies in which at least fifty
 7 percent of the users are owners, co-operative
 8 telephone corporations or associations, telephone
 9 companies having less than fifteen thousand customers
 10 and less than fifteen thousand access lines,
 11 municipally owned utilities, and unincorporated
 12 villages which own their own distribution systems are
 13 not subject to the rate regulation provided for in
 14 this chapter.

15 Sec. _____. Section 476.6, subsections 2 and 4, Code
 16 1993, are amended to read as follows:

17 2. TELEPHONE DIRECTORY ASSISTANCE CHARGES —
 18 RECORD PROVIDED. The board Telephone companies shall
 19 not approve a schedule of charge residential customers
 20 for directory assistance charges unless the schedule
 21 provides that residential customers be provided a
 22 record of the date and time of each directory
 23 assistance call made from their residence is provided.

24 4. FIRST SEVEN CALLS EXEMPTED. A telephone
 25 directory assistance tariff that is approved by the
 26 board on or after July 1, 1981, company shall be
 27 subject to the limitation that a subscriber shall not
 28 be charged not charge for the first seven directory
 29 assistance calls made from the subscriber's customer's
 30 station during each of the first twelve months in
 31 which the tariff is in effect, and a charge made in
 32 violation of this limitation is an unlawful charge
 33 within the meaning of this chapter the utility has
 34 increased the rate or charge related to such calls.

35 Sec. _____. Section 476.6, subsections 3 and 12,
 36 Code 1993, are amended by striking the subsections."

37 2. Renumber as necessary.

GILL of Woodbury

H-4135

1 Amend Senate File 94, as passed by the Senate, as
 2 follows:

3 1. Page 2, by inserting after line 19 the
 4 following:

5 " _____. This section does not apply to local
 6 legislation adopted by a city which is based upon a
 7 model ordinance or amendments to the model ordinance
 8 prepared by the league of Iowa municipalities. The
 9 league shall develop the model ordinance after
 10 reviewing ordinances adopted in cities located
 11 throughout the nation. The model ordinance shall
 12 contain provisions which are capable of practicable
 13 administration and enforcement by a city."
 14 2. By renumbering as necessary.

OSTERBERG of Linn

H-4138

1 Amend the amendment, H-4093, to House File 602 as
 2 follows:
 3 1. Page 2, by inserting after line 3 the
 4 following:
 5 "Sec. _____. Section 730.5, subsection 6, Code 1993,
 6 is amended to read as follows:
 7 6. This section does not prevent an employer from
 8 conducting medical screening in order to monitor
 9 exposure to toxic or other unhealthy substances,
 10 including those listed under Title III of the federal
 11 Superfund Amendments and Reauthorization Act of 1986,
 12 encountered in the workplace or in the performance of
 13 their job responsibilities. Any such screening must
 14 be limited to the specific substances required to be
 15 monitored. An employer shall conduct a medical
 16 screening under this subsection whenever a drug test
 17 is conducted pursuant to this section, except for a
 18 drug test as a part of a preemployment application
 19 process."
 20 2. Page 3, line 15, by inserting after the word
 21 "employment." the following: "An employer shall
 22 provide an employee with a copy of the results of any
 23 drug test or medical screening concerning the employee
 24 conducted by the employer pursuant to this section
 25 upon request of the employee."
 26 3. By renumbering as necessary.

HENDERSON of Scott

H-4144

1 Amend the amendment, H-4093, to House File 602 as
 2 follows:
 3 1. Page 2, by striking lines 35 through 38 and
 4 inserting the following: "substance abuse treatment
 5 if the treatment was recommended by the evaluation."

HANSON of Delaware

H-4146

1 Amend the amendment, H-3843, to Senate File 303, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 14, by inserting before the word
5 "chief" the following: "city manager or".

6 2. Page 1, line 17, by striking the word
7 "develop" and inserting the following: "establish".

8 3. Page 1, by striking lines 18 and 19 and
9 inserting the following:

10 "_____. Page 1, line 18, by striking the words
11 "policy regarding off-duty" and inserting the
12 following: "policy, subject to the approval of the
13 city council, regarding"."

CATALDO of Polk

H-4147

1 Amend the amendment, H-4004, to House File 633, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 6, by inserting after line 41 the
5 following:

6 "Sec. _____. Section 123.47A, subsection 1, Code
7 1993, is amended to read as follows:

8 1. A person shall not sell, give, or otherwise
9 supply alcoholic liquor, wine, or beer to any person
10 knowing or having reasonable cause to believe that the
11 person is age eighteen, nineteen, or twenty. A person
12 age eighteen, nineteen, or twenty shall not purchase
13 or possess alcoholic liquor, wine, or beer. However,
14 a person age eighteen, nineteen, or twenty may possess
15 alcoholic liquor, wine, or beer given to the person
16 within a private home with the knowledge and consent
17 of the person's parent or guardian, and a person age
18 eighteen, nineteen, or twenty may handle alcoholic
19 liquor, wine, and beer during the course of the
20 person's employment by a liquor control licensee, or
21 wine or beer permittee. A person, other than a
22 licensee or permittee, who commits a first offense
23 under this section commits a scheduled violation of
24 section 805.8, subsection 10. A person, other than a
25 licensee or permittee, who commits a second or
26 subsequent violation of this section, commits a simple
27 misdemeanor. A licensee or permittee who violates
28 this section with respect to a person who is age
29 nineteen or twenty is guilty of a simple misdemeanor
30 punishable by a fine of not more than fifty dollars.
31 The penalty provided under this section against a
32 licensee or permittee who violates this section with
33 respect to a person who is age nineteen or twenty is

34 the only penalty which shall be imposed against a
 35 licensee or permittee who violates this section. A
 36 licensee or permittee who violates this section with
 37 respect to a person who is age eighteen commits a
 38 simple misdemeanor, and is subject to the criminal and
 39 civil penalties provided pursuant to sections 123.49
 40 and 123.50 with respect to selling, giving, or
 41 otherwise supplying alcoholic beverages, liquor, wine,
 42 or beer to persons under legal age.

43 Sec. _____. NEW SECTION. 123.48 PURCHASE OR
 44 ATTEMPTED PURCHASE PROHIBITED BY PERSONS UNDER TWENTY-
 45 ONE YEARS - PENALTY.

46 1. A person who is under twenty-one years of age
 47 shall not purchase or attempt to purchase alcoholic
 48 liquor, wine, or beer.

49 2. A person who violates this section shall be
 50 fined one hundred dollars for the first offense. A

Page 2

1 person who commits a second violation of this section
 2 shall be fined two hundred fifty dollars, and for a
 3 third or subsequent violation of this section, a
 4 person shall be fined five hundred dollars."

5 2. Page 9, line 18, by inserting after the word
 6 "beverages," the following: "and providing a penalty
 7 for the purchase or attempted purchase of alcoholic
 8 beverages by certain persons,"."

9 3. By renumbering as necessary.

IVERSON of Wright

H-4149

1 Amend Senate File 90, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting before line 30 the
 4 following:

5 "Sec. _____. Section 422.43, subsection 1, Code
 6 1993, is amended to read as follows:

7 1. There is imposed a tax of five percent upon the
 8 gross receipts from all sales of tangible personal
 9 property, consisting of goods, wares, or merchandise,
 10 except as otherwise provided in this division, sold at
 11 retail in the state to consumers or users; a like rate
 12 of tax upon the gross receipts from the sales,
 13 furnishing, or service of gas, electricity, water,
 14 heat, pay television service, and communication
 15 service, including the gross receipts from such sales
 16 by any municipal corporation or joint water utility
 17 furnishing gas, electricity, water, heat, pay
 18 television service, and communication service to the
 19 public in its proprietary capacity, except as

20 otherwise provided in this division, when sold at
 21 retail in the state to consumers or users; a like rate
 22 of tax upon the gross receipts from all sales of
 23 tickets or admissions to places of amusement, fairs,
 24 and athletic events except those of elementary and
 25 secondary educational institutions; a like rate of tax
 26 on the gross receipts from an entry fee or like charge
 27 imposed solely for the privilege of participating in
 28 an activity at a place of amusement, fair, or athletic
 29 event unless the gross receipts from the sales of
 30 tickets or admissions charges for observing the same
 31 activity are taxable under this division; and a like
 32 rate of tax upon that part of private club membership
 33 fees or charges paid for the privilege of
 34 participating in any athletic sports provided club
 35 members."

ERTL of Dubuque

H-4150

- 1 Amend the amendment, H-4093, to House File 602 as
- 2 follows:
- 3 1. Page 1, by striking lines 23 through 41.
- 4 2. By renumbering as necessary.

McKINNEY of Dallas

H-4151

- 1 Amend the amendment, H-4093, to House File 602 as
- 2 follows:
- 3 1. Page 2, by striking lines 23 through 38.
- 4 2. By renumbering as necessary.

McKINNEY of Dallas

H-4152

- 1 Amend the amendment, H-4093, to House File 602 as
- 2 follows:
- 3 1. By striking page 2, line 44 through page 3,
- 4 line 15.
- 5 2. By renumbering as necessary.

McKINNEY of Dallas

H-4153

- 1 Amend the amendment, H-4093, to House File 602 as
- 2 follows:
- 3 1. By striking page 3, line 45 through page 4,
- 4 line 4.
- 5 2. By renumbering as necessary.

McKINNEY of Dallas

H-4156

1 Amend the amendment, H-4093, to House File 602 as
2 follows:

3 1. Page 2, line 2, by inserting after the word
4 "facility" the following: "conduct a medical screen
5 of each test sample in order to monitor exposure to
6 toxic or other unhealthy substances, including those
7 listed under Title III of the federal Superfund
8 Amendments and Reauthorization Act of 1986,
9 encountered in the workplace or in the performance of
10 an employee's job responsibilities and".

11 2. Page 3, line 15, by inserting after the word
12 "employment." the following: "An employer shall
13 provide an employee with a copy of the results of any
14 drug test or medical screening concerning the employee
15 conducted by the employer pursuant to this section
16 upon request of the employee."

HENDERSON of Scott

H-4157

1 Amend Senate File 90, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 29, the
4 following:

5 "Sec. 100. Section 422.7, Code 1993, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 28. For a person who is disabled,
8 or is fifty-five years of age or older, or is the
9 surviving spouse of an individual or a survivor having
10 an insurable interest in an individual who would have
11 qualified for the exemption under this subsection for
12 the tax year, subtract, to the extent included, the
13 total amount of a governmental or other pension,
14 retirement pay, annuity, or other similar periodic
15 payment made under a plan maintained or contributed to
16 by an employer up to a maximum of five thousand
17 dollars for a person who files a separate state income
18 tax return for a tax year beginning in the 1995
19 calendar year, and up to a maximum of ten thousand
20 dollars for a husband and wife who file a joint state
21 income tax return for a tax year beginning in the 1995
22 calendar year. For a tax year beginning in the 1996
23 calendar year, subtract, to the extent included, the
24 total amount for a person who files a separate state
25 income tax return, up to a maximum of ten thousand
26 dollars, and for a husband and wife who file a joint
27 state income tax return, up to a maximum of twenty
28 thousand dollars. For tax years beginning on or after
29 January 1, 1997, for a person who files a separate
30 state income tax return or for a husband and wife who

31 file a joint state income tax return, subtract, to the
 32 extent included, the total amount of a governmental or
 33 other pension, retirement pay, annuity, or other
 34 similar periodic payment made under a plan maintained
 35 or contributed to by an employer. However, a
 36 surviving spouse who is not disabled or fifty-five
 37 years of age or older can only exclude the amount of
 38 annuities or other similar periodic payments received
 39 as a result of the death of the other spouse."

40 2. Page 6, by inserting after line 4, the
 41 following:

42 "Sec. _____. APPLICABILITY. Section 100 of this Act
 43 applies to tax years beginning on or after January 1,
 44 1995."

45 3. Title page, line 4, by inserting after the
 46 word "warrants," the following: "taxation of pension
 47 income."

48 4. Title page, line 9, by inserting after the
 49 word "credits" the following: "and providing an
 50 applicability date".

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1 5. By renumbering as necessary.

SCHRADER of Marion

H-4159

1 Amend Senate File 90, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 29 the
 4 following:

5 "Sec. 800. Section 422.7, Code 1993, is amended by
 6 adding the following new subsection:

7 NEW SUBSECTION. 28. For a person who is disabled,
 8 or is fifty-five years of age or older, or is the
 9 surviving spouse of an individual or a survivor having
 10 an insurable interest in an individual who would have
 11 qualified for the exemption under this subsection for
 12 the tax year, subtract, to the extent included, the
 13 total amount of a governmental or other pension,
 14 retirement pay, annuity, or other similar periodic
 15 payment made under a plan maintained or contributed to
 16 by an employer, or maintained or contributed to by a
 17 self-employed person as an employer, up to a maximum
 18 each tax year of three thousand dollars for a person
 19 who files a separate state income tax return and six
 20 thousand dollars for a husband and wife who file a
 21 joint state income tax return. However, a surviving
 22 spouse who is not disabled or fifty-five years of age
 23 or older can only exclude the amount of annuities or
 24 other similar periodic payments received as a result

- 25 of the death of the other spouse.”
 26 2. Page 6, by inserting after line 4, the
 27 following:
 28 “Sec. _____. EFFECTIVE DATE. Section 800 of this
 29 Act takes effect July 1, 1996, and applies to tax
 30 years beginning on or after January 1, 1996.”
 31 3. Title page, line 4, by inserting after the
 32 word “warrants,” the following: “taxation of certain
 33 pension income.”
 34 4. By renumbering as necessary.

GRUBBS of Scott
 RAFFERTY of Scott
 MILLAGE of Scott

MARTIN of Scott
 LARSON of Linn
 GREINER of Washington
 HURLEY of Fayette

H-4169

- 1 Amend the amendment, H-4093, to House File 602 as
 2 follows:
 3 1. Page 2, line 3, by inserting after the word
 4 “results” the following: “and shall report to the
 5 employer only the presence of alcohol or illegal
 6 controlled substances in any test sample”.

GRUNDBERG of Polk

H-4170

- 1 Amend the amendment, H-4093, to House File 602 as
 2 follows:
 3 1. Page 1, line 41, by inserting after the word
 4 “injury.” the following: “If an employee is tested
 5 pursuant to this subparagraph, all supervisory and
 6 management positions of the employer shall submit to a
 7 drug test.”

MURPHY of Dubuque

H-4171

- 1 Amend the amendment, H-4093, to House File 602, as
 2 follows:
 3 1. Page 4, by inserting after line 4 the
 4 following:
 5 “Sec. _____. INDOOR CLEAN AIR ACT – APPLICATION TO
 6 CAPITOL BUILDING. The capitol building shall be
 7 considered a public place pursuant to section 142B.1
 8 and the east and west legislative dining room on the
 9 ground floor of the state capitol shall not be
 10 designated a smoking area pursuant to section 142B.2.
 11 A person who violates the provisions of this section
 12 is subject to the penalty provisions of section
 13 142B.6.”

BRAMMER of Linn

H-4172

- 1 Amend the amendment, H-4093, to House File 602 as
 2 follows:
 3 1. Page 2, line 31, by striking the word "thirty"
 4 and inserting the following: "sixty".

RUNNING of Linn

H-4173

- 1 Amend the amendment, H-4093, to House File 602 as
 2 follows:
 3 1. Page 2, line 34, by striking the word "twenty-
 4 four" and inserting the following: "six".
 5 2. Page 2, line 37, by striking the word "twenty-
 6 four" and inserting the following: "six".

RUNNING of Linn

H-4174

- 1 Amend the amendment, H-4093, to House File 602 as
 2 follows:
 3 1. Page 3, by striking lines 16 through 44.
 4 2. By renumbering as necessary.

RUNNING of Linn

H-4175

- 1 Amend the amendment, H-4093, to House File 602 as
 2 follows:
 3 1. Page 3, line 27, by striking the word "two"
 4 and inserting the following: "ten".

RUNNING of Linn

H-4176

- 1 Amend the amendment, H-4093, to House File 602 as
 2 follows:
 3 1. Page 4, line 4, by striking the word
 4 "section." and inserting the following: "section.
 5 Sec. _____. EFFECTIVE DATE. If House File 518 is
 6 enacted by the Seventy-fifth General Assembly, 1993
 7 Session, section 54 of House File 518, relating to
 8 indoor air, being deemed of immediate importance,
 9 takes effect upon enactment of this Act."
 10 _____. Title page, line 2, by inserting after the
 11 word "employment" the following: "and providing an
 12 effective date."
 13 2. By renumbering as necessary.

BRAMMER of Linn

H-4178

1 Amend the amendment, H-4093, to House File 602, as
2 follows:

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

5 "Sec. _____. Section 142B.1, subsection 3, Code
6 1993, is amended to read as follows:

7 3. "Public place" means any enclosed indoor area
8 used by the general public or serving as a place of
9 work containing two hundred fifty or more square feet
10 of floor space, including, but not limited to, all
11 restaurants with a seating capacity greater than
12 fifty, all retail stores, lobbies and malls, offices,
13 including waiting rooms, and other commercial
14 establishments; public conveyances with departures,
15 travel, and destination entirely within this state;
16 educational facilities; hospitals, clinics; nursing
17 homes, and other health care and medical facilities;
18 licensed child care centers, as defined in section
19 237A.1; and auditoriums, elevators, theaters,
20 libraries, art museums, concert halls, indoor arenas,
21 and meeting rooms. "Public place" does not include a
22 retail store at which fifty percent or more of the
23 sales result from the sale of tobacco or tobacco
24 products, the portion of a retail store where tobacco
25 or tobacco products are sold, a private, enclosed
26 office occupied exclusively by smokers even though the
27 office may be visited by nonsmokers, a room used
28 primarily as the residence of students or other
29 persons at an educational facility, a sleeping room in
30 a motel or hotel, or each resident's room in a health
31 care facility. The person in custody or control of
32 the facility shall provide a sufficient number of
33 rooms in which smoking is not permitted to accommodate
34 all persons who desire such rooms.

35 Sec. _____. Section 142B.2, subsection 3, unnumbered
36 paragraph 1, Code 1993, is amended to read as follows:

37 Where smoking areas are designated, existing
38 physical barriers and existing ventilation systems
39 shall be used to minimize the toxic effect of smoke in
40 adjacent nonsmoking areas. In the case of public
41 places consisting of a single room, the provisions of
42 this law shall be considered met if one side of the
43 room is reserved and posted as a no-smoking area A
44 designated smoking area shall only be designated if
45 transmission of environmental tobacco smoke to
46 adjacent areas can be completely eliminated. No
47 public place other than a bar shall be designated as a
48 smoking area in its entirety. If a bar has within its
49 premises a nonsmoking area, this designation shall be
50 posted on all entrances normally used by the public.

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- 1 Sec. _____. Section 142B.6, unnumbered paragraph 3,
 2 Code 1993, is amended to read as follows:
 3 The Iowa department of public health shall adopt
 4 rules to enforce this chapter. Enforcement of this
 5 chapter shall be implemented in an equitable manner
 6 throughout the state. For the purpose of equitable
 7 and uniform implementation, application, and
 8 enforcement of state and local laws and regulations,
 9 the provisions of this chapter shall supersede any
 10 local law or regulation which is inconsistent with or
 11 conflicts with the provisions of this chapter."
 12 2. Page 1, line 4, by striking the word
 13 "Section" and inserting the following: "Section".
 14 3. By renumbering as necessary.

BRAMMER of Linn

H-4179

- 1 Amend the amendment, H-4093, to House File 602, as
 2 follows:
 3 1. Page 4, line 4, by striking the word
 4 "section." and inserting the following: "section."
 5 Sec. _____. SUNSET PROVISION. If the Lennox plant
 6 in Marshalltown, Iowa, is closed within five years of
 7 the effective date of this Act, the amendments to
 8 section 730.5 in this Act shall be repealed."
 9 _____. Title page, line 2, by inserting after the
 10 word "employment" the following: "and providing a
 11 sunset provision."
 12 2. By renumbering as necessary.

HAMMOND of Story
 DODERER of Johnson
 NEUHAUSER of Johnson

HARPER of Black Hawk
 JOCHUM of Dubuque
 MERTZ of Kossuth
 NELSON of Pottawattamie

H-4180

- 1 Amend the amendment, H-4093, to House File 602 as
 2 follows:
 3 1. By striking page 1, line 1 through page 4,
 4 line 4, and inserting the following:
 5 "Amend House File 602 as follows:
 6 1. By striking everything after the enacting
 7 clause and inserting the following:
 8 "Section 1. Section 730.5, subsection 2,
 9 unnumbered paragraph 1, Code 1993, is amended to read
 10 as follows:
 11 Except as provided in this subsection or in
 12 subsection 7, an employer shall not require or request
 13 employees or applicants for employment to submit to a

14 drug test as a condition of employment, preemployment,
15 promotion, or change in status of employment. An
16 employer shall not request, require, or conduct random
17 or blanket drug testing of employees. However, this
18 section does not apply to preemployment drug tests
19 authorized for peace officers or correctional officers
20 of the state, or to drug tests required under federal
21 statutes or under federal regulations adopted as of
22 July 1, 1990, or to drug tests conducted pursuant to a
23 nuclear regulatory commission policy statement, or to
24 drug tests conducted to determine if an employee is
25 ineligible to receive workers' compensation under
26 section 85.16, subsection 2.

27 Sec. 2. Section 730.5, subsection 3, paragraph a,
28 Code 1993, is amended to read as follows:

29 a. (1) The employer has probable cause to believe
30 that an employee's faculties are impaired on the job;
31 or

32 (2) The employer is investigating an accident in
33 the workplace in which a person has suffered an injury
34 which requires medical treatment away from the
35 workplace, or which involves damages to property and
36 equipment reasonably estimated to exceed five hundred
37 dollars at the time of the accident, if the employee
38 proposed to be tested either caused or contributed to
39 the accident, or was operating or helping to operate
40 the machinery, equipment, or vehicles involved in the
41 accident, provided that prior to the accident the
42 employer has provided the employee to be tested with
43 written notice of its rules or policies regarding
44 alcohol and controlled substances, and testing when
45 there is a workplace accident or injury.

46 Sec. 3. Section 730.5, subsection 3, paragraph c,
47 Code 1993, is amended to read as follows:

48 c. The test sample withdrawn from the employee is
49 shall be analyzed by a laboratory or testing facility
50 that has been approved under rules adopted by the

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1 department of public health or has been certified or
2 approved under the mandatory guidelines for federal
3 workplace drug testing programs or similar federal
4 rules or regulations. The rules adopted by the
5 department of public health shall require that an
6 approved laboratory or testing facility use methods of
7 testing that ensure the reliability of the results and
8 shall report to the employer only the presence of
9 alcohol or illegal controlled substances in any test
10 sample.

11 Sec. 4. Section 730.5, subsection 7, Code 1993, is
12 amended to read as follows:

13 7. A drug test conducted as a part of a physical
14 examination performed as a part of a preemployment
15 physical or as a part of a regularly scheduled
16 physical is only permissible In addition to drug
17 testing permitted by subsection 3, drug testing of an
18 employee or applicant for employment shall also be
19 permitted under the following circumstances:

20 a. For a preemployment physical application
21 process, the employer shall include notice that a drug
22 test will be part of a preemployment physical
23 application process in any notice or advertisement
24 soliciting applicants for employment or in the
25 application for employment, and an applicant for
26 employment shall be personally informed of the
27 requirement for a drug test at the first interview.

28 b. For a regularly scheduled physical, the
29 employer shall give notice that a drug test will be
30 part of the physical at least thirty days prior to the
31 date the physical is scheduled.

32 c. An employer may request or require, as a
33 condition of employment, an employee to undergo drug
34 testing if that employee has been referred by the
35 employer for substance abuse evaluation or treatment,
36 or is participating in or has participated in a
37 substance abuse treatment program while an employee,
38 in which case the employee may be requested or
39 required to undergo drug testing without prior notice
40 but no more frequently than every thirty days. Such
41 testing may be required during the evaluation or
42 treatment period and for a period of no more than
43 twenty-four months following the completion of
44 substance abuse treatment if the treatment was
45 recommended by the evaluation.

46 Drug testing conducted under this subsection shall
47 conform to the requirements of subsection 3,
48 paragraphs "c", "d", "e", and "f"; however, paragraph
49 "f" shall not apply to drug tests conducted as a part
50 of a preemployment physical application process.

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1 Sec. 5. Section 730.5, subsection 8, Code 1993, is
2 amended to read as follows:

3 8. An employer shall protect the confidentiality
4 of the results of any drug test conducted on an
5 employee. The results of the test may be recorded in
6 the employee's personnel records; however and may be
7 presented by the employer in any contractual,
8 administrative, or judicial proceeding involving the
9 employee. However, if an employee whose test
10 indicated the employee was under the influence of
11 alcohol or a controlled substance or indicated the

12 presence of a controlled substance has undergone
13 substance abuse evaluation and, when treatment is
14 indicated under the substance abuse evaluation,
15 successfully completed treatment for substance abuse,
16 the employee's personnel records shall be expunged of
17 any reference to the test or its results the employer
18 shall not disclose to any person not otherwise
19 employed by or acting as a representative of the
20 employer any reference to the test or its results,
21 except as provided in this section, when the employee
22 leaves employment.

23 Sec. 6. Section 730.5, subsection 9, Code 1993, is
24 amended to read as follows:

25 9. This section may be enforced through a civil
26 action.

27 a. A person who violates this section or who aids
28 in the violation of this section is liable to an
29 aggrieved employee or applicant for employment for
30 affirmative relief including reinstatement or hiring,
31 with or without back pay, or any other equitable
32 relief as the court deems appropriate including
33 attorney fees and court costs. An action under this
34 section shall be commenced within two years of the
35 date of the alleged violation.

36 b. When a person commits, is committing, or
37 proposes to commit, an act in violation of this
38 section, an injunction may be granted through an
39 action in district court to prohibit the person from
40 continuing such acts. The action for injunctive
41 relief may be brought by an aggrieved employee or
42 applicant for employment, the county attorney, or the
43 attorney general.

44 In an action brought under this subsection alleging
45 that an employer has required or requested a drug test
46 in violation of this section, the employer has the
47 burden of proving that the requirements of this
48 section were met. An employer who proves that the
49 requirements were met may recover reasonable attorney
50 fees and court costs from the person bringing the

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1 action.

2 Sec. 7. Section 730.5, Code 1993, is amended by
3 adding the following new subsection:

4 **NEW SUBSECTION. 12.** Employers do not have a legal
5 duty to request or require an employee or job
6 applicant to undergo drug testing as authorized in
7 this section. No cause of action shall arise in favor
8 of any person based upon the failure of an employer to
9 request or require any employee or job applicant to
10 submit to a drug test, or for failure to require drug
11 testing as permitted by this section." "

H-4181

- 1 Amend the amendment, H-4093, to House File 602 as
 2 follows:
 3 1. Page 1, by inserting after line 3 the
 4 following:
 5 "Section 1. Section 2.43, Code 1993, is amended
 6 by adding the following new unnumbered paragraph:
 7 NEW UNNUMBERED PARAGRAPH. The pastor of the day
 8 for the general assembly shall submit to a drug test
 9 conducted pursuant to the requirements of section
 10 730.5, subsection 3, paragraphs "c" and "d", on the
 11 date the pastor is the pastor of the day. Failure to
 12 submit to a drug test as required by this section or a
 13 test indicating the presence of alcohol or a
 14 controlled substance shall result in the pastor of the
 15 day being denied compensation for being pastor of the
 16 day. The results of the drug test shall be a public
 17 record."
 18 2. Page 4, by inserting after line 4 the
 19 following:
 20 "_____. Title page, line 1, by inserting after the
 21 word "certain" the following: "pastors,"".
 22 3. By renumbering as necessary.

FALLON of Polk

H-4182

- 1 Amend House File 602 as follows:
 2 1. Title page, by striking line 3.

ARNOULD of Scott

H-4184

- 1 Amend Senate File 327, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting after line 15 the
 4 following:
 5 "Sec. _____. Section 257.18, subsection 3, Code
 6 1993, is amended to read as follows:
 7 3. Participation in an instructional support
 8 program is not affected by a change in the boundaries
 9 of the school district, except as otherwise provided
 10 in this section. If each school district involved in
 11 a school reorganization under chapter 275 has approved
 12 an instructional support program, and if the voters
 13 have not voted upon the question of participation in
 14 the program in the reorganized district, the
 15 instructional support program shall be in effect for
 16 the reorganized district that has been approved for
 17 the least amount and the shortest time in any of the
 18 districts. This subsection applies to reorganized

- 19 districts whose reorganizations take effect on or
 20 after July 1, 1991."
 21 2. Title page, line 3, by inserting after the
 22 word "program" the following: ", providing for
 23 participation in instructional support programs."
 24 3. By renumbering as necessary.

McNEAL of Hardin

H-4193

- 1 Amend House File 661 as follows:
 2 1. Page 1, line 16, by inserting after the figure
 3 "155A.3" the following: ", or a person licensed to
 4 prescribe drugs".
 5 2. Page 1, by striking lines 17 through 21, and
 6 inserting the following:
 7 "c. "Prescription drug" means a drug dispensed to
 8 an ultimate user pursuant to a prescription drug order
 9 or medication order from a practitioner, or oxygen or
 10 insulin dispensed for human consumption with or
 11 without a prescription drug order or medication
 12 order."

IVERSON of Wright

H-4194

- 1 Amend House Joint Resolution 14 as follows:
 2 1. Page 4, by inserting before line 4 the
 3 following:
 4 "Sec. _____. Section 1 of Article X of the
 5 Constitution of the State of Iowa is repealed
 6 beginning with the general election in the year 1996,
 7 and the following adopted in lieu thereof:
 8 HOW PROPOSED — SUBMISSION. Section 1. Any
 9 amendment or amendments to this Constitution may be
 10 proposed in either House of the General Assembly; and
 11 if the same shall be agreed to by a majority of the
 12 members elected to each of the two Houses, such
 13 proposed amendment shall be entered on their journals,
 14 with the yeas and nays taken thereon, and referred to
 15 the Legislature to be chosen at the next general
 16 election, and shall be published, as provided by law,
 17 for three months previous to the time of making such
 18 choice; and if, in the General Assembly so next chosen
 19 as aforesaid, such proposed amendment or amendments
 20 shall be agreed to, by a majority of all the members
 21 elected to each House, then it shall be the duty of
 22 the General Assembly to submit such proposed amendment
 23 or amendments to the people, in such manner, and at
 24 such time as the General Assembly shall provide; and
 25 if the people shall approve and ratify such amendment
 26 or amendments, by at least sixty percent of the

27 electors qualified to vote for members of the General
28 Assembly, voting thereon, such amendment or amendments
29 shall become a part of the Constitution of this
30 State."

31 2. Page 5, line 10, by striking the word
32 "amendment" and inserting the following:
33 "amendments".

34 3. Page 5, line 11, by striking the word "is" and
35 inserting the following: "are".

36 4. Page 5, line 14, by striking the word "it" and
37 inserting the following: "them".

38 5. Title page, line 4, by inserting after the
39 word "governments" the following: "and relating to
40 ratification of amendments to the Constitution of the
41 State of Iowa".

42 6. By renumbering as necessary.

MURPHY of Dubuque

H-4195

.1 Amend House Joint Resolution 14 as follows:

2 1. Page 1, line 4, by inserting after the figure
3 "XIII" the following: ", effective in the fiscal year
4 following the calendar year of the general election at
5 which an amendment to Article X, section 1, of the
6 Constitution of the State of Iowa is ratified, which
7 amendment would raise to sixty percent the percentage
8 vote required for the electorate to ratify an
9 amendment to the state Constitution".

MURPHY of Dubuque

H-4199

1 Amend the amendment, H-3203, to Senate File 75, as
2 passed by the Senate, as follows:

3 1. Page 8, by inserting after line 46 the
4 following:

5 "_____. Page 10, by inserting after line 33 the
6 following:

7 "Sec. _____. Section 335.25, subsection 3, Code
8 1993, as amended by 1993 Iowa Acts, House File 584,
9 section 2, if enacted, as amended to read as follows:

10 3. Notwithstanding the optional provision in
11 section 335.1 and any other provision of this chapter
12 to the contrary, a county, county board of
13 supervisors, or a county zoning commission shall
14 consider a family home a residential use of property
15 for the purposes of zoning and shall treat a family
16 home as a permitted use in all residential zones or
17 districts, including all single-family residential
18 zones or districts, of the county. A county, county
19 board of supervisors, or a county zoning commission

20 shall not require that a family home, its owner, or
 21 operator obtain a conditional use permit, special use
 22 permit, special exception, or variance. However, new
 23 family homes owned or operated by public or private
 24 agencies shall be disbursed dispersed through the
 25 residential zones and districts and shall not be
 26 located within contiguous areas equivalent in size to
 27 city block areas. Section 135C.23, subsection 2 shall
 28 apply to all residents of a family home."

29 _____. Page 11, by inserting after line 7 the
 30 following:

31 "Sec. _____. Section 414.22, subsection 3, Code
 32 1993, as amended by 1993 Iowa Acts, House File 584,
 33 section 4, if enacted, is amended to read as follows:

34 3. Notwithstanding any provision of this chapter
 35 to the contrary, a city, city council, or city zoning
 36 commission shall consider a family home a residential
 37 use of property for the purposes of zoning and shall
 38 treat a family home as a permitted use in all
 39 residential zones or districts, including all single-
 40 family residential zones or districts, of the city. A
 41 city, city council, or city zoning commission shall
 42 not require that a family home, its owner, or operator
 43 obtain a conditional use permit, special use permit,
 44 special exception, or variance. However, new family
 45 homes owned and operated by public or private agencies
 46 shall be disbursed dispersed throughout the
 47 residential zones and districts and shall not be
 48 located within contiguous city block areas. Section
 49 135C.23, subsection 2 shall apply to all residents of
 50 a family home."

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1 2. By renumbering as necessary.

GRUNDBERG of Polk.

H-4202

1 Amend House File 668 as follows:

2 1. Page 1, line 9, by inserting after the figure
 3 "3." the following: "The application must state the
 4 number or a reasonable estimate of the number of
 5 qualifying gallons of ethanol capable of being
 6 produced by the facility. The office shall verify the
 7 information contained in the application."

8 2. Page 1, by inserting after line 26 the
 9 following:

10 "Sec. _____. Section 159A.8, subsection 3, Code
 11 1993, is amended to read as follows:

12 3. A certified producer may participate in the
 13 program by submitting a claim to the office for

14 approval in a manner and according to procedures
 15 established by the office. The office shall provide a
 16 certified ethanol producer with an incentive payment
 17 of twenty cents for each qualifying gallon of ethanol
 18 produced: according to the following schedule:

19 a. If the facility has an estimated or actual
 20 total production capacity of at least one million but
 21 less than two million qualifying gallons of ethanol,
 22 the producer shall receive an incentive payment of
 23 five cents for each qualifying gallon of ethanol
 24 produced from the facility.

25 b. If the facility has an estimated or actual
 26 total production capacity of at least two million but
 27 less than four million qualifying gallons of ethanol,
 28 the producer shall receive an incentive payment of ten
 29 cents for each qualifying gallon of ethanol produced
 30 from the facility.

31 c. If the facility has an estimated or actual
 32 total production capacity of at least four million but
 33 less than five million qualifying gallons of ethanol,
 34 the producer shall receive an incentive payment of
 35 fifteen cents for each qualifying gallon of ethanol
 36 produced from the facility.

37 d. If the facility has an estimated or actual
 38 total production capacity of at least five million
 39 qualifying gallons of ethanol, the producer shall
 40 receive an incentive payment of twenty cents for each
 41 qualifying gallon of ethanol produced from the
 42 facility.

43 PARAGRAPH DIVIDED. The producer shall be paid
 44 according to the total number of gallons produced by a
 45 new facility or according to the number of gallons
 46 produced by an expanded facility which is attributable
 47 to the expansion. In order to qualify for the
 48 payment, all fermentation, distillation, and
 49 dehydration of the ethanol must occur at the facility.
 50 The ethanol produced at the facility must be at least

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1 ninety-nine percent pure and must be denatured and
 2 subsequently blended with gasoline.
 3 Sec. _____. Section 159A.8, subsection 5, paragraphs
 4 b and c, Code 1993, are amended to read as follows:
 5 b. If moneys remain from the amount reserved to
 6 satisfy all claims made by cooperative associations at
 7 the end of a computation period, the office shall use
 8 the remaining moneys to increase payments made to
 9 persons other than cooperative associations submitting
 10 claims for that computation period, to the extent that
 11 the claims of those persons were not completely
 12 satisfied. If moneys remain from the amount reserved

13 to satisfy all claims made by persons other than
14 cooperative associations at the end of a computation
15 period, the office shall use the remaining moneys to
16 increase payments made to cooperative associations
17 submitting claims for that computation period, to the
18 extent that the claims of those cooperative
19 associations were not completely satisfied.

20 PARAGRAPH DIVIDED. These remaining moneys shall be
21 paid on a prorated basis according to the
22 proportionate amount of ethanol produced during the
23 computation period at the same rate as provided in
24 subsection 3. If moneys remain from the amount
25 reserved to satisfy the claims made by all cooperative
26 associations and other persons, the moneys shall be
27 allocated to ensure equal payments to cooperative
28 associations and persons who are not cooperative
29 associations during the remainder of the subsequent
30 computation periods in the state fiscal year.

31 c. If sufficient moneys are not available to
32 satisfy the claims of all cooperative associations
33 from moneys available for that computation period, the
34 office shall prorate the payments to each cooperative
35 association according to the proportionate amount of
36 ethanol produced by each cooperative association for
37 that computation period at the same rate as provided
38 in subsection 3. If sufficient moneys are not
39 available to satisfy the claims of all persons other
40 than cooperative associations from moneys available
41 for that computation period, the office shall prorate
42 the payments to each of the persons according to the
43 proportionate amount of ethanol produced by each
44 person for that computation period at the same rate as
45 provided in subsection 3. Except as provided in
46 paragraph "b", a claimant who has received a prorated
47 payment does not have a claim for the part of the
48 payment which was not received."

KOENIGS of Mitchell

H-4207

1 Amend House File 673 as follows:

2 1. Page 1, by striking lines 4 and 5 and
3 inserting the following:

4 "2. DEPARTMENT RESPONSIBILITIES. The department
5 has the following powers and duties to protect the
6 rights of taxpayers:

7 a. To prepare a statement which sets".

8 2. Page 2, by striking lines 23 through 30 and
9 inserting the following:

10 "g. To permit a taxpayer to request in writing
11 that a contested case proceeding be commenced by the
12 department after a period of six months from the

13 filing of a proper appeal by the taxpayer. The
 14 department shall file an answer within thirty days of
 15 receipt of such request and a contested case
 16 proceeding shall be commenced unless otherwise
 17 provided by law."

18 3. Page 2, line 31, by striking the words "is
 19 later."

20 4. Page 3, by striking lines 6 through 11.

21 5. Page 5, by striking lines 26 through 28 and
 22 inserting the following:

23 "b. Subsection 2, paragraph "e", is effective
 24 January 1, 1994, for refunds for taxes payable after
 25 that date."

26 6. Page 5, line 31, by striking the word and
 27 figures "December 31, 1993," and inserting the
 28 following: "January 1, 1994,".

29 7. Page 13, line 27, by striking the word and
 30 figures "December 31, 1993," and inserting the
 31 following: "January 1, 1994,".

32 8. Page 13, line 29, by striking the figures "1,
 33 5," and inserting the following: "5".

34 9. Page 13, line 32, by striking the word and
 35 figures "December 31, 1993," and inserting the
 36 following: "January 1, 1994,".

DINKLA of Guthrie
 RENKEN of Grundy
 CHURCHILL of Polk

NEUHAUSER of Johnson
 BERNAU of Story
 HANSON of Delaware

H-4208

1 Amend House File 673 as follows:

2 1. Page 4, by striking lines 2 through 25.

3 2. Page 5, by striking lines 31 and 32.

4 3. By renumbering as necessary.

DICKINSON of Jackson
 HOLVECK of Polk
 SCHRADER of Marion
 CHURCHILL of Polk

DINKLA of Guthrie
 NEUHAUSER of Johnson
 CARPENTER of Polk
 HANSON of Delaware

H-4209

1 Amend House File 668 as follows:

2 1. By striking everything after the enacting
 3 clause and inserting the following:

4 "Section 1. 1992 Iowa Acts, chapter 1099, section
 5 11, subsection 6, is amended to read as follows:

6 6. This section takes effect July 1, 1998 1996."

7 2. Title page, by striking lines 1 and 2, and
 8 inserting the following: "An Act relating to the
 9 ethanol production incentive program by providing for
 10 the elimination of the program and the repeal of
 11 certain provisions."

12 3. By renumbering as necessary.

LUNDBY of Linn.

H-4210

1 Amend House File 668 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. 1992 Iowa Acts, chapter 1099, section
5 11, subsection 5, is amended by striking the
6 subsection.

7 Sec. _____. 1992 Iowa Acts, chapter 1099, section
8 11, subsection 6, is amended to read as follows:

9 6. This section takes effect July 1, ~~1998~~ 1993."

10 2. Title page, by striking lines 1 and 2 and
11 inserting the following: "An Act providing for the
12 elimination of a program relating to the production of
13 ethanol, and providing for the repeal of certain
14 provisions."

15 3. By renumbering as necessary.

LUNDBY of Linn

H-4211

1 Amend House File 668 as follows:

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

4 "Section 1. Section 159A.7, subsection 3, as
5 enacted in 1992 Iowa Acts, chapter 1099, section 4, is
6 amended by striking the subsection and inserting in
7 lieu thereof the following:

8 3. There is appropriated from the general fund of
9 the state to the ethanol production incentive account
10 for each fiscal year beginning on or after July 1,
11 1993, four million dollars for purposes of supporting
12 the increased production of ethanol derived from an
13 organic compound, including a photosynthate, as
14 provided in section 159A.8.

15 Sec. _____. Section 159A.7, subsection 5, Code
16 Supplement 1991, as amended by 1992 Iowa Acts, chapter
17 1099, section 4, amended to be subsection 6, is
18 amended by striking the subsection and inserting in
19 lieu thereof the following:

20 6. Section 8.33 does not apply to moneys in the
21 renewable fuel activities account. Income received by
22 the investment of moneys in the account shall remain
23 in the account."

24 2. Page 1, by inserting after line 26 the
25 following:

26 "Sec. _____. Section 423.24, subsection 1, paragraph
27 b, as enacted in 1992 Iowa Acts, chapter 1099, section
28 6, is amended by striking the paragraph.

29 Sec. _____. 1992 Iowa Acts, chapter 1099, section
30 10, is amended to read as follows:

31 Sec. 10. DATE OF APPLICABILITY. Section 159A.7 as

32 amended by this Act, section 159A.8, and sections
 33 section 159A.5, subsection 5, paragraph "e" and
 34 ~~423.24, subsection 1, paragraph "b",~~ as created in
 35 this Act, shall be applicable on and after July 1,
 36 1993. However, the office of renewable fuel and the
 37 department of revenue and finance shall adopt rules
 38 necessary to implement those sections prior to July 1,
 39 1993. The office shall accept applications and test
 40 claims relating to computation periods beginning on
 41 July 1, 1993, for purposes of certifying production
 42 facilities pursuant to section 159A.8 before January
 43 1, 1994.

44 Sec. _____. 1992 Iowa Acts, chapter 1099, section
 45 11, subsection 4, is amended by striking the
 46 subsection.

47 Sec. _____. 1992 Iowa Acts, chapter 1099, section
 48 11, subsection 5, is amended to read as follows:

49 5. Moneys deposited in the ethanol production
 50 incentive account of the renewable fuel fund during

Page 2

1 the state fiscal year beginning July 1, 1997, and
 2 ending June 30, 1998, shall be used to satisfy last
 3 computation period claims after June 30, 1998, as
 4 provided in this Act. Moneys which remain unobligated
 5 and unencumbered on July 31, 1998, shall be credited
 6 to the road use tax revert to the general fund of the
 7 state as provided in this Act section 8.33."

8 3. Title page, line 2, by inserting after the
 9 word "ethanol" the following: "and providing an
 10 appropriation".

11 4. By renumbering as necessary.

LUNDBY of Linn

H-4216

1 Amend House File 674 as follows:

2 1. Page 4, line 10, by striking the words "or
 3 accountability".

HANSEN of Woodbury

H-4217

1 Amend House File 674 as follows:

2 1. Page 5, line 31, by striking the word "sole".

HANSEN of Woodbury

H-4218

1 Amend House File 674 as follows:

2 1. Page 6, line 27, by striking the words

- 3 "interest, financially or otherwise," and inserting
- 4 the following: "financial interest".

HANSEN of Woodbury

H-4219

- 1 Amend House File 674 as follows:
- 2 1. Page 8, line 21, by striking the words
- 3 "constitutional majority" and inserting the following:
- 4 "vote of at least sixty percent of the members".

HANSEN of Woodbury

H-4220

- 1 Amend House File 674 as follows:
- 2 1. Page 10, line 10, by inserting after the word
- 3 "network" the following: ", including any alternate
- 4 route".
- 5 2. Page 10, line 14, by inserting after the word
- 6 "presence" the following: ", including any alternate
- 7 route".

HANSEN of Woodbury

H-4221

- 1 Amend House File 674 as follows:
- 2 1. Page 12, by striking lines 8 through 12 and
- 3 inserting the following: "system have been
- 4 completed."

HANSEN of Woodbury

H-4223

- 1 Amend House File 674 as follows:
- 2 1. Page 7, line 29, by inserting after the word
- 3 "REPORT" the following: "AND STRATEGIC BUSINESS
- 4 PLAN".
- 5 2. Page 8, line 11, by inserting after the word
- 6 "information," the following: "a strategic business
- 7 plan for the network,".

HANSEN of Woodbury

H-4224

- 1 Amend House File 674 as follows:
- 2 1. Page 21, line 5, by striking the word "area,"
- 3 and inserting the following: "area".
- 4 2. Page 21, line 6, by striking the words
- 5 "without the necessity of any further election,".
- 6 3. By striking page 23, line 20, through page 24,
- 7 line 9.

HANSEN of Woodbury

H-4225

- 1 Amend House File 674 as follows:
- 2 1. Page 26, by striking lines 2 through 20.
- 3 2. By renumbering as necessary.

HANSEN of Woodbury

H-4242

- 1 Amend House File 267, as passed by the House, as
- 2 follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. NEW SECTION. 483A.1B RESIDENCY
- 6 STATUS FOR HUNTING, TRAPPING, AND FISHING LICENSES.
- 7 For the purpose of purchasing a hunting, fishing,
- 8 trapping, or hunting and fishing combined license
- 9 pursuant to this chapter, a person is a resident if
- 10 the person resides in this state for thirty
- 11 consecutive days or more immediately before
- 12 application and does not claim residency in another
- 13 state. A resident includes a person who is a full-
- 14 time student at an educational institution located in
- 15 this state, who resides in this state while attending
- 16 the educational institution, and who does not claim
- 17 residency in another state. A resident includes a
- 18 nonresident person under eighteen years of age whose
- 19 parent is a resident of this state."

Senate Amendment

H-4248

- 1 Amend House File 674 as follows:
- 2 1. Page 1, by striking lines 18 through 30 and
- 3 inserting the following: "ending June 30, 1994,
- 4 through June 30, 1997."
- 5 2. By striking page 15, line 30 through page 18,
- 6 line 14.
- 7 3. Page 20, by striking lines 12 through 21 and
- 8 inserting the following: "this section. Moneys
- 9 deposited in the account may be".
- 10 4. By striking page 20, line 27 through page 21,
- 11 line 1.
- 12 5. Page 22, by striking lines 24 through 30.
- 13 6. By renumbering as necessary.

HANSEN of Woodbury

H-4249

- 1 Amend House File 674 as follows:
- 2 1. By striking page 10, line 34, through page 12,
- 3 line 12, and inserting the following: "procurement

4 and maintenance costs for Part III of the system for a
5 local school board shall be provided eighty percent
6 from by the state and twenty percent from the local
7 school boards of the areas which receive transmissions
8 from the system. The local school boards may meet all
9 or part of the match requirements of Part III of the
10 system through a cooperative arrangement with
11 community colleges. The basis for the state match is
12 eighty percent of a single interactive audio and one-
13 way video for Part III of the system, and such data
14 and voice capacity as is necessary. The local school
15 boards and community colleges may meet the match
16 requirements for Part II and Part III of the system
17 from funds they have already spent for their systems,
18 from funds available in the school budget, or from
19 funds received from other nonstate sources. In the
20 case of existing systems, in order to upgrade
21 facilities to the specifications of the state
22 communications network, the local school boards and
23 community colleges, in lieu of a cash match, may meet
24 the match requirements from funds they have already
25 spent for their systems provided that the state match
26 does not exceed the lesser of eighty percent of the
27 total cost of the upgraded system or eighty percent of
28 the replacement cost of the system. The
29 communications equipment funds used as a match by a
30 community college shall be calculated based on
31 verified expenditures for capital, equipment,
32 hardware, and software for long-distance learning
33 technologies, including both audio and visual
34 transmission. The communications equipment used as a
35 match shall not subsequently be used as a match by
36 another educational entity or for another part of the
37 system. A local school board may request the school
38 budget review committee to adjust the allowable growth
39 for the school district so that the resulting increase
40 in budget could be used for the match. Financing
41 provided by the state shall be for the installation of
42 a connection and the procurement of communications
43 equipment capable of two-way interactive audio and
44 video communications. A local school board may also
45 elect not to become part of the system. Such election
46 shall be made on an annual basis. State matching
47 funds shall not be provided for Part III of the system
48 until Part I and Part II of the system have been
49 completed, except as determined by the Iowa
50 communications network board following completion of

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1 the telecommunications needs assessment."

H-4250

- 1 Amend House File 674 as follows:
- 2 1. Page 16, by striking lines 29 through 32 and
- 3 inserting the following:
- 4 "b. For annual payments to each merged area
- 5 organized under".
- 6 2. By striking page 19, line 3 through page 21,
- 7 line 1.
- 8 3. By renumbering as necessary.

HANSEN of Woodbury

H-4251

- 1 Amend House File 674 as follows:
- 2 1. Page 23, by striking lines 3 through 19.

HANSEN of Woodbury

H-4252

- 1 Amend House File 674 as follows:
- 2 1. Page 23, line 6, by inserting after the word
- 3 "area." the following: "The standby tax is subject to
- 4 voter approval in the same manner as provided in
- 5 subsection 1, paragraph "a"."

SCHRADER of Marion

H-4256

- 1 Amend House File 674 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. INTERIM STUDY COMMITTEE. The
- 5 legislative council is requested to establish an
- 6 interim study committee to review the operation and
- 7 implementation of Parts I and II of the state
- 8 communications network, the proposed implementation of
- 9 Part III of the network, and any related issues. The
- 10 study committee shall review the needs of entities
- 11 authorized to use the network, as well as potential
- 12 users. The study committee shall develop specific
- 13 recommendations regarding the designation of
- 14 authorized users of the network and appropriate
- 15 funding sources for the network. The study committee
- 16 shall review and make recommendations concerning the
- 17 existing structure for operation, maintenance, and
- 18 control of the network, and changes to such
- 19 structure."
- 20 2. Title page, by striking lines 2 through 11 and
- 21 inserting the following: "requesting the
- 22 establishment of an interim study committee."

MURPHY of Dubuque

H-4259

1 Amend House File 674 as follows:

2 1. Page 9, line 23, by inserting after the figure
3 "3," the following: "4,"

4 2. Page 12, by inserting after line 12 the
5 following:

6 "4. The department of general services shall
7 develop the requests for proposals that are needed for
8 a state communications network with sufficient
9 capacity to serve the video, data, and voice
10 requirements of state agencies and the educational
11 telecommunications applications required by the Iowa
12 public broadcasting board. The department shall
13 develop a request for proposals for each of the
14 systems that will make up the network. The department
15 may develop a request for proposals for each
16 definitive component of Part I, Part II, and Part III
17 of the system or the department may provide in the
18 request for proposals for each such system that
19 separate contracts may be entered into for each
20 definitive component covered by the request for
21 proposals. The requests for proposals may be for the
22 purchase, lease-purchase, or lease of the component
23 parts of the system, may require maintenance costs to
24 be identified, and the resulting contract may provide
25 for maintenance for parts of the system. The
26 department shall use the services and facilities of
27 the certified local exchange telephone companies for
28 Part III of the system. The board is authorized to
29 determine if the proposed price for a service or
30 facility of Part III of the system is just and
31 reasonable, under the terms of this section, if a
32 dispute arises between the department and the
33 certified local exchange telephone company providing
34 the services or facilities. If the local exchange
35 telephone company elects not to provide services or
36 facilities for Part III of the system the department
37 shall issue a request for proposals for provisions of
38 the services or facilities as provided by this
39 section. The master contract may provide for
40 electronic classrooms, satellite equipment, receiving
41 equipment, studio and production equipment, and other
42 associated equipment as required."

GILL of Woodbury

H-4260

1 Amend House File 674 as follows:

2 1. Page 15, line 1, by striking the word "data,"

3 2. Page 15, line 5, by striking the word "data,"

McNEAL of Hardin

H-4261

- 1 Amend House File 674 as follows:
- 2 1. Page 16, by striking lines 29 through 32 and
- 3 inserting the following:
- 4 "b. For annual payments to each merged area
- 5 organized under".
- 6 2. Page 17, by striking line 21 and inserting the
- 7 following: "paragraph "b", and the minimum amounts
- 8 for deposit in".
- 9 3. Page 17, by striking lines 31 and 32 and
- 10 inserting the following: "sufficient to pay the
- 11 amount designated in subsection 1, paragraph "b", and
- 12 the minimum amounts for deposit in".
- 13 4. Page 18, by striking line 4 and inserting the
- 14 following: "to in subsection 1, paragraph "b", for
- 15 that year and".
- 16 5. Page 20, by striking lines 12 through 20 and
- 17 inserting the following: "this section."
- 18 6. By striking page 20, line 27, through page 21,
- 19 line 1.

McNEAL of Hardin
GRUBBS of Scott

H-4262

- 1 Amend House File 674 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. There is appropriated from the general
- 5 fund of the state to the department of education for
- 6 payments to each merged area organized under chapter
- 7 260C for the fiscal year beginning July 1, 1993, and
- 8 ending June 30, 1994, the sum of \$2,989,800 to be used
- 9 for equipment and other capital expenditures,
- 10 maintenance, and operations for participation in the
- 11 state communications network, and with payments to be
- 12 made as follows:
- | | | | |
|----|------------------------|----|-----------|
| 13 | Merged Area I | \$ | 241,600 |
| 14 | Merged Area II | \$ | 211,400 |
| 15 | Merged Area III | \$ | 151,000 |
| 16 | Merged Area IV | \$ | 120,800 |
| 17 | Merged Area V | \$ | 271,800 |
| 18 | Merged Area VI | \$ | 120,800 |
| 19 | Merged Area VII | \$ | 151,000 |
| 20 | Merged Area IX | \$ | 120,800 |
| 21 | Merged Area X | \$ | 211,400 |
| 22 | Merged Area XI | \$ | 332,200 |
| 23 | Merged Area XII | \$ | 181,200 |
| 24 | Merged Area XIII | \$ | 211,400 |
| 25 | Merged Area XIV | \$ | 241,600 |
| 26 | Merged Area XV | \$ | 302,000 |
| 27 | Merged Area XVI | \$ | 120,800". |

- 28 2. Title page, by striking lines 2 through 11 and
29 inserting the following: "providing an appropriation
30 to the merged areas for equipment and other capital
31 expenditures, maintenance, and operations for
32 participation in the state communications network."
33 3. By renumbering as necessary.

MURPHY of Dubuque

H-4263

1 Amend House File 674 as follows:

- 2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. NEW SECTION. 256.38 APPRENTICESHIP
5 AND SCHOOL-TO-WORK TRANSITION GRANT PROGRAM.

6 1. The department of education, in consultation
7 with the department of economic development and the
8 department of employment services, shall establish an
9 apprenticeship and school-to-work transition grant
10 program to support training for apprenticeship
11 projects registered with the federal bureau of
12 apprenticeship and training of the United States
13 department of labor and for local school-to-work
14 transition projects. Grant awards for federally
15 approved apprenticeship programs may be made to
16 community colleges, school districts, or groups of
17 school districts. Grant awards for school-to-work
18 transition projects may be made to community colleges,
19 labor organizations, businesses, school districts, or
20 other appropriate organizations or consortia of such
21 organizations, including workforce development
22 centers. The department shall establish procedures
23 and guidelines to review grant applications and to
24 make award grants. Apprenticeship training grants may
25 be used to support existing apprenticeship programs or
26 to expand apprenticeship training opportunities.
27 School-to-work transition grants shall be made for
28 comprehensive programs that include academic
29 instruction, work-based learning, career and
30 occupational counseling, and other appropriate
31 services. School-to-work transition programs may
32 include a workstart project developed in accordance
33 with section 258.17.

34 The department shall establish a joint
35 apprenticeship and training review committee to review
36 and make recommendations to the department concerning
37 grants awarded for federally approved apprenticeship
38 programs. Members of the committee shall include the
39 following:

- 40 a. One member appointed by the Iowa federation of
41 labor.
42 b. One member representing the federal bureau of

- 43 apprenticeship and training.
- 44 c. One member representing the association of
- 45 builders and contractors of Iowa.
- 46 d. One member representing the Iowa state building
- 47 and construction trades council.
- 48 e. One member representing the Iowa association of
- 49 community college presidents.
- 50 2. An apprenticeship and school-to-work transition

Page 2

1 account is established in the state treasury under the
 2 control and administration of the department of
 3 education. Moneys in the account are appropriated and
 4 may be used for the purposes of this section. Of the
 5 moneys appropriated from the general fund to and
 6 deposited in the account, three-fourths of the moneys
 7 shall be reserved for federally approved
 8 apprenticeship programs and one-fourth of the moneys
 9 may be awarded to school-to-work transition programs
 10 or federally approved apprenticeship programs. Moneys
 11 appropriated to and deposited in the account which are
 12 not awarded by the department may be reallocated to
 13 programs which have received an award. Moneys
 14 deposited in the account from other sources may be
 15 awarded to school-to-work transition programs or
 16 federally approved apprenticeship programs.
 17 Notwithstanding section 8.33, any unexpended balance
 18 in the account at the end of a fiscal year shall not
 19 revert, but shall remain in the account to be used for
 20 the purposes of this section.

21 3. Notwithstanding other provisions of this
 22 section, for the school years beginning July 1, 1993,
 23 and July 1, 1994, moneys deposited into the
 24 apprenticeship and school-to-work transition account
 25 shall be reserved for existing apprenticeship programs
 26 offered by community colleges. Such moneys shall be
 27 distributed to the community colleges based on the
 28 number of students participating in apprenticeship
 29 programs during the school year beginning July 1,
 30 1992.

31 **Sec. 2. NEW SECTION. 256.38A APPRENTICESHIP AND**
 32 **SCHOOL-TO-WORK TRANSITION GRANT PROGRAM APPROPRIATION.**

33 Beginning July 1, 1993, and continuing through the
 34 fiscal year beginning July 1, 2002, there is
 35 appropriated annually from the general fund of the
 36 state to the department of education for deposit in
 37 the apprenticeship and school-to-work transition
 38 account the sum of one million dollars to be used for
 39 awarding grants pursuant to section 256.38.

40 Sec. 3. Section 256.38A is repealed effective June
 41 30, 2003."

- 42 2. Title page, by striking lines 1 through 11 and
43 inserting the following: "An Act relating to the
44 establishment of an apprenticeship and school-to-work
45 transition grant program and providing an
46 appropriation."
47 3. By renumbering as necessary.

MURPHY of Dubuque

H-4264

- 1 Amend House File 674 as follows:
2 1. By striking page 1, line 1 through page 5,
3 line 10.
4 2. Page 5, by striking lines 15 through 27.
5 3. Page 12, by striking lines 8 through 12 and
6 inserting the following: "system have been
7 completed."
8 4. Page 15, by inserting after line 23 the
9 following:
10 "Sec. _____. NEW SECTION. 18.136B SUSPENSION OF
11 CONSTRUCTION AND IMPLEMENTATION OF PART III OF THE
12 SYSTEM.
13 Notwithstanding any other provision of this
14 division V, all bidding, construction, and network
15 planning activities associated with Part III of the
16 system shall cease and be suspended until such time as
17 this section is repealed. Prior to such repeal, it is
18 the intent of the general assembly that the annual
19 report to be submitted no later than December 31,
20 1993, pursuant to section 18.133B, be received and
21 reviewed, as well as any other available information
22 as requested by the general assembly."
23 5. By striking page 15, line 30 through page 18,
24 line 14.
25 6. By striking page 19, line 3 through page 25,
26 line 12.
27 7. By renumbering as necessary.

MILLAGE of Scott

H-4265

- 1 Amend House File 672 as follows:
2 1. Page 2, by striking lines 4 through 29.
3 2. Page 5, by striking lines 8 through 16.
4 3. By striking page 8, line 32 through page 9,
5 line 5.
6 4. By renumbering as necessary.

WEIGEL of Chickasaw
KOENIGS of Mitchell
LARSON of Linn

H-4266

- 1 Amend amendment H-4263, to House File 674 as
 2 follows:
 3 1. Page 1, line 5, by striking the word
 4 "TRANSITION" and inserting the word "TRANSITION".

MURPHY of Dubuque

H-4267

- 1 Amend House File 674 as follows:
 2 1. Page 9, line 12, by inserting after the word
 3 "network," the following: "Rules adopted by the board
 4 shall also not abridge or modify agreements between an
 5 educator and an educational institution related to any
 6 copyright, patent, invention, software, instruction,
 7 instructional programming, or other intellectual
 8 property interest."
 9 2. Page 18, line 30, by inserting after the word
 10 "needs," the following: "The rules shall not abridge
 11 or modify agreements between an educator and an
 12 educational institution related to any copyright,
 13 patent, invention, software, instruction,
 14 instructional programming, or other intellectual
 15 property interest."

WISE of Lee
 COHOON of Des Moines
 LARKIN of Lee

NELSON of Pottawattamie
 O'BRIEN of Boone
 DVORSKY of Johnson
 HARPER of Black Hawk

H-4268

- 1 Amend House File 674 as follows:
 2 1. Page 9, line 23, by inserting after the figure
 3 "3," the following: "4,".
 4 2. Page 12, by inserting after line 12, the
 5 following:
 6 "4. The department of general services shall
 7 develop the requests for proposals that are needed for
 8 a state communications network with sufficient
 9 capacity to serve the video, data, and voice
 10 requirements of state agencies and the educational
 11 telecommunications applications required by the Iowa
 12 public broadcasting board. The department shall
 13 develop a request for proposals for each of the
 14 systems that will make up the network. The department
 15 may develop a request for proposals for each
 16 definitive component of Part I, Part II, and Part III
 17 of the system as provided in this section, or the
 18 department may provide in the request for proposals
 19 for each such system that separate contracts may be
 20 entered into for each definitive component covered by

21 the request for proposals. The requests for proposals
22 for components of Parts I and II of the system may be
23 for the purchase, lease-purchase, or lease of the
24 component parts of the system, may require maintenance
25 costs to be identified, and the resulting contract may
26 provide for maintenance for parts of the system. The
27 master contract may provide for electronic classrooms,
28 satellite equipment, receiving equipment, studio and
29 production equipment, and other associated equipment
30 as required.

31 The state shall lease all component parts for Part
32 III of the system from qualified providers. A
33 component of Part III shall not be owned by the state.
34 The board shall develop a statewide plan for leasing
35 of the components of Part III. The board must approve
36 a Part III statewide leasing plan before Part III of
37 the system may proceed. However, a local school board
38 is not required to be included in the statewide Part
39 III leasing plan if the local school board elects to
40 provide one hundred percent of the financing for the
41 lease costs related to Part III.

42 A certified local exchange telephone company with
43 fewer than fifteen thousand access lines shall have
44 the right to provide through a lease with a local
45 school board or a public library located within its
46 service territory any required individual facility
47 from a point of presence to an end point to be used
48 for providing any component of Part III. The lease
49 rate for a school district or a public library for
50 each component of Part III of the system is limited to

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1 a fixed periodic fee to cover a ten-year amortization
2 of the capital cost of new facilities, including the
3 placement and construction of such facilities, to
4 serve the school district or public library and the
5 actual ongoing costs of providing service, including
6 but not limited to costs for maintenance, repairs,
7 taxes, and other costs directly related to leasing a
8 component of Part III of the system to the school
9 district or public library. Such amortization shall
10 be based upon the actual cost of the financing for
11 such facilities. The certified local exchange
12 telephone company shall not assess a school district
13 or public library any toll charge for communications
14 transmitted entirely on the state communications
15 network.

16 A certified local exchange telephone company with
17 fewer than fifteen thousand access lines shall have
18 the right to provide through a lease with a public or
19 private agency which is an authorized user located

20 within its service territory, other than a local
21 school board or public library any required individual
22 facility from a point of presence to an end point to
23 be used for providing any component of Part III. The
24 lease rate for such authorized user for each component
25 of Part III of the system is limited to a fixed
26 periodic fee to cover a ten-year amortization of the
27 capital cost of new facilities to serve such
28 authorized user; and the actual ongoing costs of
29 providing service, including but not limited to costs
30 for maintenance, repairs, taxes, and other costs
31 directly related to leasing a component of Part III of
32 the system to such authorized user; and may include a
33 reasonable return on the unamortized balance of the
34 capital costs.

35 If a certified local exchange telephone company
36 with fewer than fifteen thousand access lines elects
37 not to provide required facilities pursuant to a lease
38 with an authorized user located within its service
39 territory as provided by this subsection, the Iowa
40 communications network board shall develop a request
41 for proposals for lease of the required facilities.
42 Proposals may be submitted by any qualified person
43 including other certified local exchange telephone
44 companies. However, a proposal shall not be submitted
45 by the certified local exchange telephone company
46 electing not to provide such facilities pursuant to
47 this subsection.

48 For all private agencies and public agencies
49 located in an area served by a certified local
50 exchange telephone company with an approved service

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1 area which includes fifteen thousand or more access
2 lines, proposals for providing the components of Part
3 III of the system may be submitted by any qualified
4 person. Notwithstanding the terms of any lease
5 agreement entered into between a qualified person and
6 a school district or public library located in an area
7 served by a certified local exchange telephone company
8 with fifteen thousand or more access lines, the school
9 district or public library shall not be assessed any
10 toll charge for communications transmitted entirely on
11 the state communications network.

12 The utilities board shall assist the Iowa
13 communications network board in reviewing the periodic
14 lease rate set by a certified local exchange telephone
15 company with fewer than fifteen thousand access lines
16 to ensure compliance with the limitations required in
17 this subsection and in reviewing proposals submitted
18 in accordance with this subsection."

19 3. By renumbering as necessary.

H-4269

- 1 Amend House File 674 as follows:
- 2 1. Page 11, line 7, by inserting after the word
- 3 "it." the following: "A local school board that
- 4 elects to provide one hundred percent of the financing
- 5 for the procurement and maintenance costs for Part III
- 6 of the system shall be limited to paying such costs
- 7 from funds collected pursuant to the physical plant
- 8 and equipment levy authorized in section 298.2."

WISE of Lee
 SHOULTZ of Black Hawk
 COHOON of Des Moines
 LARKIN of Lee

DVORSKY of Johnson
 NELSON of Pottawattamie
 O'BRIEN of Boone
 HARPER of Black Hawk

H-4270

- 1 Amend House File 674 as follows:
- 2 1. Page 23, by striking lines 3 through 19.

MURPHY of Dubuque

H-4273

- 1 Amend House File 674 as follows:
- 2 1. Page 4, by striking lines 8 through 11.
- 3 2. By renumbering as necessary.

McKINNEY of Dallas

H-4274

- 1 Amend House File 674 as follows:
- 2 1. Page 6, line 19, by inserting after the word
- 3 "confirmation" the following: "and four nonvoting
- 4 legislative members. The legislative members shall
- 5 consist of two members of the senate, one of whom
- 6 shall be appointed by the majority leader of the
- 7 senate, and one of whom shall be appointed by the
- 8 minority leader of the senate, and two members of the
- 9 house of representatives, one of whom shall be
- 10 appointed by the speaker of the house, and one of whom
- 11 shall be appointed by the minority leader of the
- 12 house".

McKINNEY of Dallas

H-4275

- 1 Amend the amendment, H-3910, to Senate File 311, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. By striking page 1, line 3, through page 4,
- 5 line 39, and inserting the following:
- 6 "_____. By striking everything after the enacting
- 7 clause and inserting the following:

8 "Section 1. Section 724.7, Code 1993, is amended
9 to read as follows:

10 724.7 NONPROFESSIONAL PERMIT TO CARRY WEAPONS.

11 Any person other than a person covered by section
12 724.6 who can reasonably justify going armed may go
13 armed shall first be issued a nonprofessional permit
14 to carry weapons. Such permits shall be on a form
15 prescribed and published by the commissioner of public
16 safety, which shall be readily distinguishable from
17 the professional permit, and shall identify the holder
18 thereof, and state the reason for the issuance of the
19 permit, and the limits of the authority granted by
20 such permit. All permits so issued shall be for a
21 definite period as established by the issuing officer,
22 but in no event shall exceed a period of twelve months
23 five years.

24 Sec. 2. Section 724.9, Code 1993, is amended to
25 read as follows:

26 724.9 FIREARM TRAINING PROGRAM.

27 A training program to qualify persons in the safe
28 use of firearms shall be provided by the issuing
29 officer of permits, as provided in section 724.11.
30 The commissioner of public safety shall approve the
31 training program, and the county sheriff or the
32 commissioner of public safety conducting the training
33 program within their respective jurisdictions may
34 contract with a private organization or use the
35 services of other agencies, or may use a combination
36 of the two, to provide such training. Any A person
37 eligible to be issued a permit to carry weapons may
38 enroll in such course and all persons applying for a
39 nonprofessional permit to carry shall enroll in the
40 course. A fee sufficient to cover the cost of the
41 program may be charged each person attending.
42 Certificates of completion, on a form prescribed and
43 published by the commissioner of public safety, shall
44 be issued to each person who successfully completes
45 the program. No person shall be issued either a
46 professional or nonprofessional permit unless the
47 person has received a certificate of completion or is
48 a certified peace officer. The course shall at a
49 minimum consist of a firing exercise by the persons
50 enrolled in the course. No peace officer or

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1 correctional officer, except a certified peace
2 officer, shall go armed with a pistol or revolver
3 unless the officer has received a certificate of
4 completion, provided that this requirement shall not
5 apply to persons who are employed in this state as
6 peace officers on January 1, 1978 until July 1, 1978,

7 or to peace officers of other jurisdictions exercising
8 their legal duties within this state.
9 Sec. 3. Section 724.11, Code 1993, is amended to
10 read as follows:

11 **724.11 ISSUANCE OF PERMIT TO CARRY WEAPONS.**

12 Applications for permits to carry weapons shall be
13 made to the sheriff of the county in which the
14 applicant resides. Applications from persons who are
15 nonresidents of the state, or whose need to go armed
16 arises out of employment by the state, shall be made
17 to the commissioner of public safety. In either case,
18 the issuance of the permit shall be by and at the
19 discretion of the ~~The~~ sheriff or commissioner, who
20 shall, before issuing issue the permit, determine that
21 if the requirements of sections 724.6 to 724.10 have
22 been satisfied. However, the training program
23 requirements in section 724.9 may be waived for
24 renewal permits. The issuing officer shall collect a
25 fee of ten twenty-five dollars, except from a duly
26 appointed peace officer or correctional officer, for
27 each permit issued. Renewal permits or duplicate
28 permits shall be issued for a fee of five dollars.
29 The issuing officer shall notify the commissioner of
30 public safety of the issuance of any permit at least
31 monthly and forward to the director an amount equal to
32 two dollars for each permit issued and one dollar for
33 each renewal or duplicate permit issued. All such
34 fees received by the commissioner shall be paid to the
35 treasurer of state and deposited in the operating
36 account of the department of public safety to offset
37 the cost of administering this chapter. Any unspent
38 balance as of June 30 of each year shall revert to the
39 general fund as provided by section 8.33." "

40 2. Page 4, by inserting before line 40 the
41 following:

42 " _____ Title page, by striking line 1 and
43 inserting the following: "An Act relating to the
44 issuance of nonprofessional permits to carry
45 weapons." "

46 3. By renumbering as necessary.

BODDICKER of Cedar

H-4276

1 Amend House File 676 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 427B.19 REPEAL OF TAX -
5 - PHASE-IN.

6 Beginning July 1, 1993, property described in
7 sections 427B.10 and 427B.17, and acquired or
8 initially leased on or after July 1, 1993, shall not

9 be subject to property taxation. Property described
10 in sections 427B.10 and 427B.17, and acquired or
11 initially leased before July 1, 1993, shall continue
12 to be subject to property taxation."

13 2. Title page, by striking lines 1 through 3 and
14 inserting the following: "An Act relating to the
15 removal of the property tax on certain machinery and
16 equipment."

DICKINSON of Jackson
GILL of Woodbury
WEIGEL of Chickasaw
FOGARTY of Palo Alto

H-4277

1 Amend the amendment, H-3842, to Senate File 308, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 3 through 21 and
5 inserting the following:

6 "_____. Page 1, by striking lines 1 through 18 and
7 inserting the following:

8 "Section 1. Section 716.8, subsection 1, Code
9 1993, is amended to read as follows:

10 1. Any person who knowingly trespasses upon the
11 property of another commits a simple misdemeanor,
12 unless the trespass is trespass as defined in section
13 716.7, subsection 2, paragraph "b", in which case the
14 person commits a serious misdemeanor."

15 _____, Page 1, by inserting before line 19 the
16 following:

17 "Sec. _____. Section 716.8, subsection 2, Code 1993,
18 is amended to read as follows:

19 2. Any person committing a trespass as defined in
20 section 716.7 which results in injury to any person or
21 damage in an amount more than one hundred dollars to
22 anything, animate or inanimate, located thereon or
23 therein commits a serious misdemeanor, unless the
24 trespass is trespass as defined in section 716.7,
25 subsection 2, paragraph "b", in which case the person
26 commits an aggravated misdemeanor."

27 _____, Page 1, by striking lines 23 through 28 and
28 inserting the following: "the time of sentencing,

29 enter a restraining order prohibiting the defendant
30 from having contact with the victim, as defined in
31 section 910A.1, if the court determines that a
32 reasonable probability exists that the defendant will
33 attempt to harass or intimidate the victim, or that
34 the defendant may commit another public offense

- 35 against the victim and a restraining order is
 36 necessary to protect the victim.” ”
 37 2. By renumbering as necessary.

CARPENTER of Polk
 NEUHAUSER of Johnson

H-4278

- 1 Amend House File 674 as follows:
 2 1. Page 5, by striking lines 15 through 27.
 3 2. Page 13, line 30, by striking the word
 4 “hospitals.”
 5 3. Page 13, line 31, by striking the words “and
 6 federal”.
 7 4. By striking page 14, line 32 through page 15,
 8 line 17.
 9 5. Title page, lines 4 and 5, by striking the
 10 words “expanding the definitions of private and public
 11 agencies.”
 12 6. By renumbering as necessary.

MURPHY of Dubuque

H-4281

- 1 Amend House File 674 as follows:
 2 1. By striking page 13, line 21 through page 14,
 3 line 9.

MURPHY of Dubuque

H-4282

- 1 Amend House File 674 as follows:
 2 1. Page 15, by inserting after line 17 the
 3 following:
 4 “Sec. _____. Section 18.136, Code 1993, is amended
 5 by adding the following new subsection:
 6 NEW SUBSECTION. 13B. Access shall not be provided
 7 to any other entity pursuant to a chapter 28E
 8 agreement except as expressly provided for by this
 9 section.”
 10 2. By renumbering as necessary.

MURPHY of Dubuque

H-4283

- 1 Amend House File 674 as follows:
 2 1. Page 15, by inserting after line 23, the
 3 following:
 4 “Sec. _____. NEW SECTION. 18.136B MORATORIUM ON
 5 CERTAIN COMMUNICATIONS NETWORK ACTIVITIES.
 6 Except for authorized users providing one hundred
 7 percent of the financing for the procurement,

- 8 maintenance, and use costs for Part III of the system
 9 or any other authorized user obtaining federal
 10 matching funds which the user is authorized to use for
 11 the procurement and maintenance costs for Part III of
 12 the system, all construction associated with Part III
 13 of the system shall cease and be suspended and the
 14 department of general services and the Iowa
 15 communications network board shall not enter into or
 16 award any contract related to construction associated
 17 with Part III of the system. This section is repealed
 18 effective February 15, 1994."
 19 2. By renumbering as necessary.

WISE of Lee
 DVORSKY of Johnson
 LARKIN of Lee
 NELSON of Pottawattamie
 JOCHUM of Dubuque

H-4288

- 1 Amend House File 676 as follows:
 2 1. Page 3, by striking lines 20 through 24, and
 3 inserting the following: "the same business in
 4 another Iowa location."
 5 2. By striking page 9, line 33 through page 10,
 6 line 2, and inserting the following: "the same
 7 business in another Iowa location."

KREIMAN of Davis

H-4290

- 1 Amend House File 676 as follows:
 2 1. Page 3, line 17, by inserting after the figure
 3 "15.317" the following: ", and is equal to or greater
 4 than the average wage paid in the state for businesses
 5 with the same standard industrial classification".
 6 2. Page 9, line 30, by inserting after the figure
 7 "15.317" the following: ", and is equal to or greater
 8 than the average wage paid in the state for businesses
 9 with the same standard industrial classification".

KREIMAN of Davis
 HARPER of Black Hawk
 SCHRADER of Marion

H-4292

- 1 Amend House File 676 as follows:
 2 1. Page 5, line 17, by inserting after the word
 3 "relocates," the following: "or if the number of
 4 full-time equivalent positions filled by the business
 5 falls ten percent or more below the number of full-
 6 time equivalent positions filled by that business at

7 the time the business filed the application for
8 approval of a project with the city or county.”
9 2. Page 11, line 18, by inserting after the word
10 “relocates,” the following: “or if the number of
11 full-time equivalent positions filled by the business
12 falls ten percent or more below the number of full-
13 time equivalent positions filled by that business at
14 the time the business filed the application for
15 approval of a project with the city or county.”.

KREIMAN of Davis
SCHRADER of Marion

H-4302

1 Amend House File 674 as follows:
2 1. By striking page 10, line 34, through page 12,
3 line 12, and inserting the following: “procurement
4 and maintenance costs for Part III of the system for a
5 local school district shall be provided eighty percent
6 from by the state and twenty percent from the local
7 school boards of the areas which receive transmissions
8 from the system. The local school boards may meet all
9 or part of the match requirements of Part III of the
10 system through a cooperative arrangement with
11 community colleges. The basis for the state match is
12 eighty percent of a single interactive audio and one-
13 way video for Part III of the system, and such data
14 and voice capacity as is necessary. The local school
15 boards and community colleges may meet the match
16 requirements for Part II and Part III of the system
17 from funds they have already spent for their systems,
18 from funds available in the school budget, or from
19 funds received from other nonstate sources. In the
20 case of existing systems, in order to upgrade
21 facilities to the specifications of the state
22 communications network, the local school boards and
23 community colleges, in lieu of a cash match, may meet
24 the match requirements from funds they have already
25 spent for their systems provided that the state match
26 does not exceed the lesser of eighty percent of the
27 total cost of the upgraded system or eighty percent of
28 the replacement cost of the system. The
29 communications equipment funds used as a match by a
30 community college shall be calculated based on
31 verified expenditures for capital, equipment,
32 hardware, and software for long-distance learning
33 technologies, including both audio and visual
34 transmission. The communications equipment used as a
35 match shall not subsequently be used as a match by
36 another educational entity or for another part of the
37 system. A local school board may request the school
38 budget review committee to adjust the allowable growth

39 for the school district so that the resulting increase
 40 in budget could be used for the match. Financing
 41 provided by the state shall be for the installation of
 42 a connection and the procurement of communications
 43 equipment capable of two-way interactive audio and
 44 video communications. If a local school board elects
 45 to provide one hundred percent of the financing for
 46 the lease costs for Part III, the school district may
 47 become part of the system as soon as the network can
 48 reasonably connect it. A local school board may also
 49 elect that the school district not to become part of
 50 the system. Such election shall be made on an annual

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1 basis. State matching funds shall not be provided for
 2 Part III of the system until Part I and Part II of the
 3 system have been completed, except as determined by
 4 the Iowa communications network board following
 5 completion of the telecommunications needs
 6 assessment."

DICKINSON of Jackson

H-4303

1 Amend House File 674 as follows:

2 1. Page 16, line 25, by striking the words "state
 3 communications network fund" and inserting the
 4 following: "general fund of the state".

5 2. Page 17, line 22, by striking the words "state
 6 communications network fund" and inserting the
 7 following: "general fund of the state".

8 3. Page 17, line 28, by striking the words "state
 9 communications network fund" and inserting the
 10 following: "general fund of the state".

11 4. Page 17, line 33, by striking the words "state
 12 communications network fund" and inserting the
 13 following: "general fund of the state".

14 5. Page 17, lines 34 and 35, by striking the
 15 words "state communications network fund" and
 16 inserting the following: "general fund of the state".

17 6. Page 18, line 1, by striking the words "state
 18 communications network fund" and inserting the
 19 following: "general fund of the state".

20 7. Page 18, lines 6 and 7, by striking the words
 21 "state communications network fund" and inserting the
 22 following: "general fund of the state".

HALVORSON of Webster

H-4304

1 Amend House File 674 as follows:

2 1. Page 26, by inserting after line 20 the

3 following:

4 "Sec. _____. STATE AUDIT. The auditor of state
5 shall conduct a comprehensive audit, as described in
6 section 11.4, of the expenditures made from the state
7 communications network fund and the actions taken by
8 the Iowa public broadcasting board and the department
9 of general services in relation to the state
10 communications network. The auditor shall have access
11 and authority to examine any and all records necessary
12 to complete the comprehensive audit. Any moneys
13 necessary to conduct the audit shall be paid from the
14 state communications network fund. The auditor shall
15 complete the audit and present a copy of the findings
16 to the general assembly and the governor by January 1,
17 1994."

McKINNEY of Dallas
HANSEN of Woodbury

H-4305

1 Amend House File 674 as follows:

- 2 1. Page 21, line 6, by striking the words
- 3 "without the necessity of any further election," and
- 4 inserting the following: "upon receiving
- 5 authorization by an election in the same manner as
- 6 provided in section 260C.21".
- 7 2. By striking page 23, line 20, through page 24,
- 8 line 9.

HANSEN of Woodbury

H-4307

1 Amend House File 672 as follows:

- 2 1. Page 2, by striking lines 4 through 29.
- 3 2. Page 5, by striking lines 8 through 16.
- 4 3. By striking page 7, line 2 through page 8,
- 5 line 16.
- 6 4. By striking page 8, line 23 through page 9,
- 7 line 5.
- 8 5. By renumbering as necessary.

RANTS of Woodbury

H-4308

1 Amend House File 672 as follows:

- 2 1. By striking page 6, line 22 through page 7,
- 3 line 1.
- 4 2. By renumbering as necessary.

RANTS of Woodbury

H-4309

1 Amend House File 674 as follows:

2 1. Page 8, line 8, by inserting after the word
3 "year," the following: "a summary of educational
4 applications of the network and the activities of the
5 telecommunications boards,".

6 2. Page 8, by inserting after line 14 the
7 following:

8 "Sec. _____. INITIAL ANNUAL REPORT. The initial
9 annual report to be provided pursuant to section
10 18.133B shall be delivered to each member of the
11 general assembly and to the governor and shall
12 include, in addition to the information required
13 pursuant to section 18.133B, a detailed report
14 concerning the reports and recommendations made by the
15 regional boards related to the implementation plans
16 for needs assessments which the regional boards are
17 required to develop pursuant to section 18.136,
18 subsection 8."

19 3. By renumbering as necessary.

DVORSKY of Johnson

H-4310

1 Amend House File 674 as follows:

2 1. Page 18, by striking lines 28 through 30 and
3 inserting the following: "monitoring, and the
4 accessibility of licensed teachers. The rules shall
5 support the technological needs of schools and
6 community colleges; promote the development of
7 technologies, software, hardware, demonstration
8 programs, or training related to meeting the
9 instructional duties of licensed practitioners;
10 establish priorities among direct instruction,
11 instructional support, and administrative support
12 initiatives; link technology to school improvement;
13 and integrate with innovative possibilities in other
14 department programs, such as phase III, vocational and
15 technical education, and special education. The rules
16 shall ensure that technology can be quickly,
17 inexpensively, permanently, and comprehensively
18 applied as a tool by educational practitioners so that
19 it improves, and does not reduce, efficient and
20 effective student learning. In promoting pilot or
21 demonstration programs, the department shall ensure
22 that participation by schools, practitioners, and
23 students is voluntary."

OLLIE of Clinton
WISE of Lee

H-4311

1 Amend House File 674 as follows:

2 1. Page 19, by inserting after line 2 the
3 following:

4 "Sec. 201. Section 257.37, Code 1993, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 3A. Notwithstanding subsections 1
7 and 3, for the budget year beginning July 1, 1993, and
8 each succeeding budget year, the amount added to the
9 combined district cost of each school district in an
10 area education agency for media services and for
11 educational services under subsections 1 and 3 shall
12 equal one hundred five percent of the amount approved
13 by the department of management under subsections 1
14 and 3. The additional funds shall be expended for
15 costs associated with the use of the state
16 communications network for educational purposes,
17 including but not limited to, the purchase of
18 equipment for area education agency access to the
19 state communications network and for the creation of
20 staff development programs for training school
21 district and area education agency employees to
22 effectively utilize the network."

23 2. Page 26, by inserting after line 20 the
24 following:

25 "Sec. _____. Section 201 of this Act, being of
26 immediate importance, is effective upon enactment."

27 3. By renumbering as necessary.

OLLIE of Clinton

H-4312

1 Amend House File 674 as follows:

2 1. By striking page 1, line 1 through page 5, line
3 10.

4 2. Page 5, line 15, by striking the words
5 "subsections 2 and" and inserting the following:
6 "subsection".

7 3. Page 5, by striking lines 17 through 20.

8 4. Page 5, line 24, by striking the word
9 "judicial" and inserting the following: "and the
10 judicial".

11 5. Page 5, by striking lines 25 through 27 and
12 inserting the following: "established in section
13 905.2."

14 6. Page 6, by striking line 18 and inserting the
15 following:

16 "3. The board consists of nine members. The
17 governor's science advisor shall be the chairperson of
18 the board. The remaining eight members shall be
19 appointed by the".

20 7. Page 6, line 29, by striking the words and
21 figure "or Part II" and inserting the following: "
22 Part II or Part III".

23 8. Page 8, line 10, by inserting after the word
24 "expended," the following: "including direct and
25 indirect expenditures of all state agencies and
26 funding sources for these expenditures."

27 9. Page 8, line 27, by inserting after the word
28 "fee." the following:

29 "Notwithstanding any provision to the contrary, the
30 Iowa communications network board or the department
31 shall not authorize the expenditure of state funds for
32 construction of Part III without prior authorization
33 by a constitutional majority of each house of the
34 general assembly."

35 10. Page 10, by striking lines 27 through 33 and
36 inserting the following: "the procurement costs for
37 Part II of the system shall be provided eighty percent
38 from the state and twenty percent from the community
39 colleges for the areas in which Part II of the system
40 is located. The basis for the state match is eighty
41 percent of a single interactive video and interactive
42 audio for Parts I and II of the system, and such data
43 and voice capacity as is necessary. The financing for
44 the".

45 11. Page 11, by striking lines 17 and 18 and
46 inserting the following: "communications. The local
47 school boards and community colleges may meet the
48 match requirements for Part II and Part".

49 12. Page 11, by striking line 24 and inserting the
50 following: "school boards and community colleges, in

Page 2

1 lieu of a cash match,".

2 13. Page 11, by striking lines 29 through 33 and
3 inserting the following: "the system. The
4 communications equipment funds used as a match by a
5 community college shall be calculated based on
6 verified expenditures for capital, equipment,
7 hardware, and software for long distance learning
8 technologies, including both audio and visual
9 transmission. The communications".

10 14. By striking page 14, line 32 through page 15,
11 line 17.

12 15. By striking page 15, line 30 through page 18,
13 line 14.

14 16. By striking page 19, line 3 through page 24,
15 line 9.

16 17. Title page, by striking lines 2 through 11
17 and inserting the following: "expanding the
18 definition of public agencies and amending certain

- 19 financial provisions.”
 20 18. By renumbering as necessary.

KREIMAN of Davis
 NEUHAUSER of Johnson

H—4313

- 1 Amend House File 674 as follows:
 2 1. Page 5, line 15, by striking the words and
 3 figure “subsections 2 and” and inserting the
 4 following: “subsection”.
 5 2. Page 5, by striking lines 17 through 20.
 6 3. Page 5, line 24, by striking the word
 7 “judicial” and inserting the following: “and the
 8 judicial”.
 9 4. Page 5, by striking lines 25 through 27 and
 10 inserting the following: “established in section
 11 905.2.”
 12 5. By striking page 14, line 32 through page 15,
 13 line 17.
 14 6. Title page, lines 4 and 5, by striking the
 15 words “private and”.
 16 7. By renumbering as necessary.

KREIMAN of Davis

H—4314

- 1 Amend House File 674 as follows:
 2 1. Page 6, by striking line 18 and inserting the
 3 following:
 4 “3. The board consists of nine members. The
 5 governor's science advisor shall be the chairperson of
 6 the board. The remaining eight members shall be
 7 appointed by the”.

KREIMAN of Davis
 NEUHAUSER of Johnson

H—4315

- 1 Amend House File 674 as follows:
 2 1. Page 6, line 29, by striking the words and
 3 figure “or Part II” and inserting the following: “,
 4 Part II or Part III”.

KREIMAN of Davis
 NEUHAUSER of Johnson

H—4316

- 1 Amend House File 674 as follows:
 2 1. Page 8, line 10, by inserting after the word
 3 “expended,” the following: “including direct and

- 4 indirect expenditures of all state agencies and
5 funding sources for these expenditures.”

KREIMAN of Davis
NEUHAUSER of Johnson

H-4317

- 1 Amend House File 674 as follows:
2 1. Page 8, lines 19 and 20, by striking the word
3 and figure “or II” and inserting the following: “, II
4 or III”.
5 2. Page 8, line 23, by striking the word and
6 figure “and II” and inserting the following: “, II
7 and III”.

KREIMAN of Davis

H-4318

- 1 Amend House File 674 as follows:
2 1. Page 8, line 27, by inserting after the word
3 “fee.” the following:
4 “Notwithstanding any provision to the contrary, the
5 Iowa communications network board or the department
6 shall not authorize the expenditure of state funds for
7 construction of Part III without prior authorization
8 by a constitutional majority of each house of the
9 general assembly.”

KREIMAN of Davis
NEUHAUSER of Johnson

H-4319

- 1 Amend House File 674 as follows:
2 1. Page 23, by striking line 3 through line 19.

KREIMAN of Davis

H-4322

- 1 Amend House File 655 as follows:
2 1. Page 3, by inserting after line 13 the follow-
3 ing:
4 “c. On or before July 1 of each year, the county
5 treasurer shall prepare a statement listing for each
6 taxing jurisdiction in the county the amount of
7 property taxes which would have been payable in the
8 coming fiscal year if the property was assessed
9 pursuant to subsection 1 instead of being exempt as
10 provided in an ordinance adopted by a taxing
11 jurisdiction pursuant to this subsection, and shall
12 certify and forward one copy of the statement to the
13 department of revenue and finance not later than July
14 1 of each year.”

15 Each county treasurer shall be reimbursed an amount
 16 equal to the lost property taxes for that county
 17 determined pursuant to this paragraph "c". The
 18 reimbursement shall be made in two equal installments
 19 on or before September 30 and March 30 of each year.
 20 The county treasurer shall apportion the disbursement
 21 in the manner provided in section 445.57."
 22 2. Title page, line 3, by inserting after the
 23 word "paperboard" the following: "and providing
 24 reimbursement for taxes not levied".

NEUHAUSER of Johnson

H-4325

1 Amend House File 674 as follows:
 2 1. Page 14, by inserting after line 31 the
 3 following:
 4 "Sec. _____. Section 18.136, subsection 4, Code
 5 1993, is amended by adding the following new
 6 unnumbered paragraph:
 7 NEW UNNUMBERED PARAGRAPH. Prior to releasing and
 8 disseminating a request for proposals to potential
 9 bidders, the department shall notify the legislative
 10 council of the department's intent to issue the
 11 request for proposals. The request for proposals
 12 shall not be issued until such time as the legislative
 13 council approves the request for proposals and
 14 notifies the department of such approval."
 15 2. By renumbering as necessary.

BRAND of Benton

H-4328

1 Amend Senate File 422, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking page 5, line 17 through page 7,
 4 line 14 and inserting the following:
 5 "Sec. 100. Section 2.10, subsection 1, Code 1993,
 6 is amended to read as follows:
 7 1. Every member of the general assembly except the
 8 presiding officer of the senate, the speaker of the
 9 house, the majority and minority floor leader of each
 10 house, and the president pro tempore of the senate and
 11 speaker pro tempore of the house, shall receive an
 12 annual salary of eighteen thousand one hundred dollars
 13 for the year 1991 and subsequent years while serving
 14 as a member of the general assembly. In addition,
 15 each such member shall receive the sum of fifty
 16 dollars per day for expenses of office, except travel,
 17 for each day the member's house of the general
 18 assembly is actually in regular session commencing
 19 with the first day of a legislative session and ending

20 with the day of final adjournment of each legislative
21 session as indicated by the journals of the house and
22 senate, except that if the length of the first regular
23 session of the general assembly exceeds one hundred
24 ten calendar days and the second regular session
25 exceeds one hundred calendar days, the payments shall
26 be made only for one hundred ten calendar days for the
27 first session and one hundred calendar days for the
28 second session. However, members from Polk county
29 shall not receive thirty-five dollars per day expenses
30 of office. Each member shall receive a seventy-five
31 dollar per month allowance for legislative district
32 constituency postage, travel, telephone costs, and
33 other expenses. Travel expenses shall be paid at the
34 rate established by section 18.117 for actual travel
35 in going to and returning from the seat of government
36 by the nearest traveled route for not more than one
37 time per week during a legislative session. However,
38 any increase from time to time in the mileage rate
39 established by section 18.117 shall not become
40 effective for members of the general assembly until
41 the convening of the next general assembly following
42 the session in which the increase is adopted; and this
43 provision shall prevail over any inconsistent
44 provision of any present or future statute.

45 Sec. 101. Section 97B.41, subsection 20, paragraph
46 a, unnumbered paragraph 2, Code 1993, is amended to
47 read as follows:

48 Wages for a member of the general assembly means
49 the total compensation received by a member of the
50 general assembly, whether paid in the form of per diem

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1 or annual salary, exclusive of expense and travel
2 allowances paid to a member of the general assembly
3 except as otherwise provided in this paragraph. Wages
4 includes per diem payments paid to members of the
5 general assembly during interim periods between
6 sessions of the general assembly. Wages also includes
7 daily allowances to members of the general assembly
8 for nontravel expenses of office during a session of
9 the general assembly, but does not include the portion
10 of the daily allowance which exceeds the maximum
11 established by law for members from Polk county."

12 2. Page 7, by striking line 15 and inserting the
13 following:

14 "Sec. _____. Sections 100 and 101 of this Act take
15 effect January 1,".

H-4333

1 Amend Senate File 422, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking page 5, line 26, through page 6,
 4 line 10, and inserting the following: "addition, each
 5 such member shall receive the sum of fifty seventy
 6 dollars per day for expenses of office, except travel,
 7 for each day the general assembly is in session
 8 commencing with the first day of a legislative session
 9 and ending with the day of final adjournment of each
 10 legislative session as indicated by the journals of
 11 the house and senate, except that if the length of the
 12 first regular session of the general assembly exceeds
 13 one hundred ~~ten~~ calendar days and the second regular
 14 session exceeds ~~one hundred~~ eighty calendar days, the
 15 payments shall be made only for one hundred ~~ten~~
 16 calendar days for the first session and ~~one hundred~~
 17 eighty calendar days for the second session. However,
 18 members from Polk county shall receive ~~thirty-five~~
 19 forty-five dollars per day. Each".

METCALF of Polk

H-4334

1 Amend the Senate amendment, H-4258, to House File
 2 644, as passed by the House, as follows:
 3 1. Page 1, by inserting after line 19 the
 4 following:
 5 "Sec. _____. Section 455G.9, subsection 5, Code
 6 1993, is amended by striking the subsection and,
 7 inserting in lieu thereof the following:
 8 5. PRIORITY OF CLAIMS. Notwithstanding a claim
 9 for benefits under this section, if funds are not
 10 available to immediately settle all current claims,
 11 benefits shall be allocated first to claimants who own
 12 at least one but no more than twelve tanks or to
 13 claimants who have no more than two different tank
 14 sites. The board shall adopt rules to prioritize all
 15 other claims and allocate any remaining moneys." "
 16 2. Page 1, line 39, by inserting after the word
 17 "guarantees" the following: "and prioritizing
 18 remedial claims".
 19 3. By renumbering as necessary.

FALLON of Polk

H-4335

1 Amend the Senate amendment, H-4258, to House File
 2 644, as passed by the House, as follows:
 3 1. Page 1, by inserting after line 19 the
 4 following:

- 5 "Sec. _____. Section 455G.9, subsection 5, Code
 6 1993, is amended by striking the subsection and
 7 inserting in lieu thereof the following:
 8 5. PRIORITY OF CLAIMS. Notwithstanding a claim
 9 for benefits under this section, if funds are not
 10 available to immediately settle all current claims,
 11 benefits shall be allocated first to claimants who own
 12 at least one but no more than thirteen tanks or to
 13 claimants who have no more than three different tank
 14 sites. The board shall adopt rules to prioritize all
 15 other claims and allocate any remaining moneys.""
 16 2. Page 1, line 39, by inserting after the word
 17 "guarantees" the following: "and prioritizing
 18 remedial claims".
 19 3. By renumbering as necessary.

FALLON of Polk

H-4340

- 1 Amend the amendment, H-3798, to House File 647, as
 2 follows:
 3 1. Page 1, by striking lines 1 through 4, and
 4 inserting the following:
 5 "_____. By striking everything after the enacting
 6 clause and inserting the following:
 7 "Section 1. NEW SECTION. 476.30 FINDINGS —
 8 STATEMENT OF POLICY.
 9 The general assembly finds, in addition to other
 10 standards for the provision of communications services
 11 established in this chapter, all of the following:
 12 1. Communications services should be available to
 13 all citizens of this state at just, reasonable, and
 14 affordable rates.
 15 2. Competition should be permitted to function as
 16 a substitute for certain aspects of regulation in
 17 determining the variety, quality, and pricing of
 18 communications services, when it is consistent with
 19 the protection of consumers of communications services
 20 and the furtherance of other relevant public interests
 21 and goals.
 22 3. The utilities board should be authorized to
 23 respond with sufficient flexibility to the rapidly
 24 changing nature of the communications industry.
 25 4. Development of, and prudent investment in,
 26 advanced communications networks which foster economic
 27 development in this state should be encouraged.
 28 Sec. 2. NEW SECTION. 476.30A ALTERNATIVE FORMS
 29 OF REGULATION.
 30 1. Notwithstanding contrary provisions of this
 31 chapter relating to rate-of-return regulation, the
 32 board may adopt rules for utilities furnishing
 33 communications services which authorize and establish

34 alternative forms of regulation other than rate-of-
35 return regulation. Alternative forms of regulation,
36 if approved by the board, may include provisions for
37 earnings sharing, revenue sharing, rate moratoria,
38 network modernization, incentive plans, or a
39 combination of these. Participation in an alternative
40 form of regulation is optional and at the election of
41 the utility.

42 2. A rate-regulated public utility furnishing
43 communications services may submit and the board may,
44 after notice and opportunity for hearing, approve or
45 modify a plan for an alternative form of regulation
46 specific to that utility. The plan may be applied to
47 any pending proceeding involving the utility. The
48 hearing on the plan may be conducted separately or as
49 part of any pending proceeding involving the utility.
50 If the board modifies the proposed plan, participation

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1 in the modified plan for alternative regulation shall
2 be optional and at the election of the utility.

3 3. Before a rate-regulated public utility
4 furnishing communications services can operate under a
5 plan for alternative regulation, the consumer advocate
6 may file a petition under section 476.3, subsection 2.
7 The consumer advocate shall indicate whether a
8 complaint will be filed no later than sixty days after
9 the utility requests permission to operate under a
10 plan for alternative regulation under subsection 2.
11 If the consumer advocate indicates an intent to file a
12 petition, the consumer advocate shall have an
13 additional ninety days to file such petition. A
14 refund or rate adjustment to the customers of such
15 utility which results from a petition filed by the
16 consumer advocate, shall not be affected as a result
17 of the implementation or existence of a plan for
18 alternative regulation.

19 4. A utility participating in an alternative form
20 of regulation must participate for at least two years.

21 5. The board, in considering a plan for an
22 alternative form of regulation for a utility, shall
23 evaluate the effect of the proposed plan in
24 relationship to all of the following:

25 a. Effecting just, nondiscriminatory, and
26 reasonable rates.

27 b. Provision of high quality, universally
28 available communications services.

29 c. Encouragement of investment in the
30 communications infrastructure, efficiency
31 improvements, and technological innovation.

32 d. The introduction of new communications products

33 and services.

34 e. Regulatory efficiency including reduction of
35 regulatory costs and delays.

36 6. Any utility plan for alternative regulation
37 shall, at a minimum, include all of the following:

38 a. A provision that at least fifty percent of the
39 dollar amounts identified for sharing between the
40 utility and its customers shall be returned to the
41 utility's customers.

42 b. The terms upon which changes in prices for
43 essential communications services may be approved by
44 the board.

45 c. Flexibility in establishing and changing
46 prices, terms, and conditions for nonessential
47 communications services.

48 d. Applicability of the board's service quality
49 standards.

50 e. Reporting of service offerings, prices, and

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1 price changes to the board.

2 f. The term of the plan, not to exceed five years;
3 a provision for full board review during the last year
4 of the utility's operation under the plan, with notice
5 and an opportunity for hearing; and an opportunity,
6 not earlier than one year before the end of the plan,
7 for the consumer advocate or the utility to petition
8 for a rate case pursuant to section 476.3, subsection
9 2, or section 476.6.

10 g. The manner in which changes in revenues,
11 expenses, and investment due to exogenous factors
12 beyond the control of the utility may be reflected in
13 rates.

14 7. Notwithstanding the provisions of a plan for
15 alternative regulation, the board shall have authority
16 over both of the following:

17 a. The level, extent, scope, and timing of the
18 unbundling of services by the local exchange utility.

19 b. Appropriate methods for ensuring against cross-
20 subsidization of nonessential services through charges
21 made for essential services.

22 8. Nothing in this section shall interfere with
23 the right of any person or body politic to file a
24 complaint pursuant to section 476.3, subsection 1,
25 regarding a utility's operation under a plan of
26 alternative regulation.

27 9. The utilities board shall study the effective-
28 ness of any plans for alternative regulation which are
29 approved. A study shall include a description of the
30 plan, identification of the local exchange utility or
31 utilities participating under the plan, and an

32 analysis of the effects of the plan, including but not
 33 limited to, the extent to which the plan has generated
 34 savings as a result of inducing additional
 35 efficiencies by the utility. The results of a study
 36 conducted pursuant to this subsection shall be
 37 reported to the general assembly by January 15 after
 38 the first full year that the plan is in effect.

39 **Sec. 3. NEW SECTION. 476.30B PROHIBITED ACTS.**

40 A utility electing to participate and submitting an
 41 alternative regulation plan pursuant to section
 42 476.30A shall not do any of the following:

43 1. Discriminate against another provider of
 44 communications services in the pricing of, or by
 45 refusing or delaying access to, essential network
 46 services of the participating utility's local exchange
 47 network.

48 2. Degrade the quality of access or service
 49 provided to another provider of communications
 50 services.

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1 3. Fail to disclose in a timely manner, upon
 2 request and pursuant to a protective agreement
 3 concerning proprietary information, all information
 4 reasonably necessary for the design of network
 5 interface equipment or network interface services that
 6 will meet the specifications of the participating
 7 utility's local exchange network.

8 **Sec. 4. NEW SECTION. 476.30C DEFINITIONS.**

9 As used in sections 476.30 through 476.30B, unless
 10 the context otherwise requires:

11 1. "Essential communications service" means that
 12 communications service or equipment necessary for a
 13 residential or business end-user to pursue, at a
 14 minimum, voice communications on the public network in
 15 a manner consistent with community expectations and
 16 the public interest as determined by the board.
 17 Essential communications services include, at a
 18 minimum, basic local telephone service, switched
 19 access, 911 and E-911 services, and relay service for
 20 communications-impaired persons. The board is
 21 authorized to classify by rule other communications
 22 services as essential communications services
 23 consistent with this definition.

24 2. "Nonessential communications services" means
 25 all communications services subject to the board's
 26 jurisdiction not deemed either by statute or by rule
 27 as essential communications services.

28 **Sec. 5. Section 476.3, subsection 2, Code 1993, is**
 29 **amended by adding the following new unnumbered**
 30 **paragraph:**

31 **NEW UNNUMBERED PARAGRAPH.** Notwithstanding the
 32 **provisions of this subsection authorizing the consumer**
 33 **advocate to file a petition with the board alleging**

34 that a utility's rates are excessive, the consumer
 35 advocate shall not file a petition under this
 36 subsection which alleges that a local exchange
 37 utility's rates are excessive while the local exchange
 38 utility is participating in an approved plan of
 39 alternative regulation approved by the board pursuant
 40 to section 476.30A, except as provided in section
 41 476.30A, subsection 6, paragraph "f."
 42 _____ Title page, lines 2, and 3, by striking the
 43 words "and providing an effective date."
 44 2. By renumbering as necessary.

LUNDBY of Linn
 NEUHAUSER of Johnson
 RENAUD of Polk

GILL of Woodbury
 OSTERBERG of Linn
 RENKEN of Grundy
 HANSEN of Woodbury

H-4347

1 Amend Senate File 425, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 36, line 10, by striking the letter "b"
 4 and inserting the following: "c".
 5 2. Page 36, line 12, by striking the figure "13"
 6 and inserting the following: "12".

FALLON of Polk

H-4363

1 Amend Senate File 425, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 32, line 11, by inserting after the word
 4 "LANDSCAPE" the following: "AND BLOOD RUN
 5 ARCHAEOLOGICAL SITE".
 6 2. Page 32, line 12, by striking the figure
 7 "50,000" and inserting the following: "100,000".
 8 3. Page 32, line 19, by inserting after the word
 9 "Iowa" the following: "and to develop the Blood Run
 10 archaeological site in Lyon county".
 11 4. Page 32, lines 20 and 21, by striking the
 12 words "this project." and inserting the following:
 13 "these projects. Of the funds appropriated in this
 14 section, \$50,000 shall be allocated to the national
 15 heritage landscape and \$50,000 shall be allocated to
 16 the Blood Run archaeological site."

BLACK of Jasper
 VANDE HOEF of Osceola

H-4367

1 Amend Senate File 425, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 18, by striking lines 10 through 25.

METCALF of Polk

H-4371

1 Amend Senate File 425, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 18, by inserting before line 32 the
4 following:
5 "Sec. _____. CLEAR CREEK STUDY. The department of
6 natural resources shall conduct a study to determine
7 the feasibility of creating a lake from the
8 impoundment of the flow of clear creek in Marshall
9 county. The study shall include but is not limited to
10 a review and update of any previous study. The
11 department shall report to the general assembly by
12 January 30, 1994, on the results of the study."

GARMAN of Story

H-4373

1 Amend the Senate amendment, H-4360, to House File
2 331, as passed by the House, as follows:
3 1. Page 1, by inserting after line 2 the
4 following:
5 "_____ Page 1, line 20, by inserting after the
6 figure "3" the following: ", 4, unnumbered paragraph
7 1,".
8 _____ Page 1, by inserting after line 26 the
9 following:
10 "Adopt, amend, or repeal emission limitations or
11 standards relating to the maximum quantities of air
12 contaminants that may be emitted from any air
13 contaminant source. The standards or limitations
14 adopted under this section shall not exceed the
15 standards or limitations promulgated by the
16 administrator of the United States environmental
17 protection agency or the requirements of the federal
18 Clean Air Act as amended through January 1, 1991.
19 This does not prohibit the commission from adopting a
20 standard for a source or class of sources for which
21 the United States environmental protection agency has
22 not promulgated a standard. Notwithstanding the
23 limitations of this unnumbered paragraph regarding the
24 standards or limitations adopted, the commission shall
25 adopt rules by January 1, 1994, establishing interim
26 air toxic standards for new stationary sources and
27 modifications of existing stationary sources which
28 commence emissions on or after July 1, 1993. The
29 commission shall adopt rules for the one hundred
30 eighty-nine toxics listed in the federal Clean Air
31 Act, as amended to January 1, 1991, which shall be
32 based upon the best available control technology for
33 toxics (T-BACT) and shall adopt rules related to the
34 limitations or standards for toxics in addition to

35 those listed in the federal Act which shall be based
 36 upon a residual health risks methodology. Following
 37 the United States environmental protection agency's
 38 adoption of a technology or standard for the one
 39 hundred eighty-nine toxics listed in the federal Act,
 40 the department shall replace the interim technology
 41 requirements with the federal technology requirements.
 42 For the purposes of this subsection, "best available
 43 control technology for toxics (T-BACT)" means an
 44 emission limitation based on the maximum degree of
 45 reduction of each toxic air pollutant which the
 46 department determines, on a case-by-case basis, is
 47 achievable for a facility through application of
 48 production processes and available methods, systems,
 49 and techniques, taking into account the potency and
 50 toxicity of each toxic air pollutant discharged as

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1 well as energy, environmental, and economic impacts
 2 and other costs. This unnumbered paragraph also does
 3 not prohibit the commission from adopting an emission
 4 standard or limitation for infectious medical waste
 5 treatment or disposal facilities which exceeds the
 6 standards or limitations promulgated by the
 7 administrator of the United States environmental
 8 protection agency or the requirements of the federal
 9 Clean Air Act as amended through January 1, 1991. The
 10 commission shall not adopt an emission standard or
 11 limitation for infectious medical waste treatment or
 12 disposal facilities prior to January 1, 1995, which
 13 exceeds the standards or limitations promulgated by
 14 the administrator of the United States environmental
 15 protection agency or the requirements of the federal
 16 Clean Air Act, as amended through January 1, 1991, for
 17 a hospital, or a group of hospitals, licensed under
 18 chapter 135B which has been operating an infectious
 19 medical waste treatment or disposal facility prior to
 20 January 1, 1991."
 21 2. By renumbering as necessary.

OSTERBERG of Linn

H-4374

- 1 Amend Senate File 425, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 32, line 11, by inserting after the word
 4 "LANDSCAPE" the following: "AND BLOOD RUN
 5 ARCHAEOLOGICAL SITE".
 6 2. Page 32, line 12, by striking the figure
 7 "50,000" and inserting the following: "100,000".
 8 3. Page 32, line 19, by inserting after the word

9 "Iowa" the following: "and to develop the Blood Run
10 archaeological site in Lyon county".

11 4. Page 32, line 20, by striking the word "this"
12 and inserting the following: "the national heritage
13 landscape project and the Blood Run archaeological
14 site".

15 5. Page 32, by inserting after line 21 the
16 following: "Of the funds appropriated in this
17 section, \$50,000 shall be allocated to the national
18 heritage landscape and \$50,000 shall be allocated to
19 the Blood Run archaeological site."

BLACK of Jasper
VANDE HOEF of Osceola

H-4375

1 Amend Senate File 425, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 31, by inserting after line 12 the
4 following:

5 "Sec. _____. DAM PROJECT - MITCHELL COUNTY. There
6 is appropriated from the marine tax receipts deposited
7 in the general fund of the state to Mitchell county
8 for the fiscal year beginning July 1, 1993, and ending
9 June 30, 1994, the following amount, or so much
10 thereof as is necessary, to be used for the purposes
11 designated:

12 For purposes of repairing the gates of the dam
13 located in or near the city of Mitchell:

14\$ 50,000

15 As a condition of this appropriation, each three
16 dollars appropriated pursuant to this section shall be
17 matched by one dollar contributed by a source other
18 than the state."

19 2. By renumbering as necessary.

KOENIGS of Mitchell
PETERSON of Carroll
CORBETT of Linn

H-4380

1 Amend Senate File 425, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking page 38, line 2 through page 40,
4 line 32.

MURPHY of Dubuque

H-4385

1 Amend the amendment, H-4370, to Senate File 425, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 6, line 7, by inserting after the figure
 5 "\$11,500,000." the following: "This section shall not
 6 be construed as providing authority to reduce
 7 quarterly allotments of an appropriation."

CORBETT of Linn
 PETERSON of Carroll

H-4388

1 Amend the amendment, H-4370, to Senate File 425, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 5, line 29, by inserting after the word
 5 "state." the following: "However, the enforcement of
 6 this chapter shall not result in the derogation or
 7 negation of any provision in a collective bargaining
 8 agreement which relates to the issue of smoking in the
 9 workplace."

HALVORSON of Webster

H-4391

1 Amend Senate File 425, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 -1. Page 35, by inserting before line 34 the
 4 following:
 5 "Sec. 100. Section 99B.6, subsection 1, paragraph
 6 k, Code 1993, is amended to read as follows:
 7 k. ~~No~~ A person under the age of ~~eighteen~~ twenty-
 8 one years ~~may~~ shall not participate in the gambling
 9 except pursuant to sections 99B.3, 99B.4, 99B.5, and
 10 99B.7. Any licensee knowingly allowing a person under
 11 the age of ~~eighteen~~ twenty-one to participate in the
 12 gambling prohibited by this paragraph or any person
 13 knowingly participating in ~~such~~ gambling with a person
 14 under the age of ~~eighteen~~ twenty-one, ~~shall be~~ is
 15 guilty of a simple misdemeanor.
 16 Sec. 101. Section 99D.11, subsection 6, paragraph
 17 b, Code 1993, is amended to read as follows:
 18 b. The commission may authorize the licensee to
 19 simultaneously telecast within the racetrack
 20 enclosure, for the purpose of pari-mutuel wagering, a
 21 horse or dog race licensed by the racing authority of
 22 another state. It is the responsibility of each
 23 licensee to obtain the consent of appropriate racing
 24 officials in other states as required by the federal
 25 Interstate Horseracing Act of 1978, 15 U.S.C. § 3001-
 26 3007, to televise races for the purpose of conducting
 27 pari-mutuel wagering. A licensee may also obtain the
 28 permission of a person licensed by the commission to
 29 conduct horse or dog races in this state to televise
 30 races conducted by that person for the purpose of

31 conducting pari-mutuel racing. However, arrangements
32 made by a licensee to televise any race for the
33 purpose of conducting pari-mutuel wagering are subject
34 to the approval of the commission, and the commission
35 shall select the races to be televised. The races
36 selected by the commission shall be the same for all
37 licensees approved by the commission to televise races
38 for the purpose of conducting pari-mutuel wagering.
39 The commission shall not authorize the simultaneous
40 telecast or televising of and a licensee shall not
41 simultaneously telecast or televise any horse or dog
42 race for the purpose of conducting pari-mutuel
43 wagering unless the simultaneous telecast or
44 televising is done at the racetrack of a licensee that
45 schedules no less than ~~ninety~~ sixty performances of
46 nine live races each day of the season. For purposes
47 of the taxes imposed under this chapter, races
48 televised by a licensee for purposes of pari-mutuel
49 wagering shall be treated as if the races were held at
50 the racetrack of the licensee.

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1 Sec. 102. Section 99D.11, subsection 6, Code 1993,
2 is amended by adding the following new paragraph:
3 NEW PARAGRAPH. c. The commission shall provide,
4 by rule, for the conduct of casino style gambling
5 including but not limited to slot machines, blackjack,
6 dice, keno, roulette, and other gambling games
7 associated with casino gambling, at pari-mutuel
8 racetracks licensed under this chapter subject to
9 approval in each affected county by a county-wide
10 referendum. As a part of its regulatory authority,
11 the commission may require that pari-mutuel racing
12 purses are supplemented from on-site gambling
13 revenues.

14 Sec. 103. Section 99D.11, subsection 7, Code 1993,
15 is amended to read as follows:

16 7. A person under the age of eighteen twenty-one
17 years shall not make a pari-mutuel wager.

18 Sec. 104. Section 99D.24, subsection 2, Code 1993,
19 is amended to read as follows:

20 2. A person knowingly permitting a person under
21 the age of eighteen twenty-one years to make a pari-
22 mutuel wager is guilty of a simple misdemeanor.

23 Sec. 105. Section 99E.18, subsection 2, Code 1993,
24 is amended to read as follows:

25 2. A ticket or share shall not be sold to a person
26 who has not reached the age of eighteen twenty-one.
27 This does not prohibit the lawful purchase of a ticket
28 or share for the purpose of making a gift to a person
29 who has not reached the age of eighteen twenty-one. A

30 licensee or a licensee's employee who knowingly sells
 31 or offers to sell a lottery ticket or share to a
 32 person who has not reached the age of eighteen twenty-
 33 one is guilty of a simple misdemeanor. In addition
 34 the license of a licensee shall be suspended. A prize
 35 won by a person who has not reached the age of
 36 eighteen twenty-one but who purchases a winning ticket
 37 or share in violation of this subsection shall be
 38 forfeited.

39 Sec. 106. Section 99F.4, subsection 4, Code 1993,
 40 is amended by striking the subsection.

41 Sec. 107. Section 99F.4, subsection 17, Code 1993,
 42 is amended to read as follows:

43 17. To define the duration of an excursion which
 44 shall be at least three hours during the excursion
 45 season. For the off season, the commission shall
 46 adopt rules limiting times of admission to excursion
 47 gambling boats consistent with maximum loss per player
 48 per gambling excursion specified in subsection 4.

49 Sec. 108. Section 99F.7, subsection 5, paragraph
 50 a, Code 1993, is amended by striking the paragraph and

Page 3

1 inserting in lieu thereof the following:

2 a. The square footage allowed to be used for
 3 gambling activity shall be determined by the
 4 commission.

5 Sec. 109. Section 99F.9, subsection 2, Code 1993,
 6 is amended by striking the subsection.

7 Sec. 110. Section 99F.9, subsection 6, Code 1993,
 8 is amended to read as follows:

9 6. A person under the age of eighteen twenty-one
 10 years shall not make a wager on an excursion gambling
 11 boat and shall not be allowed in the area of the
 12 excursion boat where gambling is being conducted.
 13 However, a person eighteen years of age or older may
 14 be employed to work in a gambling area.

15 Sec. 111. Section 99F.15, subsection 2, Code 1993,
 16 is amended to read as follows:

17 2. A person knowingly permitting a person under
 18 the age of eighteen twenty-one years to make a wager
 19 is guilty of a simple misdemeanor.

20 Sec. _____. Sections 100 through 111 of this Act,
 21 and this section, being deemed of immediate
 22 importance, take effect upon enactment."

McCOY of Polk
 MILLAGE of Scott

2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 1, line 3, through page 3,
5 line 22 and inserting the following:

6 "_____. Page 35, by inserting before line 34 the
7 following:

8 "Sec. 100. Section 99B.6, subsection 1, paragraph
9 k, Code 1993, is amended to read as follows:

10 k. No A person under the age of eighteen twenty-
11 one years may shall not participate in the gambling
12 except pursuant to sections 99B.3, 99B.4, 99B.5, and
13 99B.7. Any licensee knowingly allowing a person under
14 the age of eighteen twenty-one to participate in the
15 gambling prohibited by this paragraph or any person
16 knowingly participating in such gambling with a person
17 under the age of eighteen twenty-one, shall be is
18 guilty of a simple misdemeanor.

19 Sec. 101. Section 99D.11, subsection 6, paragraph
20 b, Code 1993, is amended to read as follows:

21 b. The commission may authorize the licensee to
22 simultaneously telecast within the racetrack
23 enclosure, for the purpose of pari-mutuel wagering, a
24 horse or dog race licensed by the racing authority of
25 another state. It is the responsibility of each
26 licensee to obtain the consent of appropriate racing
27 officials in other states as required by the federal
28 Interstate Horseracing Act of 1978, 15 U.S.C. § 3001-
29 3007, to televise races for the purpose of conducting
30 pari-mutuel wagering. A licensee may also obtain the
31 permission of a person licensed by the commission to
32 conduct horse or dog races in this state to televise
33 races conducted by that person for the purpose of
34 conducting pari-mutuel racing. However, arrangements
35 made by a licensee to televise any race for the
36 purpose of conducting pari-mutuel wagering are subject
37 to the approval of the commission, and the commission
38 shall select the races to be televised. The races
39 selected by the commission shall be the same for all
40 licensees approved by the commission to televise races
41 for the purpose of conducting pari-mutuel wagering.
42 The commission shall not authorize the simultaneous
43 telecast or televising of and a licensee shall not
44 simultaneously telecast or televise any horse or dog
45 race for the purpose of conducting pari-mutuel
46 wagering unless the simultaneous telecast or
47 televising is done at the racetrack of a licensee that
48 schedules no less than ninety sixty performances of
49 nine live races each day of the season. For purposes
50 of the taxes imposed under this chapter, races

Page 2

1 televised by a licensee for purposes of pari-mutuel
2 wagering shall be treated as if the races were held at
3 the racetrack of the licensee.

4 Sec. 102. Section 99D.11, subsection 6, Code 1993,
5 is amended by adding the following new paragraph:
6 NEW PARAGRAPH. c. The commission shall provide,
7 by rule, for the use and regulation of slot machines
8 at pari-mutuel racetracks licensed under this chapter
9 subject to approval in each affected county by a
10 county-wide referendum. As a part of its regulatory
11 authority, the commission shall require that pari-
12 mutuel racing purses are enhanced from on-site
13 gambling revenues based on negotiations between the
14 horse and dog breeders and the licensees of the
15 racetracks.

16 Sec. 103. Section 99D.11, subsection 7, Code 1993,
17 is amended to read as follows:

18 7. A person under the age of eighteen twenty-one
19 years shall not make a pari-mutuel wager.

20 Sec. 104. Section 99D.24, subsection 2, Code 1993,
21 is amended to read as follows:

22 2. A person knowingly permitting a person under
23 the age of eighteen twenty-one years to make a pari-
24 mutuel wager is guilty of a simple misdemeanor.

25 Sec. 105. Section 99E.18, subsection 2, Code 1993,
26 is amended to read as follows:

27 2. A ticket or share shall not be sold to a person
28 who has not reached the age of eighteen twenty-one.
29 This does not prohibit the lawful purchase of a ticket
30 or share for the purpose of making a gift to a person
31 who has not reached the age of eighteen twenty-one. A
32 licensee or a licensee's employee who knowingly sells
33 or offers to sell a lottery ticket or share to a
34 person who has not reached the age of eighteen twenty-
35 one is guilty of a simple misdemeanor. In addition
36 the license of a licensee shall be suspended. A prize
37 won by a person who has not reached the age of
38 eighteen twenty-one but who purchases a winning ticket
39 or share in violation of this subsection shall be
40 forfeited.

41 Sec. 106. Section 99F.4, subsection 4, Code 1993,
42 is amended to read as follows:

43 4. To regulate the wagering structure for gambling
44 excursions including providing a maximum wager of five
45 dollars per hand or play and maximum loss of two
46 hundred one thousand dollars per individual player per
47 gambling excursion.

48 Sec. 107. Section 99F.4, subsection 17, Code 1993,
49 is amended to read as follows:

50 17. To define the duration of an excursion which

Page 3

1 shall be at least three hours during the excursion
2 season. For the off season, the commission shall
3 adopt rules limiting times of admission to excursion
4 gambling boats consistent with maximum loss per player
5 per gambling excursion specified in subsection 4.

6 Sec. 108. Section 99F.7, subsection 5, paragraph
7 a, Code 1993, is amended by striking the paragraph and
8 inserting in lieu thereof the following:

9 a. The square footage allowed to be used for
10 gambling activity shall be determined by the
11 commission.

12 Sec. 109. Section 99F.9, subsection 2, Code 1993,
13 is amended to read as follows:

14 2. Licensees shall only allow a maximum wager of
15 five dollars per hand or play and a maximum loss of
16 two hundred one thousand dollars per person during
17 each gambling excursion. However, the commission may
18 adopt rules allowing additional wagers consistent with
19 generally accepted wagering options in the games of
20 twenty-one and dice.

21 Sec. 110. Section 99F.9, subsection 6, Code 1993,
22 is amended to read as follows:

23 6. A person under the age of eighteen twenty-one
24 years shall not make a wager on an excursion gambling
25 boat and shall not be allowed in the area of the
26 excursion boat where gambling is being conducted.
27 However, a person eighteen years of age or older may
28 be employed to work in a gambling area.

29 Sec. 111. Section 99F.15, subsection 2, Code 1993,
30 is amended to read as follows:

31 2. A person knowingly permitting a person under
32 the age of eighteen twenty-one years to make a wager
33 is guilty of a simple misdemeanor.

34 Sec. _____. Sections 100 through 111 of this Act,
35 and this section, being deemed of immediate
36 importance, take effect upon enactment."

HALVORSON of Clayton

H-4398

1 Amend Senate File 425, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Title page, by striking lines 1 through 3 and
4 inserting the following: "An Act to make a mockery of
5 article III, section 29 of the Constitution of the
6 State of Iowa."

HALVORSON of Webster
FALLON of Polk

H-4400

1 Amend the amendment, H-4397, to Senate File 425, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 1, line 3, through page 3,
5 line 22 and inserting the following:

6 "_____. Page 35, by inserting before line 34 the
7 following:

8 "Sec. 100. Section 99B.6, subsection 1, paragraph
9 k, Code 1993, is amended to read as follows:

10 k. No A person under the age of eighteen twenty-
11 one years may shall not participate in the gambling
12 except pursuant to sections 99B.3, 99B.4, 99B.5, and
13 99B.7. Any licensee knowingly allowing a person under
14 the age of eighteen twenty-one to participate in the
15 gambling prohibited by this paragraph or any person
16 knowingly participating in such gambling with a person
17 under the age of eighteen twenty-one, shall be is
18 guilty of a simple misdemeanor.

19 Sec. 101. Section 99D.11, subsection 6, paragraph
20 b, Code 1993, is amended to read as follows:

21 b. The commission may authorize the licensee to
22 simultaneously telecast within the racetrack
23 enclosure, for the purpose of pari-mutuel wagering, a
24 horse or dog race licensed by the racing authority of
25 another state. It is the responsibility of each
26 licensee to obtain the consent of appropriate racing
27 officials in other states as required by the federal
28 Interstate Horseracing Act of 1978, 15 U.S.C. § 3001-
29 3007, to televise races for the purpose of conducting
30 pari-mutuel wagering. A licensee may also obtain the
31 permission of a person licensed by the commission to
32 conduct horse or dog races in this state to televise
33 races conducted by that person for the purpose of
34 conducting pari-mutuel racing. However, arrangements
35 made by a licensee to televise any race for the
36 purpose of conducting pari-mutuel wagering are subject
37 to the approval of the commission, and the commission
38 shall select the races to be televised. The races
39 selected by the commission shall be the same for all
40 licensees approved by the commission to televise races
41 for the purpose of conducting pari-mutuel wagering.
42 The commission shall not authorize the simultaneous
43 telecast or televising of and a licensee shall not
44 simultaneously telecast or televise any horse or dog
45 race for the purpose of conducting pari-mutuel
46 wagering unless the simultaneous telecast or
47 televising is done at the racetrack of a licensee that
48 schedules no less than ninety sixty performances of
49 nine live races each day of the season. For purposes
50 of the taxes imposed under this chapter, races

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1 televised by a licensee for purposes of pari-mutuel
2 wagering shall be treated as if the races were held at
3 the racetrack of the licensee.

4 Sec. 102. Section 99D.11, subsection 6, Code 1993,
5 is amended by adding the following new paragraph:
6 NEW PARAGRAPH. c. The commission shall provide,
7 by rule, for the use and regulation of slot machines
8 at pari-mutuel racetracks licensed under this chapter
9 subject to approval in each affected county by a
10 county-wide referendum. As a part of its regulatory
11 authority, the commission shall require that pari-
12 mutuel racing purses are enhanced from on-site
13 gambling revenues based on negotiations between the
14 horse and dog breeders and the licensees of the
15 racetracks.

16 Sec. 103. Section 99D.11, subsection 7, Code 1993,
17 is amended to read as follows:

18 7. A person under the age of eighteen twenty-one
19 years shall not make a pari-mutuel wager.

20 Sec. 104. Section 99D.24, subsection 2, Code 1993,
21 is amended to read as follows:

22 2. A person knowingly permitting a person under
23 the age of eighteen twenty-one years to make a pari-
24 mutuel wager is guilty of a simple misdemeanor.

25 Sec. 105. Section 99E.18, subsection 2, Code 1993,
26 is amended to read as follows:

27 2. A ticket or share shall not be sold to a person
28 who has not reached the age of eighteen twenty-one.
29 This does not prohibit the lawful purchase of a ticket
30 or share for the purpose of making a gift to a person
31 who has not reached the age of eighteen twenty-one. A
32 licensee or a licensee's employee who knowingly sells
33 or offers to sell a lottery ticket or share to a
34 person who has not reached the age of eighteen twenty-
35 one is guilty of a simple misdemeanor. In addition
36 the license of a licensee shall be suspended. A prize
37 won by a person who has not reached the age of
38 eighteen twenty-one but who purchases a winning ticket
39 or share in violation of this subsection shall be
40 forfeited.

41 Sec. 106. Section 99F.4, subsection 4, Code 1993,
42 is amended to read as follows:

43 4. To regulate the wagering structure for gambling
44 excursions including providing a maximum wager of five
45 dollars per hand or play and maximum loss of two
46 hundred one thousand dollars per individual player per
47 gambling excursion.

48 Sec. 107. Section 99F.4, subsection 17, Code 1993,
49 is amended to read as follows:

50 17. To define the duration of an excursion which

Page 3

1 shall be at least three hours during the excursion
 2 season. For the off season, the commission shall
 3 adopt rules limiting times of admission to excursion
 4 gambling boats consistent with maximum loss per player
 5 per gambling excursion specified in subsection 4.

6 Sec. 108. Section 99F.4, Code 1993, is amended by
 7 adding the following new subsection:

8 NEW SUBSECTION. 23. To regulate passenger
 9 admissions to the excursion boats at the time gambling
 10 is allowed while the excursion boat is docked during
 11 the excursion season and off season.

12 Sec. 109. Section 99F.7, subsection 5, paragraph
 13 a, Code 1993, is amended by striking the paragraph and
 14 inserting in lieu thereof the following:

15 a. The square footage allowed to be used for
 16 gambling activity shall be determined by the
 17 commission.

18 Sec. 110. Section 99F.9, subsection 2, Code 1993,
 19 is amended to read as follows:

20 2. Licensees shall only allow a maximum wager of
 21 five dollars per hand or play and a maximum loss of
 22 two hundred one thousand dollars per person during
 23 each gambling excursion. However, the commission may
 24 adopt rules allowing additional wagers consistent with
 25 generally accepted wagering options in the games of
 26 twenty-one and dice.

27 Sec. 111. Section 99F.9, subsection 6, Code 1993,
 28 is amended to read as follows:

29 6. A person under the age of eighteen twenty-one
 30 years shall not make a wager on an excursion gambling
 31 boat and shall not be allowed in the area of the
 32 excursion boat where gambling is being conducted.
 33 However, a person eighteen years of age or older may
 34 be employed to work in a gambling area.

35 Sec. 112. Section 99F.15, subsection 2, Code 1993,
 36 is amended to read as follows:

37 2. A person knowingly permitting a person under
 38 the age of eighteen twenty-one years to make a wager
 39 is guilty of a simple misdemeanor.

40 Sec. _____. Sections 100 through 112 of this Act,
 41 and this section, being deemed of immediate
 42 importance, take effect upon enactment."

HALVORSON of Clayton

H-4401

1 Amend the amendment, H-4397, to Senate File 425, as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 2, by inserting after line 17.the

5 following:

6 "Sec. _____. Section 99D.15, subsection 2, Code
7 1993, is amended to read as follows:

8 2. A tax credit of up to five percent of the gross
9 sum wagered per year shall be granted to licensees
10 licensed for horse races and paid into a special fund
11 to be used for debt retirement ~~or operating expenses~~
12 only. However, the tax credit is equal to six percent
13 of the gross sum wagered in a year when the gross sum
14 wagered is less than ninety million dollars. Any
15 portion of the credit not used in a particular year
16 shall be retained by the commission. A tax credit
17 shall first be assessed against any share going to a
18 city, then to the share going to a county, and then to
19 the share going to the state."
20 2. By renumbering as necessary.

HOLVECK of Polk
CARPENTER of Polk
OSTERBERG of Linn

RESOLUTIONS ADOPTED

Resolutions adopted during the Seventy-fifth General Assembly, 1993 Session, not otherwise printed in the House Journal.

1 House Concurrent Resolution 4
 2 By Vande Hoef, Welter, Dvorsky,
 3 Eddie, Garman and Rafferty
 4 A Concurrent Resolution paying tribute to the
 5 memory of Paul W. Grossheim.
 6 *Whereas*, Paul Grossheim was born in Monticello,
 7 Iowa, graduated from high school in Washington, Iowa,
 8 and received his bachelor's degree from the University
 9 of Iowa, where he joined the Army's reserve officer
 10 training program; and
 11 *Whereas*, after college he served in the Army
 12 infantry, the military police, and earned a master's
 13 degree in criminology, becoming an expert in
 14 corrections; and
 15 *Whereas*, for two years during the Vietnam war, he
 16 commanded Long Binh prison, the largest United States
 17 military prison in South Vietnam, where he tightened
 18 security and improved guard training to reduce the
 19 instances of inmate rioting that had been common until
 20 his arrival; and
 21 *Whereas*, he administered prisons in West Germany
 22 and Kansas for the Army before returning to civilian
 23 service in Iowa in 1981 to become Deputy Director of
 24 the Iowa Department of Corrections, responsible for
 25 supervising the state's eight prisons; and
 26 *Whereas*, in 1988 he was appointed by Governor
 27 Branstad to head the Iowa Department of Corrections,
 28 where the majority of his tenure was marked by calm
 29 within the prison system, despite a major increase in
 30 the number of people incarcerated throughout the 1980s

Page 2

1 and early 1990s; and
 2 *Whereas*, he will be remembered for his
 3 professionalism, his straightforward approach to
 4 problem solving, and his firm but compassionate way of
 5 dealing with people; *Now Therefore*,
 6 *Be It Resolved By The House Of Representatives, The*
 7 *Senate Concurring*, That tribute be paid to the memory
 8 of Paul W. Grossheim, and that he be recognized for
 9 his many contributions to the corrections system in
 10 Iowa, and

11 *Be It Further Resolved*, That the Chief Clerk of the
 12 House of Representatives send copies of this
 13 Resolution to Paul W. Grossheim's widow, Jo Grossheim
 14 of Waukee, and to his children, Julia Rawlings of
 15 Austin, Texas, and Susan Ahmad of Lanham, Maryland.

HCR 4 filed January 28, 1993; House adopted April 30, 1993.

1 House Concurrent Resolution 5
 2 By Doderer, Running and Neuhauser
 3 A Concurrent Resolution honoring America's hospitalized
 4 veterans during Salute to Hospitalized Veterans Week
 5 from February 14-20, 1993.
 6 *Whereas*, many thousands of veterans of America's
 7 armed forces have served this nation in times of both
 8 peace and war, and in so doing, have assured the
 9 independence of the citizens of this nation; and
 10 *Whereas*, more than a million veterans enter
 11 Veterans Administration medical facilities nationwide
 12 for medical attention annually; and
 13 *Whereas*, these hospitalized veterans, who bear the
 14 physical and emotional scars of war, have earned the
 15 gratitude of Iowa's citizens for the many personal
 16 sacrifices made on their behalf; and
 17 *Whereas*, the Veterans Administration, for the
 18 twentieth consecutive year, has organized a national
 19 week of tribute honoring all hospitalized veterans
 20 with the purpose of urging all Americans to remember
 21 these men and women; *Now Therefore*,
 22 *Be It Resolved By The House Of Representatives, The*
 23 *Senate Concurring*, That the General Assembly
 24 encourages Iowans to join in expressing concern, care,
 25 and sincere appreciation to the patients in the Iowa
 26 veterans medical centers, every day, but especially
 27 from February 14-20, 1993, during Salute to
 28 Hospitalized Veterans Week.
 29 *Be It Further Resolved*, That the Chief Clerk of the
 30 House of Representatives send copies of this

Page 2

1 Resolution to the medical center directors for the
 2 United States Department of Veterans Affairs in Des
 3 Moines, Iowa City, and Knoxville, and to the
 4 Commandant at the Iowa Veterans Home in Marshalltown.

HCR 5 filed February 8, 1993; House adopted February 11, 1993;
 Senate adopted February 18, 1993.

1 House Concurrent Resolution 6
 2 By Witt, Hanson of Black Hawk, Harper, Shoultz, Bell,
 3 Henderson, Kreiman, Moreland, Halvorson of Clayton,
 4 Iverson, Ollie, Koenigs, Fogarty, Holveck, Klemme,
 5 Jochum, Brand, Renken, Brunkhorst, Beatty, Schrader,
 6 Grundberg and Ertl

7 (Companion To LSB 1941SS By Lind)

8 A Concurrent Resolution commemorating coach Eldon
 9 Miller's five hundredth career basketball coaching
 10 victory.

11 *Whereas*, Eldon Miller, head basketball coach of the
 12 University of Northern Iowa Panthers, is in his
 13 thirty-first season as a head coach; and

14 *Whereas*, Coach Miller, in his pursuit of basketball
 15 coaching success, conducts himself with intelligence,
 16 vigor, and an unshakable commitment to integrity,
 17 academic excellence, modesty, and good sportsmanship;
 18 and

19 *Whereas*, Coach Miller conducts his personal affairs
 20 in a manner consistent with the highest ethical
 21 standards, and has made his family and their well-
 22 being his primary concern; and

23 *Whereas*, Coach Miller has, by his example, inspired
 24 countless players, students, fans, alumni, and members
 25 of the community at large; and

26 *Whereas*, on January 30, 1993, the University of
 27 Iowa Panthers secured for Coach Miller the five
 28 hundredth victory of his head coaching career, making
 29 him the thirty-fourth coach to reach this milestone in
 30 basketball's long history; *Now Therefore*,

Page 2

1 *Be It Resolved By The House Of Representatives, The*
 2 *Senate Concurring*, That Coach Eldon Miller be
 3 congratulated on the occasion of his five hundredth
 4 career coaching victory, and that he be commended for
 5 the inspirational example he has set through his life,
 6 work, and service.

HCR 6 filed February 10, 1993; House adopted February 18, 1993;
 Senate adopted March 8, 1993.

1 House Concurrent Resolution 8
 2 By Daggett

3 A House Concurrent Resolution relating to a
 4 biennial memorial session.

5 *Whereas*, it has been the custom to hold a biennial
 6 memorial session in recognition of the public service
 7 of departed members of the General Assembly; and

8 *Whereas*, both Houses desire to participate in such
 9 an observance, *Now Therefore*,

10 *Be It Resolved by the House of Representatives, the*
 11 *Senate Concurring*, that an evening session of the Seventy-
 12 fifth General Assembly be held in the House chamber
 13 Tuesday evening, April 13, 1993, at 7:30 p.m.

14 *Be It Further Resolved*, that a joint committee of
 15 eight members be appointed, four from the Senate to be
 16 appointed by the President of the Senate, and four from
 17 the House to be appointed by the Speaker of the House,
 18 to make suitable arrangements for a joint memorial session.

HCR 8 filed February 16, 1993; House adopted February 17, 1993;
 Senate adopted March 2, 1993.

1 House Concurrent Resolution 9

2 By Siegrist and Arnould

3 A House Concurrent Resolution relating to
 4 Pioneer Lawmakers.

5 *Whereas*, the Seventy-fifth General Assembly is
 6 advised of a meeting of the Pioneer Lawmakers Association
 7 to be held on Tuesday, April 13, 1993; and

8 *Whereas*, the Pioneer Lawmakers request the opportunity
 9 to meet formally with the General Assembly, *Now Therefore*,

10 *Be It Resolved by the House of Representatives, the*
 11 *Senate concurring*, that the General Assembly meet in joint
 12 session in the House chamber on Tuesday, April 13, 1993,
 13 at 1:30 p.m. and that the Pioneer Lawmakers be invited to
 14 attend and present a program on that occasion, and that the
 15 Speaker of the House of Representatives and the President
 16 of the Senate be designated to deliver the invitation
 17 to them.

HCR 9 filed February 16, 1993; House adopted February 17, 1993;
 Senate adopted March 2, 1993.

1 House Concurrent Resolution 10

2 By Spenner

3 A Concurrent Resolution to designate the City of New
 4 London, Iowa, the "City of Redbuds."

5 *Whereas*, five hundred redbud trees were planted in
 6 the City of New London in 1991, and in 1992 another
 7 three hundred redbud trees were purchased and planted
 8 by the residents of New London in a voluntary effort;
 9 and

10 *Whereas*, two hundred more trees will be available
 11 for planting in the spring of 1993, and the city
 12 intends to make the planting of redbud trees an
 13 ongoing project; and

14 *Whereas*, the New London City Council adopted "City
 15 of Redbuds" as its official motto on April 1, 1991;
 16 and

17 *Whereas*, New London has adopted an image of the
 18 redbud tree as its official City logo; and

19 *Whereas*, New London plans to celebrate a "Redbud
20 Festival" this April and each April to come; *Now*

21 *Therefore*,

22 *Be It Resolved By The House Of Representatives, The*
23 *Senate Concurring*, That the Iowa General Assembly
24 designate the City of New London, Iowa, the "City of
25 Redbuds."

26 *Be It Further Resolved*, That the Chief Clerk of the
27 House of Representatives send a copy of this
28 Resolution to Mayor Paul Lorber of the City of New
29 London.

HCR 10 filed February 17, 1993; House adopted February 19, 1993;
Senate adopted March 4, 1993.

1 House Concurrent Resolution 14
2 By Halvorson of Clayton and Hurley
3 A Concurrent Resolution to request a meeting with all
4 members of the Iowa delegation to the United States
5 Congress to discuss problems related to unfunded
6 federal mandates.

7 *Whereas*, the number of unfunded federal mandates
8 imposed upon the states by the United States Congress
9 has alarmingly increased in recent years; and

10 *Whereas*, this continuing imposition places the
11 state of Iowa and her sister states in the precarious
12 position of either attempting to fund the federal
13 requirements with diminishing amounts of available
14 revenue or jeopardizing eligibility for certain
15 federal funds; and

16 *Whereas*, states and the United States Congress
17 should engage in earnest discussions regarding the
18 difficult posture in which the states have been cast
19 and the urgent necessity of the states to receive
20 monetary assistance for these mandates or relief from
21 the enforcement of these unfunded decrees; and

22 *Whereas*, the members of the Iowa General Assembly
23 desire to personally communicate with the Iowa
24 delegation to the United States Congress concerning
25 this critical problem so that our representatives may
26 be completely cognizant of the effect the actions of
27 the federal government have at the state legislative
28 level and may be more sensitive to the difficulties
29 unfunded federal mandates create; *Now Therefore*,

30 *Be It Resolved By The House Of Representatives, The*

Page 2

1 *Senate Concurring*, That all members of the Iowa
2 delegation to the United States Congress are
3 respectfully requested to annually appear before a
4 joint session of the Iowa General Assembly to discuss
5 the new burdens that have been imposed by the federal
6 government on the states.

7 *Be It Further Resolved*, That the Chief Clerk of the
 8 Iowa House of Representatives, by a copy of this
 9 resolution, advise each member of the Iowa
 10 congressional delegation of this request and of the
 11 General Assembly's hopeful anticipation of the Iowa
 12 delegation's acceptance of this request.

HCR 14 filed February 24, 1993; House adopted March 5, 1993.

1 House Concurrent Resolution 16
 2 By Committee On Rules
 3 A Concurrent Resolution relating to joint rules of
 4 the Senate and House of Representatives for the
 5 Seventy-fifth General Assembly.
 6 *Be It Resolved By The House Of Representatives, The*
 7 *Senate Concurring*, That the joint rules of the Senate
 8 and House of Representatives for the Seventy-fifth
 9 General Assembly shall be:
 10 Joint Rules Of The
 11 Senate And House
 12 Rule 1
 13 Suspension of Joint Rules
 14 The joint rules of the general assembly may be
 15 suspended by concurrent resolution, duly adopted by a
 16 constitutional majority of the senate and the house.
 17 Rule 2
 18 Designation of Sessions
 19 Each regular session of a general assembly shall be
 20 designated by the year in which such regular session
 21 commences.
 22 Rule 3
 23 Sessions of a General Assembly
 24 The election of officers, organization, hiring and
 25 compensation of employees, and standing committees in
 26 each house of the general assembly and action taken by
 27 each house shall carry over from the first to the
 28 second regular session and to any extraordinary
 29 session of the same general assembly. The status of
 30 each bill and resolution shall be the same at the

Page 2

1 beginning of each second session as it was immediately
 2 before adjournment of the previous regular or
 3 extraordinary session; however the rules of either
 4 house may provide for re-referral of some or all bills
 5 and resolutions to standing committees upon
 6 adjournment of each session or at the beginning of a
 7 subsequent regular or extraordinary session, except
 8 those which have been adopted by both houses in
 9 different forms.

10 Upon final adoption of a concurrent resolution at
 11 any extraordinary session affecting that session, or
 12 at a regular session affecting any extraordinary
 13 session which may be held before the next regular
 14 session, the creation of any calendar by either house
 15 shall be suspended and the business of the session
 16 shall consist solely of those bills or subject matters
 17 stated in the resolution adopted. Bills named in the
 18 resolution, or bills containing the subject matter
 19 provided for in the resolution, may, at any time, be
 20 called up for debate in either house by the majority
 21 leader of that house.

22 Rule 4

23 Presentation of Messages

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

28 Rule 5

29 Printing and Form of Bills

30 Page 3

1 and Other Documents

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

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

10 The legal counsel's office of each house shall
 11 approve all bills before introduction.

12 Rule 6

13 Companion Bills

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

20 Rule 7

21 Reprinting of Bills

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

27 The secretary of the senate or the chief clerk may
 28 order the printing of a reasonable number of
 29 additional copies of any bill, resolution, amendment,
 30 or journal.

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1 Rule 8
 2 Daily Clip Sheet

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

6 Rule 9
 7 Reintroduction of Bills and Other Measures

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

11 Rule 10
 12 Certification of Bills and Other Enrollments

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

18 Rule 11
 19 Code Editor's Correction Bill

20 A bill recommended by the code editor which is
 21 introduced by a committee of the house or senate
 22 within the first four weeks of convening of a
 23 legislative session and which contains code
 24 corrections of a nonsubstantive nature shall not may
 25 be amended on the floor of either house except
 26 pursuant to corrective or nonsubstantive amendments
 27 filed by the judiciary committee of the senate or the
 28 judiciary and law enforcement committee of the house.
 29 Such committee amendments shall not be incorporated
 30 into the bill in the originating house but shall be

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1 filed separately. Amendments to strike sections of
 2 the bill or the committee amendments filed from the
 3 floor shall be in order. Following passage by the
 4 other house, only amendments filed from the floor to
 5 strike or perfecting amendments filed by the judiciary
 6 or the judiciary and law enforcement committee to the
 7 amendment of the other house shall be in order.

8 A bill recommended by the code editor which is
 9 introduced by a committee of the house or senate
 10 within the first four weeks of convening of a
 11 legislative session and which contains code
 12 corrections beyond those of a nonsubstantive nature
 13 shall not may be amended on the floor of either house

14 except pursuant to amendments filed by the judiciary
15 committee of the senate or the judiciary and law
16 enforcement committee of the house. Such committee
17 amendments shall not be incorporated into the bill in
18 the originating house but shall be filed separately.
19 Such a bill shall be limited to corrections which:
20 Adjust language to reflect current practices, insert
21 earlier omissions, delete redundancies and
22 inaccuracies, delete temporary language, resolve
23 inconsistencies and conflicts, update ongoing
24 provisions, and remove ambiguities. Amendments to
25 strike sections of the bill or the committee
26 amendments filed from the floor shall be in order.
27 Following passage by the other house, only amendments
28 filed from the floor to strike or perfecting
29 amendments filed by the judiciary or the judiciary and
30 law enforcement committee to the amendment of the

Page 6

1 other house shall be in order.

2 Rule 12

3 Amendments by Other House

4 I. When a bill which originated in one house is
5 amended in the other house, the house originating the
6 bill may amend the amendment, concur in full in the
7 amendment, or refuse to concur in full in the
8 amendment. Precedence of motions shall be in that
9 order. The amendment of the other house shall not be
10 ruled out of order based on a question of germaneness.
11 Precedence of motions shall be in that order.

12 A. If the house originating the bill concurs in
13 the amendment, the bill shall then be immediately
14 placed upon its final passage.

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

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

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

23 C. If the house originating the bill amends the
24 amendment, that house shall concur in the amendment as
25 amended and the bill shall be immediately placed on
26 final passage, and shall be returned to the other
27 house. The other house cannot further amend the bill.

28 1. If the amending house which gave second
29 consideration to the bill concurs in the amendment to
30 the amendment, the bill shall then be immediately

Page 7

1 placed upon its final passage.

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

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

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

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

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

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

Rule 13

Conference Committee

23 1. Within one legislative day after either house
24 insists upon an amendment to a bill, the presiding
25 officer of the house, after consultation with the
26 majority leader, shall appoint three majority party
27 members and, after consultation with the minority
28 leader, shall appoint two minority party members to a
29 conference committee. The majority leader of the
30 senate, after consultation with the president, shall

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1 appoint three majority party members and, after
2 consultation with and approval by the minority leader;
3 shall appoint two minority party members to a
4 conference committee. The papers shall remain with the
5 house that originated the bill. .

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

10 3. The authority of the first conference committee
11 shall cover free conference during which the committee
12 has authority to propose amendments to any portion of
13 a bill provided the amendment is within the scope of
14 the title of the bill as passed by the house of origin
15 or amended by the second house only issues related to
16 provisions of the bill and amendments to the bill
17 which were adopted by either the senate or the house
18 of representatives and on which the senate and house
19 of representatives differed.

- 20 4. An agreement on recommendations must be
 21 approved by at least three members from each house.
 22 The committee shall submit two originals of the report
 23 signed by at least three members of each house with
 24 one signed original and three copies to be submitted
 25 to each house. The report shall first be acted upon
 26 in the house originating the bill. Such action,
 27 including all papers, shall be immediately referred by
 28 the secretary of the senate or the chief clerk of the
 29 house of representatives to the other house.
 30 5. The report of agreement is debatable, but

Page 9

- 1 cannot be amended. If the report contains recommended
 2 amendments to the bill, adoption of the report shall
 3 automatically adopt all amendments contained therein.
 4 After the report is adopted, there shall be no more
 5 debate, and the bill shall immediately be placed upon
 6 its final passage.
 7 6. Refusal of either house to adopt the conference
 8 committee report has the same effect as if the
 9 committee had disagreed.
 10 7. If the conference committee fails to reach
 11 agreement, a report of such failure signed by at least
 12 three members of each house shall be given promptly to
 13 each house. The bill shall be returned to the house
 14 that originated the bill, the members of the committee
 15 shall be immediately discharged, and a new conference
 16 committee appointed in the same manner as the first
 17 conference committee.
 18 8. The authority of a second or subsequent
 19 conference committee shall cover free conference
 20 during which the committee has authority to propose
 21 amendments to any portion of a bill provided the
 22 amendment is within the scope of the title of the bill
 23 as passed by the house of origin or amended by the
 24 second house.

Rule 14

Enrollment and Authentication of Bills

- 27 A bill or resolution which has passed both houses
 28 shall be enrolled in the house of origin under the
 29 direction of either the secretary or the chief clerk
 30 and its house of origin shall be certified by the

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- 1 endorsement of the secretary or the chief clerk.
 2 After enrollment, each bill shall be signed by the
 3 president and by the speaker.

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Rule 15

5

Concerning other Enrollments

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

9

All resolutions and other matters which are not to be presented to the governor or the secretary of state shall be enrolled, signed and retained permanently by the secretary of the senate or chief clerk of the house.

14

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Rule 16

16

Transmission of Bills to the Governor

17

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

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Rule 17

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Fiscal Notes

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A fiscal note shall be attached to any bill or joint resolution which reasonably could have an annual effect of at least one hundred thousand dollars or a combined total effect within five years after enactment of five hundred thousand dollars or more on the aggregate revenues, expenditures or fiscal

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Page 11

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liability of the state or its subdivisions. This rule does not apply to appropriation and ways and means measures where the total effect is stated in dollar amounts.

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

18

19 The preliminary determination of whether the bill
20 appears to require a fiscal note shall be made by the
21 legislative service bureau which shall send a copy of
22 the request to the legislative fiscal bureau unless
23 the requestor specifies the request is to be
24 confidential. Upon completion of the bill draft, the
25 legislative service bureau shall immediately send a
26 copy to the legislative fiscal director for review.

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

30 The legislative fiscal director shall review all

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1 bills placed on the senate or house calendars to
2 determine whether the bills are subject to this rule.

3 Additionally, a legislator may request the
4 preparation of a fiscal note by legislative fiscal
5 bureau for any bill or joint resolution introduced
6 which reasonably could be subject to this rule.

7 The legislative fiscal director shall cause to be
8 prepared and shall approve a fiscal note within a
9 reasonable time after receiving a request or
10 determining that a bill is subject to this rule. All
11 fiscal notes approved by the legislative fiscal bureau
12 director shall be transmitted immediately to the
13 secretary of the senate or the chief clerk of the
14 house, after notifying the sponsor of the bill that a
15 fiscal note has been prepared, for publication in the
16 daily clip sheet. The secretary of the senate or
17 chief clerk of the house shall attach the fiscal note
18 to the bill as soon as it is available.

19 The legislative fiscal director may request the
20 cooperation of any state department or agency in
21 preparing a fiscal note.

22 A revised fiscal note may be requested by a
23 legislator if the fiscal effect of the bill has been
24 changed by adoption of an amendment. However, a
25 request for a revised fiscal note shall not delay
26 action on a bill unless so ordered by the presiding
27 officer of the house in which the bill is under
28 consideration.

29 If a date for adjournment has been set, then a
30 constitutional majority of the house in which the bill

Page 13

1 is under consideration may waive the fiscal note
2 requirement during the three days prior to the date
3 set for adjournment.

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Rule 18

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Legislative Interns

6 Legislators may arrange student internships during
7 the legislative session with Iowa college, university,
8 or law school students, for which the students may
9 receive college credit at the discretion of their
10 schools. Each legislator is allowed only one intern
11 at a time per legislative session, and all interns
12 must be registered with the offices of the secretary
13 of the senate and the chief clerk of the house.

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

22 The secretary of the senate and the chief clerk of
23 the house or their designees shall have the following
24 responsibilities as regards the legislative intern
25 program:

26 1. Identify a supervising faculty member at each
27 participating institution who shall be responsible for
28 authorizing students to participate in the intern
29 program.

30 2. Provide legislators with a list of

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1 participating institutions and the names of
2 supervising professors to contact if interested in
3 arranging for an intern.

4 3. Provide interns with name badges which will
5 allow them access to the floor of either house when
6 required to be present by the legislators for whom
7 they work.

8 4. Provide orientation materials to interns prior
9 to the convening of each session.

10

Rule 19

11 Administrative Rules Review Committee Bills

12 A bill which relates to departmental rules and
13 which is approved by the administrative rules review
14 committee by a majority of the committee's members of
15 each house is eligible for introduction in either
16 house at any time and must be referred to a standing
17 committee, which must take action on the bill within
18 three weeks of referral, except bills referred to
19 appropriations and ways and means committees.

20

Rule 20

21 Time of Committee Passage and Consideration of Bills

22 1. This rule does not apply to concurrent or
23 simple resolutions, joint resolutions nullifying
24 administrative rules, senate confirmations, bills
25 embodying redistricting plans prepared by the
26 legislative service bureau pursuant to chapter 42, or
27 bills passed by both houses in different forms.
28 Subsection 2 of this rule does not apply to
29 appropriations bills, ways and means bills, legalizing
30 acts, administrative rules review committee bills,

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1 bills cosponsored by majority and minority floor
2 leaders of one house, bills in conference committee,
3 and companion bills sponsored by the majority floor
4 leaders of both houses after consultation with the
5 respective minority floor leaders. For the purposes
6 of this rule, a joint resolution is considered as a
7 bill. To be considered an appropriations or ways and
8 means bill for the purposes of this rule, the
9 appropriations committee or the ways and means
10 committee must either be the sponsor of the bill or
11 the committee of first referral in the originating
12 house.

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

22 3. During the 11th week of the first session and
23 the 9th week of the second session, each house shall
24 consider only bills originating in that house and
25 unfinished business. During the 14th week of the
26 first session and the 12th week of the second session,
27 each house shall consider only bills originating in
28 the other house and unfinished business. Beginning
29 with the 15th week of the first session and the 13th
30 week of the second session, each house shall consider

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1 only bills passed by both houses, bills exempt from
2 subsection 2 and unfinished business.

3 4. A motion to reconsider filed and not disposed
4 of on an action taken on a bill or resolution which is
5 subject to a deadline under this rule may be called up
6 at any time before or after the day of the deadline by

7 the person filing the motion or after the deadline by
 8 the majority floor leader, notwithstanding any other
 9 rule to the contrary.

10 Rule 21

11 Resolutions

12 1. A "concurrent resolution" is a resolution to be
 13 adopted by both houses of the general assembly which
 14 expresses the sentiment of the general assembly or
 15 deals with temporary legislative matters. It may
 16 authorize the expenditure, for any legislative
 17 purpose, of funds appropriated to the general
 18 assembly. A concurrent resolution is not limited to,
 19 but may provide for a joint convention of the general
 20 assembly, adjournment or recess of the general
 21 assembly, or requests to a state agency or to the
 22 general assembly or a committee. A concurrent
 23 resolution requires the affirmative vote of a majority
 24 of the senators or representatives present and voting
 25 unless otherwise specified by statute. A concurrent
 26 resolution does not require the governor's approval
 27 unless otherwise specified by statute. A concurrent
 28 resolution shall be filed with the secretary of the
 29 senate or the chief clerk of the house. A concurrent
 30 resolution shall be printed in the bound journal after

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1 its adoption.

2 2. A "joint resolution" is a resolution which
 3 requires for approval the affirmative vote of a
 4 constitutional majority of each house of the general
 5 assembly. A joint resolution which appropriates funds
 6 or enacts temporary laws must contain the clause "Be
 7 It Enacted by the General Assembly of the State of
 8 Iowa:", is equivalent to a bill, and must be
 9 transmitted to the governor for his approval. A joint
 10 resolution which proposes amendments to the
 11 Constitution of the State of Iowa, ratifies amendments
 12 to the Constitution of the United States, proposes a
 13 request to Congress or an agency of the government of
 14 the United States of America, proposes to Congress an
 15 amendment to the Constitution of the United States of
 16 America, nullifies an administrative rule, or creates
 17 a special commission or committee must contain the
 18 clause "Be It Resolved by the General Assembly of the
 19 State of Iowa:" and shall not be transmitted to the
 20 governor. A joint resolution shall not amend a
 21 statute in the Code of Iowa.

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Rule 22

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Nullification Resolutions

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A "nullification resolution" is a joint resolution which nullifies all of an administrative rule, or a severable item of an administrative rule adopted pursuant to chapter 17A of the Code. A nullification resolution shall not amend an administrative rule by adding language or by inserting new language in lieu of existing language.

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A nullification resolution is debatable, but cannot be amended on the floor of the house or senate. The effective date of a nullification resolution shall be stated in the resolution. Any motions filed to reconsider adoption of a nullification resolution must be disposed of within one legislative day of the filing.

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Rule 23

Consideration of Vetoes

1. The senate and house calendar shall include a list known as the "Veto Calendar." The veto calendar shall consist of:

a. Bills returned to that house by the governor in accordance with Article III, section 16 of the Constitution of the State of Iowa.

b. Appropriations items returned to that house by the governor in accordance with Article III, section 16 of the Constitution of the State of Iowa.

c. Bills and appropriations items received from the other house after that house has voted to override a veto of them by the governor.

2. Vetoed bills and appropriations items shall automatically be placed on the veto calendar upon receipt. Vetoed bills and appropriations items shall not be referred to committee.

3. Upon first publication in the veto calendar, the senate majority leader or the house majority leader may call up a vetoed bill or appropriations item at any time.

4. The affirmative vote of two-thirds of the

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members of the body by record roll call is required on a motion to override an executive veto or item veto.

5. A motion to override an executive veto or item veto is debatable. A vetoed bill or appropriation item cannot be amended in this case.

6. The vote by which a motion to override an executive veto or item veto passes or fails to pass either house is not subject to reconsideration under senate rule 24 or house rule 73.

10 7. The secretary of the senate or the chief clerk
 11 of the house shall immediately notify the other house
 12 of the adoption or rejection of a motion to override
 13 an executive veto or item veto.

14 8. All bills and appropriations items on the veto
 15 calendar shall be disposed of before adjournment sine
 16 die, unless the house having a bill or appropriation
 17 item before it declines to do so by unanimous consent.

18 9. Bills and appropriations items on the veto
 19 calendar are exempt from deadlines imposed by joint
 20 rule 20.

21 Rule 24

22 Special Rules Regarding Redistricting for 1991

23 1. If, pursuant to chapter 42, either the senate
 24 or the house rejects a redistricting plan submitted by
 25 the legislative service bureau, the house rejecting
 26 the plan shall convey the reasons for the rejection of
 27 the plan to the legislative service bureau by
 28 resolution.

29 2. If, pursuant to chapter 42, the legislative
 30 service bureau submits a third redistricting plan as

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1 provided by law, the senate and house, when
 2 considering a bill embodying plan III, shall be
 3 allowed to accept for filing as amendments only such
 4 amendments which constitute the total text of a
 5 congressional plan without striking a legislative
 6 redistricting plan, the total text of a legislative
 7 redistricting plan without striking a congressional
 8 plan, or the combined total text of a congressional
 9 plan and a legislative redistricting plan, and
 10 nonsubstantive, technical corrections to the text of
 11 any such bills or amendments.

HCR 16 filed March 1, 1993; House adopted March 2, 1993.

1 House Concurrent Resolution 17

2 By O'Brien

3 A Concurrent Resolution to designate Boone, Iowa, the
 4 official site of the Iowa Municipal Band Festival.

5 *Whereas*, the City of Boone has long had an active
 6 and productive municipal band, with a tradition of
 7 enthusiastic citizen participation; and

8 *Whereas*, recognizing the affection Iowans have for
 9 municipal band music and their willingness to enjoy
 10 and participate in making municipal band music,
 11 members of the Boone Municipal Band came together to
 12 institute a festival of bands; and

13 *Whereas*, the first statewide festival of Iowa
 14 municipal bands was held in Boone in 1992 with five
 15 bands participating; and

16 *Whereas*, ten bands are expected to participate in
 17 this year's festival, which is scheduled to take place
 18 in Boone on July 10; *Now Therefore*,
 19 *Be It Resolved By The House Of Representatives, The*
 20 *Senate Concurring*, That the General Assembly designate
 21 the City of Boone as the official site of the Iowa
 22 Municipal Band Festival.
 23 *Be It Further Resolved*, That the Chief Clerk of the
 24 House of Representatives send a copy of this
 25 Resolution to the Mayor of the City of Boone, Iowa.

HCR 17 filed March 4, 1993; House adopted March 9, 1993; Senate adopted March 11, 1993.

1 House Concurrent Resolution 20
 2 By Brunkhorst
 3 A Concurrent Resolution relating to product labeling
 4 and supporting flag labeling all goods and services.
 5 *Whereas*, the current American trade deficit has
 6 proven to be one of the most persistent and resilient
 7 of American economic problems; and
 8 *Whereas*, many commercial outlets do not offer
 9 American consumers a choice between domestically
 10 produced and foreign-produced goods or do not provide
 11 the consumer with sufficient information to
 12 differentiate between domestically produced and
 13 foreign-produced goods; and
 14 *Whereas*, many Americans would prefer to buy
 15 American goods and services if they were readily
 16 available and identified; and
 17 *Whereas*, flag labeling all goods and services
 18 (FLAGS), would utilize a simple and convenient three
 19 flag labeling concept to indicate the ownership of the
 20 company producing the products, the location where the
 21 product was produced, and the origin of the components
 22 or parts that were used in producing the product; and
 23 *Whereas*, flag labeling all goods and services
 24 (FLAGS), by providing accessible consumer information,
 25 would allow Americans to buy American products,
 26 promote American enterprise, and protect American
 27 workers; *Now Therefore*,
 28 *Be It Resolved By The House Of Representatives, The*
 29 *Senate Concurring*, That support be expressed for
 30 consumer labeling utilizing flag labeling all goods

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1 and services (FLAGS).

HCR 20 filed March 11, 1993; House adopted March 29, 1993; Senate adopted April 7, 1993.

1 House Concurrent Resolution 24
2 By Committee On Appropriations
3 (Successor To HSB 254)

4 A Concurrent Resolution relating to the state board of
5 regents five-year building program.

6 *Whereas*, pursuant to section 262A.3, the state
7 board of regents prepared and within seven days after
8 the convening of the Seventy-fifth General Assembly of
9 the State of Iowa, First Session, submitted to the
10 Seventy-fifth General Assembly, First Session, for
11 approval the proposed five-year building program for
12 each institution of higher learning under the
13 jurisdiction of the board, containing a list of the
14 buildings and facilities which the board deems
15 necessary to further the educational objectives of the
16 institutions, together with an estimate of the cost of
17 each of the buildings and facilities and an estimate
18 of the maximum amount of revenue bonds which the board
19 expects to issue under chapter 262A for the fiscal
20 period beginning July 1, 1993, and ending June 30,
21 1995; and

22 *Whereas*, the projects contained in the capital
23 improvement program are deemed necessary for the
24 proper performance of the instructional, research, and
25 service functions of the institutions; and

26 *Whereas*, section 262A.4 provides that the state
27 board of regents, after authorization by a
28 constitutional majority of each house of the general
29 assembly and approval by the governor, may undertake
30 and carry out at the institutions of higher learning

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1 under the jurisdiction of the board any project as
2 defined in chapter 262A; and

3 *Whereas*, chapter 262A authorizes the state board of
4 regents to borrow money and to issue and sell
5 negotiable revenue bonds to pay all or any part of the
6 cost of carrying out projects at any institution
7 payable solely from and secured by an irrevocable
8 pledge of a sufficient portion of the student fees and
9 charges and institutional income received by the
10 particular institution; and

11 *Whereas*, to further the educational objectives of
12 the institutions, the state board of regents requests
13 authorization to undertake and carry out certain
14 projects at this time and to finance their costs by
15 borrowing money and issuing negotiable bonds under
16 chapter 262A in a total amount not to exceed
17 \$16,380,000, the remaining cost of the projects to be
18 financed by appropriations or by federal or other
19 funds lawfully available; *Now Therefore*,

20 *Be It Resolved By The House Of Representatives, The*
 21 *Senate Concurring,* That the proposed five-year
 22 building program submitted by the state board of
 23 regents for each institution of higher learning under
 24 its jurisdiction is approved; and
 25 *Be It Further Resolved,* That no commitment is
 26 implied or intended by approval to fund any portion of
 27 the proposed five-year building program submitted by
 28 the state board of regents beyond the portion that is
 29 financed and approved by the Seventy-fifth General
 30 Assembly, First Session, and the governor; and

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1 *Be It Further Resolved,* That during the fiscal
 2 period which commences July 1, 1993, and which ends
 3 June 30, 1995, the maximum amount of bonds which the
 4 state board of regents expects to issue under chapter
 5 262A, unless additional bonding is authorized, is
 6 \$16,380,000, all or any part of which may be issued
 7 during the fiscal year ending June 30, 1994, and if
 8 all of that amount is not issued during that fiscal
 9 year, any remaining balance may be issued during the
 10 fiscal year ending June 30, 1995, and this plan of
 11 financing is approved; and

12 *Be It Further Resolved,* That the state board of
 13 regents is authorized to undertake, plan, construct,
 14 equip, and otherwise carry out the following projects
 15 at the institutions of higher learning under the
 16 jurisdiction of the board, and the general assembly
 17 authorizes the state board of regents to borrow money
 18 and to issue and sell negotiable revenue bonds in the
 19 manner provided in sections 262A.5 and 262A.6 in order
 20 to pay all or any part of the costs of carrying out
 21 the projects, and the cost of issuance of bonds, at
 22 any institution in a total amount not to exceed
 23 \$16,380,000:

24	<u>State University of Iowa</u>	
25	Pharmacy building addition construction	
26	Cost of issuance of bonds	
27	.....	\$ 8,939,000
28	<u>University of Northern Iowa</u>	
29	Library addition construction	
30	Cost of issuance of bonds	

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1	\$ 7,441,000
2	Total	\$ 16,380,000
3	<i>Be It Further Resolved,</i> That if the amount of bonds	
4	issued under this Resolution exceeds the actual costs	
5	of projects approved in this Resolution, the amount of	
6	the difference shall be used to pay the principal and	

7 interest due on bonds issued under chapter 262A; and
 8 *Be It Further Resolved*, That the state board of
 9 regents may capitalize the bond reserve fund with
 10 respect to the State University of Iowa and the
 11 University of Northern Iowa bonds authorized pursuant
 12 to this Resolution. However, this authorization for
 13 capitalization shall not authorize the state board of
 14 regents to increase the amount of bonds issued under
 15 this Resolution.

HCR 24 filed March 30, 1993; House adopted April 21, 1993;
 Senate adopted April 26, 1993; signed by the Governor May 20, 1993.

1 House Concurrent Resolution 25
 2 By Dvorsky
 3 A Concurrent Resolution relating to the Iowa Hawkeyes
 4 Women's Basketball Team.
 5 *Whereas*, the citizens of Iowa are justly proud that
 6 the Iowa Hawkeyes have been invited to the 1993 NCAA
 7 tournament; and
 8 *Whereas*, the Hawkeyes have won the Mideast Regional
 9 and will be competing in the Final Four for the first
 10 time in Hawkeye history; and
 11 *Whereas*, this Iowa team is currently the fourth-
 12 rated women's basketball team in America; and
 13 *Whereas*, Coach C. Vivian Stringer has been named
 14 the national women's basketball coach of the year in
 15 recognition of her accomplishments in leading the
 16 Hawkeyes to their first appearance in the Final Four;
 17 and
 18 *Whereas*, the Iowa Hawkeyes will continue their
 19 quest for the National Championship in the Final Four
 20 at Atlanta, Georgia, on Saturday, April 3, 1993; *Now*
 21 *Therefore*,
 22 *Be It Resolved By The House Of Representatives, The*
 23 *Senate Concurring*, That Coach C. Vivian Stringer and
 24 the Iowa Hawkeyes Women's Basketball Team be
 25 congratulated on the successes achieved by this team
 26 to date, and that they be wished the best of luck in
 27 their quest for the National Championship in the 1993
 28 Final Four.
 29 *Be It Further Resolved*, That, upon passage, an
 30 enrolled copy of this Resolution be sent to Coach C.

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1 Vivian Stringer and the members of the Iowa Hawkeyes
 2 Women's Basketball Team.

HCR 25 filed March 31, 1993; House adopted April 2, 1993; Senate
 adopted April 13, 1993.

1 House Concurrent Resolution 27

2 By Running

3 A Concurrent Resolution recognizing the Iowa Quality
4 Coalition and declaring support for the establish-
5 ment of an Iowa Quality Award to eligible
6 organizations engaged in business, industry,
7 labor, education, government, and service delivery.
8 *Whereas*, organizations in this state must improve
9 the efficiency of their operations and the quality of
10 their products in order to survive and prosper in an
11 increasingly competitive environment which maximizes
12 the use of available resources and delivery of
13 products and services; and

14 *Whereas*, the Iowa Quality Coalition has made
15 outstanding contributions in evaluating and improving
16 the efficiency and quality of systems, processes, and
17 products of organizations engaged in business,
18 industry, labor, education, government, and service
19 delivery; and

20 *Whereas*, the Iowa Quality Coalition is developing
21 an Iowa Quality Award which annually acknowledges the
22 achievement of organizations based upon efficiency and
23 quality of systems, processes, and products; and

24 *Whereas*, organizations must apply and qualify to
25 participate in complete evaluations, within several
26 classes, which measure the quality of their operations
27 by coalition examiners and judges scoring the
28 performance of organizations after multiple levels of
29 reviews and site visits, based upon critical technical
30 standards; *Now Therefore*,

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1 *Be It Resolved By The House Of Representatives, The*
2 *Senate Concurring*, That the Iowa General Assembly
3 recognizes and praises the valuable and continuing
4 contributions made by the Iowa Quality Coalition, in
5 its efforts to improve the productivity of and the
6 quality of work performed by organizations engaged in
7 business, industry, labor, education, government, and
8 service delivery; and

9 *Be It Further Resolved*, That the Iowa General
10 Assembly endorses and supports the efforts of the Iowa
11 Quality Coalition in developing the Iowa Quality Award
12 to honor organizations which have made a commitment to
13 incorporate principles of innovation and excellence;
14 and

15 *Be It Further Resolved*, That organizations in Iowa
16 are encouraged to apply to participate in a program of
17 evaluation by the Iowa Quality Coalition, for purposes
18 of being honored as a recipient of an Iowa Quality
19 Award; and

20 *Be It Further Resolved*, That the Chief Clerk of the
 21 House of Representatives deliver copies of this
 22 resolution to the Executive Director of the Iowa
 23 Quality Coalition for distribution to the Board of
 24 Directors of the Coalition.

HCR 27 filed April 6, 1993; House adopted April 30, 1993; Senate adopted May 1, 1993.

1 House Concurrent Resolution 32
 2 By Fogarty
 3 (Companion to LSB 2710SS by Kibbie)
 4 A Concurrent Resolution to designate Spencer, Iowa, the
 5 Flag City of Iowa, during its Flagfest '93 celebra-
 6 tion from June 11, 1993, to June 13, 1993.
 7 *Whereas*, June 14 is designated as national Flag
 8 Day, when Iowa and the nation honor America by flying
 9 the United States flag; and
 10 *Whereas*, Spencer, Iowa, honors Flag Day by
 11 displaying hundreds of state and United States flags
 12 during its annual Flagfest celebration, drawing
 13 thousands of visitors to observe and honor its display
 14 of flags; and
 15 *Whereas*, from June 11, 1993, to June 13, 1993, the
 16 ninth annual Flagfest celebration will be held in
 17 Spencer, Iowa; *Now Therefore*,
 18 *Be It Resolved By The House Of Representatives, The*
 19 *Senate Concurring*, That the Iowa General Assembly
 20 commend the City of Spencer, Iowa, and its residents
 21 for their efforts in promoting patriotism by proudly
 22 displaying the American flag and several state flags
 23 in honor of national Flag Day.
 24 *Be It Further Resolved*, That the Iowa General
 25 Assembly designate Spencer, Iowa, the Flag City of
 26 Iowa during its Flagfest '93 celebration, from June
 27 11, 1993, through June 13, 1993.
 28 *Be It Further Resolved*, That the Chief Clerk of the
 29 House send a copy of this Resolution to the Mayor of
 30 the City of Spencer, Iowa, to the Co-chairpersons of

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1 the Flagfest '93 celebration, Ms. Sharon Stadsvold and
 2 Mr. Larry Rozeboom, and to the Chairperson of the Flag
 3 Committee of Flagfest '93, Mr. John B. Freeze.

HCR 32 filed April 20, 1993; House adopted April 27, 1993; Senate adopted April 29, 1993.

1 House Concurrent Resolution 34
 2 By Jochum, Hurley, Brammer, Peterson, Connors,
 3 Running, Corbett, Larson, Martin, Welter, Gries,
 4 Brunkhorst and Mertz

5 A Concurrent Resolution requesting the establishment of an
6 interim committee to study the issue of adoption reform.

7 *Whereas*, the process of adoption and related
8 procedures involves highly emotional issues while
9 necessitating responsible and legal actions on the
10 parts of all parties involved; and

11 *Whereas*, adoption and related procedures should
12 ensure expediency, finality, and effective
13 implementation; and

14 *Whereas*, the predominant issue in any adoption and
15 related procedures should be the promotion of the best
16 interest of the child; and

17 *Whereas*, recent legal proceedings have raised
18 concerns regarding the effectiveness of current
19 adoption and related procedures; *Now Therefore*,

20 *Be It Resolved By The House Of Representatives, The*
21 *Senate Concurring*, That the legislative council is
22 requested to establish an interim study committee to
23 review the issue of adoption reform. The study shall
24 include a review of issues and procedures related to
25 adoption and the committee shall make recommendations
26 regarding these issues and procedures including but
27 not limited to the following: termination of parental
28 rights; release of custody; the appropriateness of
29 current time limitations related to termination of
30 parental rights; expedited and reliable establishment

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1 of paternity; development of a policy which encourages
2 the fulfillment of responsibilities of biological
3 parents, and which allows, in the alternative, for
4 termination of parental rights, adoption, and other
5 related procedures which promote expedited resolution,
6 responsible and lawful actions by all parties to the
7 proceedings, and which ensure the promotion of the
8 best interest of the child; the appropriateness of
9 advertising for adoption; the need for unbiased
10 counseling for biological parents who are considering
11 releasing their child for adoption; the efficacy of
12 establishing criminal penalties for knowingly
13 misrepresenting the identity of a biological parent in
14 a termination of parental rights proceeding; and the
15 effective implementation of interstate adoption laws.
16 The committee shall submit a report to the general
17 assembly by December 15, 1993, with recommendations
18 for consideration by the general assembly. The
19 committee may seek advice and testimony from
20 interested parties including but not limited to
21 representatives of the courts, state agencies, child
22 placement agencies, the legal community, and advocacy
23 groups.

20 Sec. 3. The expenditures referred to in section 2
 21 of this resolution shall consist only of those sums
 22 required for payment of the various expenses of the
 23 General Assembly including items such as legislative
 24 printing expenses, unpaid expenses incurred during the
 25 interim between sessions of the General Assembly,
 26 expenditures incurred pursuant to resolutions, and
 27 expenses for purchases of legislative equipment and
 28 supplies necessary to carry out the functions of the
 29 General Assembly. Joint expenditures or special
 30 expenditures approved by the Committee on

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1 Administration or the Legislative Council are not
 2 included in the budget set forth in this resolution.

3 Sec. 4. If a special session of the General
 4 Assembly is held, the Committee on Administration
 5 shall provide for consideration of a budget for the
 6 special session.

HR 4 filed February 23, 1993; House adopted March 23, 1993.

1 House Resolution 5

2 By Committee On Agriculture

3 (Successor To HSB 170)

4 A Resolution to request that the President and congressional
 5 leaders support efforts to permanently exempt from federal
 6 income taxation the small issue private activity bonds
 7 used to support loans made to beginning farmers under
 8 Iowa's Beginning Farmer Loan Program.

9 *Whereas*, the production of agricultural commodities
 10 is the foundation of this state's economy, providing
 11 food and fiber vital to the nation's welfare; and

12 *Whereas*, the state of Iowa, one of the major
 13 agricultural states in the United States, is a leading
 14 producer of feed grains and livestock; and

15 *Whereas*, there exists a serious problem in this
 16 state regarding the ability of nonestablished farmers
 17 to acquire agricultural land, agricultural
 18 improvements, and depreciable agricultural property
 19 required to enter farming; and

20 *Whereas*, these conditions result in a loss in
 21 population, unemployment, and a movement of persons
 22 from rural communities to urban areas, and are
 23 accompanied by added costs to communities for creation
 24 of new public facilities and services; and

25 *Whereas*, one major cause of this condition has been
 26 recurrent shortages of funds in private channels and
 27 the cost of borrowing money by beginning farmers
 28 assuming a large debt in order to capitalize
 29 agricultural operations, which have made the sale and
 30 purchase of agricultural land to beginning farmers a

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1 virtual impossibility in many parts of this state; and
2 *Whereas*, studies conducted by Iowa State University
3 indicate that only 5 percent of Iowa farmers are under
4 age 30, that the average age of farmers is 53 years,
5 and that nearly 40 percent of farmers are 55 years old
6 or older; and

7 *Whereas*, the state of Iowa has established a
8 Beginning Farmer Loan Program which has been vital to
9 the effort to attract more young people into farming
10 by providing that the Iowa Agricultural Development
11 Authority, an agency of the Iowa Department of
12 Agriculture and Land Stewardship, may assist in
13 cooperating with lending institutions to provide
14 financing to beginning farmers for the acquisition of
15 agricultural land, improvements, and agricultural
16 property; and

17 *Whereas*, since the establishment of the program,
18 the number of loans by the Iowa Agricultural
19 Development Authority has steadily increased from
20 seven loans in 1981 to a record 287 loans in 1991; and

21 *Whereas*, since 1981, the Authority has made 1,385
22 loans on approximately 120,000 acres of land, and
23 other agricultural projects amounting to \$120,073,028
24 in loans with no obligation by the state or federal
25 government to guarantee payment of the loans in case
26 of default; and

27 *Whereas*, the Beginning Farmer Loan Program is
28 supported by small issue private activity bonds
29 ("Aggie Bonds") which are exempt from federal income
30 tax; and

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1 *Whereas*, the United States Congress has expressed
2 support for the Iowa Beginning Farmer Loan Program by
3 continually extending the expiration of the federal
4 tax exemption vital to the future of the program; and

5 *Whereas*, legislation enacted in 1992 by the
6 Congress of the United States which included
7 provisions extending the effectiveness of the
8 exemption was vetoed because of unrelated provisions
9 contained in the legislation; and

10 *Whereas*, since July 1, 1992, the Iowa Agricultural
11 Development Authority has been prohibited from closing
12 138 new loan applications for beginning farmers
13 totaling \$16,645,346, desperately needed in order to
14 continue this successful program vital to ensure the
15 transition to a new generation of farmers; and

16 *Whereas*, in order to support the program as a
 17 dependable source of low-income financing for
 18 beginning farmers it is essential to provide for the
 19 efficient administration of the program through
 20 stability and continuity in federal law; and

21 *Whereas*, the immediate passage and enactment of
 22 legislation by the United States Congress and the
 23 President of the United States to support the Iowa
 24 Beginning Farmer Program is unanimously supported by
 25 the Agriculture Committee of the Iowa House of
 26 Representatives, including the Honorable
 27 Representative Russell J. Eddie, Chairperson; the
 28 Honorable Representative James A. Meyer, Vice
 29 Chairperson; the Honorable Representative Daniel P.
 30 Fogarty, Ranking Member; the Honorable Representative

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1 Bill Bernau; the Honorable Representative Clifford
 2 Branstad; the Honorable Representative Barry Brauns;
 3 the Honorable Representative Dwight Dinkla; the
 4 Honorable Representative John Greig; the Honorable
 5 Representative Sandra H. Greiner; the Honorable
 6 Representative James Hahn; the Honorable
 7 Representative Mark Henderson; the Honorable
 8 Representative Hubert Houser; the Honorable
 9 Representative Ralph Klemme; the Honorable
 10 Representative Deo Koenigs; the Honorable
 11 Representative Dennis May; the Honorable
 12 Representative Dolores M. Mertz; the Honorable
 13 Representative Norman Mundie; the Honorable
 14 Representative David Osterberg; the Honorable
 15 Representative Richard Vande Hoef; the Honorable
 16 Representative Keith Weigel; and the Honorable
 17 Representative Jerry Welter; *Now Therefore,*

18 *Be It Resolved By The House Of Representatives,*
 19 That the Congress of the United States enact with all
 20 possible urgency legislation permanently extending the
 21 effectiveness of the exemption from federal taxation
 22 of the small issue private activity bonds used to
 23 support loans made to beginning farmers under Iowa's
 24 Beginning Farmer Loan Program; and

25 *Be It Further Resolved,* That copies of this
 26 resolution be submitted by the Chief Clerk of the
 27 House to the Honorable Terry E. Branstad, Governor;
 28 the Honorable Dale M. Cochran, Secretary of
 29 Agriculture; and Mr. William Greiner, Executive
 30 Director of the Iowa Agricultural Development

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1 Authority; and
 2 *Be It Further Resolved*, That copies of this
 3 resolution be submitted by the Chief Clerk of the
 4 House to the Honorable William J. Clinton, President
 5 of the United States; the Honorable Albert Gore, Jr.,
 6 President of the United States Senate; the Honorable
 7 Thomas S. Foley, Speaker of the United States House of
 8 Representatives; the Honorable Senator George J.
 9 Mitchell, Senate Majority Leader; the Honorable
 10 Senator Robert Dole, Senate Minority Leader; the
 11 Honorable Congressman Richard A. Gephardt, House
 12 Majority Leader; the Honorable Congressman Robert H.
 13 Michel, House Republican Leader; the Honorable Senator
 14 Daniel Patrick Moynihan, Chairman, Senate Finance
 15 Committee; the Honorable Congressman Dan Rostenkowski,
 16 Chairman, House of Representatives Committee on Ways
 17 and Means; and Iowa's congressional delegation.

HR 5 filed February 24, 1993; House adopted March 4, 1993.

1 House Resolution 9
 2 By Committee On Agriculture
 3 (Successor To HSB 298)
 4 A Resolution to request that the President of the
 5 United States and the Congress of the United States
 6 remove current obstacles which prevent the transfer
 7 of agricultural land between family members partici-
 8 pating in Iowa's Beginning Farmer Loan Program
 9 supported by small issue private activity bonds exempt
 10 from federal income taxation.
 11 *Whereas*, the state of Iowa, one of the major
 12 agricultural states in the United States, has
 13 traditionally relied upon a system of family farming,
 14 in which agricultural land and the stewardship of that
 15 land has been passed down through generations; and
 16 *Whereas*, this successful system of agriculture in
 17 which members of a family live and work on the land of
 18 their grandfathers and grandmothers, and provide food
 19 and fiber vital to the nation's welfare, is
 20 increasingly threatened by the cost of acquiring
 21 agricultural land, improvements, and property; and
 22 *Whereas*, the establishment of Iowa's Beginning
 23 Farmer Loan Program has been vital to the effort to
 24 attract young people into farming, by providing that
 25 the Iowa Agricultural Development Authority, an agency
 26 of the Iowa Department of Agriculture and Land
 27 Stewardship, assists in cooperating with lending
 28 institutions to provide beginning farmers financing
 29 for the acquisition of agricultural land,
 30 improvements, and property; and

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1 *Whereas*, this effort has helped to alleviate the
2 serious shortages of funds in private channels and the
3 cost of borrowing money in this state by beginning
4 farmers assuming large debts in order to capitalize
5 agricultural operations; and

6 *Whereas*, Iowa's Beginning Farmer Loan Program is
7 supported by small issue private activity bonds
8 ("Aggie Bonds") which have been exempt from federal
9 taxation; and

10 *Whereas*, federal law, including regulations adopted
11 by the Internal Revenue Service, prevent these bonds
12 from supporting the transfer of agricultural land,
13 improvements, and property between family members; and

14 *Whereas*, the effect of the federal law, is to
15 deprive persons of an opportunity to farm on land held
16 within their families simply because of a familial
17 relationship which is essential to the structure of
18 our system of agricultural production; *Now Therefore*,

19 *Be It Resolved By The House Of Representatives*,
20 That the President of the United States and the
21 Congress of the United States remove current obstacles
22 which prevent the transfer of agricultural land
23 between family members participating in Iowa's
24 Beginning Farmer Loan Program; and

25 *Be It Further Resolved*, That copies of this
26 Resolution be submitted by the Chief Clerk of the
27 House to the Honorable Terry E. Branstad, Governor;
28 the Honorable Dale M. Cochran, Secretary of
29 Agriculture; and Mr. William Greiner, Executive
30 Director of the Iowa Agricultural Development

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1 Authority; and

2 *Be It Further Resolved*, That copies of this
3 Resolution be submitted by the Chief Clerk of the
4 House to the Honorable William J. Clinton, President
5 of the United States; the Honorable Albert Gore, Jr.,
6 President of the United States Senate; the Honorable
7 Thomas S. Foley, Speaker of the United States House of
8 Representatives; the Honorable Senator George J.
9 Mitchell, Senate Majority Leader; the Honorable
10 Senator Robert Dole, Senate Minority Leader; the
11 Honorable Congressman Richard A. Gephardt, House
12 Majority Leader; the Honorable Congressman Robert H.
13 Michel, House Republican Leader; the Honorable Senator
14 Daniel Patrick Moynihan, Chairman, Senate Finance
15 Committee; the Honorable Congressman Dan Rostenkowski,
16 Chairman, House of Representatives Committee on Ways
17 and Means; and members of Iowa's congressional
18 delegation.

6 *Whereas*, the pages of the Iowa House of
7 Representatives constantly labor to ensure the smooth
8 operation of the House; and

9 *Whereas*, the members of the Iowa House of
10 Representatives would be unable to conduct their
11 deliberations in an expeditious and forthright manner
12 without the generous and constant assistance of pages;
13 and

14 *Whereas*, the pages of the Iowa House of
15 Representatives are admired by their peers, renowned
16 for their patience and capacity for smiling, noted for
17 their leadership qualities, widely recognized for
18 their ability to have fun, rise above their age-mates
19 in their attention to fashion, and are generally
20 considered to be exceptional in all respects; and

21 *Whereas*, the members of the Iowa House of
22 Representatives recognize and appreciate the notable
23 sacrifices made by the pages in their service to the
24 House; and

25 *Whereas*, as other hard workers are annually
26 recognized through secretaries day and bosses day it
27 is appropriate to recognize the pages of the Iowa
28 House of Representatives; *Now Therefore*,

29 *Be It Resolved By The House Of Representatives*,
30 That the members of the House express their

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1 appreciation to the House pages of the Seventy-fifth
2 General Assembly, 1993 Session, for their efforts,
3 sacrifice, and unfailing good humor on behalf of the
4 Iowa House of Representatives; and

5 *Be It Further Resolved*, That Thursday, April 29,
6 1993, is proclaimed as House Pages Day in the Iowa
7 House of Representatives.

HR 12 filed April 22, 1993; House adopted April 29, 1993.

1 House Resolution 13
2 By Hurley, Hammond, Witt, Grundberg, Garman, Grubbs,
3 Haverland, Brunkhorst and Boddicker

4 A House Resolution relating to the entertainment
5 industry's adverse effect on society.

6 *Whereas*, the members of the House of
7 Representatives of the State of Iowa wish to direct
8 the attention of the entertainment industry of the
9 United States to the enormous impact that the
10 entertainment industry has on the youth of the United
11 States; and

12 *Whereas*, young people and the rest of society are
13 constantly exposed through television, movies,
14 magazines, and music to a barrage of messages which

15 glorify violence, sexual license, materialism, family
 16 alienation, suicide, drug and alcohol abuse, racism,
 17 and sexism; and

18 *Whereas*, in the opinion of the House, the influence
 19 wielded by the entertainment industry has had a
 20 negative effect on society in general and on our youth
 21 in particular; and

22 *Whereas*, the rise of violence throughout society,
 23 teen pregnancies, the incidence of sexually
 24 transmitted diseases, increasing drug and alcohol
 25 abuse, and health problems encountered by infants and
 26 children such as fetal alcohol syndrome and cocaine
 27 addiction, are often attributable to messages
 28 presented by the entertainment industry; and

29 *Whereas*, more and more young people are alienated
 30 from civilizing values and family structures and are

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1 vulnerable to the negative messages placed before them
 2 by the entertainment industry; and

3 *Whereas*, it is the position of the House that the
 4 messages delivered by America's entertainment industry
 5 are in part responsible for a tremendous burden on
 6 society, financially and otherwise; and

7 *Whereas*, the fiscal burden falls on the state and
 8 the nation to pay the tremendous costs generated by
 9 such behaviors; *Now Therefore*,

10 *Be It Resolved By The House Of Representatives*,
 11 That the House admonishes the entertainment industry
 12 to reflect upon the industry's impact on society and
 13 to assume responsibility for the adverse consequences
 14 some of its members are having on society.

15 *Be It Further Resolved*, That copies of this
 16 resolution be transmitted to the Honorable Bill
 17 Clinton, President of the United States; the Honorable
 18 Albert Gore, Vice President of the United States and
 19 President of the United States Senate; the Honorable
 20 Thomas Foley, Speaker of the United States House of
 21 Representatives; Donna Shalala, Secretary of the
 22 United States Department of Health and Human Services;
 23 and members of Iowa's congressional delegation and
 24 members of the entertainment industry including the
 25 following:

- 26 1. American Society of Composers, Authors, and
- 27 Publishers
- 28 2. Country Music Association
- 29 3. Screen Actors Guild
- 30 4. Songwriters Guild of America

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- 1 5. National Academy of Television Arts and
- 2 Sciences
- 3 6. American Federation of Television and Radio
- 4 Artists
- 5 7. Academy of Motion Picture Arts and Sciences.
- 6 8. American Association of Advertising Agencies.
- 7 9. National Cable Television Association.
- 8 10. Mr. Robert Wright, President, National
- 9 Broadcasting Corporation.
- 10 11. Mr. Daniel B. Burke, President, American
- 11 Broadcasting Corporation.
- 12 12. Mr. Laurence A. Tisch, President, Columbia
- 13 Broadcasting Corporation.
- 14 13. Mr. R. E. Turner, President, Turner
- 15 Broadcasting.
- 16 14. Mr. Rupert Murdoch, President, Fox
- 17 Broadcasting System, Inc.
- 18 15. Mr. Tom Freston, President, MTV Networks.

HR 13 filed April 26, 1993; House adopted May 1, 1993.

SUPPLEMENT TO THE HOUSE JOURNAL**BILLS APPROVED, VETOED OR ITEM VETOED
SUBSEQUENT TO ADJOURNMENT**

The following is a record of the action of the Governor on bills passed by the 1993 Regular Session of the Seventy-fifth General Assembly and which action was had subsequent to the date of final adjournment:

- H.J.R. 20— Designating the "Largo" from Antonin Dvorak's "New World Symphony" as the official anthem for the State of Iowa for one year. Approved 5-04-93.
- H.F. 83— Relating to the offense of terrorism and providing penalties and providing an effective date. Approved 5-11-93.
- H.F. 111— Updating the Iowa Code references to the federal Internal Revenue Code and providing retroactive applicability and effective dates. Approved 5-11-93.
- H.F. 136— Relating to the care of dogs and cats transferred by animal care facilities, authorizing fees and providing penalties. Approved 5-14-93.
- H.F. 144— Relating to government ethics, providing penalties, transition provisions, providing for retroactive applicability, and an effective date. Approved 5-28-93.
- H.F. 151— Relating to plans for release of inmates committed to the custody of the department of corrections. Approved 5-04-93.
- H.F. 169— Relating to rural water districts, by providing for authority to execute agreements for the administration of services, and the incorporation of real property. Approved 5-03-93.
- H.F. 193— Relating to increasing the scheduled fine for traffic violations in a road construction zone. Approved 5-11-93.
- H.F. 210— Establishing a criminal offense and providing for a six-month suspension of the driver's license of a person under the age of twenty-one who uses an altered license to purchase alcohol. Approved 5-28-93.
- H.F. 214— Establishing a loess hills development and conservation authority, specify its membership, powers, and duties, and providing for other properly related matters. Approved 5-19-93.
- H.F. 263— Relating to requirements for fingerprint reporting and access by individuals and their attorneys to criminal history data. Approved 5-11-93.
- H.F. 301— Relating to judicial ethics or grievance hearings and examination and admissions subject to the administrative authority of the supreme court. Approved 5-03-93.
- H.F. 302— Providing for registration of acupuncturists, imposing a fee, and making penalties applicable. Approved 5-03-93.

- H.F. 319— Relating to the procedures and rights involved in a civil commitment proceeding for the involuntary commitment of another, and providing for payment of certain costs. Vetoed 5-28-93. See Governor's Veto Message.
- H.F. 328— Requiring a single state insurance registration system for motor carriers, and making an appropriation and providing an effective date. Approved 5-11-93.
- H.F. 331— Relating to environmental protection by authorizing compliance with federal air quality regulations, addressing civil penalties for local governmental water quality violations, and creating penalties. Approved 5-19-93.
- H.F. 342— Relating to the sale, use, possession, and transportation of minnows for commercial or personal use. Approved 5-04-93.
- H.F. 348— Relating to the filing of certain birth certificates. Approved 5-11-93.
- H.F. 354— Relating to the state department of transportation by requiring federal and state cooperation regarding federal funding of transportation, by permitting a credit for certain registration fees on leased vehicles purchased by the lessee, concerning motor vehicle license suspension or revocation for drug-related offenses, by eliminating liens on public property and providing for retroactive application, by changing inspection requirements of railroads, by providing for the length of buses, by changing the transportation habitual offender statute and providing for additional penalties, by providing for safety standards for privately owned, public use airports, and by providing for the preapplication process for federal funding for airports and providing an effective date. Approved 5-03-93.
- H.F. 360— Relating to containers used for liquified petroleum gas and providing a penalty. Approved 5-19-93.
- H.F. 361— Relating to areas under the purview of the Iowa department of public health related to substitute medical decision-making boards, home care aide drivers' licensure, the use of mammography machines, burial transit permits, substance abuse treatment programs, and the membership of the council on chemically exposed infants by adding representation by the department of corrections. Approved 5-19-93.
- H.F. 382— Relating to delinquency charges on, and the conversion of, certain consumer transactions. Approved 5-12-93.
- H.F. 384— Relating to tuition reimbursements of postsecondary institutions by school districts under the postsecondary enrollment options Act and membership in organizations relating to duties of a board of directors of a school corporation. Approved 5-11-93.
- H.F. 388— Relating to establishing statewide implementation of 911 telephone services and providing for the funding of such services. Approved 5-12-93.
- H.F. 389— Relating to administrative dissolutions, nonprofit corporations, and foreign corporations, establishing fees for certain filings, and other related matters. Approved 5-12-93.

- H.F. 400 — Authorizing city utilities to include cable communication or television systems. Approved 5-20-93.
- H.F. 409 — Relating to multipurpose vehicle registration fees for disabled persons. Approved 5-28-93.
- H.F. 418 — Relating to the testing of a person for the human immunodeficiency virus following conviction for certain offenses, making relief provisions applicable for violation of confidentiality, and providing a penalty. Approved 5-19-93.
- H.F. 419 — Relating to the recovery by the department of public safety of costs associated with the cleanup of a clandestine laboratory site. Approved 5-19-93.
- H.F. 430 — Relating to and making appropriations to state departments, agencies, funds, and certain other entities, providing for the payment of abandoned property, and providing for other properly related matters. Approved 5-25-93 with the exception of Section 9, unnumbered and unlettered paragraph 4; Section 26, unnumbered and unlettered paragraph 2; Sections 28, 29, 30 and 31. See Governor's Item Veto Message.
- H.F. 451 — Relating to certain reports required to be reported by, or to, sheriffs and other law enforcement agencies. Approved 5-04-93.
- H.F. 457 — Relating to school administration, accreditation, finance, transportation, and providing effective and applicability dates. Approved 5-12-93.
- H.F. 472 — Relating to bonds issued by airport authorities. Approved 5-11-93.
- H.F. 495 — Relating to regulation of insurance, including the authority of the division to regulate certain policies and contracts and the parties to such policies and contracts, establishing fees, and providing a penalty. Approved 5-03-93.
- H.F. 496 — Relating to supplementary weighting and area education agency and school district procedures regarding school reorganization. Approved 5-25-93.
- H.F. 533 — Allowing the use of mobile transmitters to hunt coyotes and subjecting violators to an existing scheduled fine. Approved 5-11-93.
- H.F. 576 — Relating to the procedures of and requirements enforced by the campaign finance disclosure commission and changing filing and other procedural requirements placed on candidates and political committees. Approved 5-19-93.
- H.F. 579 — Relating to the disposition of documents pertaining to the issuance of certain bonds or obligations. Approved 5-03-93.
- H.F. 584 — Relating to housing facilities for persons with certain disabilities. Approved 5-03-93.
- H.F. 622 — Creating an Iowa advisory study committee on critical infrastructure needs. Approved 5-12-93.

- H.F. 623— Relating to appropriations and revenue involving agriculture and natural resources, making related statutory changes, and providing effective dates. Approved 5-20-93 with the exception of Section 4, subsection 2; Section 22; Sections 27-32; Section 47 and Section 49. See Governor's Item Veto Message.
- H.F. 625— Relating to energy conservation including making appropriations of petroleum overcharge funds. Approved 5-04-93.
- H.F. 632— Placing a moratorium on construction and operation of certain commercial waste incinerators and providing an effective date. Approved 5-11-93.
- H.F. 633— Relating to the approval, disapproval, suspension, or revocation of liquor control licenses, wine permits, or beer permits, the imposition of civil penalties, and the appeal of the actions of local authorities or the administrator of the alcoholic beverages division regarding liquor control licenses, wine permits, and beer permits, the appropriation of moneys collected through civil penalties, the removal of certain restrictions on the sale of alcoholic beverages, and providing for other properly related matters. Approved 5-03-93.
- H.F. 635— Relating to the solicitation and giving of contributions to certain candidates for state office for which a special election is held during the regular legislative session. Approved 5-12-93.
- H.F. 641— Relating to the department of agriculture and land stewardship, by providing for the assessment and collection of civil penalties against commercial applicators of pesticides. Approved 5-12-93.
- H.F. 644— Relating to underground storage tanks and providing penalties. Approved 5-21-93.
- H.F. 652— Relating to the office of secretary of state, the conduct of elections and voter registration in the state, and relating to corrective and technical changes to Iowa's election laws, providing an effective date, and providing penalties. Approved 5-19-93.
- H.F. 656— Relating to exempting methane gas conversion property from taxation. Approved 5-11-93.
- H.F. 660— Relating to income tax return checkoffs for purposes of state individual income tax and establishing an income tax checkoff to support the Iowa state fair foundation and providing for the Act's retroactive applicability and contingent effectiveness. Approved 5-19-93.
- H.F. 661— Relating to the exemption from the state sales tax for certain prescription drugs and medical devices and providing for the Act's applicability. Approved 5-11-93.
- H.F. 663— Relating to an increase in property tax dollars certified for purposes of the property tax limitation for the fiscal year beginning July 1, 1994. Approved 5-19-93.
- H.F. 664— Relating to providing for special valuation for property tax and sales, service, and use tax exemptions for wind energy conversion property. Approved 5-26-93.

- H.F. 666— Relating to the requirement for filing a state individual income tax return and providing a retroactive applicability date provision. Approved 5-11-93.
- H.F. 669— Requiring that certain moneys shall be credited to and deposited in the general fund of the state and shall be used for the purposes for which the moneys were collected and providing an effective date. Approved 5-12-93.
- H.F. 671— Relating to the definition of income for purposes of the mobile home property tax credit and the homestead tax credit and rent reimbursement and providing effective and applicability dates. Approved 5-21-93.
- H.F. 675— Relating to the regulation of milk and milk products. Approved 5-12-93.
- H.C.R. 24— Relating to the state board of regents five-year building program. Approved 5-20-93.
- S.F. 3— Relating to the establishment and regulation of elder group homes. Approved 5-03-93.
- S.F. 11— Relating to agricultural areas. Approved 5-20-93.
- S.F. 57— Relating to the collection and administration of property taxes, special assessments, and various rates, charges, and rentals and providing an effective date. Approved 5-03-93.
- S.F. 63— Relating to the establishment of a long-term care asset preservation program. Approved 5-04-93.
- S.F. 80— Relating to the provision of emergency medical services by a physician assistant, and providing for exemption from liability in certain situations. Approved 5-06-93.
- S.F. 117— Relating to children who are exposed to illegal drugs by including such children under the definitions of a child in need of assistance and child abuse under certain circumstances and by amending the title and scope and responsibilities of the council on chemically exposed infants to include children. Approved 5-04-93.
- S.F. 140— To allow an electric generation and transmission cooperative to establish classes of memberships. Approved 5-04-93.
- S.F. 142— Relating to motorcycle rider education and the use of protective headgear when operating or riding motorcycles and motorized bicycles and the sale of such headgear, providing for motorcycle helmet plates, and additional registration fees, motorcycle awareness programming, and providing penalties and a repeal provision and providing an effective date. Vetoed 5-28-93. See Governor's Veto Message.
- S.F. 163— Relating to abolition of certain civil service commissions, use of electronic voice recording devices at civil service meetings, and relating to qualifications and requirements for appointment, promotion, or employment in positions governed by civil service. Approved 5-20-93.
- S.F. 165— Relating to the duties of the county recorder and auditor. Approved 5-20-93.

- S.F. 174 — Concerning accessibility standards for persons with disabilities and making penalties applicable. Approved 5-04-93.
- S.F. 180 — Relating to thrift certificates and their exemption from certain filing and registration requirements. Approved 5-04-93.
- S.F. 191 — Relating to the levy of taxes for school libraries in certain school districts. Approved 5-03-93.
- S.F. 205 — Relating to open enrollment procedures and reports. Approved 5-20-93.
- S.F. 206 — Relating to educational finances, activities, and procedures and providing effective and applicability date provisions. Approved 5-05-93.
- S.F. 220 — Relating to deaf and hard-of-hearing persons by changing definitions and the ability to charge certain interpreter fees as costs in a legal action. Approved 5-03-93.
- S.F. 221 — Relating to department of human services' statutory provisions involving child abuse information, dependent adult abuse, child day care, and juvenile shelter care. Approved 5-03-93.
- S.F. 233 — Relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for education and cultural programs of this state and providing an effective date. Approved 5-27-93.
- S.F. 245 — Relating to the recording of certain instruments in the office of county recorder. Approved 5-11-93.
- S.F. 266 — Making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of commerce, and the racing and gaming commission and providing effective dates. Approved 5-19-93 with the exception of the designated portion of Section 3, unnumbered and unlettered paragraph 1; Section 5, subsections 1 and 2; and Section 18. See Governor's Item Veto Message.
- S.F. 268 — Creating an Iowa invests program and providing related provisions including applicability provisions, and effective dates. Approved 5-04-93.
- S.F. 278 — To exclude agricultural commodity promotional boards, which are subject to a producer referendum, from the requirements applicable to state agencies. Approved 5-05-93.
- S.F. 287 — Relating to hospital privileges provided certain professionals including certified health service providers in psychology. Approved 5-06-93.
- S.F. 290 — Relating to the moratorium on the granting of permits for the construction or operation of infectious waste treatment or disposal facilities and providing for exemptions. Approved 5-05-93.
- S.F. 293 — Relating to the presence of victim counselors in proceedings pertaining to the offense. Approved 5-28-93.

- S.F. 296— Relating to criminal proceedings and amounts available for victim reparation. Approved 5-05-93.
- S.F. 312— Relating to the formation of the friends of capitol hill nonprofit corporation. Approved 5-03-93.
- S.F. 326— Relating to parent involvement policies in district and area education agency phase III plans, and to participation in family support programs. Approved 5-05-93.
- S.F. 342— Relating to domestic abuse, expanding the definition of domestic abuse, adding no-contact provisions to pretrial release conditions, and providing penalties. Approved 5-25-93.
- S.F. 349— Relating to child support and providing effective and retroactive applicability dates. Approved 5-03-93.
- S.F. 350— Relating to child support and providing for civil penalties and an effective date. Approved 5-03-93.
- S.F. 362— Relating to small group rating practices and the availability of health insurance coverage. Approved 5-03-93.
- S.F. 370— Relating to setting minimum fines for certain criminal convictions, increasing the civil penalty assessed for certain motor vehicle license revocations, collecting delinquent fines, penalties, costs, and restitution, and allowing community service in lieu of a fine. Approved 5-11-93.
- S.F. 371— Relating to probate, including certain notice provisions and statutory shares. Approved 5-11-93.
- S.F. 372— Relating to the structured fines pilot program, establishing a civil penalty and surcharge, providing for the distribution of fines, and providing an effective date. Approved 5-03-93.
- S.F. 376— Relating to community college athletic programs, community college approval and accreditation standards, repealing provisions for certain studies related to community colleges, and providing for other related matters. Approved 5-03-93.
- S.F. 380— Relating to providing greater accessibility to health care and health care insurance coverage and establishing projects. Approved 5-25-93.
- S.F. 387— Relating to the family resource center demonstration program. Approved 5-20-93.
- S.F. 389— Relating to access by students to computers and establishing an educational technology consortium. Approved 5-27-93.
- S.F. 391— Relating to the appointment and employment of advocates for persons subject to involuntary hospitalization for mental illness. Approved 5-03-93.
- S.F. 394— Relating to establishing a debt due for medical assistance resulting from a transfer of assets, and to allowable claims against a conservatorship for the cost of medical care or services provided to a recipient of medical assistance. Approved 5-05-93.

- S.F. 398— Relating to the rights of mobile home, personal property, and real property owners and claimants in actions for abandonment and under a lease agreement. Approved 5-21-93.
- S.F. 405— Extending the pollution control equipment property tax exemption to property used for the recycling of waste plastic, wastepaper products, and waste paperboard. Approved 5-25-93.
- S.F. 409— Naming an I-80 bridge "Schwengel Bridge". Approved 5-14-93.
- S.F. 410— Relating to the sales tax on certain entry fees and the sales, services, and use tax exemption for sales of educational, religious, or charitable activities. Approved 5-19-93.
- S.F. 412— Relating to a records management fee to be collected by the county recorder. Approved 5-20-93.
- S.F. 418— Relating to the annexation of land to cities. Approved 5-20-93.
- S.F. 422— Relating to the compensation and benefits for public officials and employees and making appropriations. Approved 5-21-93.
- S.F. 425— Relating to and making appropriations to finance state government, its regulatory functions, and its obligations, and providing effective and applicability date provisions. Approved 5-28-93 with the exception of Section 3; the designated portion of Section 8; the designated portion of Section 9; Section 21; the designated portions of Section 22; Sections 86 and 87. See Governor's Item Veto Message.

GOVERNOR'S VETO MESSAGES

May 28, 1993

The Honorable Elaine Baxter
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

House File 319, an act relating to the procedures and rights involved in a civil commitment proceeding for the involuntary commitment of another, and providing for payment of certain costs, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

For the most part, House File 319 improves upon the procedures for involuntary commitments. It would require that information explaining the commitment process be provided to mentally ill persons and their families, that mental health advocates be involved earlier in the commitment process, and that hospitals develop discharge plans for their mentally ill patients. I am supportive of these changes and would sign them into law.

However, the first section of House File 319 relating to the payment of costs for chronic substance abusers is flawed as it was drafted and I have been asked by the bill's sponsors to veto the bill. In an attempt to clarify that the county of legal settlement is responsible for the court costs of commitment proceedings involving chronic substance abusers, Section 1 was written to require the county of legal settlement

to also pay for the prehearing costs of detention and evaluation. This would result in a new mandate on counties. The sponsors argue, and I agree, that the enormous fiscal impact that this would have on counties overrides the merits of the bill and for that reason should be vetoed.

For the above reasons, I hereby respectfully disapprove House File 319.

Sincerely,
Terry E. Branstad
Governor

May 28, 1993

The Honorable Elaine Baxter
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

Senate File 142, an act relating to motorcycle rider education and the use of protective headgear when operating or riding motorcycles and motorized bicycles and the sale of such headgear, providing for motorcycle helmet plates, and additional registration fees, motorcycle awareness programming, and providing penalties and a repeal provision and providing an effective date, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

The Intermodal Surface Transportation Efficiency Act of 1991 requires all states to adopt a mandatory helmet law for motorcycle riders by October 1, 1994. States which do not adopt a mandatory helmet law are required to shift 1.5 percent of federal funds appropriated for road construction to Highway Safety Education programs in FY 1994 and 3 percent in succeeding years.

Senate File 142 is not a mandatory helmet law and, therefore, does not satisfy the federal requirement. Additionally, the bill would create an administrative burden for the Department of Transportation and would be very difficult for law enforcement agencies to enforce.

Further, Senate File 142 provides no guarantee that money shifted from the construction portion of the Road Use Tax Fund would be restored with the increased fees.

For the above reasons, I hereby respectfully disapprove Senate File 142.

Sincerely,
Terry E. Branstad
Governor

GOVERNOR'S ITEM VETO MESSAGES

May 25, 1993

The Honorable Elaine Baxter
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit House File 430, an act relating to and making appropriations to state departments, agencies, funds, and certain other entities, providing for the payment of abandoned property, and providing for other properly related matters.

House File 430 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 9, unnumbered and unlettered paragraph 4, in its entirety. This provision would require the Department of Management to state staffing targets in terms of full-time equivalent positions. The executive branch must maintain flexibility to utilize reporting formats that meet its management goals.

I am unable to approve the item designated as Section 26, unnumbered and unlettered paragraph 2, in its entirety. This language relates to organizational membership dues and travel costs of state agencies. This language is duplicative of Section 2 in the bill requiring the Executive Council to review all dues paid by state agencies.

I am unable to approve the items designated as Sections 28, 29, and 30, in their entirety. These provisions would establish a new process to review all agency publications to determine whether they could better be provided in electronic format and would establish a technology acquisition fund. I strongly support the concept of paperwork reduction within the executive branch of government, however, the proposal in the bill needs refinement to become workable. The Department of Management will begin the process of reducing paperwork in government by looking first to the elimination of unnecessary reporting requirements. I would urge the legislature to reconsider the recommendations I made relating to paperwork reduction in my government streamlining bill.

I am unable to approve the item designated as Section 31, in its entirety. This section would allow the State Treasurer to invest up to forty percent of the funds in the Loan Reserve Fund of the Iowa College Student Aid Commission in tax-exempt investments issued by state agencies. The State Treasurer already has full authority to make prudent investments of the Loan Reserve Funds.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 430 are hereby approved as of this date.

Sincerely,
Terry E. Branstad
Governor

May 20, 1993

The Honorable Elaine Baxter
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit House File 623, an act relating to appropriations and revenue involving agriculture and natural resources, making related statutory changes, and providing effective dates.

House File 623 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the items designated as Section 4, subsection 2, Sections 27 through 32, and Section 49, in their entirety. These provisions would transfer the responsibilities for drug testing and occupational licensing at the dog and horse tracks from the Iowa Racing and Gaming Commission to the Department of Agriculture and Land Stewardship. All other regulatory authority over the tracks would remain with the Racing and Gaming Commission. Above all, Iowans must feel secure that all forms of gambling conducted in the state are adequately regulated and controlled to discourage criminal activity and to protect the public. Fragmenting the responsibilities would impair the state's ability to strictly enforce the regulations at the tracks. To insure that the public is protected and the highest level of integrity maintained, the Commission should retain its present regulatory authority.

I am unable to approve the item designated as Section 22, in its entirety. This provision relates to reductions in full time equivalent positions in the Department of Natural Resources. Decisions concerning personnel in the department are the prerogative of the executive branch. The director must have the flexibility to adjust personnel in response to needs within the department.

I am unable to approve the item designated as Section 47, in its entirety. This provision would require the Department of Natural Resources to request a general fund appropriation to pay property taxes on land acquired by the department after July 1, 1993. This would be in addition to existing provisions for payment of taxes under REAP and the Wildlife Habitat stamp programs. Much of the land acquired by the department is purchased with funds from these programs, therefore property taxes are already being paid on the land.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 623 are hereby approved as of this date.

Sincerely,
Terry E. Branstad
Governor

May 19, 1993

The Honorable Elaine Baxter
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 266, an act making appropriations and certain related statutory changes related to regulatory bodies of state government, including the auditor of state, the campaign finance disclosure commission, the department of employment services, the department of inspections and appeals, the office of the state public defender, public employment relations board, department of commerce, and the racing and gaming commission and providing effective dates.

Senate File 266 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

Among other things, Senate File 266 amends the state's laws relating to indigent defense. It better defines the term "indigency" and, in doing so, makes it clear that only those who are "truly" indigent, will be provided legal counsel at public expense. Persons who can pay some, but not all, of their legal costs, will have counsel provided to assist them, however, they will be required to contribute to the payment of those costs. The state public defender is given authority in rules to develop the criteria for determining indigency and the procedures for recovering the costs of representation from persons who can pay. These changes in the law are consistent with the recommendations I made to the legislature and will be extremely helpful in containing the costs of indigent defense. I am, however, disappointed that the legislature deliberately underfunded the program by \$1 million and chose not to eliminate the statutory provision that allows a nonindigent person to have legal counsel provided simply by refusing to hire his or her own attorney.

I am also disappointed that the legislature did not fund the position in the Racing and Gaming Commission to monitor Indian gaming in Iowa. While the gaming which occurs on Indian land is not subject to the state's laws which regulate gambling, it must comply with the terms and conditions of the compacts which have been negotiated with the tribes. All three Iowa tribes have agreed in their compacts to be bound by the same limits and controls that apply to other non-Indian gambling in the state. Remedies are available to the state in the compacts if the tribes fail to comply and it is only through the compacts that the state can "regulate" the gaming that occurs on Indian land. Unlike many other states, we have been successful in negotiating compacts which recognize the sovereign rights of Iowa tribes but which, to the extent possible under federal law, place their non-Indian competitors on a level playing field. While some in the legislature believe we should not be concerned about what happens at Indian casinos, I believe the state has a responsibility to its citizens to assure that gaming on Indian land, like other gambling in the state, is operated honestly and with financial integrity to deter crime and corrupting influences. Even in the absence of funding for this position, I am committed to monitoring compliance with the compacts and will dedicate the resources necessary to do so.

I am unable to approve the designated portion of Section 3, unnumbered and unlettered paragraph 1. This language would remove the discretion of the director of the Department of Employment Services in filling vacant positions within the agency. Personnel decisions within the department are the prerogative of the executive branch. The director of the department must have the authority to adjust personnel to respond to needs within the agency.

I am unable to approve the item designated as Section 5, subsection 1, in its entirety. This provision would require the Department of Employment Services to maintain all Job Services offices in operation as of July 1, 1993. The department's flexibility to provide services where they are most needed and in the most cost effective manner should not be restrained.

I am unable to approve the item designated as section 5, subsection 2, in its entirety. This provision specifies the number, location and schedule of hearings for contested workers' compensation cases which the Industrial Services Division in the Department of Employment Services would be required to conduct through January 20, 1994. The division must retain flexibility in conducting workers' compensation hearings in order to respond to the needs of employers and injured workers.

I am unable to approve the item designated as section 18, in its entirety. This provision would make the Auditor of the state the administrative head of the Division of Savings and Loans within the Department of Commerce. The State Auditor is authorized by law to audit the expenses of all state departments and agencies, including the Division of Savings and Loans. This provision would create a conflict for the persons elected to serve as the State's Auditor by requiring them to audit the agency they are responsible for administering.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 266 are hereby approved as of this date.

Sincerely,
Terry E. Branstad
Governor

May 28, 1993

The Honorable Elaine Baxter
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 425, an act relating to and making appropriations to finance state government, its regulatory functions, and its obligations, and providing effective and applicability date provisions.

Senate File 425 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the items designated as Sections 3 and 21, in their entirety. These provisions would result in a \$22 million property tax increase on homeowners in 1995.

I am unable to approve the designated portion of Section 8, the designated portion of Section 9, and the designated portions of Section 22. These provisions would fund a new program with a standing appropriation of \$13.5 million effective in fiscal year 1995. This is a substantial funding commitment for future fiscal years. Such commitments must be avoided if the state is to continue on the path towards fiscal responsibility.

I am unable to approve the item designated as Section 86, in its entirety. This provision would require the Legislative Council to authorize a study committee on privatization. The Council already has statutory authority to establish study committees, therefore this language is unnecessary.

I am unable to approve the item designated as Section 87, in its entirety. This provision would direct agencies to consult with employees and to consider alternatives prior to privatizing state functions. These activities already occur as standard practice, therefore this language is unnecessary.

Finally, I want to express disappointment about the way in which the General Assembly funded critical capital needs in this bill. Section 30 makes a series of appropriations for capitals contingent on lottery funds exceeding a specified level. In reality,

only the first item on the list is likely to receive funding. This practice by the legislature only raises false hopes that some capital needs will be met.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 425 are hereby approved as of this date.

Sincerely,
Terry E. Branstad
Governor

IN MEMORIAM

House

A memorial adopted by the House of Representatives, 1993 Regular Session of the Seventy-fifth General Assembly, commemorating the life, character, and public service of the former members of the House of Representatives.

- HENRY FOX March 3, 1891—April 26, 1973
- WILLIAM J. HARGRAVE, JR.
 July 11, 1930—January 10, 1993
- FRED L. KOOGLER December 22, 1925—July 22, 1992
- MAYNARD T. MENEFEE October 15, 1907—March 8, 1993
- THOMAS S. ROE September 18, 1916—October 2, 1992
- CLAY R. SPEAR June 23, 1916—January 27, 1993
- IVOR W. STANLEY October 28, 1924—March 12, 1993
- RICHARD W. WELDEN July 11, 1908—June 12, 1992

HENRY FOX

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Henry Fox, begs leave to submit the following Memorial:

Henry Fox was born March 3, 1891. On October 19, 1926, he married Eva Dynes and they had five sons and one daughter.

Educated in Mitchell County schools and Iowa State College, Mr. Fox was engaged in farming all of his life. He was active in the Iowa Farm Bureau.

A Democrat, Mr. Fox represented Mitchell County during the Forty-seventh General Assembly.

Henry Fox died April 26, 1973. He was survived by his sons, Henry Victor and Larry of Riceville, Iowa; Dale, Jerome and Curt, of Elma, Iowa; his daughter, Doris Fox Kulage, St. Louis, Missouri, and thirty-four grandchildren.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-fifth General Assembly of Iowa, That in the passing of the Honorable Henry Fox, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

DEO KOENIGS
DENNIS MAY
KEITH WEIGEL

Committee

 WILLIAM J. HARGRAVE, JR.

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable William J. Hargrave, Jr., begs leave to submit the following Memorial:

William J. Hargrave, Jr. was born July 11, 1930 in Mississippi. In 1952 he married Edith Bates in Tempe, Texas and they had three sons and two daughters.

A graduate of the Chicago Public School system, Mr. Hargrave served more than twenty years in the military service, retiring in 1968. He was a deputy sheriff of Johnson County and attended the University of Iowa. After his service in the Iowa House of Representatives, Mr. Hargrave was chief investigator for the public defender's office in Waterloo and in Des Moines.

A Democrat, Mr. Hargrave represented Johnson County in the Sixty-fifth, Sixty-sixth and Sixty-seventh General Assemblies.

William J. Hargrave, Jr., died January 10, 1993. He is survived by his wife, Edith, of Iowa City; his sons, Carlon, Clayton and Craig, all of Iowa City; his daughter, Christine Dondlinger, of Waconia, Minnesota; his daughter, Constance, of Iowa City; his mother, Magdaline Hargrave and his brother, Andrew Hargrave, both of Chicago, Illinois.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-fifth General Assembly of Iowa, That in the passing of the Honorable William J. Hargrave, Jr., the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

MINNETTE DODERER
MARY NEUHAUSER
ROBERT DVORSKY

Committee

FRED L. KOOGLER

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Fred L. Koogler, begs leave to submit the following Memorial:

Fred L. Koogler was born December 22, 1925 in Wright, Iowa. On January 10, 1948, he married Edna Rowe and they had one son and one daughter.

A 1944 graduate of Oskaloosa High School, Mr. Koogler served twenty-six years in the armed forces during the Second World War and the Korean and Vietnam Conflicts. Upon his retirement from the military in 1970, Mr. Koogler returned to Oskaloosa, serving subsequently as a Scoutmaster and District Director for the Boy Scouts of America and Executive Director of the Oskaloosa Young Men's Christian Association; he served on the Mahaska County Conservation Board and the Bloomfield Cemetary Board; he was a member of the First Christian Church in Oskaloosa, Council Lodge 644, A.F. & A.M., and the American Legion, Harry L. Anderson Post No. 34; he was a member of the Veterans of Foreign Wars and a trustee of Oskaloosa Girls, Inc. Following his service in the Iowa House of Representatives, Mr. Koogler was employed at Clow Corporation until his retirement in 1987.

A Democrat, Mr. Koogler represented portions of Keokuk, Lucas, Mahaska, Marion, Monroe and Poweshiek Counties during the Sixty-sixth, Sixty-seventh and Sixty-seventh Extra General Assemblies.

Fred L. Koogler died July 22, 1992. He is survived by his wife, Edna, of Oskaloosa; his son, Fred, Jr., of Pella; his daughter, Nancy E. Ferber, of Greenfield; two sisters, Ruth Newell of Rose Hill and Maxine Holm of Sigourney; and three grandchildren.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-fifth General Assembly of Iowa, That in the passing of the Honorable Fred L. Koogler, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

SANDRA H. GREINER
DENNIS BLACK
HAROLD VAN MAANEN

Committee

MAYNARD T. MENELEE

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Maynard T. Menefee, begs leave to submit the following Memorial:

Maynard T. Menefee was born October 15, 1907. In 1930 he married Dorothy Newell and they had one son.

A graduate of Adair High School, Mr. Menefee was a farmer all of his life, farming in Adair, Guthrie Center, Dexter, Dallas Center and Maynard, Iowa. He was active in the Presbyterian Church, holding several offices; was a member of the Farm Bureau; was the Iowa Master Farmer of 1948; was active in 4-H and FFA; served on the school board and FHA committee; and was a member of the Iowa Master Farmer Club. After his service in the Iowa House of Representatives he retired in 1972 and he and his wife moved to Florida. In 1990, they moved to Concord, California.

A Republican, Mr. Menefee represented Fayette County during the Sixty-third and Sixty-fourth General Assemblies.

Maynard T. Menefee died March 8, 1993. His wife, Dorothy, preceded him in death by ten days. He is survived by his son, Myron, three grandchildren, two brothers and three sisters.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-fifth General Assembly of Iowa, That in the passing of the Honorable Maynard T. Menefee, the State has lost an honored citizen and a faithful and useful public servant; and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

CHUCK HURLEY
CHUCK GIPP
DWIGHT DINKLA

Committee

THOMAS S. ROE

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Thomas S. Roe, begs leave to submit the following Memorial:

Thomas S. Roe was born September 18, 1916 in Waukon, Iowa. He married Delores Soride in 1938 and they had two sons and four daughters.

Mr. Roe was a 1934 graduate of Waukon High School and attended Waukon Junior College in 1935. He farmed for several years east of Waukon and later moved to Waukon where he worked as a salesman for Mark Maufs Chevrolet. He was a member of the Kiwanis Club and St. John's Lutheran Church, serving on the Church Council.

A Democrat, Mr. Roe represented Allamakee County during the Sixty-first and Sixty-second General Assemblies. He was the occupant of the same desk that his father, Ove T. Roe, had occupied during his service as a Representative in the 1930's.

Thomas S. Roe died October 2, 1992. He is survived by his wife, Delores Roe, of Mesa, Arizona; his daughters Bonita Campbell of Cedar Rapids, Iowa, Karen Kruger of West Linn, Oregon, Lana Kolsrud of Chandler, Arizona, and Lori Adams of Mesa, Arizona; his sons, Thomas D. Roe of Mesa, Arizona and Steven D. Roe of Rochester, Minnesota; sixteen grandchildren and seven great-grandchildren; three brothers, Melvin and Kenneth of Phoenix, Arizona and Willard of Waukon.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-fifth General Assembly of Iowa, That in the passing of the Honorable Thomas S. Roe, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

CHUCK GIPP
ROGER HALVORSON
KEITH WEIGEL

Committee

CLAY R. SPEAR

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Clay R. Spear, begs leave to submit the following Memorial:

Clay R. Spear was born June 23, 1916 in Davenport, Iowa. In 1940 he married Dorothy Trout and they had one son and two daughters.

Mr. Spear graduated from Davenport High School, received his B.A. degree from St. Ambrose College in 1941 and later attained his Masters degree from Drake University in 1973. Mr. Spear served the United States Postal Service from 1935 until his retirement from that service in 1971. He was a member of and active in a large group of diverse organizations, including: The League of Women Voters, NAACP, Common Cause, A.A.R.P., National Association of Retired Federal Employees, National Wildlife Federation, Iowa Natural Heritage Foundation, and the North Lee County, Des Moines County and Iowa Historical Societies.

A Democrat, Mr. Spear represented portions of Lee and Des Moines Counties during the Sixty-sixth, Sixty-seventh, Sixty-seventh Extra, Sixty-eighth, Sixty-ninth, Sixty-ninth Extra, Sixty-ninth Second Extra, Seventieth, Seventy-first, Seventy-first Extra, Seventy-second, Seventy-second Extra, Seventy-second Second Extra, Seventy-third, Seventy-fourth, Seventy-fourth Extra, Seventy-fourth Second Extra and Seventy-fifth General Assemblies. He died at the beginning of his tenth term.

Clay R. Spear died January 27, 1993. He is survived by his wife, Dorothy; two daughters, Diantha Ellingsworth of Tucson, Arizona and Ann Stutler of Milan, Missouri; his son, Jonathan of Kansas City, Kansas; two sisters, Celeste Cooper of Monrovia, California and Bertha Miller of Davenport, Iowa; a brother, Cyrus of Davenport; and six grandchildren.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-fifth General Assembly of Iowa, That in the passing of the Honorable Clay R. Spear, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

LINDA BEATTY
DENNIS COHOON
PHILIP WISE

Committee

IVOR W. STANLEY

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Ivor W. Stanley, begs leave to submit the following Memorial:

Ivor W. Stanley was born October 28, 1924. In 1948 he married Ruth Napier in Minneapolis, Minnesota and they had two daughters and one son.

A 1942 graduate of Newton High School, Mr. Stanley attended the University of Iowa and Drake University. He served in the U.S. Army for four years and was a retired officer in the Army Reserve. He was an Internal Revenue agent from 1947 until he founded Iowa Midland Supply, a Cedar Rapids industrial distributor company, in 1952. Mr. Stanley was vice-president and Director of the Farmers Savings Bank; participated in the Thursday Noon Optimist Club, the Cedar Rapids Board of Adjustment, the American Legion and El-Kahir Shrine; was president of the Linn County I Club and was a member of the Football Writers of America; served on the Cedar Rapids Kids Baseball Board; and was a member of the Cedar Rapids Sports Club.

A Republican, Mr. Stanley represented Linn County during the Sixty-fourth General Assembly.

Ivor W. Stanley died March 12, 1993. He is survived by his son, David of Decorah; and his daughters, Nancy Maxwell of Alexandria, Virginia and Ann Stanley of Minneapolis, Minnesota.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-fifth General Assembly of Iowa, That in the passing of the Honorable Ivor W. Stanley, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

RON CORBETT
CHUCK GIPP
PHILIP BRAMMER

Committee

RICHARD W. WELDEN

Mr. Speaker: Your committee, appointed to prepare a suitable resolution commemorating the life, character, and public service of the late Honorable Richard W. Welden, begs leave to submit the following Memorial:

Richard W. Welden was born July 11, 1908 in Iowa Falls, Iowa. In 1935 he married Ruth Wulkau and they had one son and one daughter.

A graduate of Iowa Falls Schools, he attended Ellsworth Community College and graduated from Iowa State University in 1931, where he was a member of the Tau Beta Pi and Phi Kappa Phi academic honor societies as well as the Acacia fraternity. As a civil engineer, he worked on the Alaskan Highway during World War II. Mr. Welden was a member of numerous social and civic organizations. He was past president and honorary life member of Associated General Contractors of Iowa and a life member of the American Society of Civil Engineers; was a member of the Methodist Church, Rotary, Elks, and Farm Bureau; was a former member and president of Iowa Falls School Board and Iowa Falls Planning Commission; was a member on the advisory board of Pioneer Federal Savings, Iowa Falls Branch, and Director of Iowa Falls State Bank.

A Republican, Mr. Welden represented Hardin County during the Sixty-second, Sixty-third, Sixty-fourth, Sixty-fifth, Sixty-sixth, Sixty-seventh, Sixty-seventh Extra, Sixty-eighth, Sixty-ninth, Sixty-ninth Extra, Sixty-ninth Second Extra, Seventieth and Seventy-first General Assemblies.

Richard W. Welden died June 12, 1992. He is survived by his wife, Ruth; his son, Jerrold; his daughter, Sandra Peterson; and his brother, Robert, all of Iowa Falls; his sisters, Janet Blum of Perquot Lakes, Minnesota and Rosemary Whiteley of Fort Lauderdale, Florida; twelve grandchildren, seven step-grandchildren, eight great-grandchildren and eight step-great-grandchildren.

Now Therefore, Be It Resolved by the House of Representatives of the Seventy-fifth General Assembly of Iowa, That in the passing of the Honorable Richard W. Welden, the State has lost an honored citizen and a faithful and useful public servant, and the House by this Resolution would express its appreciation of his service.

Be It Further Resolved, That a copy of this Resolution be spread upon the Journal of the House, and that the Chief Clerk be directed to forward an enrolled copy to the family of the deceased.

CLARK McNEAL
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ROGER A. HALVORSON

Committee

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Assistant Majority Leader)

ASSISTANT MINORITY LEADERS—

John Connors—Representative **Polk** County(See CONNORS, JOHN—Representative **Polk** County, Assistant Minority
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Philip Wise—Representative Henry-Lee Counties

(See WISE, PHILIP—Representative Henry-Lee Counties, Assistant Minority Leader)

BAKER, THOMAS E.—Representative Polk County

Amendments filed—168, 588-589, 812, 813, 867, 978, 997, 1175, 1176, 1211, 1213, 1259, 1272, 1273, 1277, 1278, 1279, 1326, 1345, 1356, 1876

Bills introduced—198, 380, 503, 518, 580, 625, 636

Committee appointments—13, 19, 20

Leave of absence—76

Remarks in observance of the birthday of Dr. Martin Luther King, Jr.—70

Subcommittee assignments—84, 101, 123, 214, 255, 313, 397, 466, 553, 575, 663, 685, 1015

BEAMAN, JACK—Representative Appanoose-Clarke-Lucas-Wayne Counties

Amendment filed—1278

Appointed to the Law Enforcement Academy Council (replacing David Hibbard)—54

Bills introduced—55, 59, 65, 88, 99, 165, 205, 223, 224, 318, 388, 431

Committee appointments—18, 19, 20, 134

Subcommittee assignments—54, 101, 255, 263, 397, 423, 437, 466, 552, 648, 649, 1092, 1875

BEATTY, LINDA L.—Representative Warren County

Amendments filed—77, 168, 280, 471, 517, 578, 588-589, 591-592, 601, 707, 813, 814, 866, 867, 978, 997, 1041, 1069, 1095, 1162, 1211, 1247-1248, 1250, 1253, 1253-1254, 1264, 1277, 1278, 1279, 1326, 1345, 1529, 1876

Amendments offered—610, 984, 997, 1253

Amendment withdrawn—1352

Appointed as one of the official delegation to attend the memorial service of the Honorable Clay Spear—130

Bills introduced—83, 189, 224, 281, 503, 654

Committee appointments—18, 19, 20

Leave of absence—245, 904

Memorial resolution offered—134

Memorial tribute to the Honorable Clay Spear—136

Resolutions offered—244, 517

Subcommittee assignments—57, 93, 143, 173, 199, 200, 241, 262, 263, 313, 384, 423, 447, 466, 467, 481, 482, 531, 532, 552, 553, 554, 648, 702, 712, 735, 953, 976, 1015, 1068, 1120, 1172, 1875

BELL, PAUL A.—Representative Jasper County

Amendments filed—77, 104, 126, 168, 182, 471, 588-589, 668, 669, 762-764, 778, 814, 853, 854, 866, 867, 1211, 1212, 1253-1254, 1259, 1264, 1272, 1273, 1274, 1277, 1278, 1279, 1325, 1737-1738, 1738-1739, 1876

Amendments offered—762, 828, 896, 1737, 1738

Amendments withdrawn—1309, 1319

Bills introduced—374, 375, 401, 431, 504, 538, 539, 560, 580

Committee appointments—19, 20

Leave of absence—934

Presented to the House Dwayne Faidley, 1992-1993 State FFA President from Colfax—262

Resolution offered—244

Subcommittee assignments—123, 185, 200, 214, 481, 532, 575, 866

BERNAU, BILL—Representative Story County

- Amendments filed—77, 126, 146, 440, 470, 601, 634, 653, 669, 691, 707, 716, 778, 812, 813, 867, 978, 1041, 1082-1084, 1096, 1122, 1123, 1149, 1176, 1211, 1213, 1262, 1263, 1269-1270, 1335, 1347, 1390, 1478, 1503, 1521-1523, 1523, 1524, 1590-1591, 1683, 1919-1920
- Amendments offered—561, 755, 1269, 1335
- Amendment withdrawn—727
- Appointed to the Rural Development Council—41
- Bills introduced—132, 149, 197, 224, 225, 246, 451, 486, 559, 595, 654, 671
- Committee appointments—18, 19, 20
- Leave of absence—461
- Petitions filed—401, 1877
- Resolution offered—1757
- Subcommittee assignments—74, 214, 240, 313, 376, 384, 447, 448, 597, 650, 776, 976, 1039, 1641

BILLS—

(See also action on HOUSE JOINT RESOLUTIONS, HOUSE FILES, SENATE JOINT RESOLUTIONS and SENATE FILES in LEGISLATIVE INDEX VOLUME)

- Approved by governor—260, 396, 422, 445, 465, 531, 596-597, 646, 702, 712, 923, 1066, 1090, 1210, 1274-1275, 1324, 1475, 1606-1607, 1679, 1755-1756, 1795-1796, 2465-2472
- Approved, vetoed or item vetoed subsequent to adjournment—2465-2472
- Consideration of—77, 141, 166, 180, 182, 191, 208, 220, 225, 246, 248, 271, 312, 321, 341, 380, 390, 391, 416, 433, 443, 453, 457, 477, 494, 506, 521, 540, 560, 583, 603, 637, 656, 674, 694, 721, 724, 745, 759, 784, 786, 819, 822, 823, 858, 871, 889, 928, 932, 933, 957, 967, 979, 994, 1010, 1020, 1044, 1053, 1070, 1079, 1097, 1105, 1124, 1151, 1177, 1194, 1219, 1253, 1281, 1291, 1328, 1392, 1396, 1420, 1444, 1480, 1530, 1535, 1645, 1653, 1685, 1717, 1760, 1777, 1786, 1810, 1819, 1828, 1878
- Consideration of resolutions—212, 508, 773, 875, 1488
- Deferred—141, 214, 312, 433, 508, 541, 774, 1047, 1814, 1837, 1975
- Final disposition of motions to reconsider—2015
- Introduction of—46, 55-56, 58-59, 65, 69-70, 73, 76, 82-83, 86-88, 92, 98-100, 100, 105, 127-128, 132-133, 148-149, 164-165, 166, 177-179, 184, 189-190, 197-198, 205, 207, 219-220, 223-225, 245-246, 248, 259-260, 267-268, 269-270, 281-282, 311, 318-319, 320, 373-375, 379-380, 382, 387-388, 391, 401-402, 427-429, 429-433, 441-442, 451-452, 472-474, 486-488, 491-493, 503-505, 518-520, 537-539, 549-550, 558-560, 579-581, 595, 625-628, 635-636, 654-656, 671-673, 682-684, 692-693, 700-701, 709-710, 711-712, 717-718, 742-744, 774-775, 779-782, 815-816, 855, 869, 1008, 1037, 1043, 1070, 1169, 1274, 1387, 1414, 1442, 1474, 1526, 1605, 1640, 1643, 1684, 1753, 1759, 1870
- Item veto messages—1323-1324, 1475-1476, 1680-1681, 2473-2478
- Reassigned—375
- Referred to committees—729, 1171, 1172, 1173, 1174
- Rereferred to committees—92, 150, 206, 395, 445, 527, 574, 637, 721, 851, 865, 871, 932, 1079, 1119, 1169-1171, 1171, 1401, 1413, 1926, 2015-2016
- Resolutions adopted, not otherwise printed in journal—2430-2464
- Resolutions referred to committees—85, 517, 600, 690, 1094, 1640
- Resolution rereferred to committee—628
- Sent to the governor—422, 437, 514, 551, 646, 684, 851, 1013, 1274, 1388, 1414, 1475, 1606, 1641, 1679, 1849, 1873-1874, 1874, 2016-2017, 2017
- Sent to the secretary of state—1475, 1873-1874, 2017

Substitutions—181, 194, 273, 443, 494, 523, 540, 656, 928, 1049, 1051, 1055, 1127, 1132, 1134, 1135, 1136, 1137, 1330, 1386

Veto messages—2472-2473

Withdrawn—183, 194, 276, 444, 445, 495, 525, 645, 657, 661, 712, 929, 1052, 1056, 1103, 1139, 1329, 1398, 1406, 1411, 1440, 1526, 1640, 1654, 1660, 1672, 1761, 1866

BILLS SENT TO GOVERNOR—

(See BILLS, subheading, Sent to the Governor)

BLACK, DENNIS H.—Representative Jasper-Mahaska-Marshall-Poweshiek Counties

Amendments filed—77, 168, 470, 471, 634, 652, 669, 812, 853, 854, 866, 867, 926, 949, 1211, 1212, 1247-1248, 1253-1254, 1272, 1277, 1279, 1733, 1737-1738, 1738-1739, 1744, 1883, 1887, 1901

Amendments offered—949, 1733, 1744, 1883, 1887

Amendments withdrawn—949, 1319, 1887

Bills introduced—148, 184, 220, 374, 375, 538, 539, 580

Committee appointments—11, 19, 20, 60, 721

Leave of absence—934

Presented to the House several foreign students participating in the Iowa International Fellows Program—383

Presented to the House students from Russia and the Ukraine who are participating in the Iowa Peace Institute 1992-1993 Youth Exchange—446

Presented to the House Mr. "SEO" Seog-Goo from Korea who is a participant in the International Visitors Program—499

Presented to the House the Honorable Glen Jesse, former member of the House—953

Presented to the House Boiko Luihenov Doitchinov, Borislav Vassilev Borissov, Radoul Ivelinov Kovatchev and Kirilov Kralev from Varna, Bulgaria—1014

Presented to the House Dencil Njoolay, a journalist and economist, from Tanzania—1527

Subcommittee assignments—54, 200, 214, 255, 397, 423, 466, 499, 553, 648, 1092

BLODGETT, GARY—Representative Cerro Gordo County

Amendments filed—340, 349, 470, 471, 634, 652, 668, 669, 978, 1017, 1018, 1069, 1122, 1326, 1390, 1529

Amendments offered—349, 724, 858, 1406, 1533, 1534, 1535, 1669

Amendments withdrawn—349, 724, 1533

Appointed to the Prevention of Disabilities Policy Council—142

Bills introduced—59, 65, 99, 100, 205, 223, 318, 431, 442, 472, 518, 520, 581

Committee appointments—19, 20

Subcommittee assignments—74, 94, 200, 214, 262, 263, 338, 375, 377, 398, 437, 447, 467, 481, 499, 552, 553, 597, 648, 649, 663, 686, 703, 776, 852, 1092, 1641, 1875

BOARDS, COMMISSIONS, COMMITTEES AND/OR COUNCILS—

(See APPOINTMENTS and/or COMMUNICATIONS FROM, subheading Reports and/or INDIVIDUAL HEADINGS)

BODDICKER, DAN—Representative Cedar-Clinton-Jones Counties

Amendments filed—244, 741, 866, 925, 1149, 1213, 1278, 1391, 1797, 1836

Amendments offered—1049, 1480

Bills introduced—58, 59, 65, 198, 223, 224, 402, 431, 520, 558, 560, 635, 671

Committee appointments—19, 1853

Presented to the House Bernard Witry, Government teacher, from Tipton High School—552

Report—1926-1931

Resolution offered—1683

Subcommittee assignments—57, 80, 94, 101, 123, 159, 173, 200, 255, 263, 276, 376, 397, 398, 467, 531, 552, 553, 574, 629, 663, 685, 703, 866, 1014, 1015, 1092

BOUNDARY COMMISSION

Appointments to—40, 123

BRAMMER, PHILIP E.—Representative Linn County

Amendments filed—77, 168, 209-210, 340, 400, 450, 588-589, 652, 670, 707, 778, 813, 814, 830, 867, 868, 926, 955, 1011, 1017, 1176, 1211, 1247-1248, 1253-1254, 1259, 1264, 1278, 1279, 1347, 1390, 1416, 1478, 1479, 1609, 1905

Amendments offered—752, 798, 830, 858, 897, 1011, 1085, 1905

Amendments withdrawn—458, 459, 806, 858

Appointed to the Advisory Committee on the Prevention of HIV Infection—39

Bills introduced—55, 82, 149, 281, 282, 311, 503, 580, 595, 627, 654, 671

Committee appointments—18, 19, 1044

Leave of absence—378, 961, 994, 1598

Petition presented—387

Resolutions offered—690, 1850

Subcommittee assignments—71, 80, 94, 159, 277, 376, 377, 384, 385, 423, 448, 482, 531, 532, 553, 574, 597, 629, 685, 703, 712, 811, 953, 1015, 1092, 1145

BRAND, WILLIAM J.—Representative Benton-Black Hawk-Tama Counties

Amendments filed—77, 471, 578, 588-589, 670, 812, 813, 814, 834, 867, 925, 1018, 1040, 1080-1081, 1082, 1095, 1211, 1250, 1253-1254, 1256, 1259, 1273, 1278, 1326, 1332-1333, 1339, 1343, 1355, 1356-1382, 1489, 1743, 1831-1832, 1851, 1876

Amendments offered—834, 1080, 1082, 1250, 1253, 1259, 1332, 1336, 1339, 1340, 1343, 1347, 1355, 1356, 1490

Amendments withdrawn—834, 1345

Bills introduced—149, 207, 225, 260, 311, 319, 580, 595, 635, 654, 671, 672

Committee appointments—18, 19, 1473

Leave of absence—273, 742, 815, 869, 979

Remarks by—1968-1973

Resolution offered—244

Subcommittee assignments—80, 101, 214, 276, 423, 448, 629, 663, 712, 1014, 1015, 1092

BRANSTAD, CLIFFORD O.—Representative Hancock-Winnebago-Wright Counties

Amendments filed—104, 146, 188, 204, 217, 226, 925, 1390, 1836

Amendments offered—213, 225, 226

Appointed to the Agricultural Grain Marketing Commission (replacing Louis Muhlbauer)—54

Appointed to the Legislative Council—79

Bills introduced—59, 65, 88, 165, 223, 224, 246, 318, 374, 431, 487, 520, 595, 626

Committee appointments—13, 19, 20, 2019

Leave of absence—1124, 1877

Presented to the House the Honorable Ruhl Maulsby, former member of the House—172

Presented to the House the Honorable Hugo Schnekloth, former member of the House—422

Presented to the House the Honorable Vic Stueland, former member of the House—1275

Resolution offered—1757

Subcommittee assignments—93, 94, 123, 185, 200, 241, 255, 277, 397, 437, 481, 482, 532, 629, 662, 685, 686, 703, 734, 866

BRANSTAD, GOVERNOR TERRY E.—
(See GOVERNOR BRANSTAD, TERRY E.)

BRAUNS, BARRY—Representative Johnson-Louisa-Muscatine Counties
Amendments filed—866, 1041, 1390, 1391
Amendment offered—1034
Bills introduced—58, 59, 65, 99, 132, 148, 165, 223, 224, 318, 442, 472, 581, 672
Committee appointments—18, 19, 20
Resolutions offered—1175, 1757
Subcommittee assignments—75, 185, 214, 255, 263, 276, 397, 437, 466, 499, 553, 597, 649, 662, 663, 776, 852, 953

BRUNKHORST, BOB—Representative Black Hawk-Bremer Counties
Amendments filed—244, 485, 668, 669, 741, 853, 954, 1017, 1390, 1391, 1647-1648, 1833, 1835, 1836, 1888
Amendments offered—495, 728, 1205, 1647, 1835, 1869, 1888
Amendments withdrawn—1115, 1833
Bills introduced—223, 224, 311, 442, 451, 472, 488, 581, 655, 673, 742
Committee appointments—2, 19, 20
Leave of absence—387
Petition presented—1759
Reports—2-5, 378-379
Resolutions offered—244, 600, 1175, 1683, 1850
Subcommittee assignments—101, 123, 201, 214, 241, 397, 437, 467, 482, 531, 552, 553, 575, 686, 1014, 1015

BUDGET MESSAGE—
(See STATE OF THE STATE AND BUDGET MESSAGES)

BURKE, GORDON B.—Representative Marshall County
Amendments filed—77, 168, 217, 244, 591-592, 601, 690, 813, 814, 867, 1095, 1175, 1176, 1211, 1787, 1820-1822, 1876
Amendment offered—767
Amendments withdrawn—765, 1306
Appointed to the Advisory Commission on Intergovernmental Relations—172
Bills introduced—149, 189, 219, 281, 503, 504, 539, 559, 579, 580, 581, 654, 655, 710
Committee appointments—19, 20
Resolution offered—1276
Subcommittee assignments—75, 200, 214, 255, 423, 437, 466, 499, 553, 597, 663, 702, 776, 852, 1039, 1641, 1757, 1875

CALL OF THE HOUSE—
House File 138—222
Senate File 227—768
Lifted:
Senate File 227—768
Withdrawn:
House File 138—222

CAPITOL PLANNING COMMISSION—
Appointments to—172, 1476

CARPENTER, DOROTHY F.—Representative Polk County

Amendments filed—126, 146, 217, 280, 316, 317, 340, 363, 364-365, 557, 578, 653, 670, 778, 866, 891-892, 925, 1017, 1122, 1148, 1176, 1182-1183, 1183, 1183-1184, 1279, 1335, 1345, 1417, 1529, 1609, 1683, 1797, 1875, 1918

Amendments offered—321, 347, 364, 569, 585, 886, 887, 1198, 1201, 1345, 1621, 1623, 1951, 1955

Amendments withdrawn—226, 350, 363, 1344

Appointed to the Iowa Public Employees Retirement System Investment Board—54

Bills introduced—55, 82, 149, 178, 281

Committee appointments—11, 20

Presented to the House the Ocatombo Childrens Chorus from Kofu Yamanashi Prefecture, Japan—923

Subcommittee assignments—74, 93, 123, 143, 200, 201, 241, 262, 313, 375, 384, 385, 448, 467, 499, 648, 649, 702, 852, 976, 1039, 1092, 1120, 1276, 1757, 1875

CATALDO, MICHAEL—Representative Polk County

Amendments filed—77, 104, 168, 588-589, 741, 813, 814, 978, 1175, 1211, 1272, 1279, 1608, 1876

Appointed to the Capitol Planning Commission—172

Bills introduced—149, 580, 655

Committee appointments—18, 20

Leave of absence—972, 1448

Subcommittee assignments—93, 263, 532, 649, 685, 712, 925, 1039, 1068

CERTIFICATES OF RECOGNITION—

44-45, 75, 94-95, 143, 199, 261, 384, 446-447, 528-531, 646-648, 734, 924-925, 1067-1068, 1171-1172, 1415, 1681-1682, 1756-1757, 1800, 2008-2015, 2017-2019

CHAPLAINS—

Committee on, appointed—17

Resolution relating to, HR 2—17 adopted

CHIEF CLERK OF THE HOUSE, Elizabeth A. Isaacson

Acknowledgements—2-5, 33

Administered oath of office to Representative-elect Rick Larkin—379

Administered oath of office to temporary Speaker, Roger A. Halvorson—2

Communications received and on file—1, 41-43, 56-57, 71, 73-74, 80, 84, 90, 93, 101, 123, 143, 159, 173, 239-240, 254, 261-262, 276, 312, 338, 396, 465, 481, 490, 527, 551-552, 646, 734, 851, 952, 1066, 1090-1091, 1119, 1210, 1275, 1527, 1796, 1874

Elected acting Chief Clerk—2

Elected permanent Chief Clerk—13

Reports:

Certificates of recognition—44-45, 75, 94-95, 143, 199, 261, 384, 446-447, 528-531, 646-648, 734, 924-925, 1067-1068, 1171-1172, 1415, 1681-1682, 1756-1757, 2008-2015, 2017-2019

Committee recommendations—68, 85, 91, 96, 104, 125-126, 162-163, 175-176, 187, 203, 217, 243, 257-258, 265, 279, 316, 339, 398-400, 424-425, 439-440, 449-450, 469-470, 483-485, 501, 515-516, 535, 556-557, 576-578, 599-600, 630-633, 651-652, 665-668, 687-690, 704-707, 713, 735-741, 777, 954, 977, 1010, 1015-1017, 1039-1040, 1093-1094, 1120-1122, 1146-1148, 1172-1174, 1276, 1325, 1389-1390, 1444, 1477-1478, 1528-1529, 1608, 1641-1642, 1672, 1682, 1796-1797, 1828, 1840, 1849-1850, 1875, 1974-1975

Conference committee report filed—1754-1755

Enrolled bills—422, 437, 514, 551, 646, 684, 851, 1013, 1274, 1388, 1414, 1475,
1606, 1641, 1679, 1849, 1873-1874, 1874, 2016-2017, 2017

Resolutions relating to:

House Concurrent Resolution 1—13-14 adopted & msgd.

House Concurrent Resolution 2—14 adopted & msgd., 56

House Concurrent Resolution 8—279, 311 adopted; 312, 489

House Resolution 1—16-17 adopted

House Resolution 2—17 adopted

House Resolution 3—96, 104, 123, 126, 131, 146, 188, 204, 212-214, 217, 225-239
adopted

House Resolution 4—400, 440, 485, 508, 517, 741, 773-774 as amended, adopted

House Resolution 6—502, 517, 563-570, as amended, adopted

House Resolution 7—557, 653, 670, 853, 875-888 adopted

House Resolution 8—600, 623-625 adopted

House Resolution 11—1529, 1640

Senate Concurrent Resolution 2—84, 85, 89-90, 97, 104, 106-122 adopted & msgd.

Took oath of office—2

CHIEF JUSTICE OF THE SUPREME COURT, The Honorable Arthur A. McGiverin
(See SUPREME COURT OF IOWA)

CHILDREN, YOUTH AND FAMILIES, COMMISSION ON—

Appointments to—54, 866

CHURCHILL, STEVEN W.—Representative Dallas-Polk Counties

Amendments filed—891-892, 1390, 1391, 1683

Amendments offered—1112, 1429

Bills introduced—59, 223, 518, 520

Committee appointments—13, 18, 20

Leave of absence—189

Subcommittee assignments—74, 75, 93, 101, 123, 201, 214, 255, 262, 263, 276, 313,
376, 385, 397, 423, 437, 448, 467, 553, 554, 574, 597, 649, 650, 663, 702, 712, 776,
953, 976, 1757

CITIZENS' AIDE/OMBUDSMAN—

Communications from—41, 1796

Report-Legislative Council—413

CLAIMS—

(See CLAIMS FILED)

(See MANAGEMENT, DEPARTMENT OF)

(See STATE APPEAL BOARD)

CLAIMS FILED—

(See also MANAGEMENT, DEPARTMENT OF)

(See also STATE APPEAL BOARD)

Claims approved—286-310

Claims disapproved—283-285, 490-491, 1090-1091

Claims filed—283-310, 490-491, 1090-1091

Communications from State Appeal Board—283, 490, 1090

Communications from Department of Management—285-286

COHOON, DENNIS M.—Representative Des Moines County

Amendments filed—77, 168, 588-589, 601, 813, 1041, 1211, 1253-1254, 1261, 1265-1266,
1272, 1273, 1278, 1279, 1347, 1727, 1797, 1876

Amendment offered—1727

Appointed as one of the official delegation to attend the memorial service of the
Honorable Clay Spear—130

Bills introduced—58, 133, 149, 442, 580, 672

Committee appointments—19, 20, 134-135

Leave of absence—86, 378, 934

Memorial tribute to the Honorable Clay Spear—134

Subcommittee assignments—159, 313, 397, 437, 466, 467, 648, 735, 953, 1015

COLLEGE STUDENT AID COMMISSION—

Appointment to—71

Communications from—143, 240, 1527

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Amendment filed—741

Appointed—18

Bills introduced—184, 267, 268, 430, 488, 491, 504, 518, 519, 595, 701, 711, 718, 742, 782

Recommendations—187, 257, 424, 484-485, 501, 515, 576, 599, 666, 687-688, 713, 736, 977

Subcommittee assignments—101, 173, 276, 422, 423, 499, 574, 648, 662, 663, 686, 712,
925, 976

COMMISSIONS, COMMITTEES, BOARDS AND/OR COUNCILS—

(See APPOINTMENTS and/or COMMUNICATIONS FROM, subheading Reports
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COMMITTEE RECOMMENDATIONS—

Administration—85, 398, 1528

Agriculture—187, 399, 469, 501, 556, 599, 666, 705, 736, 1039-1040, 1093, 1796-1797

Appropriations—399, 535, 630-631, 713, 777, 954, 1010, 1016, 1608, 1641-1642, 1682,
1828, 1849-1850, 1875

Commerce—187, 257, 424, 484, 501, 515, 576, 599, 666, 687-688, 713, 736, 977

Education—68, 162, 163, 175, 243, 339, 399, 469, 556, 576, 666-667, 705, 736, 1040, 1093,
1120-1121, 1146

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535, 576-577, 631-632, 688-689, 714, 737, 1010, 1094, 1121-1122, 1173-1174

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Local Government—279, 425, 485, 516, 577, 632, 689, 714-715, 738-740, 1016, 1122, 1174

Natural Resources and Outdoor Recreation—316, 449-450, 485, 577, 633, 652, 689, 715

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689-690, 715, 1122

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740, 1040, 1147-1148, 1672

Transportation—104, 176, 203, 243, 399-400, 439-440, 470, 501, 557, 652, 740-741, 1094,
1148

Ways and Means—176, 279, 516, 578, 633, 690, 777, 1016-1017, 1148, 1276, 1325,
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COMMITTEES, COMMISSIONS, BOARDS AND/OR COUNCILS—

(See APPOINTMENTS and/or COMMUNICATIONS FROM, subheading Reports and/or INDIVIDUAL HEADINGS)

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- Wallace Technology Transfer Foundation—74, 254
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COMPENSATION, EXPENSES AND SALARIES FOR ELECTED STATE OFFICIALS, COMMISSION ON—

Appointments to—40

CONDITION OF THE STATE MESSAGE—

(See STATE OF THE STATE AND BUDGET MESSAGES)

CONFERENCE COMMITTEES—

Appointed—206, 1473, 1611, 1794, 1853

Reports:

- House File 22—393
- Senate File 11—1922-1924
- Senate File 233—1968-1973
- Senate File 266—1926-1931

Reports filed:

Senate File 266—1754-1755

Reports called up:

- House File 22—393
- Senate File 11—1922
- Senate File 233—1968
- Senate File 266—1926

Reports adopted:

- House File 22—393-394
- Senate File 11—1922-1925
- Senate File 233—1968-1973
- Senate File 266—1926-1931(second)

CONGRESS AND/OR PRESIDENT OF THE UNITED STATES—

(See PRESIDENT OF THE UNITED STATES, CONGRESS and/or FEDERAL AGENCIES)

- CONNORS, JOHN H.**—Representative **Polk** County, Assistant Minority Leader
 Amendments filed—77, 168, 182, 217, 244, 463-464, 470, 471, 578, 588-589, 669, 778, 813, 814, 853, 866, 867, 978, 1041, 1082-1084, 1162, 1175, 1176, 1211, 1272, 1277, 1278, 1326, 1416, 1628, 1829-1831
 Amendments offered—463, 887, 905, 1082, 1196, 1289, 1466, 1628
 Appointed to the Legislative Council—79-80
 Asked and received unanimous consent that H-4186 to H-3703 to House File 144, not be printed in the clip sheet or House Journal—1629
 Bills introduced—99, 149, 197, 225, 281, 432, 442, 488, 503, 504, 518, 559, 579, 580, 595, 626, 654, 655
 Committee appointments—16, 18, 19, 871, 2019
 Leave of absence—1048
 Petition presented—401
 Presented to the House Mario Chavez, Mayor and other officials from Naucalpan, Mexico—514
 Presented to the House three refugee families from Bosnia—952
 Presented to the House members of a Chinese delegation from Iowa's sister state—1066
 Presented to the House Lord Acton, a member of the House of Lords of England—1172
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 Request Call of the House on Senate File 227—768
 Resolutions offered—516, 1850
 Subcommittee assignments—185, 200, 255, 338, 554, 629, 663, 852, 1092, 1145
- CORBETT, RON J.**—Representative **Linn** County
 Amendments filed—578, 601, 1212, 1479, 1717-1726, 1787, 1886, 1891-1900, 1901, 1908, 1919-1920
 Amendments offered—618, 1044, 1717, 1891, 1900, 1908
 Amendments withdrawn—1900, 1908
 Appointed to the Legislative Council—79
 Asked and received unanimous consent that House Study Bill 309 not be printed or introduced as a bill out of Committee on Appropriations—1843
 Bills introduced—46, 219, 223, 224, 281, 318, 319, 431, 559
 Committee appointments—18, 19, 20, 1044, 1473, 1611
 Nominated the Honorable Mary A. Lundby as candidate for Speaker Pro Tempore—14
 Presented to the House his wife's parents, Regis and Annie Agostini from Puymeras, France—422
 Presided at sessions of the House—1604
 Remarks by—14-15
 Reports—1754-1755, 1968-1973
 Resolutions offered—633, 1850
 Subcommittee assignments—84, 159, 255, 263, 277, 397, 467, 499, 553, 574, 629, 648, 649, 662, 663, 712, 953, 1015, 1875
- CREDENTIALS, COMMITTEE ON**—
 Appointed—2
 Report—2-5 adopted
 Supplemental Report—378-379 adopted
- DAGGETT, HORACE C.**—Representative Decatur-Ringgold-Taylor-Union Counties
 Amendments filed—188, 741, 926, 1040, 1122, 1149, 1176, 1212, 1266, 1278, 1326, 1390, 1438

Amendments offered—942, 1219, 1260, 1266, 1350, 1438
 Amendments withdrawn—1251, 1274
 Appointed to the Administrative Rules Review Committee—54
 Appointed to the College Student Aid Commission—71
 Appointed as one of the official delegation to attend the memorial service for the
 Honorable Clay Spear—130
 Bills introduced—55, 59, 65, 88, 128, 165, 207, 224, 270, 374, 402, 431, 560, 626.
 Committee appointments—18, 19, 379, 583, 1473
 Leave of absence—1070
 Nominated the Honorable Harold Van Maanen as candidate for Speaker of the
 House—6
 Petition presented—1799
 Remarks by—6-7
 Report—1968-1973
 Resolution offered—279
 Subcommittee assignments—94, 159, 263, 313, 437, 448, 466, 467, 499, 629, 703, 953,
 976, 1014
 Tribute to the Honorable Clay Spear—128

DICKINSON, RICK—Representative Dubuque-Jackson Counties

Amendments filed—77, 97, 104, 168, 204, 217, 470-471, 471, 557, 588-589, 653, 691,
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 1122, 1148, 1155, 1157, 1157-1158, 1161, 1163, 1176, 1211, 1213, 1251, 1253-1254,
 1278, 1328, 1478, 1600-1601, 1683, 1731, 1758, 1787, 1798, 1875, 1876
 Amendments offered—238, 837, 872, 940, 948, 1084, 1106, 1155, 1157, 1161, 1165, 1206,
 1281, 1486, 1600, 1731
 Amendments withdrawn—120, 873, 1157, 1163, 1206
 Bills introduced—223, 224, 387, 431, 432, 441, 503, 539, 559, 580, 595, 635, 692
 Committee appointments—19, 20, 1611, 1853
 Leave of absence—73, 476, 486, 503, 579, 1328, 1392
 Presented to the House the Honorable Richard Norpel, former member of the
 House—776
 Report—1754-1755
 Subcommittee assignments—84, 101, 173, 214, 277, 375, 376, 397, 448, 466, 467, 552,
 575, 597, 662, 735, 776, 1014, 1015, 1039, 1092, 1276

DINKLA, DWIGHT L.—Representative Adair-Guthrie-Madison Counties

Amendments filed—440, 669, 955, 977, 978, 1040, 1095, 1149, 1176, 1390, 1391, 1479,
 1683
 Amendments offered—1057, 1110, 1158
 Bills introduced—99, 223, 270, 431, 442, 472, 581
 Committee appointments—18, 19, 20, 870
 Leave of absence—717
 Remarks by—15
 Resolutions offered—1175, 1757
 Seconded the nomination of Representative Lundby as Speaker Pro Tempore—15
 Subcommittee assignments—57, 124, 214, 240, 241, 313, 375, 376, 422, 423, 447, 448,
 532, 574, 629, 648, 1039, 1276, 1875

DODERER, MINNETTE—Representative Johnson County

Amendments filed—77, 97, 126, 131, 146, 168, 182, 386, 440, 535, 601, 778, 813, 814, 867, 868, 925, 978, 1069, 1176, 1211, 1213, 1247-1248, 1326, 1416, 1478, 1609, 1831-1832, 1876, 1935

Amendments offered—118, 239, 435, 896, 1935

Amendment withdrawn—930

Appointed to the Administrative Rules Review Committee—71

Announced seven winners of the "Write Women Back Into History" essay contest—456

Bills introduced—82, 87, 149, 189, 224, 248, 281, 311, 319, 320, 387, 428, 474, 486, 488, 559, 580, 581, 625, 654, 693, 671

Committee appointments—18, 19, 20, 720

Leave of absence—1355

Petition presented—602

Resolutions offered—203, 425, 517, 720

Subcommittee assignments—74, 80, 159, 173, 200, 240, 262, 263, 276, 313, 375, 376, 384, 422, 423, 447, 448, 499, 531, 532, 574, 629, 686, 1014, 1015, 1039, 1092, 1276, 1641

DRAKE, JACK—Representative Audubon-Pottawattamie-Shelby Counties

Amendments filed—741, 853, 920, 1391

Amendments offered—856, 920

Bills introduced—99, 132, 165, 205, 223, 224, 270, 318, 374, 431, 503, 520

Committee appointments—19, 20

Resolution offered—1175

Subcommittee assignments—93, 101, 123, 214, 423, 448, 466, 499, 597, 649, 663, 703, 776, 852, 953, 954, 1068, 1276, 1757

DVORSKY, ROBERT E.—Representative Johnson County

Amendments filed—77, 146, 168, 440, 470, 471, 588-589, 601, 634, 669, 670, 691, 707, 765, 778, 791, 812, 813, 834, 866, 867, 868, 906, 1040, 1069, 1095, 1176, 1211, 1212, 1247-1248, 1250, 1253-1254, 1259, 1261, 1263, 1265-1266, 1272, 1273, 1277, 1278, 1279, 1285, 1326, 1524, 1529, 1734, 1736, 1742, 1744, 1788-1791, 1797, 1831-1832, 1850, 1876, 1902

Amendments offered—237, 679, 701, 761, 765, 789, 890, 892, 894, 900, 905, 1100, 1247, 1258, 1285, 1734, 1736, 1788, 1831, 1902

Amendments withdrawn—897, 903, 905, 1249, 1273

Bills introduced—149, 189, 224, 225, 431, 452, 503, 549, 559, 580, 581, 595, 654, 655, 692

Committee appointments—18, 19, 720

Leave of absence—86, 692, 836, 1036, 1328

Memorial tribute to the Honorable Clay Spear—140

Resolutions offered—131, 400, 977

Subcommittee assignments—94, 173, 185, 448, 499, 554, 629, 712, 776, 1092, 2008

ECONOMIC DEVELOPMENT BOARD—

Appointment to—40

EDDIE, RUSSELL J.—Representative Buena Vista-Clay-Pocahontas Counties

Amendments filed—853, 925, 1041, 1211, 1212, 1390, 1479, 1521-1523, 1709

Amendments offered—808, 1255, 1401, 1709

Amendments withdrawn—1334, 1336, 1482

Bills introduced—76, 223, 224, 246, 431, 452, 559

Committee appointments—18, 19, 20, 1794

Report—1922-1924

Resolutions offered—131, 1175, 1757

Subcommittee assignments—71, 75, 185, 241, 263, 277, 338, 397, 398, 423, 437, 466,
467, 482, 553, 575, 597, 648, 650, 663, 703, 852, 1796

EDUCATION, COMMITTEE ON—

Amendments filed—1148, 1149

Amendments offered—1650, 1841, 1866, 1869

Appointed—19

Bills introduced—65, 164, 184, 245, 320, 391, 474, 488, 549, 550, 595, 625, 673, 682,
684, 701, 709, 710, 712, 781

Recommendations—68, 162, 163, 175, 243, 339, 399, 469, 556, 576, 666-667, 705, 736,
1040, 1093, 1120-1121, 1146

Subcommittee assignments—84, 101, 123, 124, 159, 173, 201, 214, 240, 241, 313, 397,
398, 437, 438, 466, 467, 482, 499, 552, 553, 575, 597, 662, 663, 735, 1014, 1015, 1039

ELDER AFFAIRS, DEPARTMENT OF—

Appointments to—79

Communications from—276, 396

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(See OFFICERS AND EMPLOYEES)

ENERGY AND ENVIRONMENTAL PROTECTION, COMMITTEE ON—

Amendments filed—1095, 1175

Amendment offered—1771

Appointed—19

Bills introduced—184, 441, 549, 550, 693, 709, 712, 718, 743, 780, 781, 782

Recommendations—175, 439, 556-557, 667, 705-706, 736-737, 1093-1094, 1146, 1172

Subcommittee assignments—102, 173, 185, 240, 313, 384, 481, 552, 553, 663, 953, 954,
1068

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(See BILLS, subheading, Sent to Governor and/or CHIEF CLERK OF THE HOUSE,
Elizabeth A. Isaacson, subheading, Reports; and/or Speaker of the House,
Harold Van Maanen, subheading, Bills signed by)

ERTL, JOSEPH L.—Representative Delaware-Dubuque Counties

Amendments filed—601, 741, 954, 955, 1251, 1390, 1391, 1529, 1608, 1683, 1836

Amendments offered—1029, 1785

Bills introduced—99, 223, 224, 433, 520, 558, 626, 635

Committee appointments—18, 20

Presented to the House John Rocarek, Development Director of the National Czech
and Slovak Museum and Library, Cedar Rapids—711

Resolutions offered—244, 1175

Subcommittee assignments—74, 101, 313, 376, 385, 423, 448, 466, 499, 531, 532, 574,
648, 649, 685, 686, 703, 712, 976, 1039, 1068, 1211, 1276, 1874

ETHICS, COMMITTEE ON—

Appointed—20

Bill introduced—197

Recommendations—187, 484, 515

Resolutions offered—502, 563, 875

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House Resolution 6—502, 517, 563-570 as amended, adopted

House Resolution 7—557, 653, 670, 853, 875-888 adopted

House Resolution 11—1529, 1640

Subcommittee assignment—93

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Moreland—481

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House File 104—Representative Rants—422

House File 104, motion to reconsider—Representative Ertl—465

House File 104—Representative Moreland—481

House File 133—Representative Ollie—952

House File 151—Representative Koenigs—1606

House File 169—Representative Koenigs—1606

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House File 275, motion to reconsider—Representative Dickinson—527

House File 275—Representative Koenigs—1606

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House File 301—Representative Koenigs—1606

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House File 307, motion to reconsider—Representative Dickinson—527

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House File 400—Representative Daggett—1119

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Dickinson—628

House File 429—Representative Dickinson—628

House File 443—Representative Greig—734

House File 491—Representative Greig—734

House File 495—Representative Cataldo—1013

- House File 501—Representative Kreiman—702
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House File 580—Representative Ollie—952
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House File 597—Representative Ollie—952
House File 625—Representative Dickinson—1475
House File 632—Representative Daggett—1119
House File 637—Representative Daggett—1119
House File 648—Representative Daggett—1119
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Senate File 16—Representatives Brunkhorst, Dickinson & Harper—383
Senate File 38—Representative Dickinson—1475
Senate File 48—Representative Dickinson—1475
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Representative Ollie—952
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H-4033, H-4034 & H-4035 to H-3628—Representative Dickinson—1474
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Senate File 233, H-3628—Representative Dickinson—1474
Senate File 233, H-3941 to H-3628—Representative Dickinson—1474
Senate File 239—Representative Royer—952
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Senate File 267—Representatives Bell & Black—952
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Senate File 268—Representative Bell—1527
Senate File 271—Representative Dickinson—1475
Senate File 287—Representative Koenigs—1606
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Senate File 320—Representative Dickinson—1475

Senate File 363—Representative Dickinson—1475

Senate File 376—Representative Dickinson—1475

Senate File 392—Representative Dickinson—1475

Senate File 394—Representative Dickinson—1475

FALLON, ED—Representative Polk County

Amendments filed—77, 104, 188, 258, 266, 471, 588-589, 590-591, 601, 668, 690, 778, 797, 812, 853, 867, 925, 1041, 1042, 1068, 1095, 1123, 1176, 1211, 1212, 1326, 1390, 1416, 1478, 1479, 1521-1523, 1529, 1609, 1743, 1833, 1834-1835, 1836, 1851, 1875, 1876, 1883, 1886-1887, 1887, 1909

Amendments offered—120, 212, 321, 366, 590, 615, 747, 796, 797, 838, 920, 1743, 1810, 1833, 1834, 1880, 1881, 1883, 1886, 1887, 1888, 1909

Amendments withdrawn—371, 765, 905, 995, 1902, 1939

Appointed to the Social Services Block Grant Advisory Committee—172

Bills introduced—83, 86, 87, 88, 99, 100, 105, 127, 132, 133, 165, 179, 198, 220, 223, 224, 245, 246, 259, 267, 268, 374, 388, 492, 493, 503, 504, 539, 549, 558, 560, 580, 627, 654, 671, 692, 742

Committee appointments—19, 20

Presented to the House Vivienne Caron-Jake, a Native American woman from the Paiute Nation in northern Arizona—68

Resolutions offered—425, 1608

Subcommittee assignments—74, 93, 123, 173, 200, 201, 262, 313, 385, 448, 553, 554, 649, 663, 702, 1039, 1068

FEDERAL AGENCIES—

(See PRESIDENT OF THE UNITED STATES, CONGRESS and/or FEDERAL AGENCIES)

FINAL DISPOSITION OF MOTIONS TO RECONSIDER—2015

FOGARTY, DANIEL P.—Representative Clay-Kossuth-Palo Alto Counties

Amendments filed—77, 126, 168, 462, 588-589, 601, 813, 814, 867, 903, 906, 1041, 1148, 1211, 1213, 1247-1248, 1251, 1253-1254, 1261, 1263, 1277, 1278, 1390, 1734, 1736, 1744, 1787, 1876

Amendment offered—1100

Bills introduced—69, 88, 99, 177, 184, 220, 224, 246, 388, 402, 432, 503

Committee appointments—18, 19, 20, 1190

Leave of absence—1392, 1418

Petitions presented—671, 742

Resolutions offered—244, 1478, 1757

Subcommittee assignments—215, 241, 255, 263, 276, 338, 397, 447, 466, 482, 499, 649, 662, 776, 1796

GARMAN, TERESA—Representative Marshall-Story Counties, Assistant Majority Leader

Amendments filed—244, 741, 925, 1017, 1069, 1184, 1213, 1390, 1836, 1884

Amendments offered—273, 1836

Amendments withdrawn—1184, 1884

Appointed to the Legislative Council—79

Bills introduced—55, 58, 65, 69, 100, 132, 178, 223, 224, 281, 318, 374, 473, 504

Committee appointments—19, 206, 2019

Leave of absence—55

Presented to the House the Honorable Betty Jean Clark, former member of the House—184
 Presided at sessions of the House—281, 592, 888, 909, 1181, 1263, 1319, 1460, 1503, 1601, 1638, 1948
 Report—393
 Resolutions offered—131, 1683
 Subcommittee assignments—84, 101, 214, 240, 313, 397, 398, 438, 466, 575, 597, 649, 662, 663, 703, 735, 1014, 1039

GENERAL ASSEMBLY—HOUSE—

(See also ADMINISTRATION, RULES, COMMITTEE ON and/or HOUSE CONCURRENT RESOLUTIONS, HOUSE RESOLUTIONS and SENATE CONCURRENT RESOLUTIONS listed in LEGISLATIVE INDEX VOLUME)

Resolutions relating to:

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House Concurrent Resolution 2, condition of the judicial department—14 adopted & msgd.

House Concurrent Resolution 8, biennial memorial session—279, 311 adopted, 312

House Concurrent Resolution 9, pioneer lawmakers program—280, 311 adopted, 312

House Concurrent Resolution 11, maintaining the Rock Island District of the U.S. Army Corps of Engineers and discourage reorganization—339

House Concurrent Resolution 14, delegation to Congress annually appear before joint session of g.a., unfunded fed. mandates—425, 510 adopted

House Concurrent Resolution 16, joint rules—450, 460-465 as amended, adopted, 488

House Concurrent Resolution 19, judicial impact statement—517, 532

House Concurrent Resolution 22, ban smoking in capitol in areas controlled by Senate & House of Representatives—690

House Concurrent Resolution 23, temporary joint rules—690-691

House Concurrent Resolution 27, Iowa Quality Award—1094, 1147, 1872 adopted & msgd., 1922

House Resolution 1, appointments of clerks, secretaries and pages—16-17 adopted

House Resolution 2, arrange with ministers, open sessions with prayer—17 adopted

House Resolution 4, expenses for the daily operations of the House of Representatives—400, 440, 485, 508, 517, 741, 773-774 as amended, adopted

House Resolution 6, amend rules governing lobbyists—502, 517, 563-570, as amended, adopted

House Resolution 7, amend code of ethics—557, 653, 670, 853, 875-888 adopted

House Resolution 8, deadlines for the time of committee passage and consideration of bills—600, 623-625 adopted

Senate Concurrent Resolution 2, compensation of chaplains, officers and employees—84, 85, 89-90, 97, 104, 106-122 adopted & msgd.

Senate Concurrent Resolution 37, final adjournment—1988, 2008 adopted

GILL, PATRICK F.—Representative Woodbury County

Amendments filed—77, 78, 168, 204, 217, 471, 633, 669, 670, 762-764, 812, 813, 867, 978, 1018, 1041, 1176, 1211, 1213, 1251, 1256-1257, 1272, 1278, 1279, 1319, 1327, 1349, 1479, 1529, 1600-1601, 1744, 1758, 1787, 1788, 1875, 1876

Amendments offered—120-121, 226, 674, 676, 747, 762, 1024, 1345, 1788

Amendments withdrawn—122, 752, 1334, 1352
 Appointed to the Wallace Technology Transfer Foundation (replacing Jack Hatch)—40, 172
 Bills introduced—149, 184, 259, 432, 474, 492, 503, 504, 580, 595, 672, 692, 693
 Committee appointments—18, 19, 20, 1044
 Leave of absence—86, 267
 Presented to the House Dung Huynh essay contest winner—456
 Subcommittee assignments—123, 375, 448, 574, 734, 1039, 1875

GIPP, CHUCK—Representative Allamakee-Winneshiek Counties, Assistant Majority Leader

Amendments filed—925, 1040, 1068, 1335, 1829-1831
 Amendments offered—1044, 1074
 Amendment withdrawn—1074
 Bills introduced—55, 99, 223, 224, 504, 654
 Committee appointments—16, 18, 19, 20, 720, 870
 Petitions presented—635, 1759
 Presided at sessions of the House—845, 864, 1342, 1348, 1604, 1901
 Resolution offered—720
 Subcommittee assignments—74, 75, 84, 93, 102, 123, 143, 200, 215, 240, 241, 262, 263, 277, 313, 384, 397, 423, 466, 467, 481, 482, 553, 554, 629, 649, 685, 703, 712, 953, 954, 976, 1039, 1068, 1641

GOVERNOR BRANSTAD, TERRY E.—

Addressed joint convention—48-53
 Bills signed by—260, 396, 422, 445, 465, 531, 596-597, 646, 702, 712, 923, 1066, 1090, 1210, 1274-1275, 1324, 1475, 1606-1607, 1679, 1755-1756, 1795-1796, 2465-2472
 Closing message—2019-2020
 Committees to escort—48, 53, 65
 Committees to notify—13, 48, 2019
 Communications from—158, 2019-2020
 Delivered the condition of the State and Budget Message—48-53
 Item veto messages—1323-1324, 1475-1476, 1680-1681, 2473-2478
 Resolution relating to the Condition of the State and Budget Messages, HCR 1—13-14 adopted
 Resolutions relating to:
 House Concurrent Resolution 1—13-14 adopted & msgd.
 Veto messages—2472-2473

GREIG, JOHN M.—Representative Dickinson-Emmet-Palo Alto Counties

Amendments filed—812, 941-942, 1095, 1122, 1148, 1176, 1279, 1390, 1391, 1479, 1683, 1787
 Amendments offered—859, 1412, 1549, 1805
 Amendment withdrawn—1412
 Bills introduced—59, 65, 99, 165, 189, 205, 246, 520
 Committee appointments—18, 19, 20, 1794
 Leave of absence—189, 267, 717
 Report—1922-1924
 Resolutions offered—1122, 1757,
 Subcommittee assignments—93, 160, 241, 262, 263, 313, 375, 397, 447, 448, 481, 649, 662, 663, 976, 1039, 1757

- GREINER, SANDY**—Representative Keokuk-Mahaska-Wapello-Washington Counties
Amendments filed—1390, 1391, 1608
Amendments offered—1664, 1707
Bills introduced—99, 205, 224, 246, 281, 520
Committee appointments—13, 18, 19, 20, 721
Resolutions offered—720, 1757
Subcommittee assignments—94, 173, 185, 214, 240, 255, 338, 397, 423, 466, 499, 553, 663, 776, 976, 1014, 1145
- GRIES, DON**—Representative Crawford-Monona-Woodbury Counties
Amendments filed—244, 280, 440, 867, 925, 1040, 1390, 1391, 1608
Amendments offered—454, 1655
Bills introduced—58, 99, 177, 205, 223, 224, 270, 318, 374, 442, 487, 520, 581
Committee appointments—19, 20
Resolutions offered—1175, 1850
Subcommittee assignments—84, 101, 123, 124, 173, 215, 263, 313, 397, 466, 467, 482, 499, 597, 650, 685, 735, 776, 1015, 1039, 1068, 1276
- GRUBBS, STEVEN E.**—Representative Scott County
Amendments filed—440, 450, 925, 954, 955, 1017, 1018, 1041, 1068, 1176, 1212, 1268-1269, 1279, 1390, 1391, 1416, 1422, 1492, 1608, 1758, 1836, 1889, 1904
Amendments offered—479, 998, 1023, 1135, 1268, 1288, 1336, 1432, 1494, 1866, 1904
Amendments withdrawn—1331, 1492
Appointed to the Social Services Block Grant State Advisory Committee—41
Appointed to the Health Data Commission—40
Bills introduced—70, 73, 76, 164, 178, 179, 223, 224, 269, 380, 430, 432, 520, 581, 655, 780
Committee appointments—19, 206
Report—393
Resolutions offered—339, 1277, 1683
Subcommittee assignments—57, 80, 93, 101, 102, 123, 159, 173, 185, 200, 240, 255, 276, 277, 376, 384, 438, 448, 466, 467, 482, 532, 553, 629, 662, 663, 703, 1014, 1015, 1145, 1172
- GRUNDBERG, BETTY**—Representative Polk County
Amendments filed—485, 578, 669, 707, 777, 813, 891-892, 925, 1017, 1018, 1069, 1094, 1212, 1417, 1437-1438, 1478, 1479, 1609, 1683, 1851, 1905
Amendments offered—512, 891, 1247, 1249, 1437, 1856, 1905
Amendments withdrawn—1336, 1482
Appointed to the Commission on Children, Youth and Families—54
Bills introduced—82, 223, 270, 311, 387, 432, 487, 538, 683, 710
Committee appointment—19
Petition presented—1799
Resolutions offered—244, 1683
Subcommittee assignments—57, 80, 93, 123, 124, 159, 200, 255, 262, 263, 376, 384, 437, 448, 467, 481, 531, 552, 553, 574, 629, 685, 703, 735, 811, 1014, 1015, 1039, 1092, 1172
- HAHN, JAMES F.**—Representative Muscatine-Scott Counties
Amendments filed—578, 653, 926, 954, 1390, 1390-1391, 1529, 1901
Amendments offered—946, 1063, 1587, 1901
Bills introduced—59, 65, 223, 374, 388, 430, 432, 442, 472, 474, 487, 581
Committee appointments—18, 19, 1189
Report—1189

Resolution offered—339, 1175, 1277, 1757

Subcommittee assignments—94, 102, 173, 185, 215, 240, 397, 423, 467, 481, 553, 554, 663, 735, 1014

HALVORSON, RODNEY N.—Representative Webster County

Amendments filed—77, 78, 104, 126, 131, 146, 168, 213-214, 280, 316, 317, 340, 362, 362-363, 371-372, 460-461, 462, 463, 471, 541, 557, 601, 614-615, 653, 669, 690, 691, 707, 728-729, 741, 755, 797-798, 811, 853, 1018, 1058, 1095, 1149, 1156, 1176, 1185-1186, 1211, 1251, 1264, 1273, 1278, 1325, 1327, 1416, 1478, 1479, 1529, 1608, 1637-1638, 1745, 1798, 1876, 1885-1886, 1906, 1920

Amendments offered—213, 232, 335, 336, 341, 350, 362, 367, 368, 369, 370, 371, 463, 571, 608, 611, 614, 620, 728, 755, 797, 1034, 1058, 1156, 1185, 1186, 1195, 1197, 1427, 1625, 1627, 1630, 1637, 1788, 1880, 1881, 1885, 1886

Amendments withdrawn—362, 366, 610, 622, 1059, 1194, 1628, 1631, 1906, 1920

Bills introduced—127, 164, 177, 224, 320, 558, 580, 671, 742

Committee appointments—18, 20

Leave of absence—994

Memorial tribute to the Honorable Clay Spear—139-140

Subcommittee assignments—74, 75, 200, 240, 263, 313, 384, 423, 532, 553, 648, 649, 650, 703, 976

HALVORSON, ROGER A.—Representative Allamakee-Clayton-Fayette Counties

Amendments filed—204, 557, 652, 691, 812, 867, 971, 1094, 1122, 1148, 1279, 1391, 1399, 1683, 1787, 1829-1831, 1915-1918

Amendments offered—208, 342, 380, 572, 774, 967, 970, 971, 1056, 1396, 1399, 1426, 1483, 1769, 1787

Amendments withdrawn—208, 1909, 1915

Appointed to the Iowa Economic Development Board—40

Appointed to the Administrative Rules Review Committee—54

As Temporary Speaker presented Speaker Van Maanen with gavel and congratulated him on his election as Speaker—11

Bills introduced—55, 59, 87, 148, 178, 205, 223, 248, 442, 472, 518, 581, 869

Committee appointments—18, 20, 720, 871

Elected Temporary Speaker—2

Leave of absence—1610

Presided at sessions of the House—1, 2

Resolutions offered—244, 425, 1175

Subcommittee assignments—84, 101, 173, 215, 255, 277, 375, 422, 447, 685, 776, 852, 1015, 1039, 1092, 1276, 1757, 1875

HAMMOND, JOHNIE—Representative Story County

Amendments filed—77, 97, 168, 463, 578, 587, 601, 634, 669, 741, 778, 812, 813, 867, 925, 978, 1018, 1095, 1122, 1149, 1176, 1208-1209, 1211, 1213, 1247-1248, 1259, 1269-1270, 1277, 1279, 1310, 1326, 1416, 1449, 1467, 1478, 1609, 1683, 1726, 1788-1791, 1831, 1832, 1833, 1876, 1886-1887, 1909

Amendments offered—463, 587, 832, 847, 1208, 1309, 1310, 1394, 1462, 1467, 1779, 1889

Amendments withdrawn—120, 1114, 1289, 1492

Appointed to the Child Welfare Task Force—40

Appointed to the Task Force to Study Medical Assistance Program—41

Bills introduced—82, 149, 178, 189, 219, 224, 225, 281, 319, 387, 503, 559, 580, 581, 654, 671

Committee appointments—18, 19

Leave of absence—418, 1034, 1328

Resolutions offered—425, 1683

Subcommittee assignments—93, 262, 448, 467, 703, 852, 1015, 1828

HANSEN, STEVEN D.—Representative Woodbury County

Amendments filed—77, 78, 204, 217, 340, 470, 471, 502, 535, 557, 578, 601, 669, 670, 778, 811, 813, 867, 978, 1041, 1095, 1123, 1176, 1211, 1213, 1256-1257, 1279, 1319, 1327, 1349, 1350, 1461, 1600-1601, 1683, 1744, 1757, 1758, 1798, 1875, 1876

Amendments offered—228, 230, 234, 236, 588, 591, 609, 697, 698, 801, 844, 1319, 1349, 1488, 1632

Amendments withdrawn—589, 614, 617, 1320, 1350

Bills introduced—184, 223, 245, 259, 267, 282, 428, 504, 538, 580, 595

Committee appointments—18, 19

Leave of absence—120, 1150

Subcommittee assignments—57, 80, 123, 258, 376, 422, 574, 663

HANSON, DARRELL R.—Representative Black Hawk-Buchanan-Delaware Counties

Amendments filed—340, 601, 633, 691, 778, 925, 1095, 1279, 1390, 1461, 1608, 1661, 1683, 1875, 1902, 1919-1920

Amendments offered—348, 929, 1004, 1112, 1461, 1661, 1688, 1838, 1903, 1919, 1954, 1957

Amendment withdrawn—1115

Bills introduced—99, 133, 148, 165, 178, 198, 220, 224, 225, 281, 373, 402, 427, 430, 580, 671, 693, 742

Committee appointments—13, 18, 19, 20

Memorial tribute to the Honorable Clay Spear—137-139

Presented to the House students from East Buchanan Central Elementary School, Winthrop, members of D.A.R.E., presented songs—1487

Presided at sessions of the House—1871

Report—16

Resolution offered—1175

Subcommittee assignments—74, 75, 93, 143, 199, 200, 214, 215, 241, 255, 262, 263, 277, 313, 376, 384, 398, 437, 447, 448, 466, 467, 481, 482, 499, 531, 532, 552, 553, 554, 574, 597, 648, 649, 650, 663, 686, 703, 776, 852, 976, 1039, 1068, 1120, 1641, 1757

HANSON, DONALD E.—Representative Black Hawk County

Amendments filed—1017, 1149, 1212, 1390, 1461

Amendments offered—1151, 1156

Appointed to the Wallace Technology Transfer Foundation (replacing Brad Banks)—40

Bills introduced—65, 189, 223, 224, 281, 374, 427, 431, 742

Committee appointments—18, 19, 20, 47, 1611, 1853

Presented to the House several foreign students participating in the Iowa International Fellows Program—383

Presented to the House students from Russia and the Ukraine who are participating in the Iowa Peace Institute 1992-1993 Youth Exchange—446

Presented to the House Boiko Luibenov Doitchinov, Borislav Vassilev Borissov, Radoul Ivelinov Kovatchev and Krassen Kirilov Kralev, from Varna, Bulgaria—1014

Report—1926-1931

Resolution offered—244

Subcommittee assignments—84, 101, 159, 173, 185, 214, 240, 255, 313, 466, 467, 552, 553, 629, 712, 953, 1014

HARPER, PATRICIA M.—Representative Black Hawk County

Amendments filed—77, 168, 471, 588-589, 600, 634, 668, 778, 813, 814, 852, 853, 867, 868, 1040, 1148, 1175, 1176, 1211, 1212, 1247-1248, 1253, 1253-1254, 1259, 1264, 1272, 1273, 1278, 1279, 1326, 1390, 1478, 1609, 1745, 1797, 1831-1832, 1876

Amendments offered—909, 1249, 1745

Amendments withdrawn—1253, 1483, 1486

Appointed to the Commission on Elder Affairs—79

Bills introduced—149, 220, 224, 281, 387, 432, 503, 504, 518, 538, 558, 580, 581, 626, 673

Committee appointments—19, 20, 47

Memorial tribute to the Honorable Clay Spear—137

Resolution offered—244

Subcommittee assignments—93, 263, 466, 467, 552, 553, 685, 703

HAVERLAND, MARK A.—Representative Polk County

Amendments filed—812, 814, 853, 867, 925, 954, 1017, 1123, 1149, 1176, 1212, 1278, 1279, 1306-1307, 1326, 1416, 1462, 1608, 1609, 1637, 1876

Amendments offered—1133, 1292, 1297, 1298, 1306, 1462, 1632, 1637

Amendment withdrawn—1306

Bills introduced—178, 387, 429, 503, 538, 580

Committee appointments—19, 583

Leave of absence—76, 444, 476, 573, 1344, 1610

Resolution offered—1683

Subcommittee assignments—255, 262, 263, 338, 384, 423, 467, 552, 553, 663, 976, 1068, 1092

HEALTH DATA COMMISSION—

Appointment to—40

Communications from—43, 71

HENDERSON, MARK—Representative Clinton-Scott Counties

Amendments filed—77, 104, 168, 188, 204, 244, 440, 470-471, 471, 517, 588-589, 600, 619, 634, 707, 716, 812, 813, 852, 853, 854, 867, 903, 906, 925, 1041, 1149, 1175, 1176, 1212, 1213, 1247-1248, 1253-1254, 1256-1257, 1259, 1261, 1263, 1264, 1272, 1273, 1278, 1279, 1390, 1478, 1521-1523, 1524, 1529, 1608, 1876

Amendments offered—861, 1072, 1256

Amendments withdrawn—773, 964, 1345

Appointed to the Agricultural Energy Management Advisory Council—172

Bills introduced—179, 189, 223, 246, 281, 388, 429, 430, 432, 441, 442, 451, 503, 504, 559, 580, 654, 672

Committee appointments—18, 19

Leave of absence—69, 260, 267, 342

Resolutions offered—244, 339, 1277, 1757

Subcommittee assignments—94, 102, 240, 397, 552, 953, 954

HESTER, JOAN L.—Representative Harrison-Pottawattamie Counties

Amendments filed—126, 813, 814, 830, 1148, 1279, 1310, 1390, 1391

Amendments offered—829, 830

Bills introduced—55, 58, 59, 65, 69, 98, 99, 132, 165, 189, 205, 223, 270, 281, 318, 374, 379, 402, 427, 431, 504, 520

Committee appointments—2, 18, 19, 20

Reports—2-5, 378-379

Subcommittee assignments—74, 94, 200, 240, 263, 338, 385, 397, 448, 532, 553, 597, 703, 735, 852, 953, 976, 1015

HOLVECK, JACK—Representative Polk County

- Amendments filed—470-471, 471, 517, 778, 812, 813, 814, 853, 866, 867, 926, 978, 1018, 1040, 1041, 1069, 1182-1183, 1183, 1183-1184, 1212, 1279, 1345, 1390, 1449, 1683, 1726, 1743, 1744, 1876, 1918
- Amendments offered—790, 960, 1183, 1449, 1726
- Amendments withdrawn—961, 1918
- Bills introduced—225, 452, 559, 581, 636, 1043
- Committee appointments—2, 18, 19, 20
- Leave of absence—758, 891, 1112, 1139, 1392, 1442
- Petition presented—1877
- Reports—2-5, 378-379
- Resolution offered—244
- Subcommittee assignments—185, 277, 375, 448, 663, 1039, 1120, 1276

HOUSE COMMITTEE ASSIGNMENTS—21-32, 383**HOUSE CONCURRED—**

- House Concurrent Resolution 6, H-3151—521
- House File 79, H-4017—1504
- House File 83, H-4205, as amended—1706
- House File 136, H-4215—1809
- House File 144, H-3703, as amended—1629
- House File 151, H-3990—1510
- House File 169, H-3993—1513
- House File 193, H-4166—1685
- House File 210, H-4005, as amended—1557
- House File 214, H-4063—1687
- House File 263, H-4222—1784
- House File 275, H-4064—1514
- House File 301, H-3744—1517
- House File 319, H-4279, as amended—1857
- House File 328, H-4287—1812
- House File 331, H-4360—1946
- House File 342, H-3913—1507
- House File 354, H-4061—1538
- House File 360, H-4164, as amended—1785
- House File 361, H-4407—1983
- House File 382, H-3992, as amended—1770
- House File 384, H-4190—1768
- House File 389, H-4077—1766
- House File 409, H-4165—1692
- House File 418, H-4406—1978
- House File 419, H-4361—1947
- House File 429, H-3562—1143
- House File 430, H-4408—2006
- House File 448, H-3912—1508
- House File 451, H-4075—1691
- House File 495, H-4076—1516
- House File 496, H-3991, as amended—1551
- House File 518, H-3846—1320
- House File 576, H-4365—1941
- House File 584, H-4019—512

House File 623, H-4011, as amended—1599
 House File 625, H-4136—1646
 House File 633, H-4004—1548
 House File 635, H-4257—1814
 House File 637, H-4094, as amended—1806
 House File 644, H-4258, as amended—1939
 House File 652, H-4379—1961
 House File 660, H-4320, as amended—1958
 House Joint Resolution 5, H-3166—505
 Senate File 142, H-4306—1826
 Senate File 191, H-4132—1702
 Senate File 206, H-4163—1713
 Senate File 232, H-3637—1142
 Senate File 267, H-3989—1443
 Senate File 370, H-4191—1712
 Senate File 394, H-4214—1775
 Senate File 425, H-4405—1966

HOUSE INSISTS—

Senate File 11—1794
 Senate File 233—1472
 Senate File 266—1610

HOUSE REFUSED TO CONCUR—

House File 22, H-3019—171
 House File 111, H-3129—1777
 House File 348, H-4189—1776
 House File 632, H-4254—1860
 House File 669, H-4321—1865

HOUSER, HUBERT—Representative Fremont-Mills-Pottawattamie Counties

Amendments filed—517, 813, 1041, 1095, 1390, 1391
 Amendments offered—523, 836, 1099, 1100
 Amendment withdrawn—1101
 Appointed to the Renewable Fuels Advisory Council—142
 Appointed to the Agricultural Energy Management Advisory Council—142
 Bills introduced—99, 205, 223, 246, 270, 427, 432, 442, 472, 581
 Committee appointments—18, 19, 20
 Resolution offered—1757
 Subcommittee assignments—84, 94, 200, 214, 215, 255, 263, 338, 466, 467, 499, 552,
 553, 554, 597, 648, 702, 703, 704, 712

HUMAN RESOURCES, COMMITTEE ON—

Amendments filed—978, 1123, 1149, 1175
 Amendments offered—1292, 1298, 1406, 1480, 1518, 1531, 1552
 Amendment withdrawn—1533
 Appointed—19
 Bills introduced—260, 401, 432, 520, 655, 656, 701, 718, 743, 815
 Recommendations—257-258, 339, 424, 515, 576, 631, 688, 714, 977, 1092, 1121, 1147,
 1172-1173, 1444
 Subcommittee assignments—93, 94, 185, 255, 262, 263, 277, 338, 384, 437, 467, 481,
 499, 552, 553, 597, 663, 735, 852, 976, 1068

HURLEY, CHARLES—Representative Buchanan-Fayette Counties

Amendments filed—126, 280, 340, 517, 587, 1212, 1213, 1390, 1391, 1608, 1836
 Amendments offered—1518, 1650, 1836, 1841, 1932
 Appointed to the Advisory Committee on the Prevention of HIV Infection—39
 Bills introduced—55, 58, 65, 132, 198, 223, 224, 318, 374, 427, 430, 504, 560
 Committee appointments—18, 19, 20, 61, 870
 Resolutions offered—425, 870, 1683, 1850
 Subcommittee assignments—80, 84, 93, 123, 159, 173, 201, 214, 262, 376, 384, 397,
 423, 448, 467, 531, 532, 552, 553, 574, 629, 953, 1014, 1015, 1068, 1092, 1145, 1172

INTERIM COMMITTEES—

(See also LEGISLATIVE COUNCIL and/or STUDY COMMITTEES)

Resolution relating to:

House Concurrent Resolution 34, adoption reform, study cmte.—1850, 1858
 adopted & msgd.

INTERSTATE COOPERATION, COMMISSION ON—

Appointments to—100

INTRODUCTION OF BILLS—

(See BILLS, subheading, Introduction of and/or INDIVIDUAL HEADINGS)

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM—

Appointment to—54

IPERS—

(See IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM)

IVERSON, STEWART E.—Representative Franklin-Hamilton-Hardin-Wright Counties

Amendments filed—126, 217, 280, 440, 470, 634, 652, 669, 715, 741, 777, 811, 853, 866,
 867, 925, 955, 1149, 1212, 1278, 1279, 1326, 1390, 1478, 1479, 1548, 1662-1663,
 1663, 1902
 Amendments offered—235, 272, 391, 479, 732, 919, 1031, 1032, 1128, 1339, 1385, 1423,
 1662, 1670, 1840
 Amendments withdrawn—749, 1385, 1548, 1669-1670
 Bills introduced—55, 58, 59, 65, 82, 98, 99, 223, 224, 225, 373, 431, 520, 625, 655, 671, 1442
 Committee appointments—19, 20, 206, 1473
 Report—393
 Resolutions offered—244, 1175
 Subcommittee assignments—74, 75, 101, 214, 263, 277, 313, 376, 437, 447, 448, 466,
 499, 597, 629, 650, 735, 776, 1014, 1017, 1039, 1092, 1145, 1641, 1874, 1875

JOCHUM, PAM—Representative Dubuque County

Amendments filed—77, 104, 126, 168, 181, 182, 340, 471, 601, 634, 652, 658-661, 669,
 707, 708, 778, 812, 813, 814, 826, 827-828, 834, 866, 867, 978, 995, 1018, 1041,
 1149, 1176, 1212, 1247-1248, 1253-1254, 1259, 1272, 1273, 1278, 1325, 1478, 1609,
 1734, 1736, 1797, 1875, 1876
 Amendments offered—181, 182, 350, 824, 826, 827, 985, 995, 996, 1296
 Amendments withdrawn—847, 1297, 1319
 Appointed to the Legislative Council—79-80
 Asked and received unanimous consent to vote nay on House File 518, H-3846—1321
 Bills introduced—177, 224, 225, 281, 320, 559, 580, 636
 Committee appointments—18, 20, 48

Leave of absence—76
 Petition presented—1799
 Resolutions offered—244, 1850
 Subcommittee assignments—75, 93, 200, 255, 313, 384, 482, 532, 553, 648, 649, 685,
 953, 1039

JOINT CONVENTIONS—

Condition of the Judicial Department Message—61-65
 Joint Memorial Services—1214
 State of the State and Budget Message—48-53
 To honor Pioneer Lawmakers—1190-1193
 Resolutions relating to:
 House Concurrent Resolution 1, condition of the state and budget
 message—13-14 adopted
 House Concurrent Resolution 2, condition of the judicial message—14 adopted
 & msgd.
 House Concurrent Resolution 8, biennial memorial session—279, 311 adopted, 312
 House Concurrent Resolution 9, pioneer lawmakers program—280, 311 adopted,
 312

JOINT RULES—

Resolutions relating to:
 House Concurrent Resolution 16, joint rules—450, 460-465 as amended, adopted,
 488
 House Concurrent Resolution 23, temporary joint rules—690, 691
 Rule 17 (fiscal notes):
 House File 136—562
 House File 230—699

JUDICIARY AND LAW ENFORCEMENT, COMMITTEE ON—

Amendments filed—176, 204, 280, 517, 578, 741, 1095, 1175
 Amendments offered—250, 416, 457, 695, 1932
 Appointed—19
 Bills introduced—99, 128, 166, 198, 382, 429, 433, 492, 519, 549, 580, 627, 636, 700,
 711, 717, 718, 743, 779, 815
 Recommendations—91, 104, 175-176, 203, 279, 339, 425, 484-485, 515-516, 535, 576-577,
 631-632, 688-689, 714, 737-738, 1010, 1094, 1121-1122, 1173-1174
 Subcommittee assignments—57, 80, 93, 123, 124, 159, 160, 173, 200, 214, 240, 262,
 276, 313, 375, 376, 384, 385, 423, 447, 448, 482, 531, 532, 574, 629, 685, 686, 811,
 1014, 1015, 1092, 1145, 1172

KISTLER, ROBERT L.—Representative Jefferson-Van Buren-Wapello Counties

Amendments filed—126, 182, 440, 1040, 1390-1391
 Amendment offered—421
 Appointed to the Rural Health Advisory Committee—54
 Bills introduced—88, 165, 223, 281, 318, 374, 442, 472, 581
 Committee appointments—19, 1190
 Petition presented—558
 Subcommittee assignments—101, 200, 214, 241, 313, 437, 466, 467, 481, 499, 552, 597,
 663, 703, 735, 1015

KLEMME, RALPH F.—Representative Plymouth-Woodbury Counties

Amendments filed—601, 668, 1213, 1390, 1391

Amendments offered—640, 864
 Bills introduced—59, 65, 69, 165, 184, 198, 220, 223, 224, 270, 318, 374, 432
 Committee appointments—18, 19, 20
 Resolutions offered—244, 1757
 Subcommittee assignments—200, 240, 338, 397, 466, 532, 1068

KOENIGS, DEO A.—Representative Floyd-Mitchell Counties

Amendments filed—77, 146, 168, 217, 316, 588-589, 601, 652, 658-661, 668, 691, 778,
 791, 802-803, 803, 813, 867, 903, 906, 1176, 1212, 1247-1248, 1251, 1253-1254, 1278,
 1390, 1683, 1733, 1740, 1797, 1876, 1886, 1901-1902
 Amendments offered—227, 347, 607, 791, 794, 802, 803, 1740, 1901
 Amendments withdrawn—608, 1902
 Appointed to the Renewable Fuel Advisory Committee (replacing Jane Svoboda)—41
 Bills introduced—224, 268, 559, 742
 Committee appointments—18, 20, 583, 720, 1794
 Leave of absence—1036
 Report—1922-1924
 Resolutions offered—244, 719, 1757
 Subcommittee assignments—93, 185, 241, 500, 629, 953

KREIMAN, KEITH A.—Representative Appanoose-Davis-Monroe-Van Buren Counties

Amendments filed—77, 104, 146, 187, 334-335, 335, 340, 578, 583-584, 652, 812, 813,
 814, 867, 978, 1040, 1041, 1095, 1175, 1176, 1212, 1213, 1247-1248, 1264, 1273,
 1274, 1278, 1468-1469, 1478, 1529, 1608, 1850, 1851, 1876
 Amendments offered—195, 335, 583, 642, 1468, 1645, 1670
 Amendments withdrawn—195, 335, 342, 363, 846
 Bills introduced—503, 519, 520, 539, 559, 580, 581, 626, 671
 Committee appointments—19
 Leave of absence—55, 69, 267, 692
 Resolution offered—244
 Subcommittee assignments—123, 124, 159, 240, 262, 263, 276, 376, 384, 448, 466, 574,
 629, 1014

LABOR AND INDUSTRIAL RELATIONS, COMMITTEE ON—

Amendments filed—600, 707
 Amendment offered—1071
 Appointed—19, 319
 Bills introduced—268, 269, 391, 433, 625, 672, 683, 710, 711, 717, 743
 Recommendations—187, 265, 399, 439, 599-600, 667, 706, 738
 Subcommittee assignments—123, 185, 200, 241, 255, 397, 437, 481, 531, 532, 598, 685,
 686, 734, 866

LARKIN, RICHARD L.—Representative Des Moines-Lee Counties

Amendments filed—588-589, 601, 668, 670, 778, 813, 837, 867, 903, 906, 1041, 1212,
 1247-1248, 1253-1254, 1259, 1261, 1272, 1273, 1278, 1797, 1876
 Amendment offered—895
 Bills introduced—580, 672
 Committee assignments—383
 Subcommittee assignments—385, 397, 398, 423, 437, 467, 531, 552, 553, 648, 649, 650,
 663, 703, 852, 953, 976
 Took oath of office—379

LARSON, CHUCK—Representative Linn County

Amendments filed—470, 557, 600, 634, 668, 741, 812, 955, 1017, 1213, 1390, 1391, 1608, 1787, 1797, 1836

Amendment offered—1271

Bills introduced—59, 65, 98, 99, 177, 205, 223, 224, 281, 374, 473, 520, 672

Committee appointments—18, 19, 20, 60

Resolution offered—1850

Subcommittee assignments—74, 80, 101, 123, 124, 159, 173, 214, 262, 313, 375, 376, 384, 447, 448, 531, 532, 648, 663, 925, 1014, 1015, 1211, 1276, 1641, 1874, 1875

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Appointments to—41, 54

LEAVE OF ABSENCE—

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LEGISLATIVE COUNCIL—

Appointments to—79-80

Report from—413-416

Resolution relating to the compensation of employees of the central legislative staff agencies—404-412 adopted

LEGISLATIVE COUNCIL COMMITTEES—

Appointments to—157-158

Resolution relating to:

House Concurrent Resolution 34—1850, 1858 adopted & msgd.

LEGISLATIVE FISCAL BUREAU—

Communication from—43

LEGISLATIVE SERVICE BUREAU

Communication from—261-262

LOCAL GOVERNMENT, COMMITTEE ON—

Amendments filed—426, 485, 517, 633, 716, 741, 1017, 1175

Amendments offered—929, 1031, 1054, 1124, 1707

Appointed—19

Bills introduced—318, 627, 628, 636, 700, 701, 717, 718, 744, 779, 781, 782

Recommendations—279, 425, 485, 516, 577, 632-633, 689, 714-715, 738-740, 1016, 1122, 1174

Subcommittee assignments—75, 84, 94, 185, 200, 214, 215, 255, 277, 338, 397, 398, 423, 437, 466, 467, 499, 553, 554, 597, 629, 663, 685, 776, 852, 1014, 1092, 1145

LUNDBY, MARY A.—Representative Linn County, Speaker Pro Tempore

Amendments filed—400, 591-592, 741, 812, 867, 925, 977, 978, 997, 1017, 1018, 1041, 1095, 1175, 1176, 1262, 1278, 1390, 1521-1523, 1523, 1757, 1787, 1829-1831, 1875

Amendments offered—997, 1005, 1114, 1179, 1341

Amendments withdrawn—1345, 1347

Appointed to the Legislative Council—79

Bills introduced—98, 178, 224, 225, 281, 427, 429, 626, 635, 672

Committee appointments—18, 19, 20
 Elected Speaker Pro Tempore—14
 Leave of absence—259, 271, 943, 1320
 Presided at sessions of the House—78, 195, 247, 337, 350, 368, 786, 970, 985, 998,
 1079, 1101, 1272, 1289, 1291, 1334, 1338, 1449, 1492, 1669, 1741, 1887, 1935, 2016
 Remarks by—16
 Rulings made—359, 1334, 1335, 1493
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 (See Siegrist, Brent—Representative Pottawattamie County, Majority Leader)

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Remarks by Representative Baker—70

MARTIN, MONA—Representative Scott County

Amendments filed—1041, 1095, 1390, 1391, 1608, 1787, 1836
 Amendment offered—1310
 Appointed to the Commission on Elder Affairs—79
 Bills introduced—55, 164, 223, 281, 375, 430, 432, 520, 628, 671, 709
 Committee appointments—19, 20, 48, 1189
 Petition presented—1684
 Resolutions offered—339, 1277, 1850
 Subcommittee assignments—80, 93, 94, 123, 159, 160, 173, 199, 200, 240, 262, 313,
 376, 385, 448, 466, 467, 482, 499, 531, 532, 553, 574, 597, 629, 649, 650, 663, 685,
 703, 735, 953, 976, 1014, 1015, 1039, 1068, 1092, 1120

MAY, DENNIS—Representative Cerro Gordo-Mitchell-Worth Counties

Amendments filed—77, 168, 470, 471, 588-589, 601, 668, 813, 853, 854, 867, 903, 906,
 926, 1123, 1175, 1212, 1247-1248, 1250, 1253-1254, 1259, 1264, 1277, 1278, 1279,
 1325, 1353-1354, 1390, 1730, 1876
 Amendments offered—1353, 1730
 Bills introduced—220, 224, 428, 432, 559
 Committee appointments—18, 19, 20, 720
 Leave of absence—267
 Petition presented—486
 Resolution offered—1757
 Subcommittee assignments—160, 255, 437, 552, 662, 712

McCOY, MATT—Representative Polk County

Amendments filed—77, 104, 168, 340, 588-589, 812, 813, 867, 977, 1018, 1175, 1212,
 1253-1254, 1272, 1278, 1279, 1448, 1523, 1705-1706, 1787, 1876, 1907, 1912-1915
 Amendments offered—417, 824, 1705, 1912
 Amendments withdrawn—1909, 1918
 Bills introduced—132, 224, 432, 518, 580

Committee appointments—18, 20, 1611, 1853
 Leave of absence—76, 219, 472, 579, 815, 1270, 1877
 Report—1754-1755
 Subcommittee assignments—422, 648, 686, 976

McKINNEY, WAYNE H., JR.—Representative Dallas-Madison Counties

Amendments filed—77, 204, 217, 471, 535, 584, 585, 601, 669, 778, 812, 852, 853, 867,
 903, 906, 978, 1017, 1018, 1041, 1162, 1176, 1212, 1269, 1271, 1279, 1319, 1326,
 1347, 1608, 1797, 1798, 1876
 Amendments offered—584, 585, 604, 789, 970, 1271, 1489, 1891
 Amendment withdrawn—972
 Appointed to the Legislative Council—79-80
 Bills introduced—432, 595, 655
 Committee appointments—18, 19
 Leave of absence—177, 205, 541
 Presented to the House the Honorable Bob Feller, a member of the Baseball Hall
 of Fame—1428
 Subcommittee assignments—80, 124, 159, 214, 277, 397, 448, 532, 629, 953, 1015, 1172

McNEAL, CLARK E.—Representative Franklin-Hardin Counties

Amendments filed—217, 340, 557, 578, 652, 653, 668, 812, 854, 955, 978, 1018, 1069,
 1095, 1149, 1212, 1307, 1390, 1501, 1609, 1636, 1642, 1758, 1797, 1876, 1884
 Amendments offered—221, 248, 250, 416, 458, 603, 638, 695, 1047, 1071, 1080, 1085,
 1105, 1109, 1307, 1501, 1634, 1636, 1884, 1885
 Bills introduced—55, 59, 82, 132, 281, 318, 380, 487
 Committee appointments—18, 19, 61, 871, 1611, 1853
 Report—1926-1931
 Resolution offered—870
 Subcommittee assignments—71, 80, 93, 123, 159, 185, 240, 241, 262, 277, 376, 384,
 385, 448, 532, 552, 553, 663, 712, 866, 953, 976, 1015, 1068, 1092, 1828, 2008

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 Memorial tributes to the Honorable Clay Spear—128-130, 134-141
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MERTZ, DOLORES M.—Representative Humboldt-Kossuth Counties

Amendments filed—77, 126, 168, 426, 587, 588-589, 652, 668, 690, 741, 813, 814, 903,
 906, 1069, 1122, 1148, 1149, 1212, 1213, 1247-1248, 1251, 1253-1254, 1259, 1261,
 1273, 1277, 1278, 1279, 1390, 1390-1391, 1391, 1416, 1479, 1609, 1731, 1787, 1876
 Amendment offered—433
 Appointed to the Advisory Council for Agricultural Education—39
 Bills introduced—59, 82, 88, 98, 99, 149, 184, 220, 223, 224, 246, 281, 374, 432, 452,
 487, 504, 520, 559, 627, 855
 Committee appointments—18, 19, 20, 1189
 Resolutions offered—600, 623, 1175, 1757, 1850
 Subcommittee assignments—71, 185, 215, 241, 338, 397, 466, 482, 553, 649, 662, 663, 685

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Item veto messages—1323-1324, 1475-1476, 1680-1681, 2473-2478

Senate messages considered—92, 149, 165, 190, 198, 207, 260, 270, 319, 375, 389, 402, 429, 452, 488, 493, 550, 596, 636, 673, 693, 719, 775, 782, 816, 849, 855, 869, 927, 956, 973, 979, 1008, 1009, 1019, 1043, 1053, 1065, 1097, 1104, 1118, 1144, 1145, 1189, 1387, 1530, 1653, 1684, 1754, 1784, 1819, 1870, 1871, 1877, 1964, 1968

Veto messages—2472-2473

METCALF, JANET S.—Representative Polk County

Amendments filed—1041, 1068, 1831, 1883, 1884

Amendments offered—1077, 1116, 1828, 1884

Appointed to the Iowa Comprehensive Health Insurance Association—56

Bills introduced—58, 82, 132, 149, 281, 452, 492, 520, 671

Committee appointments—17, 18, 20

Memorial tribute to the Honorable Clay Spear—139

Presented to the House Rosina Hendrickson and Jenny Tindall, winners of essay contest—456

Reports—66-68, 548

Requested to be added as a sponsor of House File 8—70

Subcommittee assignments—173, 214, 276, 422, 423, 448, 574, 629, 648, 663, 685, 712, 925, 953, 976, 1015, 1828

MEYER, JAMES—Representative Ida-Sac-Woodbury Counties

Amendments filed—741, 925, 978, 1068, 1149, 1390, 1391, 1417, 1521-1523, 1836

Amendments offered—980, 981, 1110, 1521, 1552

Amendment withdrawn—1110

Bills introduced—59, 65, 69, 165, 189, 223, 270, 318, 518, 520, 581, 673

Committee appointments—18, 19, 60-61

Resolution offered—1757

Subcommittee assignments—94, 173, 240, 241, 255, 263, 313, 467, 499, 552, 553, 662, 663, 702, 704, 852, 1796

MILEAGE, COMMITTEE ON—

- Appointments to—17
- Report—66-68
- Report adopted—83
- Supplemental report—548
- Supplemental report adopted—637

MILLAGE, DAVID—Representative Scott County, Assistant Majority Leader

- Amendments filed—460, 902, 921, 1017, 1041, 1175, 1176, 1390, 1449, 1479, 1492, 1500, 1500-1501, 1529, 1608, 1609, 1758, 1787, 1820-1822, 1907, 1912-1915
- Amendments offered—457, 460, 902, 1166, 1329, 1402, 1449, 1500
- Amendments withdrawn—906, 933
- Appointed to the Task Force to study Medical Assistance Program—41
- Bills introduced—46, 55, 59, 65, 98, 164, 178, 179, 198, 223, 224, 225, 320, 379, 430, 432, 472, 474, 672
- Committee appointments—18, 19, 20
- Leave of absence—86
- Presided at sessions of the House—260
- Resolutions offered—339, 600, 623, 690, 1175, 1277
- Subcommittee assignments—80, 123, 159, 185, 200, 241, 255, 262, 263, 276, 313, 384, 397, 423, 437, 448, 481, 482, 531, 532, 574, 629, 662, 685, 686, 734, 1014, 1015, 1172

MILLER, TOM H.—Representative Buena Vista-Cherokee-O'Brien-Plymouth Counties

- Amendments filed—386, 485, 578, 601, 741, 1069, 1094, 1268-1269, 1390-1391
- Amendments offered—617, 773
- Bills introduced—58, 59, 65, 69, 82, 87, 99, 132, 165, 189, 205, 223, 270, 318, 374
- Committee appointments—18, 20
- Presented to the House Shawna Kasner of Kingsley, Iowa's Young Woman of the Year—694
- Reports—150-155, 155-157, 312, 810
- Resolution offered—16-17
- Subcommittee assignments—71, 84, 276, 277, 397, 423, 629, 663, 712, 953, 1015, 1828, 1875, 2008

**MINORITY LEADER, Robert C. Arnould—Representative Scott County
(See ARNOULD, ROBERT C.—Representative Scott County, Minority Leader)****MORELAND, MICHAEL—Representative Wapello County**

- Amendments filed—77, 104, 126, 168, 182, 340, 366, 440, 588-589, 634, 778, 813, 867, 1212, 1255, 1261, 1273, 1278, 1279, 1326, 1876
- Amendments offered—360, 366, 901, 1255
- Amendment withdrawn—904
- Appointed to the Committee on Labor and Industrial Relations (replacing Johnie Hammond)—319
- Bills introduced—189, 223, 281, 320, 432, 452, 559, 580
- Committee appointments—19, 20, 61
- Leave of absence—451
- Resolution offered—244
- Subcommittee assignments—93, 263, 481, 499, 552, 703, 852, 976

MOTIONS TO RECONSIDER—

Filed:

House File 104—396
House File 112—260
House File 144, H-3081 to H-3077—338
House File 151—254
House File 230—702
House File 275—480
House File 307—480
House File 382—551
House File 418—1088, 1089
House File 428, H-3331—1119
House File 453—646
House File 515—1119
House File 561—975
House File 597—865
House File 632—1090
House File 642—1104
Senate File 117—1414
Senate File 180—1388
Senate File 233, H-3788 to H-3628—1323
Senate File 288—1066
Senate File 349—1322, 1323
Senate File 422—1849

Lost:

House File 418—1088-1089
House File 561—982
Senate File 180—1714-1715
Senate File 288—1089

Pending on adjournment:

House File 428, H-3331—2015

Prevailed:

House File 104—454
House File 112—958
House File 230—1002
House File 275—496
House File 307—512
House File 382—570-571
House File 632—1138
Senate File 117—1779

Ruled out of order:

House File 104—454
House File 418—1089
House File 561—982
Senate File 117—1779
Senate File 180—1715
Senate File 233, H-3788 to H-3628—1382
Senate File 288—1089

Withdrawn:

House File 144, H-3081 to H-3077—363
House File 151—513

House File 453—983
 House File 642—1104
 Senate File 349—1413
 Senate File 422—1872

Motions to reconsider (filed from the floor):

House File 104, H-3609—454
 House File 112, H-3028B—958
 House File 144, H-3085 to H-3077—363
 House File 428, H-3683—1101
 House File 430, H-3195A, H-3195B, H-3240—622
 House File 642, H-3748—1101
 House File 642, H-3683—1101
 Senate File 266, H-3887 to H-3699—1187
 Senate File 266, H-3834—1199
 Senate File 425, H-4358—1910

Lost:

House File 642, H-3748—1101
 Senate File 266, H-3887 to H-3699—1188
 Senate File 266, H-3834—1199

Prevailed:

House File 104, H-3609—454
 House File 112, H-3028B—958
 House File 144, H-3085 to H-3077—363
 House File 642, H-3683—1101
 Senate File 425, H-4358—1911

Withdrawn:

House File 430, H-3195A, H-3195B, & H-3240—622

Final dispositions of motions to reconsider—2015

MUNDIE, NORMAN—Representative Boone-Calhoun-Hamilton-Webster Counties
 Amendments filed—77, 104, 126, 168, 182, 601, 690, 813, 814, 867, 868, 903, 906, 1175,
 1212, 1247-1248, 1253-1254, 1259, 1277, 1278, 1390, 1731, 1732, 1740, 1876

Amendment offered—749

Bills introduced—98, 178, 224, 432, 559, 781

Committee appointments—18, 19

Leave of absence—465

Resolution offered—1757

Subcommittee assignments—84, 93, 94, 240, 466, 575, 649, 703, 776, 1014

MURPHY, PAT—Representative Dubuque County

Amendments filed—77, 168, 182, 587, 588-589, 741, 778, 812, 813, 814, 867, 868, 1041,
 1069, 1095, 1176, 1212, 1213, 1247-1248, 1250, 1251, 1253-1254, 1261, 1273, 1278,
 1279, 1325, 1326, 1347, 1609, 1683, 1745, 1748, 1758, 1797, 1876, 1882, 1891

Amendments offered—587, 588, 823, 836, 1748, 1882

Amendment withdrawn—1891

Bills introduced—76, 87, 148, 149, 281, 320, 487, 504, 538, 559, 654, 709

Committee appointments—2, 18, 19

Leave of absence—378

Presented to the House Cara Moothart and Meghan Frommelt, essay contest
 winners—456

Reports—2-5, 378-379

Subcommittee assignments—94, 263, 481, 499, 597, 704, 735, 1092

NATURAL RESOURCES AND OUTDOOR RECREATION, COMMITTEE ON—

Amendments filed—316, 716

Amendment offered—421

Appointed—19

Bills introduced—451, 452, 488, 655, 701

Recommendations—316, 449-450, 485, 577, 633, 652, 689, 715

Subcommittee assignments—71, 101, 159, 200, 214, 397, 423, 466, 532, 552, 575, 649, 1068

NELSON, LINDA—Representative Pottawattamie County

Amendments filed—77, 104, 126, 168, 244, 588-589, 601, 813, 814, 852, 853, 867, 1041, 1175, 1176, 1212, 1247-1248, 1259, 1261, 1264, 1272, 1273, 1274, 1278, 1279, 1326, 1609, 1797, 1876

Amendments offered—1178, 1273, 1421

Amendment withdrawn—1335

Bills introduced—86, 149, 270, 281, 432, 518, 559, 580, 672

Committee appointments—19, 20, 60-61

Petitions presented—427, 654

Resolution offered—96

Subcommittee assignments—84, 101, 173, 437, 466, 553

NEUHAUSER, MARY C.—Representative Johnson County, Assistant Minority Leader

Amendments filed—77, 126, 146, 168, 182, 217, 280, 440, 471, 517, 557, 588-589, 601, 653, 741, 757, 778, 812, 813, 814, 831, 867, 925, 978, 1122, 1148, 1176, 1212, 1247-1248, 1259, 1272, 1273, 1274, 1277, 1278, 1279, 1326, 1416, 1417, 1461, 1478, 1529, 1609, 1683, 1734, 1736, 1791-1792, 1797, 1831-1832, 1850, 1851, 1875, 1876

Amendments offered—166, 756, 757, 830, 831, 1246, 1459, 1461, 1469, 1492, 1791

Amendment withdrawn—642

Bills introduced—69, 133, 149, 189, 224, 281, 432, 452, 473, 487, 539, 580, 581, 743

Committee appointments—19, 20, 720

Leave of absence—1424

Request Call of the House on House File 138—222

Request Call of the House on Senate File 227—768

Resolutions offered—203, 517

Subcommittee assignments—80, 84, 101, 123, 159, 160, 173, 200, 201, 214, 215, 240, 313, 376, 397, 447, 448, 482, 499, 532, 552, 629, 650, 685, 776, 1014, 1092, 1276, 1875

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For Acting Chief Clerk—2

For Permanent Chief Clerk—13

For Speaker of the House—6

For Speaker Pro Tempore—14

For Temporary Speaker—2

OATH OF OFFICE—

By Acting Chief Clerk, Elizabeth A. Isaacson—2

By members—5-6

By Speaker of the House, the Honorable Harold G. Van Maanen—11

By Speaker Pro Tempore, the Honorable Mary A. Lundby—16

By Temporary Speaker, the Honorable Roger A. Halvorson—2

By Representative-elect Rick Larkin—379

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O'BRIEN, MICHAEL—Representative Boone-Greene Counties

Amendments filed—168, 588-589, 601, 813, 867, 941-942, 1018, 1212, 1213, 1259, 1277, 1278, 1279, 1326, 1797, 1918-1919

Amendments offered—941, 1918

Bills introduced—149, 224, 428, 432, 559, 692

Committee appointments—19, 20

Presented to the House the Honorable Joyce Lonergan, former member of the House—597

Requested to be added as a sponsor of H-3012 to House Resolution 3—123

Resolution offered—502

Subcommittee assignments—255, 397, 685, 866

OFFICERS AND EMPLOYEES—

Elected Elizabeth A. Isaacson, Acting Chief Clerk—2

Elected Elizabeth A. Isaacson, Permanent Chief Clerk—13

Elected the Honorable Roger A. Halvorson, Temporary Speaker—2

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- Amendments offered—337, 728, 892, 893, 935, 961, 1179, 1182, 1183, 1184, 1262, 1592, 1732
- Amendments withdrawn—363, 369, 1946
- Bills introduced—46, 55, 178, 225, 281, 319, 374, 432, 486, 580, 654, 671
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- Presented to the House Mr. "SEO" Seog-Goo from Korea, who is a participant in the International Visitors Program—499
- Subcommittee assignments—74, 94, 240, 263, 397, 447, 448, 597, 776, 852, 1068, 1641, 1757, 1875

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PETERSON, MICHAEL K.—Representative Carroll-Greene Counties

- Amendments filed—77, 168, 280, 335-336, 400, 440, 517, 578, 589, 600, 601, 620, 741, 778, 812, 813, 853, 893, 925, 1017, 1036, 1040, 1149, 1176, 1212, 1272, 1278, 1279, 1416, 1479, 1747, 1820-1822, 1829-1831, 1844-1848, 1876, 1886, 1908
- Amendments offered—168, 335, 508, 589, 612, 614, 615, 795, 836, 842, 907, 945, 1036, 1194, 1267, 1282, 1308, 1457, 1471, 1747, 1820, 1829
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- Appointed to the Legislative Council—79-80
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- Committee appointments—18, 19, 20
- Leave of absence—58, 671
- Petition presented—1150
- Remarks by—15-16
- Resolution offered—1850
- Seconded the nomination of Representative Lundby as Speaker Pro Tempore—15
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- Amendments offered—593, 834, 846, 1036, 1063, 1444, 1449, 1457, 1459, 1462, 1531, 1532, 1632, 1693, 1701, 1912
- Amendments withdrawn—587, 1036, 1492, 1700
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- House File 230, invoked Joint Rule 17, fiscal note—Representative Hansen of Woodbury—699
- House File 263, invoked Rule 32, refer to Appropriations—Representative Halvorson of Webster—507
- House File 331, H-3184—Representative Rafferty—963
- House File 400, H-3702—Representative Dickinson—1075
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- House File 418, invoked Rule 32, refer to Appropriations—Representative Brammer—1087
- House File 428, H-3747 to H-3331—Representative Fallon—1114
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- House File 430, H-3259 to H-3257—Representative Corbett—619
- House File 457, H-4059 to H-4040—Representative Spenner—1438
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- House File 516, invoked Rule 32, refer to Ways and Means—Representative Bernau—1048
- House File 518, H-3409, as amended—Representative Blodgett—826
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- House File 518, invoked Rule 32, refer to Appropriations—Representative Hansen of Woodbury—1319
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- House File 623, H-4161—Representative Spenner—1593

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- House Concurrent Resolution 11, maintain & discourage the proposed reorganization of the Rock Island District of the U.S. Army Corps of Engineers—339
 House Concurrent Resolution 12, commend & encourage President Clinton's commitment to universal vaccination of America's children—400
 House Concurrent Resolution 13, request Congress expand the Medicare program to cover prescription drug costs—425
 House Concurrent Resolution 14, request Iowa delegation to Congress annually appear before joint session of general assembly to discuss problems relating to unfunded federal mandates—425, 510 adopted.
 House Concurrent Resolution 15, request Congress grant states the ability to regulate self-insured health plans—425
 House Concurrent Resolution 26, support investigation into government guaranteed ag. loans, support moratorium on FHA's debt collection ability and request congressional hearing held within the state of Iowa (comp. to SCR 22)—1094

- House Concurrent Resolution 29, request President and Congress support the greatest possible export of ag. products to reach the Russian people under Food for Progress Program—1175
- House Concurrent Resolution 31, congratulate local officials and citizens for their role in the decision of the Base Realignment & Closure Commission to add jobs at the Rock Island Arsenal & urge the President and Congress approve Base Realignment & Closure Commission report—1277
- House Resolution 5, request President and Congress support efforts to exempt from federal income taxes, bonds to support loans to beginning farmers—425-426, 493-494 adopted
- House Resolution 9, President & Congress remove current obstacles which prevent transfer of ag. land between family members participating in Iowa's Beginning Farmer Loan Program supported by small issue private activity bonds exempt from fed. income taxation—1094, 1853 adopted
- House Resolution 13, entertainment industry's adverse effect on society—1683, 1959
- Senate Concurrent Resolution 9, condemn the atrocities of systematic rape of women and abandonment of children in Bosnia—475, 535, 856 adopted
- Senate Concurrent Resolution 29, common control of the Union Pacific Railroad Company, the Missouri Pacific Railroad Company, the Chicago and Northwestern Holdings Corporation and the Chicago and Northwestern Transportation Company—1420, 1844 adopted.
- Senate Concurrent Resolution 33, support an upper Mississippi River and Illinois waterway feasibility study—1818, 1879 adopted
- Senate Concurrent Resolution 34, research and development of soybean based industrial and consumer products—1819, 1853 adopted & msgd.

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RAFFERTY, ROBERT L.—Representative Scott County

Amendments filed—340, 450, 778, 926, 955, 1018, 1041, 1060-1061, 1122, 1390, 1391, 1416, 1466-1467, 1608, 1787, 1797

Amendments offered—418, 506, 805, 943, 1047, 1060, 1073, 1138, 1466, 1658, 1814, 1937

Amendment withdrawn—1047

Bills introduced—55, 164, 190, 198, 224, 430, 432, 442, 520, 549, 559, 628

Committee appointments—18, 19, 60

Resolutions offered—131, 339, 1277

Subcommittee assignments—101, 263, 376, 377, 384, 447, 499, 532, 552, 574, 629, 1014

RANTS, CHRISTOPHER C.—Representative Woodbury County

Amendments filed—176, 652, 716, 853, 1264, 1349, 1350, 1390-1391, 1391, 1787, 1850, 1953-1954

Amendments offered—191, 931, 1073, 1264, 1771, 1953

Amendments withdrawn—1954, 1956

Bills introduced—177, 184, 223, 259, 320, 374, 491, 492

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Presented to the House the Honorable Don Shoning, former member of the House—1681

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RENAUD, DENNIS L.—Representative Polk County

Amendments filed—77, 168, 182, 217, 244, 462, 471, 591-592, 601, 716, 741, 791, 812, 813, 814, 1018, 1175, 1176, 1212, 1247-1248, 1253-1254, 1272, 1273, 1278, 1735, 1743, 1744, 1875, 1876

Amendments offered—462, 791, 793, 1735

Amendment withdrawn—1178

Bills introduced—149, 219, 225, 246, 428, 429, 430, 432, 473, 492, 503, 559, 654, 672

Committee appointments—18, 19, 20

Leave of absence—826, 855

Presented to the House and escorted to the well, Jamie Solinger of Altoona, 1993 Miss Teenage U.S.A.—1819

Subcommittee assignments—74, 75, 143, 199, 200, 215, 241, 262, 277, 313, 397, 466, 467, 482, 499, 531, 574, 597, 648, 649, 703, 976, 1014

RENKEN, ROBERT H.—Representative Butler-Grundy Counties

Amendments filed—955, 1122, 1390, 1683, 1875

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Committee appointments—18, 20

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Resolutions offered—244, 1175

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Representative Scott Krebsbach—1

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 House Concurrent Resolution 33—1757
 House Concurrent Resolution 34—1850, 1858 adopted & msgd.
 House Resolution 3—96, 104, 123, 126, 131, 146, 188, 204, 212-214, 217, 225-239 adopted
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 House Resolution 5—425-426, 493-494 adopted
 House Resolution 6—502, 517, 563-570, as amended, adopted
 House Resolution 7—557, 653, 670, 853, 875-888 adopted
 House Resolution 8—600, 623-625 adopted
 House Resolution 9—1094, 1853 adopted
 House Resolution 11—1529, 1640
 House Resolution 12—1608, 1799 adopted
 House Resolution 13—1683, 1959
 Senate Concurrent Resolution 4—133, 146, 1962-1963 adopted & msgd.
 Senate Concurrent Resolution 5—190, 203, 853, 856-857, as amended, adopted, 1280
 Senate Concurrent Resolution 6—190, 204
 Senate Concurrent Resolution 9—475, 535, 856 adopted
 Senate Concurrent Resolution 12—582, 600, 856 adopted
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Senate Concurrent Resolution 2—84, 85, 89-90, 97, 104, 106-122 adopted & msgd.

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 373—983
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 28—1610

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 House File 331, H-3184—964
 House File 418, H-3755—1082
 House File 418, H-3758—1084
 House File 430, H-3254—618
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Prevailed:

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Rule 25:

House Resolution 8—623

Rule 32:

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Rule 57:

State Government committee meeting—1610

Pursuant to:

Rule 31.7(first reading, commitment and amendment):

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Senate File 281—1172

Senate File 327—1173

Senate File 370—1174

Rule 39A (consideration of conference committee reports):

House File 22—393

Rule 73g (reconsideration):

House File 428, H-3331—2015

House File 515—2015

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Rule 77 (call of the House):

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House File 227—768

Rules invoked:

Rule 32 (commitment of appropriations and revenue bills):

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RUNNING, RICHARD V.—Representative Linn County

Amendments filed—77, 78, 217, 244, 471, 485, 578, 591-592, 601, 669, 707, 716, 778,
 812, 813, 814, 841, 853, 866, 955, 978, 1017, 1040, 1041, 1069, 1162, 1176, 1211,
 1264, 1278, 1326, 1347, 1356, 1479, 1529, 1603, 1609, 1876

Amendments offered—591, 839, 841, 1006, 1050, 1162, 1347, 1602, 1603

Amendments withdrawn—1024, 1050, 1063, 1349

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 System—172

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 1070

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Resolutions offered—203, 1094, 1850

Subcommittee assignments—185, 200, 241, 263, 313, 397, 437, 531, 553, 629, 649, 685,
 686, 703, 712, 976, 1039

SCHRADER, DAVID—Representative **Marion-Warren Counties**, Assistant Minority Leader

- Amendments filed—77, 168, 244, 460-461, 462, 470, 471, 557, 669, 813, 853, 854, 867, 925, 926, 978, 1096, 1176, 1212, 1213, 1247-1248, 1259, 1262, 1263, 1272, 1278, 1416, 1448, 1590-1591, 1608, 1683, 1758
- Amendments offered—460, 462, 478, 947, 996, 1002, 1177, 1448, 1553
- Amendments withdrawn—727, 1555
- Bills introduced—98, 178, 205, 246, 428; 432, 503
- Committee appointments—19, 20
- Leave of absence—1019, 1480, 1793
- Request Call of the House on House File 138—222
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- Resolution offered—244
- Subcommittee assignments—101, 173, 214, 263, 376, 423, 448, 532, 597, 1068, 1211, 1276, 1874

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- Communications from—2, 32-33
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SHOULTZ, DON—Representative **Black Hawk County**

- Amendments filed—77, 78, 126, 176, 600, 670, 690, 691, 813, 867, 926, 938, 1017, 1041, 1095, 1148, 1175, 1176, 1212, 1259, 1264, 1272, 1279, 1286, 1409, 1416, 1478, 1590-1591, 1592, 1594-1597, 1741, 1797, 1831-1832, 1876
- Amendments offered—750, 788, 934, 938, 944, 948, 949, 1397, 1409, 1463, 1590, 1592, 1594, 1866
- Amendment withdrawn—934
- Bills introduced—82, 148, 225, 442, 503, 580, 627
- Committee appointments—19, 20
- Leave of absence—271, 506
- Resolution offered—244
- Subcommittee assignments—101, 240, 258, 398, 467, 663, 1039, 1068

SIEGRIST, BRENT—Representative **Pottawattamie County**, Majority Leader

- Appointed as one of the official delegation to attend the memorial service of the Honorable Clay Spear—130
- Appointed to the Legislative Council—79
- Asked and received unanimous consent to allow adjustment in the assignments of seats—46
- Asked and received unanimous consent that remarks in observance of the birthday of Dr. Martin Luther King, Jr., be printed in the House Journal—70
- Bills introduced—270, 318, 1605, 1753
- Bills rereferred to committees—1169-1171, 1401, 1413, 1926

Motion to adjourn—253
 Petitions presented—219, 387
 Remarks by—7-9, 1984-1985
 Resolutions offered—13-14, 14, 96, 280
 Seconded the nomination of Harold G. Van Maanen for Speaker of the House—7
 Tribute to the Honorable Clay Spear—130

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 Appointed—20
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1975, representing Lee County—128-130
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 Appointed to the Legislative Council—79
 Appointed as one of the official delegation to attend the memorial service of the
Honorable Clay Spear—130

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- Bills rereferred to committees—92, 150, 206, 395, 445, 527, 574, 637, 721, 851, 865, 871, 932, 1079, 1119, 1171, 1413, 2015-2016
- Bills signed by—422, 437, 514, 551, 646, 684, 851, 1013, 1274, 1388, 1414, 1475, 1606, 1641, 1679, 1849, 1873-1874, 1874, 2016-2017, 2017
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- Memorial services committee appointed—583
- Memorial tributes to the Honorable Clay Spear—128-130, 134-141
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- Presented to the House Amy Vroom, Queen of the 1993 Pella Tulip Festival—1530
- Presented a Certificate of Recognition to Doorkeeper Dwight Dugan—1800
- Presided at sessions of the House—17, 33, 46, 47, 54, 55, 58, 60, 65, 69, 70, 73, 76, 77, 78, 82, 83, 86, 89, 92, 98, 100, 105, 106, 118, 127, 132, 141, 148, 164, 165, 166, 168, 177, 183, 189, 196, 197, 205, 206, 209, 219, 223, 232, 245, 248, 252, 259, 260, 267, 269, 273, 311, 319, 321, 341, 342, 360, 369, 378, 382, 387, 393, 401, 416, 427, 429, 441, 451, 457, 459, 472, 476, 486, 491, 503, 518, 537, 549, 558, 560, 579, 583, 592, 602, 603, 607, 635, 654, 657, 671, 674, 692, 709, 711, 717, 721, 723, 724, 742, 752, 758, 768, 771, 774, 779, 786, 790, 804, 815, 822, 836, 845, 855, 857, 864, 869, 889, 919, 921, 927, 932, 933, 946, 956, 960, 966, 971, 973, 979, 983, 985, 994, 999, 1010, 1019, 1034, 1043, 1053, 1065, 1070, 1079, 1080, 1084, 1097, 1101, 1104, 1112, 1124, 1139, 1145, 1150, 1151, 1165, 1177, 1182, 1189, 1193, 1207, 1217, 1219, 1252, 1261, 1263, 1280, 1290, 1291, 1292, 1319, 1328, 1336, 1338, 1343, 1348, 1349, 1383, 1392, 1396, 1401, 1418, 1442, 1459, 1462, 1480, 1487, 1488, 1494, 1503, 1506, 1530, 1535, 1587, 1593, 1603, 1604, 1610, 1623, 1630, 1643, 1652, 1672, 1684, 1704, 1717, 1726, 1744, 1759, 1777, 1782, 1792, 1799, 1819, 1827, 1828, 1852, 1853, 1870, 1872, 1873, 1877, 1881, 1887, 1900, 1903, 1915, 1963, 1968, 1988
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- Amendment withdrawn—729
- Appointed as one of the official delegation to attend the memorial service of the Honorable Clay Spear—130
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- Resolution relating to, HCR 1 — 13-14 adopted

STATUS OF WOMEN, COMMISSION ON —

- Appointment to — 40

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- Agriculture — 91, 131, 202, 314, 385, 424, 483, 534, 555, 665, 687, 852, 1068
- (Revised) — 202
- Appropriations — 91, 144, 145, 146, 174, 438, 630, 1796
- Commerce — 85, 95, 96, 103, 144, 174, 202, 216, 265, 277, 385, 386, 449, 468, 483, 534, 665
- Education — 44, 202, 277, 278, 398, 449, 483, 500, 534, 651, 687
- Energy and Environmental Protection — 103, 187, 216, 217, 242, 314, 423, 575, 651, 665
- Ethics — 103, 468, 469
- Human Resources — 125, 186, 202, 257, 278, 315, 386, 439, 468, 483, 533, 651
- Judiciary and Law Enforcement — 81, 85, 95, 102, 125, 144, 145, 162, 186, 215, 216, 217, 242, 243, 256, 257, 265, 277, 377, 438, 439, 500, 533, 534, 555, 599, 651, 704
- Labor and Industrial Relations — 125, 161, 162, 175, 202, 278, 377, 398, 468, 514, 534, 555, 576
- Local Government — 103, 203, 216, 217, 242, 376, 377, 438, 468, 500, 514, 575, 598, 664, 665, 687, 704
- (Revised) — 598
- Natural Resources and Outdoor Recreation — 103, 216, 242, 243, 256, 278, 630
- Small Business, Economic Development and Trade — 162, 339, 468, 630, 665
- (Corrected) — 95
- State Government — 57, 74, 91, 95, 103, 144, 186, 314, 315, 386, 424, 483, 533, 534, 575, 650, 665
- (Revised) — 483, 650

Transportation—91, 95, 103, 125, 162, 216, 256, 501, 514, 555
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Ways and Means—80, 265, 315, 501, 534, 576, 735, 811, 925, 954, 1015, 1092, 1120,
1146, 1211, 1416, 1607

STUDY BILLS SUBCOMMITTEE ASSIGNMENTS—

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852, 976, 1039, 1092, 1120, 1211, 1276, 1324-1325, 1477, 1849, 2008

Reassigned—185, 554

STUDY COMMITTEES—

(See also LEGISLATIVE COUNCIL)

Resolution relating to:

House Concurrent Resolution 34—1850, 1858 adopted & msgd.

SUBCOMMITTEE ASSIGNMENTS—

54, 57, 71-72, 74-75, 80, 84, 93-94, 101-102, 123-124, 143, 159-160, 173, 185, 199-201,
214-215, 240-241, 255, 262-263, 313, 338, 375-376, 384-385, 397-398, 422-428, 437-438,
447-448, 466-467, 481-482, 499-500, 531-532, 552-554, 574-575, 597-598, 629, 648,
648-650, 662-663, 685-686, 702-704, 712, 734-735, 776, 811, 852, 866, 925, 953-954,
976, 1014-1015, 1039, 1068, 1092, 1120, 1145, 1172, 1211, 1276, 1641, 1757, 1796,
1828, 1874-1875, 2008

Reassigned—262, 313, 481, 552, 574, 685, 1092, 1145

SUPREME COURT OF IOWA—

(Chief Justice Arthur A. McGiverin)

Delivered the Condition of the Judicial Departments' Message—61-65

Resolution relating to, HCR 2—14 adopted

TEMPORARY OFFICERS—

Elected—2

Took oath of office—2

TEMPORARY RULES—

Adopted—18

TRANSPORTATION, COMMITTEE ON—

Amendments filed—557, 1095

Amendments offered—657, 1206

Appointed—20

Bills introduced—100, 248, 269, 402, 433, 441, 472, 504, 505, 672, 718, 744, 780

Recommendations—104, 176, 203, 243, 399-400, 439-440, 501, 557, 652, 740-741, 1094,
1148

Subcommittee assignments—54, 75, 159, 185, 200, 255, 263, 397, 398, 437, 466, 467,
470, 500, 552, 553, 648, 649, 650, 712, 953, 1092

TYRRELL, PHIL—Representative Benton-Iowa Counties

Amendments filed—741, 812, 955, 1062, 1213, 1279, 1479, 1628, 1787, 1820-1822, 1836

Amendments offered—1062

Appointed to the Ethics Study Committee—40

Bills introduced—55, 65, 76, 98, 148, 190, 223, 224, 282, 318, 387, 431, 442, 472, 487,
581, 626

Committee appointments—2, 18, 19, 20, 2019

Presented to the House Konstantin Jordanov, Chief Physician and Minister of Medical Care and his son Georgee, from Zlednesovsky, Russia—574

Reports—2-5, 378-379

Subcommittee assignments—71, 72, 74, 93, 200, 201, 214, 263, 313, 397, 423, 466, 467, 531, 532, 575, 648, 649, 702, 976, 1039, 1068

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Education Committee meeting—282

House File 144, H-4186 to H-3703, not be printed in clip sheet or House Journal—1629

House File 518, H-3846, voting—1321

House Resolution 10—1473 adopted

Senate File 370, H-4072—1493

Study Bill 309, printing & introduction of—1843

UNANIMOUS CONSENT TO VOTE—

House Joint Resolution 19—Representative Peterson—875

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VAN MAANEN, HAROLD G.—Representative Mahaska-Marion Counties

(See SPEAKER OF THE HOUSE—Harold G. Van Maanen, Representative Mahaska-Marion Counties)

VANDE HOEF, RICHARD—Representative Lyon-O'Brien-Osceola-Sioux Counties

Amendments filed—778, 867, 1017, 1036, 1041, 1122, 1149, 1212, 1213, 1278, 1390, 1887
Amendments offered—889, 908, 1046, 1076, 1124, 1164

Appointed to the Legislative Council—79

Bills introduced—55, 58, 65, 69, 132, 165, 184, 197, 220, 223, 224, 246, 318, 320, 374, 427, 442, 472, 581, 673, 855

Committee appointments—17, 18, 19, 583, 1794

Memorial tribute to the Honorable Clay Spear—135

Petition presented—441

Presented to the House Judy Brueggeman, Iowa Elementary Principal of the Year—1067

Reports—66-68, 548, 1922-1924

Resolutions offered—17, 131, 1175, 1757

Subcommittee assignments—71, 94, 160, 214, 240, 255, 423, 448, 481, 482, 532, 712, 735, 1068, 2008

VISITORS—

Presentation of—68, 172, 184, 254, 262, 383, 396, 422, 446, 466, 481, 499, 514, 552, 574, 597, 628, 662, 684-685, 702, 776, 811, 851, 866, 924, 952-953, 975, 1014, 1038, 1066, 1067, 1091, 1119, 1145, 1172, 1210-1211, 1275, 1324, 1388-1389, 1476-1477, 1527-1528, 1607, 1641, 1681, 1756, 1796, 1849, 1874

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WAYS AND MEANS, COMMITTEE ON—

Amendments filed—280, 517, 690, 1277, 1327, 1683, 1840

Amendments offered—1423, 1449, 1838, 1840

Appointed—20

Bills introduced—166, 579, 636, 1008, 1037, 1169, 1274, 1387, 1414, 1474, 1526, 1605, 1640, 1643, 1759, 1870

Recommendations—176, 279, 516, 578, 633, 690, 777, 1016-1017, 1148, 1276, 1325, 1389-1390, 1477-1478, 1528-1529, 1642, 1682, 1797, 1840, 1850, 1974-1975

Subcommittee assignments—74, 101, 214, 215, 262, 263, 277, 375, 376, 447, 448, 499, 597, 650, 663, 776, 852, 1039, 1092, 1120, 1211, 1276, 1641, 1757, 1874, 1875

WEIDMAN, DICK—Representative Cass-Montgomery-Pottawattamie Counties

Amendments filed—691, 716, 741, 1095, 1390

Amendments offered—787, 794, 1206

Bills introduced—55, 99, 205, 223, 224, 270, 374, 387, 431

Committee appointments—18, 19, 20, 379

Petition presented—537

Subcommittee assignments—75, 80, 123, 159, 173, 185, 200, 214, 255, 262, 263, 276, 384, 397, 423, 437, 448, 482, 532, 575, 629, 648, 649, 685, 686, 953, 1014, 1015, 1092

WEIGEL, KEITH—Representative Chickasaw-Howard-Winneshiek Counties

Amendments filed—77, 104, 168, 470, 470-471, 471, 485, 578, 588-589, 601, 813, 867, 903, 906, 977, 1212, 1251, 1278, 1325, 1390, 1727, 1728, 1744, 1787, 1797, 1953-1954

Amendments offered—496, 903, 1023, 1251, 1727, 1728

Amendments withdrawn—906, 1956

Appointed to the Rural Health Advisory Committee—172

Bills introduced—432, 654
 Committee appointments—18, 20, 720, 1794
 Leave of absence—86, 267, 378
 Report—1922-1924
 Resolution offered—1757
 Subcommittee assignments—101, 276, 376, 448, 499, 574, 597, 662, 686, 1276, 1874

WELTER, JERRY J.—Representative Jones-Linn Counties

Amendments filed—1251, 1390, 1390-1391, 1391, 1787, 1836
 Amendment offered—1054
 Bills introduced—58, 59, 65, 100, 198, 223, 224, 431, 442, 472, 520, 581, 671, 780
 Committee appointments—18, 19, 20, 47
 Presented to the House the Honorable Frank Shimanek and his daughter, the Honorable Nancy Shimanek former members of the House—396
 Resolutions offered—131, 265, 1757, 1850
 Subcommittee assignments—93, 94, 159, 200, 276, 277, 338, 397, 423, 437, 499, 553, 597, 648, 663, 852, 1092

WISE, PHILIP L.—Representative Henry-Lee Counties, Assistant Minority Leader

Amendments filed—77, 168, 440, 470, 633, 668, 669, 670, 691, 741, 762-764, 867, 903, 906, 938, 978, 1041, 1082-1084, 1176, 1212, 1250, 1261, 1265-1266, 1272, 1273, 1274, 1277, 1278, 1326, 1347, 1478, 1787, 1797, 1850
 Amendments offered—677, 678, 681, 752, 754, 759, 769, 1261, 1265, 1334, 1335
 Amendments withdrawn—1349, 1350
 Appointed as one of the official delegation to attend the memorial service of the Honorable Clay Spear—130
 Bills introduced—59, 149, 432, 559, 580, 672
 Committee appointments—17, 18, 19, 134, 206
 Leave of absence—86, 717, 793, 1217
 Memorial tribute to the Honorable Clay Spear—135-136
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 Report—548
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 Subcommittee assignments—84, 101, 159, 214, 277, 313, 397, 438, 482, 597, 629, 663, 703, 712, 735, 953

WITT, WILLIAM—Representative Black Hawk County

Amendments filed—77, 104, 188, 471, 619, 634, 652, 668, 669, 716, 813, 814, 867, 925, 1018, 1122, 1148, 1176, 1212, 1247-1248, 1251, 1263, 1264, 1265-1266, 1273, 1274, 1352, 1478, 1479, 1503, 1521-1523, 1742, 1745, 1746, 1831-1832, 1876, 1909
 Amendments offered—619, 727, 941, 1020, 1264, 1352, 1742, 1746
 Amendment withdrawn—1511
 Asked and received unanimous consent to vote nay on House File 518, H-3846—1321
 Bills introduced—189, 224, 225, 246, 319, 387, 432, 518, 559, 580, 671
 Committee appointments—19
 Leave of absence—869
 Memorial tribute to the Honorable Clay Spear—137
 Resolutions offered—244, 1683
 Subcommittee assignments—94, 102, 185, 277, 481, 499, 703